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HENRY VIII. KING OF ENGLAND, FRANCE, AND IRELAND, DEFENDER OF THE FAITH, &c.

R. Sheppard Sculp.

THE HISTORY OF ENGLAND.

BOOK XV.

Containing the Reign of HENRY VIII, Twentieth King of ENGLAND since the Conqueſt.

HENRY VIII. AN' 1509.

HENRY VIII, ſon and ſucceſſor of Henry VII, acceded to the crown when he wanted a few months of eighteen years (1). Lord Herbert, his hiſtorian, ſays the King his father deſigned him at firſt for the archbiſhoprick of Canterbury, becauſe, having a ſon elder than this, there was no likelihood that this would aſcend the throne: and therefore (continues he) care was taken to inſtruct him in all the parts of learning neceſſary for a Prince who was one day to be a churchman. He would have expreſſed himſelf in juſter terms had he only ſaid, that Henry VII had ſuch a deſign when he firſt put him on his ſtudies: but as the young Prince was become his heir-apparent at the age of eleven years, it could not be with the ſame view that he cauſed him to purſue the ſtudy of ſuch parts of literature as were proper for a clergyman. It is therefore more likely, that the King his father kept him to his ſtudies, for fear his active and fiery ſpirit ſhould carry him to more dangerous exerciſes. He was only ſon of Queen Elizabeth, heireſs of the houſe of York. Conſequently he might have given the King his father ſome trouble, had he thought of aſſerting his right as heir to his mother. However this be, Henry, having taken a reliſh for learning in his younger years, preſerved it ever after. He always delighted in peruſing good books, and converſing with the learned, even when a multiplicity of his affairs ſeemed to divert him from ſuch kind of imployments. By this means he made advances in the ſciences very uncommon to great Princes. Francis I, his cotemporary, whom the French hiſtorians ſtile, The Father of the Muſes, was in erudition much his inferior. He ſpoke French and Latin well and readily. He was perfectly ſkilled in muſic, as two intire maſſes compoſed by himſelf, and often ſung in his chapel, do ſufficiently teſtify. He was well verſed in the moſt abſtruſe points of the Ariſtotelian philoſophy, which alone was in vogue in thoſe days: but he applied himſelf chiefly to the ſtudy of divinity, as it was then taught in the univerſities, wretchedly contaminated with uſeleſs queries. The Summary of Thomas Aquinas was a book abundantly in his favor.

His education.

Herbert.

HENRY VIII. AN' 1509. Hollingſh.

This knowledge, which was conſidered as a great accompliſhment, even in ordinary perſons, had on the young Prince an effect not uncommon: it gave him of himſelf a good opinion, which had but too much influence on all the actions of his life. The exceſſive commendations almoſt generally beſtowed on him, confirmed him in this conceit. While he was yet unexperienced in the affairs of ſtate, he imagined himſelf very able; and this preſumption was the cauſe of his being the dupe of thoſe princes with whom he was concerned, as will more amply appear in the ſequel of his reign.

Henry has good conceit of himſelf.

He is often impoſed on.

But, in remarking this Prince's large portion of ſelf-conceit, I pretend not to rob him of, or any way leſſen the noble qualities he had from nature or education. In his youth he was extremely perſonable, and expert in all bodily exerciſes, rather excelling than falling ſhort of any Prince of his time: and accordingly, he was paſſionately fond of all thoſe diverſions which gave him opportunities to ſhew his activity. He was couragious without

His good qualities.

(1) He was born June 28. 1491, and acceded the 22d of April 1509.

oſtentation;

Hen. VIII An' 1509.

oſtentation; of a free and open temper; a profeſſed enemy to fraud and inſincerity, ſcorning to uſe indirect means to compaſs his ends. In his liberality perhaps there was as much of the extreme, as in the King his father's avarice. Henry VII ſeemed to have been ſollicitous to accumulate wealth, only to afford his ſon the pleaſure of ſquandering it away without diſcretion.

His firſt counſellors. Stow. Hollingſh. Herbert. Pol. Virg.

As Henry VIII, when he mounted the throne, was little experienced in affairs of government, he at firſt, made uſe of the King his father's miniſters and counſellors. The principal were, William Warham archbiſhop of Canterbury (1), of whom honorable mention is made by Eraſmus (2) ſomewhere in his writings; Richard Fox biſhop of Wincheſter, (3) who in the late reign had been imployed in the niceſt affairs; Thomas Howard earl of Surrey, (4) ſon to the duke of Norfolk ſlain in Boſworth field fighting for Richard III; George Talbot earl of Shrewſbury, lord ſteward of the King's houſhold; Thomas Ruthel, doctor of laws; ſir Edward Poynings (5), knight of the garter, whoſe name is ſtill famous for a ſtatute inacted in Ireland in the former reign, while he had the government of that iſland; and ſir Charles Somerſet, baron Herbet, and lord Chamberlain (6).

Henry VII's funeral. Hall. Hollingſh. Stow. Herbert.

Henry VII's funeral was celebrated with great magnificence a few days after his deceaſe. His body was interred at Weſtminſter, in the chapel erected by himſelf, and for the adorning whereof he ſpared no coſt. This chapel paſſed then for one of the ſtatelieſt in Chriſtendom: Henry VII, covetous as he was, expended thereon fourteen thouſand, ſome ſay twenty thouſand pounds ſterling; a very conſiderable ſum in thoſe days, when money was much ſcarcer in Europe than at preſent (7).

Herbert.

While thoſe obſequies were preparing, the new King privately retired, from his palace of Richmond, to the tower of London, under color of withdrawing on account of the King his father's death: but it was rather to ſettle with his miniſters ſome affairs which would not admit delay.

Lord Stafford ſent to the tower. Hall.

While he was thought in his retirement to be imployed in devotion, he ordered Henry lord Stafford, the duke of Buckingham's brother, to be apprehended, probably on ſome groundleſs ſuſpicion which ſoon vaniſhed, ſince not long after, he was created earl of Wiltſhire.

Ruthal made biſhop of Durham. Rym. Fœd. Vol. XIII. p. 256, 258.

The See of Durham, vacant by the tranſlation of Chriſtopher Bambridge to the archbiſhoprick of York, was confered on Thomas Ruthal, doctor of law, and one of the privy-council (8).

General pardon. Proclamation to incourage people to complain. Stow. Hollingſh. Herbert. Pol. Virg.

A few days after, the King confirmed his father's general amneſty, granted not long before his deceaſe (9): but all offenders had not the benefit thereof. A proclamation quickly appeared, wherein the King ſaid that, being informed his good ſubjects had been oppreſſed under the ſpecious pretenſe of preſerving the prerogatives of the crown, he gave them leave to bring their complaints, and promiſed them ſatisfaction. The deſign of this proclamation was not to reſtore to his people the ſums unjuſtly extorted by the late King, but only to incourage them to exhibit their complaints againſt Empſon and Dudley, the inſtruments made uſe of by Henry VII, and to give them ſome ſort of ſatisfaction by puniſhing theſe two miniſters.

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When this proclamation was publiſhed, numberleſs petitions were preſented againſt them. This was what the court wanted, not only becauſe theſe men were odious to the whole nation, but moreover to ſhew the people, the new King intended to rule in a very different manner from the King his father. On all theſe petitions, Empſon and Dudley were called before the council, where they were ſuccinctly told the principal articles alledged againſt them (10). Empſon anſwered for both, "That the accuſation was of a very new and "ſtrange nature: that uſually men were proſecuted for acting againſt the laws, or diſobeying "their Sovereign; but for their part, they were "accuſed by the people of executing the laws "whereof themſelves were the authors: that, "on the other hand, the King called them to "account for obeying his father's expreſs orders, "unheard of crime! the puniſhment whereof would "be apt to throw all his ſubjects into rebellion: "that if they muſt be puniſhed for ſuch offenſes, "he deſired it might not be divulged to foreign "nations, leſt they ſhould infer, that the final diſſolution of the Engliſh government was approaching." To this it was briefly replied, "That he had ſpoken with much freedom; but "his eloquence was fruitleſs and unſeaſonable: "that they were not accuſed of executing the laws, "or of obeying the King; but of ſtretching the "laws beyond their due bounds, and exceeding "their Sovereign's commiſſion, which accuſation "they had reaſon to fear were too well proved."

Empſon and Dudley called before the council. Empſon's defenſe. Herbert. Hall. Hollingſh. Pol. Virg.

Herbert.

Then they were both commited to the tower (11). The King had determined on making them examples, in order to content the people, who were extremely inſenſed againſt them. Thus their condemnation was reſolved before their appearance, tho' it was not yet known on what to ground their proceſs. In any other country, an act of ſovereignty to ſend theſe two men to the gallows, would have been a joyful ſight: but it is not the ſame in England, where the greateſt criminals have privileges which cannot be refuſed them, without giving the people occaſion to imagine the court is forming deſigns againſt liberty. It was neceſſary therefore to ſearch for ſome expreſs law to condemn them: but, on examining the accuſation already brought againſt them, great difficulties occurred. It appeared that, tho' they were accuſed of numberleſs offenſes, nothing could be proved but their mercileſs execution of the laws: but, notwithſtanding they had ſtretched theſe laws as far as the words would bear, it could not be charged to them as a crime, ſince they had a warrant from the King, in whom the execution of the laws is lodged. Certain it is that Henry VII, contrary to the cuſtom of his predeceſſors, had acted according to the ut-

They are ſent to the tower. Hall. Stow. Hollingſh. Herbert.

(1) And lord chancellor. (2) Eraſmus of Rotterdam came over into England in 1497, and ſtudied ſome time in Oxford and Cambridge. His inſtructions mightily promoted the new learning, and particularly the knowledge of the Greek tongue. (3) Secretary of ſtate and lord privy-ſeal. (4) Lord treaſurer. (5) Comptroller.

(6) To theſe lord Herbert adds, ſir Thomas Lovel, maſter of the wards, and conſtable of the tower, ſir Henry Wyat, ſir Henry Marney, afterwards (1532) lord Marney, ſir Thomas Darcy, afterwards (1511) lord Darcy. Theſe (ſays he) were ſelected from thoſe his father moſt truſted, by the counteſs of Richmond his grandmother and farther obſerves, that this council was of ſcholars chiefly and of ſoldiers, without ſo much as one lawyer; at which he wonders. p. 2.

(7) His tomb, perfected by his executors 1519, coſt a thouſand pounds, which, as money went then, might be thought a ſumptuous monument. Ibid.

(8) And Pope Julius ſent him the form of the oath he was to take to the holy See, of which the curious reader may ſee a copy in Rymer's Fœd. as above.

(9) Out of which were excepted all perſons guilty of murder, felony, and treaſon. In the ſame pardon, all vagabonds and ſturdy beggars were ordered to depart London, and repair to the ſeveral places where they were born. Stow, p. 486.

(10) See them in Hollingſhead, p. 804.

(11) Their promoters and inſtruments were apprehended, and put in the pillory. Hall, fol. 1. Stow, p. 487.

moſt

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most rigor of the ſtatutes: but he might do it, and if the former Kings had done otherwiſe, it was more out of condeſcenſion than juſtice. Theſe two miniſters therefore could not be proſecuted for obeying him: beſide, to condemn them for executing their Sovereign's orders was openly to diſhonor that Prince's memory, and renew the remembrance of his ſeverities towards his ſubjects. It was reſolved therefore to deſtroy them on a falſe accuſation, of intending to withdraw their allegiance from the King ſince his acceſſion to the throne. It is evident this accuſation was quite groundleſs: for how could two perſons ſo odious to the whole nation, and deprived of all credit by the death of Henry VII, think of ſuch a deſign, and ſtill leſs put it in execution (1)? Mean while, no ſcruple was made to take away their lives for a forged crime, becauſe they were believed worthy of death, tho' not condemned by the letter of the law. On this frivolous imputation, they were brought before their proper judges, and found guilty, whether falſe witneſſes were ſuborned againſt them, or by a mental reſervation hitherto unknown in England in judgments of this nature. Dudley was tried and caſt at London the ſixteenth of July, but Empſon was not ſentenced 'till the fourteenth of October, (2) at Northampton. Henry, either thro' ſcruple, or ſome other motive, ſuſpended their execution 'till the next year (3).

Slight accuſation againſt them. Herbert. Hollingſh. Stow.

They are condemned.

Hall.

While means were contriving to diſpatch theſe two miniſters, the King and his council had a much more important affair to take into conſideration. We have ſeen, in the former reign, Prince Arthur's marriage with Catherine of Aragon; that Prince's death without iſſue; the reaſons inducing King Henry VII to deſire that Prince Henry, become his heir apparent, ſhould eſpouſe his brother's relict; the conſent of Ferdinand and Iſabella, the young widow's parents; and Pope Julius's diſpenſation for the marriage. The true reaſon why Henry VII propoſed this match, was his unwillingneſs to reſtore the hundred thouſand crowns received in part of Catherine's dower: he was alſo afraid of loſing the other half, which remained to be paid. Finally, he foreſaw that, after the receipt of the whole, the Princeſs his daughter-in-law would indiſpenſibly injoy her ſettlement of the third part of the revenues of the principality of Wales, and the county of Cornwal. However, as it was not decent to urge to the Pontif ſuch a motive to obtain a diſpenſation for ſo ſtrange a marriage, which could not but be deemed ſcandalous, it was pretended to be neceſſary to preſerve the peace between Henry VII and the King and Queen of Spain. That was the motive alledged to the Pope, which he readily conſidered as ſufficient, tho' there was but too much reaſon to queſtion its being the real inducement.

Debate about the King's marriage with Catherine of Aragon. Herbert.

Hall. Herbert.

In conſequence of the Pope's diſpenſation, Henry and Catherine were ſolemnly affianced: nevertheleſs, whether Henry VII intended only to deceive Ferdinand, and get the remaining hundred thouſand crowns, or was moved by the remonſtrances of Warham archbiſhop of Canterbury concerning this marriage, he ſo ordered it, that the Prince his ſon, on the very day he was fourteen years of age, in the preſenſe of certain witneſſes, made a proteſtation in form againſt the conſent he had given. But this proteſtation was kept ſo ſecret, that it came not to the public's knowledge 'till there was a neceſſity of divulging it, many years after. On the news of Henry VII's demiſe, Ferdinand ſent to count de Fuenſalida, his embaſſador in England, a very ample power to renew the treaty of alliance made with the deceaſed King, ordering him withal, to demand the confirmation and execution of that which was concluded for Catherine's ſecond marriage with Prince Henry, now become King of England.

Burnet's Ref. Vol. I. p. 38.

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Rym. Fœd. Vol. XIII. p. 249. May 11.

The Spaniſh embaſſador having preſented a memorial on this occaſion, it was deliberated in council, whether the King ſhould accompliſh his marriage with Catherine. This affair was debated with great attention. Againſt the marriage it was alledged; "That for a man to marry his brother's "widow was a thing unheard of among Chriſtians: "that ſuch a marriage was contrary to the law of "God, and therefore it was a queſtion, whether "the Pope had power to diſpenſe with it." Of this ſentiment was the archbiſhop of Canterbury, who could not conſider the ſaid marriage otherwiſe than as mere inceſt. But Richard Fox biſhop of Wincheſter was of a quite different opinion. He ſtrenuouſly inſiſted on the Pope's diſpenſation, and the unlimited power of Chriſt's vicar. He affirmed; "That the Pope's granting a diſpenſation, "was a certain proof that he had the power, and "was ſufficient to ſatisfy the King's conſcience: "that no perſon on earth could limit, or ſo much "as inquire into the Papal authority; and tho' ſuch "a power ſhould be aſcribed to a general council, "at leaſt the council of England could not pre-"tend to it." To theſe arguments concerning conſcience, the biſhop added others drawn from reaſons of ſtate, and the King's particular intereſt. He ſaid, "That the King would, during the courſe "of his reign, very probably have diverſe con-"teſts with France, England's ancient enemy, and "whether he would attack, or only defend, the "alliance with Spain was abſolutely neceſſary: "that in ſending back Princeſs Catherine after "having affianced her, he would affront King "Ferdinand, which he would certainly revenge "by leaguing with France, and ſuch a league could "not but indanger England, or at leaſt run it to "exceſſive expenſes: that moreover, if the King "refuſed to conſummate his marriage with Cathe-"rine, he muſt reſolve either to reſtore her dower, "or ſuffer her to injoy her ſettlement; but, by "eſpouſing her, he would ſave the hundred thou-"ſand crowns received by the King his father, "be a gainer of the like ſum, which the King of "Aragon was to pay, and avoid the great charge "he muſt indiſpenſibly be at in affiancing and "bringing over to England another Princeſs." Next he expatiated on the virtue and ſweet diſpoſition of the Princeſs of Wales, ſufficient to render a huſband compleatly happy: adding; "That "there was no room to doubt of her being ſtill a "virgin, ſince ſhe herſelf affirmed it, offering "even to undergo a viſitation by matrons, to de-"monſtrate that ſhe alledged no other than the "naked truth."

Difficulties about the marriage. Burnet.

Reaſons for and againſt it.

Pol. Virg.

All theſe arguments, except the firſt concerning the diſpenſation, were very ſtrong. As to that, it was ſo dangerous for a churchman to diſpute the Pope's authority, eſpecially that of ſuch a Pope as Julius II, who was ſtill in his vigor, that the arch-

Henry determines on marrying Catherine.

(1) They were accuſed, as appears in their indictments upon record, of a conſpiracy againſt the King and ſtate, of ſummoning, during the late King's ſickneſs, certain of their friends to be in arms at an hour's warning; and on the King's death to haſten to London, from whence it was infered by the jury, that they intended either to ſeize the King's perſon, or to deſtroy him. Herbert, p. 4.

(2) October the firſt, ſays Stow, p. 487.

(3) King Henry VII's executors made reſtitution this year, of great ſums of money extorted from many perſons by thoſe two oppreſſors. Hall, fol. 7.

6+

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bishop of Canterbury durst not persist openly in his opinion. Wherefore Henry, closing with the bishop of Winchester's and almost the whole council's sentiments, it was resolved he should consummate his marriage: but previously he required of the Princess, that by a solemn act she should renounce her dower of two hundred thousand crowns, and consent that the said sum should appertain to the King her consort, and that, neither by herself nor heirs, nor by King Ferdinand her father, nor her sister Queen Juana, nor by any other person, on any pretense whatsoever, the same should ever again be claimed. Two days after, count de Fuensalida made the like renunciation in the name of King Ferdinand and Queen Juana. By Catherine's letters patent, wherein she stiles herself only Princess of Wales, bearing date June the seventh, it is evident, the King married her not on the third of that month, as historians affirm, nor sooner than the day these letters were signed. Their coronation was solemnised on the twenty-fourth of the same mouth, and five days after died Margaret countess of Richmond and Derby, the King's grandmother.

Rym. Fœd. Vol. XIII. p. 251. June 7.

Ib p. 253, 254.

Hall, &c. Death of the countess of Richmond. Hall. Stow. Herbert.

In the begining of his reign, Henry gladly left to his council and ministers the care and management of his affairs. As he was in peace with all his neighbors, the transactions of his own realms could not furnish him with much imployment. He thought only of such pleasures and diversions as better suited his years than application to business: but, as he was naturally liberal, his entertainments at court were very expensive. The aged bishop of Winchester, Henry VII's old minister, could not help murmuring to see lavished away without any necessity the treasures which his deceased master had amassed with so much care, pains and injustice, and wherein he had himself been imployed. He threw all the blame on the earl of Surrey, lord treasurer, who was his rival in favor under the late King, and continued to be so still under the present, by gaining the affection of his new master, by a blind compliance to his will. During Henry VII's life, he was more close-fisted and less willing to part with money than even the King himself. How expres soever the orders were for payments, he always found difficulties, and by that made his court admirably to his master. Being continued in his post in the new reign, he became quite another man: he not only paid, without examination, whatever was ordered, but also excited the King to extravagant expenses: this gained him the favor of the young Monarch, who was naturally addicted to profuseness. The bishop of Winchester loudly censured this procedure, as extremely detrimental to the King's interest: but he was little regarded in a court where every one was striving to make advantage of the Sovereign's liberal temper. Mean while, his discourses exasperated more and more against him the earl of Surrey and the young courtiers, who never ceased doing him ill offices with the King: thus the bishop, who was in so great credit in the late reign, gradually lost it in this.

Henry purfues hi pleasures at vast expenses. Hollingsh. Stow.

Quarrel between the bishop of. Winchester and earl of Surrey. Surrey's character. Pol. Virg. Herbert.

His disgrace, which sat very heavy on his mind, threw him on devising means to supplant his rival, by introducing at court Thomas Wolsey, to whose qualifications he was no stranger. Wolsey was a clergyman, already eminent for his merit, tho' no better a man than the son of a mean Ipswich butcher. The bishop of Winchester readily foresaw, that the King would soon be in want of persons about him fit and able to ease him; and, as he knew Wolsey's genius and capacity, questioned not that when he was at court he would render himself necessary to the King. To that end, he procured him the place of almoner. We shall soon be convinced that the prelate was not wrong in his judgment, or rather that his foresight was far short of Wolsey's fortune (1).

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Herbert. He introduces Wolsey at court.

About the middle of the year, the treaties concluded between Henry VII and the King of Scotland, were confirmed or renewed by the bishop of Murray, who was sent into England to congratulate Henry on his accession to the crown.

Confirmation of the treaties with Scotland, Rym. Fœd. Vol. XIII. p 257, 261, 267.

The Emperor Maximilian also sent Henry an embassy to congratulate him and confirm the treaties made with Henry VII, in the year 1502.

and with the Emperor. p. 260.

Christopher Bambridge, archbishop of York, being at Rome, where he was gone to have his election confirmed, received a commission from the new King to act as his embassador. We shall presently know the reason why the Pope wanted to have an English embassador reside at his court, and why King Henry was desirous to be particularly informed of what passed at Rome, and throughout Italy.

Aug 20. Bambridge archbishop of York embassador at Rome. p. 264. Sept. 24.

These were the most remarkable transactions in England, during the first eight months of the reign of Henry VIII. They were for the most part domestic occurrences of small moment, except the King's marriage, which was attended with very great consequences. But there passed abroad matters of great moment, which became as it were the fourse of those commotions wherewith in a manner all Christendom was agitated for more than fifty years, and wherein England was but too deeply ingaged. For some time, the affairs of Europe had begun to have a new face, and what intervened this year in Italy set them on such a foot, as obliged almost every Sovereign to be concerned therein. Henry VIII unhappily intangled himself in the troubles of that country, which seem to have had no relation to him. This makes the knowledge of the affairs of Italy so absolutely necessary, that without it neither the events of this reign can be intelligible, nor the King's character fully known. It will therefore be proper to inlarge on this subject, which concerns not only the history of England, but also those of France, Spain, Germany and Swifferland; the principal events whereof, for a long space of time, flowed properly from the affairs of Italy. It is true, most of the authors, who wrote the histories of these states, supposed their readers to be acquainted with what passed in Italy at the same time; whereby they have indeed compriſed their works within a much shorter com-

Necessity of knowing the affairs of Italy, to understand this King's history.

(1) Thomas Wolsey was born at Ipswich, March 1471. He was sent so early to Oxford, that he was batchelor of arts at fourteen years of age, and from thence called the Boy Batchelor. Soon after, he was elected fellow of Magdalen college, and, when master of arts, had the care of the school adjoining to that college commited to him. Being charged with the education of the marquis of Dorset's three sons, his lordship presented him to the rectory of Lymington in Somersetshire, October 10. 1500. He had not long resided at his living, before sir Amias Powlet, a justice of peace, put him in the stocks for being drunk (as is said) and raising disturbances at a fair in the neighborhood. By the recommendation of sir John Nasant he was made one of the King's chaplains. In 1506, he was instituted to the rectory of Bedgrave in the diocese of Norwich; having then, beside the rectory of Lymington, the vicarage of Lyde in Kent. Rymer's Fœd. Vol. XIII. p. 217. While he was the King's chaplain, he insinuated himself into the favor of Fox bishop of Winchester, and of sir Thomas Lovel, who recommended him to the King as a fit person to be imployed in negociating the marriage between Henry VII and Margaret duchess of Savoy. He was dispatched to the Emperor her father, and returned with such speed, that the King seeing him, supposed he had not been gone. Having reported his embassy, he was made dean of Lincoln, February 8. 1508, and on the twentieth of the same month prebendary of Walton Brinhold in that church. In these circumstances he was when introduced at court by bishop Fox after Henry VII's decease, where he soon found means to insinuate himself into the favor of his son and successor. Burnet's Hist. Ref. Fiddes.

pass,

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paſs, but withal rendered them very obſcure to thoſe who were not ſo fully inſtructed as they have ſuppoſed. For my part, I purpoſe to take a different courſe. Since the affairs of Italy are the foundation of moſt of the occurrences in Europe, and particularly in England, during almoſt one half of the ſixteenth century, I am of opinion that they ought to be treated of ſomewhat largely, which alone can clear the particular hiſtories thence proceeding: but, to avoid tedious digreſſions, which would be indiſpenſible in the ſequel, it is neceſſary to give firſt a diſtinct idea of the ſtate of Italy, as well as of the characters and intereſts of the ſeveral Princes.

State of Italy.

I have already related in the foregoing reign how Lewis XII, aſſiſted by the Venetians, conquered the duchy of Milan upon Ludovico Sforza, pretending thereto a right, as grandſon to Valentina Viſconti, daughter of Gio. Galeazzo I, duke of Milan. I have likewiſe had occaſion to ſpeak of the conqueſt of Naples by the united arms of Lewis XII and Ferdinand, and of the means uſed by the latter to remain ſole maſter of that kingdom. It will ſuffice therefore to add here, that tho' Lewis XII loſt his portion of that conqueſt, he deſiſted not from his pretenſions, but was waiting for a favorable opportunity to aſſert them. I muſt now make ſome ſuccinct mention of the other Italian ſtates, and firſt of the Eccleſiaſtical ſtate.

Milan, and Naples.

Eccleſiaſtical ſtate.

Before the Kings of France and Spain had ſet foot in Italy, the Popes were as ſovereign arbiters of that country: but it was not ſo much by their temporal arms as their ſpiritual, whereof they made frequent uſe. For ſome centuries, they had loſt great part of the demeſns formerly appertaining to the church. About the end of the reign of Otho I, the Eccleſiaſtical ſtate conſiſted of the city of Rome and its territory, with Tuſcany, the marquiſate of Ancona, the duchy of Spoleto, Ravenna, all La Romagna, and the whole country in general compriſed formerly under the Exarchate (1). But afterwards, during the wars of the Guelfs and Ghibelins, the Emperors wreſted from the Popes all Tuſcany, with ſeveral towns in other quarters. Some of theſe towns had thought fit to withdraw their obedience from the church, and the Popes themſelves had been obliged to grant others in fee to nobles who ſerved them, or from whom they expected aſſiſtance. At length, the Emperor Rodolf I, having ſold liberty to as many cities of Italy as would purchaſe it, diverſe which heretofore belonged to the church imbraced the opportunity of throwing off at once the yokes of both Pope and Emperor (2). Hence there were quickly in Italy almoſt as many Sovereigns as cities. The ſtrongeſt ſubdued the weakeſt, and fell at laſt themſelves under the dominion, or rather the tyranny of ſome of their own citizens, who found means to ſeize the whole power. In this manner were formed in Italy ſeveral inconſiderable ſtates, out of the ruins of what the ancient Kings of Italy, the Emperors, and the Popes had formerly poſſeſſed.

In the pontificate of Alexander VI, the Eccleſiaſtical ſtate was reduced within narrower bounds than before, tho' the Popes had preſerved the ſovereignty of ſeveral cities whereof they were no longer proprietors. Of this number were Ravenna, Bologna, Ferrara, Urbino, Faenza, Rimini, Pezzaro, Imola, Ceſena, Peruſa, &c. Notwithſtanding all theſe loſſes, they were ſtill very powerful, becauſe their ſpiritual arms gave them great advantages over their neighbors: moreover, beſide the revenues of the Eccleſiaſtical ſtate, they had very conſiderable revenues from every ſtate in Chriſtendom.

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But when Lewis XII took poſſeſſion of the duchy of Milan, and Ferdinand of the kingdom of Naples, the affairs of Italy bore quite another countenance. Then the temporal power of the Popes was nothing in compariſon of that of theſe two Monarchs, who, beſide their dominion in Italy, had alſo at their command the forces of two large kingdoms. On the other hand, the Roman Pontifs met with abundantly greater oppoſition, when they were pleaſed to brandiſh their ſpiritual weapons, whoſe force was in proportion to the weakneſs of thoſe at whoſe heads they were leveled. For this reaſon, they ſought all ſorts of means to drive the foreigners out of Italy: but as they could not, by their own ſtrength, execute ſuch a deſign, they were forced to make uſe of one of theſe Kings to worry the other, in which their policy was often deceived; for they could not humble one, without giving the other a ſuperiority more deſtructive of their intereſts than the equality which was between them before. This for many years was the occaſion of every one of the Popes intrigues, and withal a perplexity whence they could never extricate themſelves. Sometimes they joined with one to pull down the other; ſometimes, ſeting them at variance, they remained mere ſpectators of the conflict; and ſometimes they called in foreigners to make the ballance incline to the ſide they were diſpoſed to favor: but whatever was the ſucceſs of theſe wars, the conqueror ever became very formidable to the Pope and all Italy. It is certain therefore that the conqueſts of Naples and Milan gave a mortal wound to the temporal power of the Popes, and were alſo not a little prejudicial to their ſpiritual authority. As the Popes from thenceforward had frequent cauſes of quarrel with the Kings of France, now become their neighbors, they ſometimes made uſe of their ſpiritual arms, but not with the ſame ſucceſs as formerly againſt the Sovereigns of Italy. As they had to deal with Princes who did not eaſily bend, they only gave them occaſion to examine the grounds of the Papal authority; and this inquiry was not at all to the Popes advantage.

Beſide the intereſt of their See, the Roman Pontifs had alſo that of their family, whereof they were no leſs mindful. Every one of them ſeeking to raiſe his nephews or other relations, all the cities formerly belonging to the church were ſo many objects which inflamed their ambition. Alexander VI, who of all the Popes his predeceſſors was the leaſt ſcrupulous, had formed the deſign of making his ſpurious ſon, Cæſar Borgia, a great Prince, by erecting him a ſtate out of ſeveral cities or ſtates of La Romagna, which ſtill acknowledged the Pope's ſovereignty, and were under his protection. To execute this deſign it was that Cæſar Borgia, either by fraud or force, became maſter of Peruſa, Urbino, Imola, Faenza, Rimini, Pezzaro and Ceſena, under pretext that the poſſeſſors had not been punctual in paying the tribute or annual relief to the holy See: but Alexander VI dying before his ſon was well ſettled in his conqueſts, it happened, during the ſhort pontificate of Pius III, and the interval between his death and the election of Julius II, that the priſtine owners of theſe cities found means to recover them. This was chiefly

(1) So was this diſtrict formerly named, becauſe it was governed by the Emperor of Conſtantinople's general in the weſt, ſtiled his Exarch, who reſided at Ravenna. The firſt Exarch was under Juſtin the Younger, in 567, after Beliſarius and Narſes had expelled the barbarians from Italy: the laſt was Eutychius, defeated by Aſtolfo King of the Lombards in 751. Pepin, King of France turned him out of the Exarchate, and made thereof a preſent to the Pope.

(2) As Florence, Genoua, Lucca, Bologna, &c.

by

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by the aſſiſtance of the Venetians, who, in return for the pains they had been at, retained Faenza and Rimini.

Character and deſigns of Julius II. Guicciard.

Julius II, who ſucceeded Pius III, formed for the houſe of La Rovere, whence he iſſued, the ſame projects as Alexander VI had formed for that of Borgia. He was no ſooner in the Papal chair, but he commenced the execution of his ſchemes with the Venetians, magiſterially giving out, that his intention was to re-annex to the church whatever had been alienated, and therefore they muſt reſtore Faenza and Rimini. On their refuſal, he demanded aid of the Emperor Maximilian. This was properly the firſt riſe of the league of Cambray, touched on under the preceding reign, and whereof I ſhall be obliged to treat more amply in the ſequel.

The republic of Venice. Paruta. Doglioni. Sabellico. Bembo, &c.

The ſenate of Venice had long paſſed for the wiſeſt and moſt politic aſſembly in the univerſe. By their prudence and abilities they had gradually formed in Terra Firma (1), a ſtate which, being ſupported by a very ſtrong naval power, was inferior to none in Italy. This ſtate conſiſted of Friuli, Treviſo, Verona, Vicenza, Padoua, Bergamo, Breſcia, Crema, Cremona, Rovigo, and the whole Poleſin, Ravenna, Faenza, Rimini, &c. Moſt of theſe cities, with their territories, were formerly part of the kingdom of Italy. Next they fell under the dominion of the German Emperors, who governed them by their vicars. At length, either theſe vicars were become Sovereigns, or, being expeled, the citizens had recovered their liberty to fall again afterwards under the tyranny of ſome private perſons, who had uſurped a deſpotic power. From theſe the Venetians had acquired them, either by purchaſe or force of arms: but however it was, when they had made theſe acquiſitions, it is certain the authority of the Emperors was ſeldom acknowledged. Mean while, the Emperors ſtill preſerved their pretenſions to all theſe cities, as having been formerly parcels of the empire, or rather of the kingdom of Italy, injoyed by ſome of their predeceſſors. Friuli was conquered upon the church of Aquileia, to which it was preſented by Otho I; Ravenna, Faenza, and Rimini, in former days appertained to the See of Rome. Rovigo and the Poleſin were conquered upon the duke of Ferrara. Cremona and Gierradadda belonged to the duchy of Milan, having been reſigned by Lewis XII. Breſcia was taken from the dukes of Milan, and Crema freely given up by duke Franceſco Sforza. They had ſtill in the kingdom of Naples five maritime places, mortgaged to them by one of the Kings.

Bologna. Ghirard. Alberti.

Bologna (2) was a rich and powerful city; but nothing near ſo conſiderable as heretofore: inteſtine diſſenſions had at length compeled her, on certain terms, to ſubmit to the church: after that, the city was governed by the Pope's legates, ſent thither from time to time: but their dominion ſuffered frequent interruptions. The legates oppreſſing the people, forced them often to ſhake off their yoke and expel them the city: but it was only to fall again under the tyranny of the heads of factions, who, by their oppreſſions, conſtrained them to have recourſe to the Pope and receive his legates again; this is what happened ſeveral times. In the year 1440, Hannibal Bentivoglio became ſo powerful, that he was little leſs than a Sovereign. From that time to 1506 ſome one of Bentivoglio family held the government, tho' the Pope's legates were ſtill admited and honored, but without having any real power. Finally, Julius II, not content with this ſhadow of authority, did, in 1506, demand aid of Lewis XII, to poſſeſs himſelf of Bologna. Tho' France had hitherto protected the Bentivoglii, Lewis however ordered the governor of Milan to ſend the Pope troops. Whereupon Gio. Bentivoglio, head of that houſe, ſeeing himſelf forſaken by the King of France, quited Bologna with his whole family, and retired to Milan, leaving the city to his ſaid Sanctity.

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Ferrara. Sardi.

The duchy of Ferrara (3) was a fief of he church, long poſſeſſed by the family of Eſte, who were inveſted by the Pope, and paid a yearly relief in money. This ſmall ſtate, bordering on the Papal and Venetian territories, and being very convenient for both, preſerved itſelf by their mutual jealouſy; but however, the Venetians had taken from them Rovigo, and the Poleſin: but Julius II had greater views, and thought ſeriouſly of annexing the whole duchy to the church.

Modena and Reggio. G. Batt. Pigna.

Modena and Reggio were likewiſe under the dominion of the family of Eſte, not as belonging to the duchy of Ferrara, but as a diſtinct ſtate acquired by that family after being poſſeſſed of Ferrara. Julius II, had alſo pretenſions to theſe two cities, as having been formerly beſtowed on the church by Charlemain, and perhaps on the ſole pretext of their appertaining to the duke of Ferrara, his vaſſal.

Urbino. Cimarelli.

Urbino (4) had formerly been a demeſn of the church: but the Popes had not for many years challenged more than the right of ſovereignty. Cæſar Borgia had ſeized this city, and expeled duke Guidobaldi Ubaldini, who recovered it after Alexander VI's deceaſe. As Guidobaldi was iſſueleſs, Julius II perſuaded him to adopt Franceſco Maria de la Rovere, nephew to both, ſon of the Pope's brother and the duke's ſiſter. Soon after, De la Rovere became duke of Urbino by the death of Guidobaldi, his adoptive father.

Parma and Plaſenza. Alberti.

Parma and Plaſenza had been under the dominion of ſeveral lords or tyrants, 'till they finally became ſubject to the dukes of Milan. Lewis XII took poſſeſſion of them after his conqueſt of the Milaneſe.

Florence. Machiavel.

Furenza, or Florence, a very potent city, and capital of Tuſcany, was fallen at length under the dominion of the family of Medicis: but a contrary faction (5) afterwards prevailing, they were driven thence, and were now in exile, attempting however from time to time to be reſtored to their country.

Piſa. Alberti.

Piſa had been formerly a very conſiderable city by reaſon of her naval ſtrength; but at length becoming ſubject to the dukes of Milan, a baſtard of that family, to whom it had been given, ſold it to the Florentines. The Piſans oppoſed the ſale, and would have recovered their liberty, but being over-powered they ſuccumbed. After that, Charles VIII, in his way to Naples, reſtored Piſa to her liberty; but as ſoon as the Florentines had nothing more to fear from him, they beſieged Piſa, tho' aſſiſted by the Venetians, and the ſiege was ſtill carrying on at the time of the league of Cambray.

Genoua. Pizamo.

The City of Genoua, after ſundry revolutions cauſed by the factions of the Fregoſi, and the Adorni, was at length fallen into the hands of the French, in the reign of Charles VII. After that, Lewis XI

(1) The towns belonging to the republic of Venice are of two ſorts: thoſe in Lombardy, which compoſe Terra Firma, or the firm land ſtate; the reſt are maritime, and termed the ſea-ſtate.

(2) The ſecond city of the Eccleſiaſtical ſtate, and the third of the four moſt conſiderable univerſities in the world, viz. Paris, Oxford, Bologna, and Salamanca, ſays La Foreſt.

(3) The birth-place of the Poet Arioſto, who has a tomb and epitaph in the Benedictines church.

(4) The birth-place of the famous painter Rafael, and Polydore Virgil, who wrote the Engliſh hiſtory.

(5) The Pazzi.

reſigned

resigned it to the duke of Milan, and Lewis XII seized it after his conquest of the Milanese.

Motives of the league of Cambray against the Venetians.

This survey of the states of Italy shews its being then divided between six powers, namely, Pope Julius II, Lewis XII King of France and duke of Milan, Ferdinand King of Aragon and Naples, the republics of Venice and Florence, and the duke of Ferrara. To these six may be added, the Emperor Maximilian, who, without possessing a foot of land in Italy, had however pretensions to whatever was formerly injoyed by the Emperors, and particularly to the Firm-land state of the Venetians, whose ruin the other six were equally concerned to procure. The Emperor pretended, that all the Venetian dominions appertained to the Empire, and passionately desired to wrest from them some place which would give him entrance into Italy, and opportunity to re-establish the Imperial power in that country. Julius II, as I observed, had formed a project to annex to the church whatever had been alienated, and particularly the duchy of Ferrara, and the towns of La Romagna. This design could be effected only by the destruction of the Venetians, ever attentive to oppose the growth of their neighbors: beside, the Pope was disposed to begin with them, and wrest from them Ravenna, Faenza and Rimini. Lewis XII repented his yielding to them Cremona and Gierradadda: he wanted to dispossess them thereof, and under that pretense, to get possession also of Crema, Bergamo and Brescia, and in general of whatever had belonged to the dukes of Milan. Ferdinand was desirous, without money, to recover the five maritime towns of the kingdom of Naples, which had been mortgaged to them: moreover, his interest required, that there should be always troubles in Italy, to hinder Lewis XII from thinking on the conquest of Naples. The duke of Ferrara wished to recover Rovigo, and the Polesin. Lastly, the Florentines, obstinately bent on the siege of Pisa, protected and defended by the Venetians, could desire nothing more advantageous than to see that republic unable to assist the Pisans.

Hist. della Legha di Cambray.

League of Cambray.

Such were the motives of the league formed against Venice, of which the Pope, Emperor and King of France were the chief promoters. For the greater secresy, they spread a report, that the Emperor, as guardian to Charles of Austria his grandson, had agreed, that his differences with the duke of Gueldres should be amicably adjusted. To that purpose, the city of Cambray was appointed for the place of congress, thereby to intimate, that the affairs only of Flanders would be considered. Here the famous league against the republic of Venice was concluded; and, the better to deceive spies, was signed at first a treaty of perpetual peace between the Pope, the Emperor, Lewis XII, and Ferdinand, which was indeed made public: but a second treaty, which they took care not to divulge, contained a league offensive and defensive against the Venetians, the principal articles whereof were as follows:

Hist. della Legha di Cambray.

Treaty of the allies against Venice. Bembo.

First; it was set forth in the preamble, that the Turks having begun to make great progress in Europe, it was absolutely necessary for the Christian Princes to join their forces against them; but that the Venetians, by their continual incroachments, greatly obstructed this union: from thence it was concluded, that they were to be dispossessed of what they had usurped. This was the pious motive of the league; and therefore it was agreed that, of their spoils, the Pope should have Ravenna, Faenza and Rimini; the Emperor, as such, Verona, Vicenza, and Padua, and as duke of Austria, Treviso, and Friuli: Lewis XII, as duke of Milan; Cremona, Gierradadda, Brescia; Crema; and Bergamo: The King of Aragon, Manfredonia; Trani, Monopoli, Brindisi, and Otranto in the kingdom of Naples; that the dukes of Ferrara and Savoy, and the marquis of Mantoua, should be admited into the league if they desired it; the first to recover Rovigo, and the Polesin; the second, to get the kingdom of Cyprus out of the hands of the Venetians; and the third, to obtain satisfaction concerning certain pretensions he had upon Venice. Lastly, that all who had any claim on the Venetians, should be received into the league as principals, if they declared themselves within three months. Thus, in order to make war against the Turks, no other means were found, than to strip the Venetians of their whole Firm-land state, and leave them only the single city of Venice.

Project of the allies. Guicciard. Mezerai.

To accomplish this design, it was agreed, that the King of France in person should enter the territories of the Venetians, the first of April 1509, with an army forty thousand strong: that the Pope should send an army into La Romagna; and Ferdinand have one in Lombardy, with a fleet in the gulf; and the Emperor attack the Venetians from the side of Germany: but as that Prince had lately made a three years truce with them, a most admirable expedient was devised to furnish him with a pretext to break it, which was; that the Pope should summon him, as the church's advocate, to come and defend the patrimony. Finally, Julius II ingaged to let fly against Venice all the ecclesiastical thunder. This league was signed at Cambray, December 10, 1508.

Campain of the year 1509. Mezerai. Bembo.

The time of executing the leaguers projects being at hand, Lewis XII departed Milan, the begining of April 1509, at the head of forty thousand men, while the Pope's army entered La Romagna under conduct of Francesco Maria de la Rovere duke of Urbino, and Raymond of Cardona threw himself into Lombardy with the King of Aragon's troops: at the same time, the duke of Ferrara took the field in the Polesin; but the Emperor contented himself with keeping at Trent, and seeing the rest of the allies act, in order to reap the fruits of their labors. Mean while, the Venetians, having first provided their towns with ammunition, raised an army, under command of their general Count Pitigliano, whose Lieutenant was Bartholomeo d'Alviano.

Battle of Agnadel. Bembo.

The van of the French army, commanded by Chaumont, passed the Adda the 15th of April, and at the same time the Pope excommunicated the Venetians, and put the city of Venice under interdiction. On the 14th of May was fought the memorable battle of Gierradadda or Agnadel (1) between the French and the Venetians, contrary to the opinion of count Pitigliano, tho' general in chief for the Venetians, and to all reason; for the Venetians having no refuge but their army, it was by no means proper to hazard a battle: but the heat of Bartholomeo d'Alviano prevailed over his general's prudence. The Venetian army was intirely routed, and Alviano taken prisoner: whereupon the Venetians, no longer able to resist their invaders, lost to Lewis, in less than a fortnight, Cremona, Peschiera, Crema, Brescia, Bergamo, and in general all the places formerly belonging to the Milanese: moreover, Vicenza, Verona, and Padoua sent him their keys; but as, by the treaty of Cambray, these places were in the Emperor's division, Lewis sent their deputies to him. Maximilian was then at Trent, expecting the success of the confederate arms. On the deputies arrival, he ordered his troops to advance towards the state of Venice, and, as those

Venetians lose their whole Firm-land state.

(1) Called also the battle of Rivolta.

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cities opened their gates, had only to garison them. Treviso alone refused him admitance, and remained firm to the Venetians, tho' reduced to the last extremity. Friuli and the towns of Istria followed the current, and submited to the Emperor. On the other hand, the duke of Urbino, with the Pope's army, took Ravenna, Cervia, Faenza, and Rimini; while the duke of Ferrara possessed himself of Rovigo, and the marquis of Mantoua of certain castles suiting his conveniency. Thus, as we may say, in a moment, the Venetians beheld their whole dominion reduced to the single city of Venice, with five places in the kingdom of Naples, which could not be of great service to them. Mean while, they were not absolutely disheartened amidst such a torrent of calamities, tho' the senate and people were under a strange consternation. Their chief care was to draw together their scattered troops, and use their indeavors to break so destructive a league.

Pisa surrenders to the Florentines. Guicciard.

The misfortune befallen the Venetians occasioned the loss of Pisa. This city, despairing of being relieved by Venice, or the King of France, who had finally deserted her, surrendered to the Florentines, after having undergone a tedious siege.

Lewis XII returns to France. Mezerai. Guicciard.

Lewis XII having compassed his ends, returned to France, after he had detached a body of troops, under command of La Palisse, to join the Emperor, who probably had not men enough to supply his garisons, and to keep an army in the field against the Venetians, who were drawing together again. On the King of France's departure, affairs began to have a new face. The Venetians took Padoua by surprise, and kept it ever after: moreover they found means to send into Friuli an army which imployed the greatest part of the Empeor's troops. In short, they appeased the Pope by their humble submission, and obtained his positive promise to give them absolution, and take off the interdict on certain conditions, which they could not refuse him. On the contrary, Ferdinand, who had not yet reaped any benefit by the league, was easily gained by the offer of the five cities held by the Venetians in the kingdom of Naples.

The Venetians retake Padoua, Bembo.

and appease the Pope.

The Emperor besieges Padoua in vain.

While the senate was laboring to draw off the Pope and King of Aragon from the league, Maximilian with his own and La Palisse's forces, laid siege to Padoua; but after an unsuccessful assault raised it and retired to Germany: at the same time the French general also returned to Milan; by which means the Venetians had time to breathe a little, and continue with the Pope negociations which made them hope the issue of the war would not be so fatal as they had hitherto apprehended.

The Pope's uneasiness. Mezerai. Guicciard.

The King of France's union with Maximilian gave Julius II excessive uneasiness. He beheld the French King so firmly settled in the dutchy of Milan that it seemed impracticable to dislodge him. On the other hand, the Emperor could not but be formidable to him, since he had a free passage into Italy, by means of Verona and Vicenza. He was at a loss what to conjecture of the powerful aid lent that Prince by Lewis XII, to compleat the ruin of the Venetians, and he was not free from apprehension, that these two Monarchs had made a private treaty to share all Italy: mean while, he scarcely comprehended how these two formidable Potentates could well be withstood. Venice was reduced to a shadow. The Florentines were drained by the long Pisan war. As for the King of Aragon, it was almost impossible to treat with him, without being liable to be deceived: he knew how to improve all the treaties, and scrupled not abandoning his allies, when it was for his interest. Notwithstanding all these difficulties, Pope Leo formed the project of seting the affairs of Italy on a different footing, in order to execute his first designs. He resolved therefore to agree and league with the Venetians; to take off Ferdinand from the league of Cambray, by investing him with Naples; to use his indeavors to set the Emperor and King of France at variance; to bring a Swiss army into the Milanese; and finally, to persuade the new King of England to make a diversion in France. These were the Pope's projects, the success whereof we shall see hereafter. He began with making peace with the Venetians, on three conditions. First; that they should desist from all their pretensions to the cities of La Romagna, lately taken from them. Secondly; that they should renounce the right of placing in Ferrara a certain magistrate stiled Bisdomino. Thirdly; that they should leave the navigation of the Gulf free to all the subjects of the church. In the present circumstances of Venice, no other conditions could be imposed on her.

Henry VIII. An' 1509.

He forms new projects.

He makes peace with the Venetians. Bembo.

After so long a digression concerning what passed in Italy, which however is not useless as will appear in the sequel, we must return to the affairs of England.

An' 1510.

The parliament being assembled the twenty-first of January 1510, the commons represented to the King; That certain statutes, made in preceding parliaments, had given occasion to the King his father's ministers to oppress the people, by puting forced interpretations upon them, contrary to the natural meaning of the words: that therefore it was necessary to soften, or so explain them, as to prevent such abuses for the future. Henry readily agreed to what was proposed by the commons, not only because the thing was just in itself, but chiefly because it naturally led to his design of having Empson and Dudley attainted by the parliament. Tho' these had been already condemned by their proper judges, the King had defered execution of the sentence: he could not but have some scruple, for causing them to be accused of a crime whereof he was conscious they were not guilty; nevertheless he wanted to sacrifice them to the peoples hatred without incurring the imputation of having them wrongfully accused, and withal to justify the memory of his father, by giving out, that they had exceeded his orders. To reconcile these two things, he so managed it, that the parliament passed an act of attainder against them; that is, they were condemned to die by the the authority of King and parliament, without any particular mention of the crimes they had commited, or of the proofs whereon their sentence was founded. This method, which 'till then had been seldom practised, was but too frequently used in the sequel of this reign; so dangerous it is to establish such precedents. Mean while, Henry having still some difficulty to overcome his scruples, delayed their execution 'till the following August (1).

An' 1510. The parliament meets. Herbert. Statutes softened.

Act of attainder against Empson and Dudley. Hall. Stow.

While the parliament was thus imployed, Lewis XII sent embassadors to England to renew with Henry VIII the treaties made with Henry VII. As, by the peace of Estaples, after the death of one of the two Kings of France or England, his successor was to signify to the survivor, whether he would continue the alliance, it was Henry's busi-

New treaty of alliance between Lewis XII and Henry Rym. Fœd. Vol. XIII. p. 270. March 23.

(1) They were both beheaded on Tower-hill, August 17. Hall, fol. 8. Dudley had, at the time of his death, in lands, fees, and offices, to the yearly value of eight hundred pounds; and twenty thousand pounds in ready money, beside jewels, plate, rich furniture, &c. During his imprisonment in the Tower, he wrote a book intitled Arbor Reipublicæ, dedicated to King Henry. By Elizabeth his wife, one of the daughters and coheirs of Edward Grey viscount Lisle, he left issue three sons and one daughter. Stow, p. 487, 488. Dugdale's Baron. Vol. II. p. 217.

(1)

ness

Henry VIII. An' 1510.

neſs to inform Lewis XII of his intention: however, he had not taken one ſtep towards it; but, as he was a vigorous ſprightly young Prince, and abounding in wealth, Lewis doubtleſs thought it would be proper to prevent him, leſt he might ingage in projects deſtructive of the welfare of France. His embaſſadors therefore concluded with Henry a new treaty of alliance, wherein the former treaties were not mentioned. By this it was ſtipulated; "That the peace between the two Kings ſhould "continue 'till the demiſe of one of them: "that it ſhould be confirmed by the general ſtates "of France, and the parliament of England: "that each of the two Kings ſhould take care to "obtain the Pontif's conſent, with a previous "ſentence of excommunication againſt the firſt "violator."

In this new treaty, not the leaſt mention was made of the 745000 crowns which Charles VIII had promiſed to pay to Henry VII, or his ſucceſſors, and for which Lewis XII himſelf was ingaged by a ſubſequent treaty, becauſe the buſineſs was only to renew the peace between the two Kings then reigning: however, Henry forgot not to ſecure the debt, by requiring of Lewis letters patent, wherein he promiſed to pay the arrears by means of twenty-five thouſand livres every ſix months, 'till the whole was diſcharged; after which the peace was ratified and ſworn to by both Kings.

Rym. Fœd. Vol. XIII. p. 277, 280, 287, 290.

The Pope ſends Henry a conſecrated roſe.

Julius II was meditating great deſigns againſt Lewis XII. The ſucceſs of the league of Cambray, tho' he had turned it to his advantage, made made him very uneaſy. He ſaw the French more firmly ſettled in Italy than ever, and Lewis XII better able to protect the duke of Ferrara. To accompliſh his projects againſt France, he doubtleſs wanted aſſiſtance; and to that end, tried to excite all the ſtates of Europe againſt that kingdom, as will be ſeen preſently: and therefore, to inſinuate himſelf into the King of England's favor, he ſent him this year the golden roſe, which the Popes, after ſolemnly conſecrating it, were wont to preſent to ſome Prince (1). Probably alſo, the King of Aragon, in concert with his Holineſs, began now to take meaſures to ingage Henry his ſon-in-law in a league againſt France.

Ib. p. 275. April 9. Burnet.

Ferdinand falls off from the league.

The ſucceſs of the laſt campain gave the King of Aragon no leſs uneaſineſs than it did the Pontif. He was ſenſible, Lewis never loved him, nor had any reaſon to love him, and ſaw this enemy, ſince the ruin of the Venetians, in a condition to diſturb him in the poſſeſſion of Naples. On the other hand, the league of Cambray could not procure him any farther advantages, whereas the offers made him to leave it were very conſiderable. The Venetians agreed to reſtore him the cities they poſſeſſed in the kingdom of Naples, and the Pope was willing to depart from his claim of forty thouſand crowns, and give him the inveſtiture of that kingdom for a Spaniſh genet only. This was ſufficient to induce him to break his ingagements at Cambray. In all appearance, ever ſince the end of laſt year, he had taken meaſures with the Pope to form a new league againſt France: but, as he never acted openly, he deſired theſe meaſures to be kept private, in order to attack Lewis the more irreſiſtibly. To that purpoſe, on the ſixth of January this year 1510, he commiſſioned Don Luis Caroz de Villaragud, his embaſſador at London, to treat with Henry VIII about a ſtricter alliance than had yet been concluded between the crowns of England and Spain.

Henry VIII. An' 1510.

New treaty of alliance between Henry and Ferdinand. Rym. Fœd. Vol. XIII. p. 284.

Whether Henry could not ſo ſoon reſolve to conclude this new alliance with Ferdinand, or was willing firſt to finiſh his affairs with Lewis XII, it was not 'till the twenty-fourth of May that the new treaty was ſigned. It was only a defenſive alliance between the two Kings, with a promiſe of mutual aid when requiſite: but Ferdinand, who had his views, cauſed theſe words to be inſerted; viz. "That in caſe one of the two Kings was attacked "by any Prince whoſoever, the other ſhould be "obliged to proclaim and wage war againſt the "aggreſſor, tho' he ſhould be his ally: that if "one was attacked by the King of France, the "other ſhould be obliged to go againſt him in "perſon with a powerful army." This treaty ſecured to Ferdinand the kingdom of Naples; becauſe, if Lewis XII had intended to undertake that conqueſt, the diverſion wherewith he would have been menaced from England would have infallibly kept him from his purpoſe. But it is not eaſy to conceive what advantage Henry could reap from ſuch a treaty, ſince it was not likely Lewis deſigned to attack him; ſo that all the advantage was on Ferdinand's ſide. It muſt be either that Henry's miniſters were not very clear-ſighted, or he, from a motive of generoſity for a father-in-law whom he did not yet ſufficiently know, was incoſiderately drawn to take ſuch ſteps, by ſo much the more extraordinary, as he had ſo very lately renewed the peace with France.

Remark on that treaty.

Henry minds only his diverſions. Herbert. Hall.

But it muſt not be thought that Henry was then a conſummate politician: he was yet a mere novice, and minded his diverſions more than the public affairs. There was nothing every day but turnaments, balls, entertainments, and conſorts of muſic, which viſibly melted away the eighteen hundred thouſand pounds ſterling, found in the King his father's coffers (2). He uſed likewiſe to play at tennis and dice with certain foreigners who chouſed him of his money not very honorably, which he at length diſcovered; and, tho' ſomewhat too late, diſgracefully chaſed them from court. He was ſo paſſionately fond of muſic, that it devoured great part of his time; which, added to the hours he imployed in his ſtudies and other diverſions, left him but little leiſure to apply himſelf to government affairs, the management whereof he willingly left to his miniſters: and therefore it may be affirmed that, in matter of policy, never Prince commited groſſer faults, or was more impoſed on than himſelf, eſpecially in the firſt years of his reign.

Wolſey riſes at court.

While Henry wholly addicted himſelf to his pleaſures, there was gradually riſing at court a perſon who was one day to have abſolute power over him, and to manage all his affairs, as well foreign as domeſtic: I mean Thomas Wolſey, who was made the King's almoner laſt year, and, in the begining of this, dean of Lincoln (3). It appears in the collection of public acts, that, on the thirtieth of January,

Rym. Fœd. Vol. XIII. p. 267, 269.

(1) It was dipped in chriſm and perfumed with muſk, and ſo ſent to archbiſhop Warham, with inſtructions to preſent it to the King at high maſs, with the Pope's benediction. Julius's letter to Warham, in Burnet's collection, bears date April 5. 1510.

(2) The reader may ſee a large account of the King's juſts, pageants, and other coſtly deviſes in Hall and Hollingſhead, who have many particulars worth the peruſal of thoſe who delight in ſuch matters.

(3) Burnet ſays, he not only ſerved the King in all his ſecret pleaſures, but was leud and vicious himſelf; ſo that his having the French Pox (which in thoſe days was a matter of great infamy) was ſo public, that it was brought againſt him in parliament when he fell into diſgrace. He had alſo the art of attaching ſo effectually to his intereſts thoſe in whoſe company the King did moſt delight, that they were always ready to forward his views. Being of a gay, facetious, and open temper, he would divert himſelf with them in ſuch exerciſes (ſays Polydore Virgil) as were moſt agreeable to the levity and paſſions of youth, and which did not perfectly ſuit with the character of a dean in the church. He would deſcend to ſing, laugh, rally, and even dance with them, as if, for the time, he had quite laid aſide that ſeverity of behavior which became his ſtation. Hiſt. Ref. Vol. I. p. 8.

the

HENRY VIII. AN' 1510.

the King gave him a houſe in London (1) formerly Empſon's, no inconſiderable preſent, ſince the patent mentions thirteen gardens belonging thereto. We muſt now return to the affairs of Italy, which will afford us farther matter for ſeveral years.

The Pope's deſigns.

Julius II had in his head two grand deſigns. The firſt was to ſeize the duchy of Ferrara; the ſecond to drive out of Italy all the French and Germans. His forces alone not being able to execute theſe ſchemes, it was neceſſary to uſe the aſſiſtance of ſome other Princes, and try to ingage them in his projects. The plan he had formed was; to league with the Venetians; to take off Ferdinand and Maximilian from the intereſts of France; to break the league of Cambray; to perſuade the King of England to make a diverſion in France; to excite the Swiſſers to invade the duchy of Milan. He executed all theſe projects, but not without incountering ſuch difficulties as would have diſcouraged any man leſs determined than himſelf. Firſt, he made a private league with the Venetians, after which, he ſolemnly gave them abſolution the twenty-fourth of January. Then, he ſecretly agreed with Ferdinand, by promiſing him the inveſtiture of Naples. That done, he quarreled with Lewis XII, by filling a biſhoprick in Provence, without aſking his conſent, contrary to his own promiſe. Lewis complained of it; the Pope denied he had promiſed any ſuch thing; and in ſhort, they came at laſt to give each other the lie in form. This was preciſely what the Pope wanted, in order to have occaſion to break with him.

He abſolves and leagues with the Venetians; Ib. p. 294. and quarrels with Lewis XII; Bembo.

His league with the Venetians being publicly known, he imperiouſly commanded the duke of Ferrara to renounce the league of Cambray, and join his arms with thoſe of the church. The duke, not believing his being vaſſal to the holy See obliged him to be thus blindly devoted to the Pope's humors, refuſed to break his alliance with France, and ſo gave his Holineſs the pretenſe he had long been ſeeking. When the duke offered to pay him the tribute due to the church for the fief of Ferrara, the Pope refuſed it, plainly intimating, by that refuſal, that he intended to confiſcate the duchy.

and with the duke of Ferrara. Sardi. Mezerai.

Mean while, Ferdinand was privately acting with Henry VIII his ſon-in-law, to draw him into the Pope's intereſt, which was become his own in conſequence of the projects they had concerted; but his practiſes were ſo ſecret, that Lewis XII had not of him the leaſt diſtruſt: on the contrary he intirely confided in the aſſurances given him by his embaſſador, that his deſign was to continue firmly attached to the league of Cambray.

Ferdinand acts under hand to gain Henry. Herbert.

On the other hand, Julius II gained the biſhop of Sion (2), who, having great credit among the Swiſſers, found means to ſet them at variance with France, by perſuading them to demand ſome conſiderable addition to their penſions. Their alliance with that crown being about to expire, they required to renew it, that their penſions might be augmented. Lewis refuſing it, the biſhop of Sion effectually uſed that refuſal to ſtir them up againſt France, to which the King himſelf alſo contributed, by making an alliance with the Griſons: he thereby ſo provoked the Swiſſers, that, in a diet at Lucern, they declared for the Pope, and reſolved to ſend an army into the duchy of Milan.

The Pope ſets the Swiſſers at variance with France. Guicciard. Mezerai.

In fine, the Pope forgot nothing he thought capable of perſuading the Venetians to agree with the Emperor at any rate, even to the adviſing them to deliver him Treviſo and Padoua. He intimated to them, that the moſt effectual means to drive the French out of the Milaneſe, was to diſingage the Emperor from their intereſts; and when once they were out of Italy, it would be eaſy to wreſt from the Emperor not only Treviſo and Padoua, but likewiſe all his other conqueſts. But the Venetians durſt not run ſuch a hazard.

He tries to reconcile the Venetians to the Emperor. Guicciard. Mezerai.

HENRY VIII. AN' 1510.

Such were the vaſt projects of this Pontif. He was ſo private in his negociations, that Lewis XII, imagining he had no other deſign than to ſeize Ferrara, contented himſelf with ordering Chaumont, governor of Milan, to aid the duke in caſe he was attacked: but ſhortly after, a Venetian fleet, and Papal army commanded by Fabricio Colonna, attempting, tho' unſucceſsfully, to ſurpriſe Genoua, Lewis had but too much reaſon to ſuſpect ſome grand deſign was formed againſt him; and therefore, he ſent Chaumont orders to have an eye to the Pope's motions.

Lewis XII begins to ſuſpect the Pope. Mezerai. Guicciard.

Theſe orders came to Milan very ſeaſonably. Julius II really intended to beſiege Ferrara, and for that purpoſe was come to Bologna, 'till an army, prepared on ſome pretext by Ramon de Cardona at Naples, was ready to join his and the Venetian troops: but Chaumont allowed him not time to execute his projects. Hearing the Pope was arrived at Bologna, he departed Milan at the head of a body of forces, and uſed ſuch expedition, that he would there have ſupriſed his Sanctity, had he not ſuffered himſelf to be amuſed with parleys. While he was treating with the Pope's envoys, ſome Venetian troops in the neighborhood entering the city, ſecured it from the danger of being inſulted: whereupon Chaumont, being wholly unprepared for ſo important a ſiege, was obliged to retire.

Julius II like to be ſurpriſed at Bologna.

Julius II made great noiſe at this inſult of the French, and filled with his clamors all Europe, and particularly the court of England. He excommunicated all the generals of the French army, and preſently after his and the Venetian gallies made a ſecond attempt upon Genoua, but with no better ſucceſs than before.

He excommunicates the French generals, and tries to ſurpriſe Genoua. Mezerai.

At the ſame time, twelve thouſand Swiſſers began their march in order to enter the Milaneſe, under conduct of the biſhop of Sion: but they found the paſſages ſo well guarded, that they deſpaired of ſucceeding in their deſign; wherefore, not receiving beſide from Leo the money promiſed, they returned into their own country.

The Swiſſers cannot enter the Milaneſe.

War being thus proclaimed between Lewis XII and the Pope, Lewis thought himſelf under no farther reſtraint. He had done his utmoſt to be reconciled with him, even to the offering to abandon the duke of Ferrara. But the Pontif, relying on Ferdinand, and expecting great aſſiſtance from England, had eluded all his propoſals. Wherefore, to ſtop the fury of this impetuous old man, Lewis made a new league with the Emperor, promiſing to put him in poſſeſſion of all Italy, Genoua and Florence only excepted. Maximilian had the good fortune, that in all his leagues he had ever great advantages, tho' he contributed the leaſt. On this occaſion, Lewis XII could not eaſily proceed without him, becauſe it was abſolutely neceſſary to continue the war in the ſtate of Venice, otherwiſe the Venetians would have been able to give the Pope a too powerful aſſiſtance. The league being concluded, at Blois, in Auguſt, Lewis called a ſynod at Tours, to conſult how he ought to behave to the Pontif. The ſynod were of opinion, that the King ſhould once more offer his Holineſs a reaſonable accommodation;

Lewis XII joins in a league with the Emperor.

He calls a ſynod, which allows his going to war with the Pope. Mezerai.

(1) A meſſuage called The Parſonage, lying in the pariſh of St. Bride's in Fleet-ſtreet; which Empſon held by a leaſe from the abbot and convent of Weſtminſter. Rym. Fœd. Vol. XIII. p. 269. The King gave him alſo, in February the next year, a prebend of Windſor. Ibid. p. 293.

(2) Or Valais, lying betwixt Swiſſerland, the Milaneſe, the valley of Aoſt and Savoy.

HENRY VIII. AN' 1510.

commodation; and, in caſe of refuſal, might with a ſafe conſcience enter on a war with him, even offenſively. Lewis wanted no more to juſtify his intended proceedings. Preſently after, he concluded with Maximilian a new treaty, whereby they agreed to cauſe a general council to be ſummoned to Piſa, to depoſe Julius II. To that end, they gained nine cardinals, who readily undertook to call the council in their own name. Some of theſe cardinals were then with the Pope, but found means to leave him under diverſe pretexts and, when he would have recalled them, refuſed to obey.

Treaty with Maximilian to ſummon a council at Piſa. Guicciard. Mezerai.

Such was the ſituation of the affairs of Italy during the year 1510. I have ſaid nothing of the events of the war which continued all this while between the Emperor (aſſiſted by French forces) and the Venetians, becauſe theſe particulars are of no great uſe to this hiſtory. It will ſuffice to obſerve, that Chaumont, perceiving Genoua and Milan in danger, had withdrawn the French troops from the Emperor's army to keep them at Milan. The departure of theſe troops gave a little reſpite to the Venetians, who thereby were inabled to repair ſome loſſes ſuſtained in the begining of the campain, and to aſſiſt the Pope, who was ſtill bent on the ſiege of Ferrara.

Chaumont retires to Milan.

The Papal and Spaniſh forces join.

Chaumont's attempt to ſurpriſe the Pontif, in Bologna, afforded Raymond of Cardona, viceroy of Naples, a pretenſe to march to the relief of his Holineſs. The Pope's troops and the Venetians were, in December, joined by the Spaniſh army near Modena, which city had, by Fabricio Colonna, been taken in his return from his Genoua expedition. Tho' the ſeaſon was not very proper to enter upon action, the Pope was abſolutely determined to beſiege Mirandola. This town belonged to the heirs of Gio. Pico di la Miranda, with whom he had no quarrel: but, as it lay convenient to favor the ſiege of Ferrara, he would not leave it in his rear, but ordered it to be vigorouſly attacked. In ſpite of his age, and the rigor of the ſeaſon, he came himſelf to the ſiege, to animate the troops by his preſenſe; and, the place having at length, on the twentieth of January, ſurrendered, he would needs make his entry into it thro' the breach.

Siege of Mirandola. Guicciard.

Lewis XII complained to Ferdinand of his aſſiſting the Pope: but Ferdinand, terming that a trifle, replied; "That, as vaſſal of the holy See, "he could not avoid defending the perſon and ſtate "of his Sanctity: not that he any way interfered "in ſuch diſputes as might be between the Pope "and King of France, but his intention was to "adhere ſtrictly to the articles of the league of "Cambray."

Hitherto Henry ſeems not to be concerned with the affairs of Italy, tho' the Pope, Ferdinand, and the Venetians had formed a deſign to ingage him therein. He peaceably led a life of pleaſure, without much regarding what paſſed abroad. On the firſt of January, 1511, he had the ſatisfaction to ſee his Queen delivered of a Prince, whoſe birth occaſioned great rejoicings throughout the realm: but the joy was of no long continuance, ſince the royal infant died before the end of February (1).

HENRY VIII. AN' 1511.

Birth of a Prince; Herbert. and his death. Hall. Stow.

Mean while, Ferdinand was ſeeking means to ingage Henry in the league he intended to make with the Pope againſt France. Henry was rich and powerful, and conſequently his junction to the league would be of great weight, and extremely incommode France. On the other hand, his youth and ſmall experience made his father-in-law hope that, by degrees, it would not be impracticable to ingage him, as it were, inſenſibly into projects wherewith a King of England ought not at all to concern himſelf. Certain it is that Ferdinand was already agreed with the Pontif: his whole procedure, and the ſeveral circumſtances of hiſtory, render it ſo evident that it may not in the leaſt be doubted; however, on this occaſion, he uſed a moſt profound diſſimulation. He feigned to have in view only the general tranquillity of Europe, that all the Princes of Chriſtendom might combine in a perfect union to war upon the Infidels. But as he wanted an army and fleet to execute his deſigns, he pretended to have very much at heart the continuance of the war he had undertaken againſt the Moors. In the preceding year, he had ſent upon the coaſts of Africa a conſiderable armada, commanded by count Pedro Navarro (2). Shortly after, he reinforced it with ſome troops under conduct of a ſon of the duke of Alva, who, attempting to land at Gelves, was ſlain, and all his men cut in pieces. Ferdinand made uſe of this ill ſucceſs to cover his preparations againſt France. Under color of being revenged on the Moors, he aſſembled a body of forces and equiped a navy, which he pretended to ſend into Africa, but was however deſigned for Italy. As it was not yet time to divulge his deſigns, he carried his diſſimulation ſo far as to demand of King Henry his ſon-in-law a thouſand Engliſh archers to ſerve in this pretended expedition: a feeble ſuccor, to be ſent for ſo far, and at ſo great charge, if he had really intended to uſe them. Henry, not ſeeing into his projects, readily complied with his requeſt, and appointed ſir Thomas Darcy, on whom at the ſame time he confered the title of baron (3), to command that ſmall body (4). We find, in Rymer's collection, Ferdinand's letter of thanks to Henry (5) for his aid, and for his advice not to hazard his perſon in the undertaking: "Advice "(continued he) which he could not follow, be-"cauſe religion was concerned." And yet, it ſoon appeared he never had any ſuch intention, ſince he imployed againſt France the very forces which to appearance were deſigned againſt the Moors (6).

He demands aid of Henry for his pretended war with the Moors. Rym. Fœd. Vol. XIII. p. 294. March 8.

Ib. p. 297. June Herbert. Hall. Stow.

(1) He was born at Richmond, and chriſtened Henry. He was preſented to the King by his Queen as a new-year's gift, but died this ſame year, on February 22, and was buried at Weſtminſter. Herbert, p. 7. Hall, fol. 11.

(2) When he took the cities of Bujeya and Tripoli on the coaſt of Barbary, as he had done, the year before, that of Oran, on the ſame coaſt, lately re-taken by the Spaniards from the Algerines. See the Seat of War in Africa. —— M. Rapin, and indeed abundance of other eminent writers, miſ-name this Spaniſh general, Peter of Navarre; nay M. l'Abbe de Vertot moſt erroneouſly ſtiles him, count of Navarre. He was a brave ſoldier, and very fortunate in his undertakings.

(3) He was captain of the town and caſtle of Berwick. Rymer, Vol. XIII. p. 294. — Dugdale ſays, the title of Baron, which had ceaſed (6 Hen. V.) in the daughters and heirs of Philip lord Darcy, was revived to this ſir Thomas by writ of ſummons to parliament. (1 Hen. VIII.) Baron. Vol. I. p. 374.

(4) There went over with him the lord Anthony Grey, brother of the marquis of Dorſet; Henry Guildford, Weſton, Brown, William Sydney, eſquires; ſir Robert Conſtable, ſir Roger Haſtings, ſir Ralph Elderkare, &c. They imbarked at Plymouth about the middle of May, and landed at Cadiz, June 1. Hall, fol. 11, 12. Sir Henry Guildford, and —— Weſton, and —— Brown, knights, were knighted by King Ferdinand, who gave ſir H. Guildford a canton of Granada, and —— Weſton, and ——— Brown, an eagle of Sicily, for the augmentation of their arms. This body of troops returned to England about Auguſt. Idem, fol. 13. Stow, p. 488.

(5) By this letter, (writ in a moſt religious ſtrain) it appears, that Dugdale and all our hiſtorians, are miſtaken in the number of the archers ſent into Spain, Ferdinand's letter calling them a thouſand, whereas they are ſaid to be in our hiſtories fifteen hundred.

(6) King Henry ſent alſo, in July this year, fifteen hundred men into Flanders, under command of ſir Edward Poynings, to aſſiſt the duke of Burgundy againſt the duke of Gueldres. Ibid. p. 302. Hall, fol. 13, 14.

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Nothing more was wanting to compleat the projected league againſt Lewis XII, but to gain the King of England; to effect which, during the whole begining of the year 1511, ſtrenuous indeavors were put in practiſe. The Venetians ſent him an embaſſador, under color of thanking him for his care to reconcile them to the Pope, deſiring him withal, in their credentials dated the ſecond of March, to give credit to what their embaſſador ſhould impart to him, which could relate only to the intended league. On the other hand, it was much about this ſame time that the Pontif confered the dignity of cardinal on Chriſtopher Bambridge, archbiſhop of York and embaſſador at Rome, in a promotion the eleventh of March at Ravenna. All the hiſtorians unanimouſly affirm, Bambridge was made cardinal purely for laboring to ſet Henry at variance with France. Matthew Skinner, biſhop of Sion, was advanced to the ſame degree of honor for ſervices of the like nature already done and to be done in futuro. In thoſe days, it was neither learning nor virtue which raiſed eccleſiaſtics to the cardinalate, but ſolely their abilities in temporal affairs, joined to ſubmiſſion to the Pope implicit and intire.

Attempts to get Henry into the league againſt France.

Bambridge made cardinal. Herbert.

The efforts uſed to ingage Henry in the Italian league, had at length the expected ſucceſs. In all appearance, it was repreſented to him, that he was highly concerned to oppoſe the progreſs of the King of France, who was already become too powerful by the conqueſt of the duchy of Milan, and the ruin of the Venetians. However this be, it appears that, about the middle of the year, Henry was determined to follow the ſuggeſtions of the Pope and Ferdinand: for, in June, he appointed commiſſioners, to take care that the militia of the kingdom were provided with good arms, and ready to enter on ſervice at the firſt order, which it was cuſtomary to exact only when a war was foreſeen. The reaſon alledged by Henry for theſe orders, evidently demonſtrate what were his views. He ſaid: "Tho' the kingdom was in perfect tran-"quillity, nevertheleſs, as weapons were com-"monly ſuffered to ruſt in time of peace, he "wiſhed that his ſubjects would be in a readineſs "to ſerve him, as well againſt invaſions, if any "were intended, as in defenſe of his allies." Theſe laſt words could reſpect only the Pope, the King of Aragon, and the Venetians; from whence it may be infered, that the King had already ingaged: but the ſequel will ſhew it in a ſtill clearer light.

Henry ingages with his allies.

Rym. Fœd. Vol. XIII. p. 300.

He guards againſt Scotland.

The ancient and ſtrict union between France and Scotland gave Henry juſt cauſe to apprehend that, ſo ſoon as he ſhould have commenced war againſt France, the Scotiſh King, as ally of Lewis XII, would interpoſe in the quarrel: and therefore, to remove all pretext of rupture, he took care to appoint commiſſioners (1), with power to repair all the outrages commited ſince the late pacification: but his precautions proved ineffectual: a certain accident which occurred this year, afforded the King of Scotland afterwards that pretenſe of breach which Henry would have prevented.

Ib. p. 301.

Cauſe of quarrel between England and Scotland. Buchanan. Herbert. Hall. Stow.

Andrew Breton, a Scotiſh trader, complaining to the King of Scotland, that the Portugueſe had killed his father, and ſeized his ſhip, the King gave him letters of mart, after having in vain ſought redreſs from the court of Portugal. Breton hereupon equiped two ſtout ſhips, and found means to make himſelf ample amends for his loſſes, by falling on all the Portugal ſhips trading to Flanders and England. The Portugueſe embaſſador reſiding at London complained to the council, and repreſented, that, ſince the King of England pretended to the ſovereignty of the narrow ſeas, it was but reaſonable he ſhould protect the foreign ſhips which came into the channel. On this complaint, Henry fited out two large ſhips of war, and appointed the two ſons of the earl of Surrey (2) to command them, with orders to take the Scotiſh pirate. Theſe two nobles watched him ſo narrowly that they, at length, met with him as he was returning from Flanders to Scotland. Breton fought deſperately, but was killed in the ingagement, and his two ſhips taken and brought to England (3). The King of Scotland, having thereof information, ſent and demanded the two ſhips, with ſpeedy reparation of the outrage commited againſt the pacific treaty. The embaſſadors were told, that pirates were not included in the peace, and that puniſhing ſuch people anſwerable to their demerits was no violation of treaty. Probably, Breton had made himſelf more than amends for the damage he had ſuſtained, as it too frequently happens on ſuch occaſions. However, King James, not obtaining any ſatisfaction from the Engliſh court, proteſted againſt the injuſtice done him, and determined to reſent it whenever occaſion ſhould offer.

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Hollingſh.

The Pope rejects the French King's offers. Guicciard. Mezerai. P. Daniel.

I left Julius II, after taking Mirandola, reſolved on the ſiege of Ferrara, and only waiting the return of mild weather. Tho' Lewis XII was partly ignorant of what paſſed in Spain and England, he knew however enough not to doubt that the Pope was indeavoring to raiſe him enemies from all quarters. He was even ſatisfied that, tho' he ſeemed to have no other deſign than to poſſeſs himſelf of Ferrara, yet that was only the firſt ſtep to ſome greater project: mean while, he was very much imbaraſſed. He had properly nothing to gain upon the Pope, except he would ſeize the church's patrimony: but he had abundance to loſe, beſide the perplexities which might be created him thro' the Pope's obſtinate and haughty temper. He was therefore willing to uſe all poſſible efforts to be reconciled with him. To that end, while the Pope was imployed in the ſiege of Mirandola, he made him ſome overtures by Chaumont; but all proved wholly ineffectual. Julius would not liſten to any of his propoſals, and continued the ſiege 'till he forced the town to capitulate. Finally Lewis, convinced there was no hope of reconciliation, ordered Chaumont to regard him no longer, and at any rate ſupport the duke of Ferrara. Chaumont, receiving theſe orders, took the field in the midſt of winter. His army, even when joined by the duke of Ferrara, was leſs numerous than the forces of the Pope, Ferdinand, and the Venetians; but it was compoſed of ſo good troops that thoſe confederates durſt never hazard a battle, tho' it was more than once offered them. Mean while, the Pope was greatly imbaraſſed. Inſtead of being ſuffered quietly to prepare for the ſiege of Ferrara, he was forced to keep the field during winter, without knowing even how to ſave Modena, which was in danger of being inveſted. Ferdinand, who foreſaw what trouble that place would give his Holineſs, had adviſed him to reſign it to the Emperor: nay, that affair had been negociated, but unſucceſsfully, by reaſon Maximilian would receive it only as a place held of the Empire, to which the Pontif refuſed his conſent. At length, on Chaumont's approach to beſiege it, the Pope was willing to deliver it as the Emperor deſired, becauſe it was not to be ſaved without venturing a battle. The terms of this agreement are not preciſely known: but

Lewis reſolves to regard the Pope no longer. Sardi.

Julius II gives up Modena to the Emperor. Guicciard. Mezerai.

(1) Sir Thomas Dacre, and ſir Robert Drury. Rymer's Fœd. Vol. XIII. p. 301.
(2) Thomas and Edward, which latter was lord admiral. Herbert, p. 7. Hall, fol. 15.
(3) Tho' he was grievouſly wounded, he incouraged his men with his whiſtle, even to his laſt breath. The King pardoned the men, and ſent them out of the kingdom. Herbert, ibid.

from

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from thenceforward all the Emperor's proceedings gave occaſion to ſuſpect that Modena had been acquired on conditions very detrimental to his ally the King of France.

Ferdinand's diſſimulation.

The King of Aragon pretended to be in alliance with France: nor would he declare againſt her 'till he had ſecured the King of England, with whom he was privately negociating a treaty which required no brief diſcuſſion. Indeed, his troops which were to ſerve the holy Father only three months, according to the terms of the inveſtiture of Naples, ſtill acted in conjunction with thoſe of the allies: but he pretended, the viceroy of Naples proceeded contrary to his orders, in remaining in the Pontif's army longer than he was ordered. Mean while, the army was preſſed by Chaumont and the duke of Ferrara, who followed them cloſe, and did their utmoſt to provoke them to a battle. In order to gain time, Ferdinand, who would ſtill paſs for a neutral Prince, and well affected to the tranquillity of Italy, propoſed a congreſs at Mantoua for a pacification. The Pope immediately accepted the overture; the Emperor likewiſe agreed to it, and Lewis XII durſt not reject it, leſt he ſhould be charged with being the ſole author of the troubles of Italy. Certain it is that if, at this juncture, inſtead of ſuffering himſelf to be amuſed by a negociation, the ſole aim whereof was to rob him of the opportunity of repulſing his enemies, he had ordered his troops to advance, he would have overrun the whole Eccleſiaſtical ſtate; ſo great was the terror wherewith his arms had inſpired the allies: but he had to manage his ſubjects as as well as his Queen, who conſidered a war with the head of the church as a crime, tho' there was but too much provocation: he had himſelf likewiſe, on that very particular, certain ſcruples which he could not eaſily ſurmount. Nevertheleſs, he was willing once more to try whether the propoſed congreſs of Mantoua would produce ſome good effect: he hoped at leaſt, that the breaking off the negociation, in caſe it was not ſucceſsful, would fully juſtify him. The congreſs produced the effect expected by the allies, that is, it cauſed the French to loſe much time to no purpoſe.

Congreſs of Mantoua ineffectual. Guicciard.

The Emperor ſides privately with the Pope. Guicciard.

A few days before the congreſs of Mantoua, the biſhop of Gurck, who was to be there from the Emperor, had a conference at Bologna with the Pope, after which they pretended to part in great diſcontent: but what followed plainly ſhewed the contrary, ſince the Emperor never after did any thing agreeable to his alliance with Lewis XII. He conſented however, that the council of Piſa ſhould be called in his name, and the ſummons ſet up at Modena, and ſeveral other places appertaining to him, becauſe it was not yet time to declare himſelf. The ſummons ran; "That Julius II having re-
"fuſed to call a council, purſuant to the decree
"of Conſtance, the cardinals were impowered by
"the ſame decree to ſummon a council in their
"own name: and therefore, with the conſent of
"the Emperor and King of France, they ordered
"the council to meet on the firſt of September, in
"the city of Piſa, to labor for a reformation of
"the church, in the head and members."

A council ſummoned to Piſa in the Emperor's and French King's name.

Lewis ſuſpects the Emperor and King of Aragon.

The biſhop of Gurck's conference with the Pope, and the breaking up the congreſs of Mantoua, induced King Lewis greatly to ſuſpect the Emperor. On the other hand, he could not help fearing the King of Aragon, knowing by experience what was to be from him expected. He ſaw him making great preparations under color of the African war, and knew withal that, notwithſtanding his daily aſſurances that he would not concern himſelf with the troubles of Italy, he was uſing his utmoſt indeavors to procure a pacification between the Emperor and the Venetians: that is, properly ſpeaking, he was laboring to diſingage Maximilian from the intereſt of France. In ſhort, Ferdinand ſent him brotherly admonitions to make his peace with the Pontif, and not draw on himſelf the juſt reproach of proſecuting a moſt unnatural war with the common father of Chriſtians. Lewis could not but conſider theſe remonſtrances as a ſort of proteſtation to aſſiſt the Pope in caſe of neceſſity: nor could he, at the ſame time, believe that Prince would ingage in ſuch an undertaking without being ſecure of the Emperor. All this gave him uneaſineſs, as being apprehenſive that he ſhould at laſt be the dupe of the Pope, the Emperor, and Ferdinand: and therefore, leſt he ſhould be prevented, he gave expreſs orders to Triulzi, who commanded his army in the room of Chaumont lately deceaſed, not to let ſlip any advantages he could poſſibly take againſt the allies.

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He orders Triulzi to puſh the war vigorouſly. Guicciard. Mezerai.

Triulzi, on this order, aſſaulted and carried Concordia in the begining of May, at the time the calling of the council of Piſa was every where poſted up. Then, by ſeveral marches, he indeavored to oblige the allies to a battle, without being able to ſucceed. At laſt, he reſolved to approach Bologna; not that he believed himſelf in condition to beſiege that city, but to draw the confederates from their advantageous poſts, and give opportunity to the Bologneſe to riſe in favor of the Bentivoglii, whom he had brought with him. His Holineſs had already imployed his utmoſt efforts to induce the confederates generals to hazard a battle, without being able to prevail, ſuch was their dread of coming to blows with the French: wherefore, ſenſible of the army's diſpoſition, and diſtruſting the Bologneſe, who loved him not, he retired to Ravenna, leaving in Bologna the cardinal of Pavia his prime miniſter. No ſooner was he departed, but a tumult aroſe in the city, during which the inhabitants called in their old maſters the Bentivoglii, and put them in poſſeſſion of the government: as for his ſaid eminence, he had betaken himſelf to a precipitate flight the moment he perceived their reſolution. On the other hand, the confederate army, advancing to one of the gates of Bologna, and hearing the Bentivoglii were admited, and the legate withdrawn, ran away in confuſion, leaving in the camp their artillery, baggage, and ammunition; whereupon the inbabitants ſallying out and joining with the peaſants of that neighborhood, completely ſtriped the ſcattered army, and rendered it utterly unſerviceable for ſeveral months. The duke of Ferrara, improving this opportunity, very eaſily recovered the places lately taken from him by the allies.

Triulzi takes Concordia.

He approaches Bologna.

The army of the allies takes to flight of their own accord.

Amidſt all theſe mortifications, the Pontif met with ſtill another which touched him ſenſibly. The cardinal of Pavia was ſtabbed by the duke of Urbino, who taxed him with being the cauſe of loſing Bologna. The Pope's vexation thereat was the greater as he durſt not puniſh, in the perſon of his nephew, a crime he would have deemed worthy the moſt rigorous death had it been by any other hand perpetrated. His army being diſperſed, and his deſigns on Ferrara vaniſhed, he left Ravenna and withdrew to Rome. In his way, he had the frequent mortification to ſee the papers poſted up for calling the council of Piſa, wherein he was himſelf ſummoned to make his perſonal appearance.

The cardinal of Pavia poniarded by the duke of Urbino. Guicciard.

The Pope withdraws to Rome.

It was univerſally expected that Lewis XII would purſue his ſucceſſes, and certainly, in the then ſituation of Italy, it was his own fault that he was not maſter of Rome. The Pope had no remedy ſpeedy enough to free himſelf from his melancholy condition. The King of Aragon was too remote; the Venetians were unable to lend him a ſufficient aſſiſtance, and the Emperor was not powerful enough to

Lewis orders his army to retire to Milan. Guicciard.

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to ſave him, even had he been inclined to attempt it. Genoua, Bologna, Florence, Milan, were in the hands of his adverſaries: but Lewis, either thro' ſcruple, or ſome other motive, inſtead of puſhing his point, ordered Triulzi to retire to Milan with the army, and even diſband part of the troops. Seemingly, he was willing to take from his Holineſs all pretext of exciting againſt him the whole Chriſtian world, and publiſhing that he intended to poſſeſs himſelf of Rome and all Italy. He was very juſtly apprehenſive of this from the Pope, ſince it was in effect the foundation, or rather the pretenſe of the league formed ſome months after againſt France. Triulzi was no ſooner at Milan, but Ferdinand's fleet arrived at Naples, with about three thouſand men, who were ſoon to be followed by a more conſiderable body.

Julius II offers to agree with Lewis XII.

It was not difficult to perceive, that the King of Aragon had ſent his fleet to Naples to ſupport the Pope's intereſts, and give jealouſy to the King of France. Julius II, who was better informed than any man, revived at the news, and the rather as he well judged that Ferdinand would not have been quite aſſured of the King of England. Since the loſs of Bologna, and the rout of his army, he had ſeemed inclinable to accommodate matters with France, and tho' he had made overtures more becoming a conqueror than one conquered, Lewis had accepted them, on condition they were approved by the Emperor: but when the Pope underſtood that the Spaniſh fleet was at Naples, and Ferdinand began to declare himſelf, he added new terms to thoſe he had already propoſed, and plainly ſhewed he was no longer for peace. This conduct put Lewis XII beyond all patience: ſo, deſpairing to agree with ſo obſtinate an enemy, he ordered Triulzi to ſend ſupplies to Bentivoglio to guard Bologna, and ſome time after took Bologna and the Bentivoglii under his protection. On the other hand, tho' he was not obliged to aſſiſt the Emperor, except that Prince came perſonally into Italy, he however added to the German troops in the ſtate of Venice a ſtrong re-inforcement commanded by La Paliſſe. Mean while, the Pontif, having certain intelligence of the good diſpoſition of the Kings of Aragon and England in his favor, determined on ſummoning a general council in oppoſition to that of Piſa. To that end he publiſhed a bull, wherein, having firſt excuſed the neglect wherewith he was charged by the ſchiſmatic cardinals, and loudly inveighed againſt their inſolence, he called a council to be held at Rome, in the Lateran church, on the nineteenth of April 1512.

He again falls off.

Lewis takes Bolognaunder his protection. Rym. Fœd. Vol. XIII. p. 303. June 30.

He aids the Emperor.

Julius calls a council at the Lateran church. Guicciard.

Doubtful behavior of the Emperor.

Since the biſhop of Gurck's conference with Julius II, Maximilian's conduct was ſo equivocal, that it was extremely difficult to judge of it with the leaſt certainty. He had agreed the council of Piſa ſhould be convoked; nay it was done with his expreſs approbation and conſent: but he had not hitherto nominated embaſſadors, neither was it known that any German prelate was preparing to go thither. Moreover, he had promiſed to command perſonally in Italy, whither he ingaged to conduct a powerful re-inforcement: nevertheleſs he lay very quiet at Inſpruck, without ſhewing that he had the leaſt thought either of the council of Piſa, or the Italian war: mean while, the conqueſts expected to be made upon the Venetians were to be all his. Thus, in the preſent poſture of the affairs of Italy, Lewis XII ſaw the burden of the war laid on him alone, without his daring almoſt to complain of it to the Emperor, leſt he ſhould join the enemy: and indeed, Maximilian was ſtrongly ſollicited by the Pope, the King of Aragon, and even the Venetians, who offered him a good ſum to induce him to deſiſt from his pretenſions upon their territory. Very probably, he was yet unreſolved, and, not ignorant of the league which was forming againſt France, was willing, as uſually, to let the two parties proceed, in order afterwards to declare for that ſide which beſt ſuited his intereſt. This doubtleſs was the reaſon of his preſerving a good underſtanding with Lewis XII, in conſenting the council of Piſa ſhould be convened, and withal, of reſerving a means to be reconciled to the Pope, in ſending neither biſhops nor embaſſadors to the council. Thus remaining in a manner alike ſuſpected by both parties, he waited 'till the ſucceſs of the war, or the offers from both ſides, ſhould ingage him to declare for one or the other.

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Uncertainty of the affairs of Italy.

Mean while, affairs continued ſtill in the ſame ſituation. The Pope and the Venetians were alone in open war with France. The Emperor ſeemed to float between both. The King of Aragon had hitherto done nothing more than given hopes that he would join the league when concluded: but it was not ſo yet, each fearing to ingage in it unſeaſonably. Julius II and Ferdinand were too well acquainted to entertain any mutual confidence: each ſtrove to make the other ſubſervient to his deſigns, and was at the ſame time afraid of being deceived. Ferdinand had ſtill in France an embaſſador, who indeavored to perſuade King Lewis that the preparations in Spain concerned only the Moors. On the other hand, Pope Julius was not ſo irreconcileably at variance with the French King, but that he had ſtill left him ſome hopes of accommodation, and continued a ſort of negociation with him by means of the biſhop of Murray the Scotiſh embaſſador, who did the office of mediator. Ferdinand apprehended, in caſe the Pontif ſtruck up a ſeparate peace with France, the kingdom of Naples would be in danger. Julius had no leſs reaſon to fear that, to ſecure the quiet poſſeſſion of the kingdom of Naples, Ferdinand would forſake the church's intereſts, and leave him expoſed to the diſcretion of Lewis XII. In that caſe, the Pope would have nothing to expect from England. Thus affairs were come to that paſs, that it was neceſſary, either that each ſhould ſpeedily make a ſeparate treaty, or both jointly declare themſelves, to avoid remaining in this ſtate of uncertainty: and therefore Ferdinand at laſt began to unmaſk ſomewhat more, by ſending to Naples the troops he pretended to deſign for Africa, in order to hinder the Pope from thinking of a ſeparate agreement with France.

Guicciard.

Ferdinand ſends an army to Naples.

Opening of the council of Piſa. Guicciard.

While the Pontif and King of Aragon were thus ſounding each other, the cardinals, who had ſummoned the council to Piſa, and were come to Milan, thought fit to open it by commiſſioners: but this was only mere formality, in order not to miſs the day appointed. Never was general council ſo thin. The French prelates were not yet arrived, and there was no likelihood of any from Germany. The Pope was perfectly inraged when he had notice of the council being opened at Piſa. In the heat of his paſſion againſt the Florentines, for ſuffering the council to meet in a city under their obedience, he excommunicated them as well as the Piſans, and put both cities under interdict: but the Florentines forced the prieſts to celebrate divine ſervice, leaving to private perſons the liberty to obſerve or reject the interdict.

The Pope puts Piſa and Florence under interdict. Guicciard.

The Florentines make a jeſt of it.

Henry promiſes to enter into the league. Herbert. Pol. Virg.

It was difficult for Julius II and Ferdinand, to continue long in their preſent ſituation, without cauſing mutual ſuſpicions capable of changing the face of affairs. The reaſon which had hitherto with-held Ferdinand, namely, his uncertainty with reſpect to the King of England, was now vaniſhed. Henry, after long ſuſpenſe, had at laſt poſitively promiſed to enter into the league againſt France; whereupon the negociation of the treaty advanced more in one month than in a whole year before. It was a conſtant rule with

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with Ferdinand, to cover all his deſigns with the cloak of religion, little anxious if, after execution, his artifices were diſcovered. The fleet and army he had prepared in Spain, had for pretext a war with Infidels. When he was going to declare openly againſt France, he failed not to uſe the pretenſe of protecting the church againſt the outrages of Lewis.

Henry's and Ferdinand's embaſſy to Lewis XII.

As ſoon as he had gained the King of England, they jointly ſent embaſſadors to Lewis, to require him to leave the Pope unmoleſted, intimating, that as Chriſtian princes, they could not avoid protecting the church, diſturbed by his ambition. Lewis ſaw plainly that, their meaſures being now taken, it would be too late to juſtify his conduct; and therefore choſe to return a haughty anſwer, which was exactly what his enemies wanted.

League againſt France concluded at Rome. Guicciard.

Soon after, on the 4th of October, the Pope, the King of Aragon, and the Venetians concluded a league at Rome, leaving a place for the King of England, who had expreſſed a deſire to be included: indeed, cardinal Bambridge was concerned in the negociation as embaſſador of England; but he was ordered not to ſign the treaty, becauſe Henry expected to make a private one, more agreeable to the intereſts of England than that which concerned Italy only. By this treaty, his Holineſs promiſed to find for the ſervice of the league ſix hundred men at arms, five hundred light horſe, ſix thouſand foot (1), and twenty thouſand ducats per month. The Venetians were to furniſh eight hundred men at arms, one thouſand light horſe, eight thouſand foot, and to pay monthly twenty thouſand ducats. Ferdinand was to provide twelve hundred men at arms, one thouſand light horſe, ten thouſand foot, and twenty thouſand ducats monthly. It is true, neither the King of France, nor the duke of Ferrara, were named in the treaty as enemies of the allies: but that might readily be comprehended, ſince the driſt of this league was reſtoring to his Sanctity the city of Bologna, and whatever appertained to the holy See, and making war on all perſons whatever who ſhould offer to obſtruct it. Room was left for the Emperor in caſe he would pleaſe to accede; and don Ramon de Cardona, Viceroy of Naples, was declared general of the league.

Articles of the league. Rym. Fœd. Vol. XIII. p. 747. Guicciard.

A more ſolemn opening of the council of Piſa. Guicciard.

While the world was in expectation of the effect of this alliance, the council of Piſa was ſolemnly opened in that city, by the cardinals who had convened it, and ſome biſhops of France and Milan. The firſt ſeſſion was held the 4th of November, tho' the Pontif had excommunicated the cardinals, and deprived them of their dignity. The ſecond was held the eleventh of the ſame month: but by reaſon of a commotion in the city that day, the cardinals and prelates were ſo terrified, that on the morrow they removed the council to Milan, where they expected to be more out of danger. Indeed, the Piſans could not look with a good eye on a council which expoſed them to excommunication and interdict, tho' it was not in their power to oppoſe the orders of the Florentines their Sovereigns.

The council removes to Milan.

The Swiſſers march into the Milaneſe. Guicciard.

I obſerved that the Swiſſers were at variance with Lewis XII, thro' the intrigues of the cardinal of Sion, or rather of the Pope himſelf, who ſet him to work. Their firſt attempt to enter the Milaneſe proving unſucceſsful, they reſolved this year to levy ſixteen thouſand men, the cardinal of Sion having poſitively promiſed them money at their entrance into Italy, and that the army of the allies would imploy the French in La Romagna. As this levy could not be ready 'till the begining of winter, they began their march in November, and penetrated as far as Vareſe. Gaſton de Foix, nephew of Lewis XII, governor of Milan, was ſo deſtitute of troops, that he knew not how to oppoſe their paſſage: however, with the few men he had, he took the field, to annoy them and obſtruct their march; but it was not poſſible for him to prevent their advancing even to the gates of Milan. The French had already begun to furniſh the caſtle with ammunition in order to quit the city, when ſuddenly the Swiſſers, hearing no news of the Pope, nor the army of the allies which they thought to be aſſembled in La Romagna, retired to their own country, after burning ſome villages. If the Pope had not diſappointed them of the money he had promiſed, and if the confederate army had acted in La Romagna, Milan, Bologna and Ferrara would have been in extreme danger, ſince the French were at that time very weak in thoſe parts. La Paliſſe was then in Maximilian's army with a large detachment of the King's beſt troops.

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They retire ſuddenly.

Falſe policy of Henry VIII to meddle with the affairs of Italy.

Nothing could be more advantageous to England than to ſee the forces of France turned againſt Italy. The conqueſt of the duchy of Milan was leſs beneficial to Lewis XII than to England; for it procured England a ſettled tranquillity, whereas it expoſed France to perpetual troubles, and intolerable expenſes. It was therefore policy in Henry to ſuffer the French, Germans, Italians and Spaniards to conteſt it in Italy, without involving himſelf in a war which could never procure him any advantage. To the time I am ſpeaking of, the Kings of England had taken care not to interfere with the affairs of thoſe quarters, if we except Henry III, who, having unluckily taken it into his head to attempt making his ſecond ſon King of Sicily, ruined his own kingdom to execute that extravagant project: but he was not a Prince to be imitated by his ſucceſſors. The advantages of this policy were ſo manifeſt to all the Engliſh, that it required no leſs than a Ferdinand, the ſubtileſt and moſt intriguing Prince of his time, to induce them to deviate therefrom.

This Prince had ingaged himſelf with the Pope ever ſince the begining of 1510, or perhaps the end of the preceding year, and yet had been two years without declaring. This delay proceeded only from his deſire to ſecure England firſt, that Henry might make in France a diverſion, which would oblige Lewis XII to neglect the affairs of Italy: which diverſion muſt have been advantageous to the King of Aragon, ſince it would remove from Italy, or at leaſt weaken, a very formidable rival; but it is not eaſy to conceive wherein it could be ſerviceable to England. On the contrary, there ſeemed to be ſeveral very ſtrong reaſons to divert Henry from ſuch a deſign, without mentioning the peace he had lately renewed with France, and confirmed by a ſolemn oath: this probably was the cauſe of his ſo long defering the concluſion of that league I ſhall ſpeak of preſently. Indeed it was not poſſible but that ſome of the King's council were clear-ſighted enough to perceive that this league was no way advantageous to England, what color ſoever was given it.

The Pope excommunicates all the adherents of the council of Piſa.

While this negociation languiſhed in England, new occurrences put Ferdinand on taking freſh meaſures, and contriving variety of means to ſucceed with Henry. Lewis XII perſiſted in his deſign to hold the council of Piſa, as was ſaid, and that cauſed Julius II to convene another at the Lateran, and excommunicate by the ſame bull all Princes and others who adhered to the firſt. Among theſe Princes was John d'Albret, King of Navarre, who, being allied to Lewis XII, blindly followed the di-

(1) In the treaty, as it ſtands in Rymer, it is only ſaid, that the Pope was to furniſh ſix hundred men at arms, without any mention of light horſe and foot: neither is the number of troops to be ſent by the Venetians ſpecified; but it is ſaid, they were to find a fleet ſtrong enough to beat the enemy's: and, on the day of the league's publication, the Pope and Venetians were to pay eighty thouſand ducats of gold for two months wages for their forces. Fœd. Vol. XIII. p. 307. See Guicciardin, l. 10.

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rections of the court of France. The King of Navarre had no ſooner declared for the council of Piſa, but Ferdinand, on that pretenſe, formed the deſign to ſeize his whole kingdom, and make Henry his ſon-in-law the inſtrument to execute it. To that end he gave Henry to underſtand, that a fair opportunity offered to recover Guienne, taken by France from one of his predeceſſors, ſince the league, which was on the point of being concluded in Italy, would find Lewis XII ſo much imployment, that probably he would not be able to defend his own country: but, as the diſtance of Guienne might deter Henry from attempting this conqueſt, Ferdinand, out of the affection he bore him, very readily promiſed to furniſh out troops, tranſport ſhips, artillery, proviſions and ammunition, without ſtipulating any thing for himſelf, but the ſole pleaſure of procuring his ſon-in-law ſuch a conſiderable advantage. This offer opened the eyes of Henry and his council (1). The acquiſition of Guienne ſeemed to them a thing ſo beneficial, and withal ſo glorious in the begining of this reign, that the King, without any farther difficulty, entered into the league propoſed by the Pope, Ferdinand, and the Venetians. Such was the real motive (2) which induced the court of England to break the peace lately renewed with France, without alledging other reaſon than the protection granted by Lewis to the Bentivoglii, and convening the unlawful aſſembly at Piſa: as if it was any way England's concern to procure Bologna for the Pope, and oppoſe with arms a council conſiſting of twenty French biſhops, without power and credit even in the very place where they were aſſembled. We ſhall ſee preſently, how Henry was the dupe of his affectionate father-in-law, and how Ferdinand politicly made uſe of him to ſerve his own ends, without giving himſelf the leaſt trouble about his ſon-in-laws affairs.

The King of Navarre is of the number.

Ferdinand deſigns to ſeize Navarre.

He makes a cautious propoſal to Henry.

Henry determines on carrying war into Guienne. Herbert. Hall.

When Ferdinand had gained Henry, he, at Rome, concluded with the Pope and Venetians the above-cited league. In this treaty of Rome, it was expreſly ſaid, that all the articles were negociated and ſettled with the King of England's participation, the cardinal of York acting for him, and daily expecting orders to ſign it; but that, for certain reaſons, the concluſion thereof could not be any longer delayed.

About ſix weeks after, Henry and Ferdinand concluded, at London, a private league for the conqueſt of Guienne. This was a conſequence of the firſt, on ſuppoſition, that depriving the King of France of that province was a good means to ſerve and protect God's church, the great and principal aim of the allies. If ever the Almighty's ſacred name was openly and ſhameleſly taken in vain, it is in the preambles of theſe two treaties. In the firſt, the Pope proteſted, that his ſole view in deſiring Bologna and the other ſtates appertaining to the church, was to reſtore Italy to her priſtine tranquillity, that all Chriſtians might join their forces againſt the Infidels, as he had ever wiſhed, and ſtill did ſigh after moſt cordially. Thus, to make war upon the Infidels, it was neceſſary that Italy ſhould be free from troubles, which could not be hoped 'till the Pontif had executed his ambitious projects, without which Italy muſt not expect to injoy any repoſe.

League between Henry and Ferdinand for the conqueſt of Guienne. Rym. Fœd. Vol. XIII. p. 311. Nov. 17.

False motives of the league of Rome.

In the ſecond treaty, Henry and Ferdinand ſet forth; "That they had made alliances with all "Chriſtian Princes, ſolely to be inabled to war "upon the enemies of Chriſt; and, for that "purpoſe, were now imployed in preparing "powerful armies by land and ſea; but that ſuddenly, when they leaſt expected it, they were "told, the King of France's troops were beſieging "Bologna, where the Pope, aged and infirm, lay "ſeized with a grievous diſtemper, and attended "by all his cardinals: that being extremely afflicted "at this news, they had, by letters and embaſſadors, "beſought the King of France to deſiſt from this "his deſign: that his Sanctity had offered him a "pardon for all his ſins, provided only he would "abſtain from the patrimony of the church; ceaſe "to inflame the ſchiſm, and adhere to the council "of Lateran; but that all this had been quite in-"effectual. On the contrary, he had poſſeſſed "himſelf of Bologna, by the perfidy of ſome of "the inhabitants; twice routed the ſacred Roman "church's army, and, in contempt of the holy "See, called a council, having firſt corrupted "certain of the cardinals. That the Pontif had "ſince diſpatched to him a legate, only and ſolely "to requeſt of him that he would forbear attacking the church: that the legate not prevailing, "the two Kings of England and Spain had ſent "embaſſadors, amicably to admoniſh him to deſiſt "from his attempts, and be reconciled with the "Pope, or elſe they could do no leſs than undertake the church's protection; but that their "brotherly exhortations had been ſlighted and "contemned. That, on all theſe conſiderations, "the two Kings, perfectly knowing how detrimental ſuch ambition might prove to the holy Catholic faith, God's church and the whole Chriſtian common-weal, had thought proper to agree "on the following articles, to the praiſe and glory "of Almighty God, our Lord Jeſus Chriſt, and "the whole triumphant court of Heaven, for the "defenſe, exaltation and increaſe of the Catholic "faith, the Chriſtian religion and the holy Roman "church, which was unjuſtly oppreſſed, and thro' "the frequent inſtances, exhortations, and admo-"nitions of his Holineſs, the head thereof." The ſubſtance of this pious treaty was as follows:

Articles of the league of London between Henry and Ferdinand.

I. The two Kings took upon them the defenſe and protection of the holy Roman church, againſt all perſons who ſhould preſume to attack it.

II. Ferdinand, as Catholic King, and to diſcharge his duty to God and the church, promiſed to take arms in her defenſe in Italy.

In the IIId article it was ſaid, that the Pope and the ſacred college of cardinals had judged that, in order to deliver the church from the oppreſſion under which ſhe groaned, it was requiſite to make war upon the King of France, not only in Italy, but likewiſe in ſuch of his provinces as bordered on the two allies: and therefore it was agreed, that they ſhould carry their arms into Guienne, and conquer that province for the crown of England, and that King Henry, in aſſiſting the church, might at the ſame time recover what to him rightfully appertained: that in order thereto, as ſoon as Ferdinand ſhould have actually declared againſt the kingdom of France, and taken arms in the church's defenſe, Henry, at a proper ſeaſon, ſhould proclaim war againſt the ſame Prince in the ſame church's behalf.

In purſuance of this article, Henry promiſed to

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(1) Lord Herbert ſays, ſome of the council, who more ſeriouſly weighed the buſineſs, were againſt the war with France, and more particularly for a reaſon which England ſhould never forget. "Let us therefore (ſays one of the council) leave off our "attempts againſt the Terra firma. The natural ſituation of iſlands ſeems not to ſort with conqueſts in that kind. England "alone is a juſt empire: or when we would inlarge our ſelves, let it be that way we can, and to which it ſeems the eternal "Providence hath deſtined us; and that is by ſea." Herbert, p. 8.

(2) Another inducement to Henry was the Pope's promiſe to take away the title of Moſt Chriſtian from the King of France, and confer it on him. Ibid.

ſend

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ſend into Guienne, ſome time in April 1512, a body of ſix thouſand foot (1) commanded by a good and able general; to maintain them at his own charge, and not recall them without the King of Aragon's conſent. Ferdinand, on his part, bound himſelf to find five hundred men at arms, fifteen hundred light horſe, and four thouſand foot, on the ſame terms: moreover, he ingaged to furniſh the Engliſh troops with proviſions and ammunition at moderate rates. It was farther agreed, that each of the two Kings ſhould put to ſea, for ſix months, a navy, with three thouſand well-appointed ſoldiers, excluſive of ſufficient mariners, and that neither ſhould recall his fleet without the other's concurrence.

IV. That Ferdinand ſhould, on reaſonable terms, find forty ſhips to tranſport the Engliſh forces.

V. That in caſe the allies ſhould take any places in Guienne and elſewhere, they ſhould be delivered to him of the two Kings who had thereto a prior title.

VI. That if either of the two Kings ſhould be attacked out of Guienne, they ſhould jointly take care of the defenſe of the country of him who wanted aſſiſtance, ſincerely and with their utmoſt power.

VII. That the two Kings, conſidering that the Pope had called at Rome a council, which all Chriſtian Princes ought to obey and ſend embaſſadors to, and it was affirmed that the King of France perſiſted in his deſign to continue the council ſummoned to Piſa, they agreed on adhering to whatever ſhould be decreed by the Lateran council, and oppoſe that of Piſa, with all it favorers and adherents.

VIII. That neither of the two Kings ſhould make peace or truce without a mutual conſent.

IX. That by this, the former treaties ſhould not be deemed void, but, on the contrary, remain in full force.

X. That it ſhould be ratified within four months, by Henry and Ferdinand, by the latter in his own name, and in that of Queen Juana his daughter.

Imprudence of Henry and his council.

Henry and his council doubtleſs fancied they had made a very advantageous treaty, ſince it was to procure them the duchy of Guienne, while King Ferdinand demanded nothing for himſelf, as if he had acted purely from a motive of religion, and out of affection to his ſon-in-law, tho', in reality, he had conſulted only his own intereſt. As for the Pope's affairs, about which both Kings ſeemed to be ſo greatly concerned, it may be affirmed they did not even think of them, as it afterwards appeared: but they wanted that pretext to dazzle the public, tho' in all appearance, the world was not ſo blind as to imagine that two potent Monarchs ſhould arm themſelves purpoſely to diſſolve a council which ſtiled itſelf general, compoſed of a ſmall number of prelates of only one nation, and ſo little regarded that, even at Milan whither it was removed, the magiſtrates were forced to imploy their whole authority to procure its reception.

Lewis's ſuſpicions of the Emperor. Guicciard.

During theſe tranſactions, the Emperor gave the King of France ſo much cauſe to ſuſpect his ſincerity, that neceſſity alone obliged him to feign any farther confidence in him. Not one German biſhop approached the council; and when the Emperor was preſſed on that head, he replied, "It was requiſite firſt to have the Imperial diet's approbation "which he did not doubt of obtaining: that, "tho' he ſhould ſend biſhops from his hereditary dominions to Piſa, it would be more prejudicial than advantageous to the council, ſince it "would give occaſion to imagine, he deſpaired of "obtaining the diet's conſent." On the other hand, inſtead of perſonally commanding his army in the Venetian territory, as he had promiſed, he left all to thoſe troops which from France came to his aſſiſtance, In ſhort, while he liſtened to the offers of the Pope, Ferdinand and the Venetians, he told the French embaſſador, he was ready to march to Rome at the head of an army, provided his maſter would ſend him a ſtrong re-inforcement, and a ſum of money proportionable to ſo great an undertaking. Amidſt theſe uncertainties, Lewis knew not what he might truſt to. He could not regard Maximilian any otherwiſe than as an ally ready to abandon him, if he found that joining with his enemies would turn to better account: in which caſe, all the Emperor's conqueſts upon the Venetians would be ſo many loſſes to France. Mean while, the ſuccors he furniſhed were very expenſive, and yet he durſt not give him any handle to change ſides. Thus Lewis ſaw himſelf on the point of being attacked by the whole united forces of the Pope, the King of Spain, and the Venetians, without hope of any aid from the Emperor. As for England, tho' he was yet ignorant of the treaty of London, and Henry's embaſſador poſitively denied his maſter had the leaſt thought of interfering, Henry's intire procedure was a demonſtrable indication that he would ſoon declare againſt him.

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Lewis ſuſpects Henry.

The King of Aragon's army joins the Pope and Venetians. Guicciard.

Mean while, the Pope, who had conſtantly in view the recovery of Bologna and Ferrara, was very preſſing with the viceroy of Naples to advance with his troops, and take command of the confederate army: but, notwithſtanding all his ſollicitations, the junction could not be 'till the middle of December, and even then, the Naples artillery not being yet arrived, the army could be imployed only in a few trifling expeditions in La Romagna, with which ended the year 1511. It is time now to return to the affairs of England.

Hall. Herbert. Hollingſh.

Tho' Henry had not yet proclaimed war with France, Lewis XII was ſenſible what he was to expect. He had good intelligence by means of one Buonviſo, a Luccheſe merchant, who being bankrupt was retired into England, where he had obtained ſo much favor from the Pope as to be made a ſort of agent (2). This man, being corrupted by France, diſcovered to Lewis the ſecrets wherewith the Pope was ſometimes obliged to truſt him; and hence it was that the court of France became acquainted with many particulars which the Engliſh would gladly have concealed from them. It was probably by this means that the King of France had his firſt notice of the league concluded at London, tho' it was made a great ſecret: but ſhortly after he had no farther need of ſpies to know Henry's intentions.

Lewis has notice of the league of London.

AN' 1512. Henry acquaints the parliament with his deſigns, and obtains a ſubſidy. Herbert. Hall. Stow. Hollingſh.

The parliament being met the fourth of February, King Henry communicated his deſign of making war upon France. He proteſted, his ſole aim was to free the Pope from the King of France's oppreſſion, and eſpecially to cauſe the ſchiſmatical council of Piſa, now removed to Milan, to be diſſolved. Tho' the war, undertaken, as Henry himſelf affirmed, ſolely to oblige the Pope, was little agreeable to the intereſt of England, the parliament however gave the King a large ſubſidy (3). In all appearance, the leading members of the houſe

(1) By an additional article, dated March 16, it was agreed, That Henry ſhould ſend five hundred men more; and Ferdinand find in all two thouſand men at arms, and three thouſand light horſe. Rymer's Fœd. Vol. XIII. p. 324.

(2) His collector and proctor in England, ſays Hall, fol. 16.

(3) Two fifteenths from the commons, and two tenths from the clergy. Hall, fol. 16. Stow, p. 490——The moſt remarkable ſtatutes inacted in this parliament were theſe: 1. That every captain ſhall have his whole and perfect number of men and ſoldiers, and give them their full wages, on pain of impriſonment, and forfeiting all his goods and chattels. 2. That no cloth

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house of commons, being informed of the true reasons, so ordered it that the rest sided with them in their opinion; otherwise, it would have been difficult to make them comprehend the necessity of England's ingaging in a war with France merely to restore Bologna to the Pope, and dissolve a council so inconsiderable as that of Pisa. Before the parliament broke up, the King was pleased to restore John Dudley, son of Edmund Dudley, to the rank and honors his family had been deprived of by the father's attainder: from that time, he always bore him affection, and at length, towards the close of his reign, made him lord admiral of England.

Edmund Dudley's son restored. Herbert.

The war Henry intended to undertake against France, having for pretext dissolving the council of Pisa, he could not dispense with acknowledging that of Lateran, and sending thither embassadors. He made choice of Silvester bishop of Worcester, with sir Robert Wingfield, and commissioned them to agree, in his name, to whatever should be deemed necessary for the church's reformation, as well in the head as members. This clause was only to cast a mist before peoples eyes, since, most certainly, nothing was farther from the thoughts of his Holiness than to indeavor in this council either his own or the church's reformation.

Henry sends embassadors to the Lateran council. Rym. Fœd. Vol. XIII. p. 325. February 9. Herbert.

The time being come to execute the projects agreed by Henry and Ferdinand in the treaty of London, Henry gave the command of his navy to sir Edward Howard, the earl of Surrey's eldest son (1); and of his land-army to Thomas Grey, marquis of Dorset (2). All the troops which were to serve in the Guienne expedition, being imbarked towards the close of May, in Spanish vessels, arrived the eighth of June at Passage, in the province of Guipuscoa, where the marquis of Dorset landed those he was to command. Lord Herbert says, these troops consisted of ten thousand men, but probably he included in that number the three thousand who were to serve at sea, according to the treaty (3).

The marquis of Dorset leads an army into Spain. Rym. Fœd. Vol. XIII. p. 329. Hall. Stow. Herbert. Hollingsh.

The admiral having convoyed the marquis of Dorset to Spain, put to sea again, and arriving on the coast of Bretagne, landed some troops, and plundered the country (4). Henry hearing, the King of France was preparing a great naval armament, sent a reinforcement (5) to his admiral, which inabled him to make head against the French. The two fleets meeting the tenth of August, came to a furious ingagement, which ended in great loss on both sides. The Regent, a first-rate ship, and the Cordeliere, commanded by Primauget (6), being grappled, were both blown up, with loss of their whole equipage: this accident happened thro' the desperate resolution of Primauget who, finding he could not save his ship, set fire to the powder (7).

Hall. Stow. Hollingsh. Pol. Virg.

The treaty of league, concluded at London, seemed to be made only to pave the way for Henry to the conquest of Guienne: but Ferdinand had never any such thought. His sole aim was to conquer Navarre for himself, and imploy to that end the English troops he had sent for into Spain: but as it was not by any means proper to inform Henry of such a project, he had been obliged to allure him with the hopes of recovering Guienne, in order to induce him to send his troops. This is the true reason why Ferdinand in the treaty shewed so much disinterestedness, that all the advantage seemed to be on the side of England: but the performance was very far from answering the ingagement.

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Ferdinand's private designs to conquer Navarre.

The marquis of Dorset being arrived in Guipuscoa, found a commissioner of the King, who paid him great respect, and told him, the duke of Alva was taking the field in order to join him; and indeed, the duke immediately put himself at the head of the Spanish army: but instead of joining the English, who were incamped near Fontarabia with design with him to besiege the city of Bayona, as was resolved, he kept at Logrono on the borders of Navarre. He intimated to the English general; "That the King of Navarre being in alliance "with France, it would be very dangerous to at- "tack Bayona with Navarre behind them: that "while they should be imployed in the siege, the "King of Navarre might introduce the French "into his dominions, join with them, and, by in- "camping between the mountains of Navarre and "the sea, cut off the provisions which should be "brought to the camp before Bayona, without be- "ing obliged to give battle, except he pleased: "that therefore it was necessary, before they in- "gaged in the siege, to attempt gaining the King of "Navarre to the interests of their masters."

His many artifices to compass his ends. Hall. Stow. Hollingsh.

These reasons were so plausible, that the marquis of Dorset was easily persuaded to send an English officer to the King of Navarre, to require him to join with the allies. Ferdinand summoned him likewise, but more magisterially, to forsake the King of France, and come into the league (8). The King of Navarre replied, he was resolved to stand neutral: but the English and Spaniards, not satisfied with this answer, jointly pressed him to declare himself, or deliver four of his towns for their security, which that Prince would not grant. During these negociations, a French army, commanded by the duke of Longueville, approached the frontiers of Bearn; whereupon the marquis of Dorset complained to Ferdinand; "That the time lost in sol- "liciting the King of Navarre, had served only to "give the French opportunity to advance in de- "fense of their borders:" and withal pressed him to declare; "whether he would attack Guienne, pur-

cloth shall be exported out of the realm, 'till it is barbed, rowed, and shorn, on pain of forfeiting the same. 3. Several ignorant pretenders and quacks having taken upon them to practise physic, it was now ordained, That no person should take upon him to exercise the profession of a physician and surgeon, unless he is first examined and approved by the bishop of the diocese where he resides, or his vicar-general, on pain of forfeiting six pounds a month. See statute.

(1) The King, by an indenture dated April 8, granted sir Edward the following allowance. For his own maintenance, diet, wages, and rewards, ten shillings a day. For each of the captains, for their diet, wages, and rewards, eighteen-pence a day. For every soldier, mariner and gunner, five shillings a month for his wages, and five shillings for his victuals, reckoning twenty eight days in the month. Rym. Fœd. Vol. XIII. p. 327.

(2) He was accompanied by his three brothers, John, Anthony and Leonard; and by the lords Brooke, Willoughby, Ferrers, the baron of Burford, sir Richard Cornwal, sir Maurice Barkley, sir William Sandes, &c. Hall, fol. 17.

(3) He says farther, that it appears by the Spanish history, that there were among them five thousand archers, who beside their bows, carried halberts, which they pitched in the ground 'till their arrows were shot, and then took up again to do execution on the enemy. An excellent part (says he) of military discipline, and yet not remarked by our English chronicles. p. 9.

(4) About Conquet and Brest. Hall, fol. 20.

(5) Of twenty five ships which the King went to view at Portsmouth. Ibid. fol. 21.

(6) Most absurdly, our chronicles named sir Piers Morgan, says lord Herbert, p. 11. In this sea-fight the English had forty five, and the French thirty nine ships. Hall and Hollingshead give a large description of the battle. fol. 21, 22. p. 815.

(7) On losing the Regent, King Henry builded a ship the greatest ever known before, and called it, Henry Grace de Dieu. Hall, fol. 22. Tho' Buchanan and Lesle say, he imitated James IV King of Scotland in one he had made, but builded it so, that they could not steer it. Herbert, p. 11.

(8) It was stiled, the Holy League. Ibid. p. 9.

"suant

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"ſuant to the treaty of London." Ferdinand anſwered; "Prudence would not ſuffer him to ſend "his army to Fontarabia to beſiege Bayona, and "leave his dominions expoſed to the invaſions of "the French and Navarrois: that it was much "more convenient to paſs thro' Navarre, and ſe-"cure three or four places, in order to prevent his "enemies from making uſe of that kingdom againſt "him: that therefore he wiſhed the Engliſh "would join the duke of Alva, and his army "ſhould compoſe the vanguard, to be expoſed to "the firſt dangers: that nevertheleſs the ſiege of "Bayona would not be retarded, becauſe un-"doubtedly the King of Navarre would not be "diſſatisfied at being ſomewhat preſſed, in order "to juſtify himſelf to the King of France, when "he ſhould accede to the league." The marquis of Dorſet, who ſaw not yet into his deſigns, having held a council of war, replied; "That, by "his inſtructions, he could not undertake any thing "againſt the King of Navarre: but if the duke of "Alva would paſs thro' that kingdom, he might "if he pleaſed; but, for his part, being already "near Bayona, he could not think of taking ſo "great a compaſs to join him."

The duke of Alva beſieges Pampluna. Guicciard. Hall. Herbert.

Ferdinand was not content with this anſwer. He ſtrongly inſiſted on what he had propoſed, that the Engliſh troops ſhould join his army, and, in the mean while, gave orders to the duke of Alva to beſiege Pampluna, capital of Navarre. During the ſiege, he continually amuſed the marquis of Dorſet with poſitive promiſes that, immediately after taking Pampluna, the duke of Alva ſhould join him to beſiege Bayona. Mean while, the King of Navarre, unable to defend himſelf, was retired into France, where he made a treaty with Lewis XII, for their common defenſe: but it coſt him the town of Salvatierra, and all Bearn, whereof he was obliged to put the French in poſſeſſion.

The King of Navarre retires to France.

Pampluna having ſurrendered by capitulation, the twenty-fifth of July, Ferdinand, anſwerably to his ingagement, ſhould have ordered the duke of Alva to join the Engliſh: but the reſt of the fortified towns in Navarre ſerved him for pretext to delay the junction; ſo the duke of Alva purſued his conqueſts, while the Engliſh troops, tho' without ſtiring from their camp, ſerved as a countenance to his deſigns: for, in effect, notwithſtanding the French, who daily received freſh ſupplies, found themſelves ſtrong enough to cope with the duke of Alva, they never durſt enter Navarre, for fear of coming between the Engliſh and Spaniards; wherefore, being contented to remain incamped between Bayona and Salvatierra, they gave the duke of Alva all the leiſure he wanted to reduce in a manner all Navarre.

Pampluna taken.

Ferdinand continues his artifices.

The duke of Alva overruns Navarre.

Then it was that the marquis of Dorſet evidently perceived the King of Aragon acted not with ſincerity, and that his deſign, from the very firſt, was not to invade Guienne, but conquer Navarre. Ferdinand was very ſenſible his artifice would at laſt be diſcovered; ſo, to prevent the complaints the Engliſh general might make to the King his maſter, he diſpatched away to England a courier, to inform Henry, after his manner, of the affairs of that country, and withal requeſting him to injoin his general to act in concert with him. Henry, who had not received from the marquis any intelligence contradictory to what Ferdinand ſent him, readily gave the deſired orders, which were carried to the general by Windſor herald at arms.

The marquis of Dorſet penetrates into Ferdinand's artifices. Ferdinand procures orders for the marquis to obey him; Hall. Herbert. Hollingſh.

While the herald was on his journey, the duke of Alva poſſeſſed himſelf of St. Juan de Pie del Puerto. Preſently after taking that place, Ferdinand acquainted the marquis of Dorſet, that his army was ready to march into Guienne, and deſired him to join the duke of Alva without delay: but the marquis was no longer in a diſpoſition to be deceived. He knew, the French army was intrenched between Bayona and Salvatierra, with the River Bidaſſoa in front, which muſt be paſſed within view, and beſide, Bayona was ſo well provided, that there was no likelihood of ſucceeding in the attempt. Thus what Ferdinand propoſed was impracticable, and only a continuation of his artifices. From St. Juan de Pie del Puerto, the right-hand road leads to Bearn, and the left to Bayona; ſo the duke of Alva's intent was to ingage the Engliſh to enter Bearn with him, under color there was no other way to draw the enemies from their advantageous poſt, or at leaſt to inveſt Salvatierra: but the Engliſh general, having no orders to make war upon the King of Navarre, either in Bearn or elſewhere, refuſed to join the Spaniards. Ferdinand reaped this advantage from his refuſal, that he caſt on him the whole blame of their not invading Guienne according to the treaty. After that, the duke of Alva turning back, laid ſiege to Eſtella, the only place the King of Navarre had remaining.

and is diſpoſed to attack Bearn. Herbert.

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The marquis refuſes ſerving him.

The marquis of Dorſet, full of indignation at theſe proceedings, and conſidering that his army was daily weakened by ſickneſs and want of proviſions, wherewith he had been but very ſparingly ſupplied ſince the war in Navarre, deſired Ferdinand to furniſh him with ſhips for his return. It was with great difficulty that he obtained his requeſt, Ferdinand ſtill proteſting againſt his departure, as directly contrary to the treaty: not that he was much concerned at it, ſince the Engliſh were become in a manner uſeleſs, after the conqueſt of Navarre. Mean while, the marquis of Dorſet falling ſick, lord Thomas Howard took command of the army. At the ſame time, as the troops were juſt on the point of imbarking, the herald arrived from England, with poſitive orders to the general, to obey the commands of King Ferdinand (1): but the army thereupon mutinying, it was impoſſible to detain the ſoldiers any longer in Spain, and, the imbarcation being made, they arrived in England in November. Henry was at firſt very angry with his general; but, being informed of all particulars during the campain, he ſaw evidently that Ferdinand had deceived him, and that his affected diſintereſtedneſs in the treaty of league was only to draw him more eaſily into the ſnare. He thought proper however to diſſemble, for fear of giving Ferdinand a pretext to join with France, and leave him imbaraſſed.

He prepares to return to England. Hall. Herbert. Hollingſh.

He arrives in England.

Henry perceives he had been impoſed on.

Before the year was expired, Ferdinand ſaw himſelf in full poſſeſſion of Navarre, tho' the King of France had uſed ſome indeavors to wreſt that conqueſt out of his hands. In December, the King of Navarre and Francis duke of Angoulême beſieged Pampluna; but, not being able to carry it, they were forced to abandon the reſt of the Kingdom to the Spaniards. After Ferdinand was in poſſeſſion of Navarre, he ſought pretenſes to keep it, but found no better than a bull of Pope Julius II, who excommunicated John d'Albret King of Navarre, and gave his kingdom in prey to the conqueror. Mezerai affirms, this bull never appeared; but lord Herbert ſays, it was dated March 1, 1512.

Ferdinand keeps Navarre.

Next we muſt examine what paſſed in Italy while Ferdinand was conquering Navarre. The united forces of the Pope, the King of Aragon and the Venetians, under command of the viceroy of Naples,

Affairs of Italy. Guicciard. Bembo.

(1) King Henry promiſed at the ſame time to ſend a freſh ſupply of troops, under command of lord Herbert his chamberlain. Hall, fol. 20. Herbert, p. 10.

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taking the field in December, Pope Julius cauſed the viceroy to be continually preſſed by cardinal Gio. di Medicis his legate, to beſiege Bologna. At length, notwithſtanding the oppoſition of the viceroy and Venetian general, who foreſaw great difficulties in the execution of that deſign, the Pope's inſtances were to be complied with, and the ſiege of Bologna being reſolved, the confederate army (1) appeared before that city: but Gaſton de Foix, duke of Nemours and governor of Milan, coming to its relief, obliged the allies to withdraw. Some days after, he defeated a Venetian army at Breſcia, and ſlew eight thouſand men. Finally, on the eleventh of April, finding means to give the allies battle near Ravenna, he put them to rout, and took the legate priſoner; but was, after the ingagement, himſelf ſlain in too warmly purſuing a body of Spaniards who were retreating in good order. After that Prince's death, La Paliſſe took command of the army, and next day became maſter of Ravenna: whereupon all the towns of La Romagna, taken by the Pope after the battle of Agnadel, voluntarily ſurrendered to cardinal San Severino, who was in the French army as legate of the council of Piſa, transfered to Milan.

Siege of Bologna, raiſed by Gaſton de Foix. Bembo.

He routs the allies, but is himſelf killed.

La Paliſſe is maſter of all La Romagna. Guicciard.

The conſternation at Rome was ſo great, that the cardinals went in a body to petition his Holineſs to make peace with France: but Julius II had reſources unknown perhaps to the cardinals; ſo, all they could obtain was, to ingage him to make ſome feigned advances in order to gain time, and hinder the French from marching to Rome, as they might eaſily have done without fear of meeting any obſtacle.

The Pope tries to gain time.

While Lewis's affairs ſeemed to be in the moſt flouriſhing condition, they were in reality falling to decay. The Swiſſers, incouraged by the cardinal of Sion, preparing to exert their utmoſt to invade the duchy of Milan, La Paliſſe judged it more for his maſter's intereſt to relieve that country, which was deſtitute of troops, than make conqueſts in the Eccleſiaſtical ſtate. So, leaving cardinal San Severino in La Romagna, with five or ſix thouſand men, he haſtily marched into Milan. The retreat of the French, when they had it in their power to have marched even to Rome, inſpired Julius II with freſh courage. From thenceforward he would no more hear of peace, tho' Lewis XII offered him the ſame terms as before the victory. At this juncture it was that the Lateran council was opened, the third of May, which had been delayed by reaſon of the incounter at Ravenna.

Lewis's affairs decline.

The Swiſſers march to Milan. La Paliſſe relieves it. Guicciard.

The Pope refuſes a peace.

Opening of the Lateran council.

All hope of peace vaniſhing, the Pope excommunicated Lewis XII, and put all France under interdict (2). He took for pretext the capture of his legate, who was detained at Milan, where, tho' a priſoner, he performed however the functions of Pope's legate, thoſe of Milan refuſing to own the authority of the council held in their city. It was a great mortification to Lewis, to ſee his council contemned by his own ſubjects; but this was only a ſmall part of the misfortunes to which he was expoſed this ſame year. After La Paliſſe had quited La Romagna, all the towns of that country ſubmited to Julius. At the ſame time, Ferdinand got poſſeſſion of Navarre, and Lewis was forced to ſend into Bearn an army to hinder the Engliſh and Spaniards from invading Guienne. On the other hand, the Emperor concluded a truce with Venice, and ſecretly promiſed to withdraw from the French army a body of German troops, lent Lewis for defenſe of the Milaneſe: and yet, on the aſſurance of this aid it was that Lewis recalled from Milan part of his forces, not doubting that, with thoſe he left there, and the Germans ſent him by the Emperor, he ſhould be able to reſiſt his enemies. Thus, the French finding themſelves weak in the duchy of Milan, La Paliſſe was obliged to recal cardinal San Severino with his troops, which occaſioned the loſs of La Romagna.

Lewis XII excommunicated. Bembo. Guicciard.

The council contemned at Milan.

La Romagna returns to the Pope.

The Emperor's truce with the Venetians. Bembo.

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Mean while, the Swiſſers, to the number of ſixteen thouſand, began their march about the end of Auguſt, or begining of September: but, inſtead of taking the direct road to the Milaneſe, the paſſes whereof they queſtioned not were ſtrongly guarded, they marched to Trent, with Maximilian's permiſſion. Tho' this (if ever any was ſuch) was the procedure of a profeſſed enemy, this Prince ſtill indeavored to veil his intentions, by telling the French embaſſador, that his alliance with the Swiſſers admited not his refuſing them a paſſage thro' his territories; as if his treaty with Lewis XII was to be leſs obſerved. The Swiſſers having paſſed unmoleſted thro' Trent, proceeded to Verona, and, joining the Venetians, they marched together towards Milan; whereupon the French, abſolutely diſconcerted, and not being above ten thouſand ſtrong, reſolved to retire into the fortified towns, in order to waſte the enemy's army by ſieges, 'till the King ſhould ſend them ſupplies, or the approaching winter ſtop the confederates progreſs: but they were ſoon deprived of this refuge, by the Emperor's orders for his troops to retire immediately. Theſe orders being punctually obeyed, La Paliſſe found himſelf ſo weak that, deſpairing to ſave the Milaneſe, he determined on repaſſing the mountains, and returning to France. The prelates of the council, ſeeing Milan ready to be abandoned, made a ſudden decree to remove the council to Lyons, and followed the French army. They would have taken with them cardinal di Medicis, but went away in ſuch confuſion that his friends found means to ſecure him. After the French were retired, all the towns of the duchy readily ſurrendered to the Swiſſers and Venetians, except Parma, Plaſenza, and Reggio, which ſubmited to Pope Julius. On the other hand, Alexander Bentivoglio, not thinking himſelf ſafe in Bologna, departed thence with his whole family, leaving the city to the Pontif's mercy. Thus Julius II, who, about a month before, ſaw himſelf in a moſt unpromiſing ſituation, was arrived at the height of his wiſhes by this ſurpriſing revolution, which reſtored him Ravenna, Bologna, all La Romagna, and drove the French from Italy.

The Emperor lets the Swiſſers paſs thro' Trent. Guicciard.

They approach Milan.

The Emperor withdraws his troops from the French, Guicciard. who return home.

The council removed to Lyons.

Cardinal de Medici makes his eſcape.

Bologna left to the Pope's mercy. Guicciard.

In order to complete this Pontif's felicity, four matters yet remained to be effected; viz. to diſpoſſeſs the duke of Ferrara; to reſtore the Sforza family to Milan; that of Medicis to Florence; and laſtly, to expel the Germans and Spaniards from Italy. As for the duke of Ferrara, he voluntarily delivered himſelf to the Pope, on the faith of a ſafe conduct: a piece of imprudence which would have coſt him dear, had he not been freed by Fabricio Colonna, his friend, who forced the guard ſet at the gates of Rome, to hinder his departure.

The duke of Ferrara goes to Rome, and eſcapes. Guicciard.

The French were no ſooner out of Italy, than the allies began to diſcover their different views in acting againſt France. On this occaſion, they judged proper to meet at Mantoua, where they could agree only upon two articles, namely, that Maximilian Sforza, eldeſt ſon of Lodovica il Moro,

Congreſs of Mantoua between the allies. Ibid.

(1) It conſiſted of eighteen hundred men at arms, and about ten thouſand foot. Guicciard, l. 10.

(2) It was ſaid, that Lewis cauſed ſeveral medals to be coined with this inſcription, "Perdam Babylonem: I will deſtroy "Babylon." Which, if true, evidences that Proteſtants were not the people who firſt ſtiled Rome, Babylon.

ſhould

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should be reſtored to Milan, and the Medicis family to Florence. In conſequence of this laſt reſolution, the confederates army approaching Florence, compeled the Florentines to conſent to a treaty, whereby the Medici were reſtored to their country as citizens only, and not as governors. But cardinal di Medicis entering the city by virtue of this treaty, while the army of the allies was at the gates, found means to introduce many officers and ſoldiers, and raiſe a ſedition which made him maſter of the city: whereupon the government was ſettled on the ſame foot it was before the Medici were exiled.

Florence ſubmits to the Medici. Guicciard.

It was a very conſiderable advantage for Pope Julius to have reſtored the Medici to Florence, and Sforza to Milan: but this ſufficed not to content his ſaid Holineſs. The duke of Ferrara was ſtill maſter of his duchy, and the council of Piſa yet ſubſiſting at Lyons: the allies muſt therefore be brought to turn their arms again Ferrara, and procure a peace between Maximilian and the Venetians, that his ſaid Imperial Majeſty might no longer ſcruple abandoning his council. With this view it was that Julius obtained a ſecond meeting at Rome, where he could not gain any thing with reſpect to Ferrara, that duke being protected by the King of Aragon: beſide, the Venetians could not be prevailed on to find men and money merely to put the Pontif in poſſeſſion of that duchy. With regard to a pacification between the Emperor and Venice, he found ſtill greater difficulties, tho' he paſſionately longed to accompliſh that project, for fear one or other of the two Powers ſhould recall the French into Italy: but the intolerable terms propoſed by the Emperor to the Venetians prevented his ſucceeding.

Another congreſs at Rome. Guicciard.

The Pope's league with the Emperor againſt Venice. Guicciard.

Julius at length finding his labor fruitleſs, and being willing, at any rate whatever, to diſſolve the council of Piſa, and hinder the French from returning to Italy, concluded with the Emperor a league offenſive and defenſive againſt Venice. By this treaty, the Emperor ingaged to become a principal party in the league of Rome, and agreed, that the Pope ſhould keep Parma, Plaſenza, and Reggio, ſaving however the rights of the Empire. He promiſed to renounce the council of Piſa, and forſake the duke of Ferrara, and the Bentivoglii. Julius, on his part, ingaged to aid the Emperor with his whole force, thunder his cenſures againſt the Venetians, declare them excluded from the league of Rome, and drop his proſecution againſt Colonna for having aſſiſted the duke of Ferrara in making his eſcape. The treaty being ſigned and ratified, the biſhop of Gurck, as Maximilian's lieutenant, did, at the next ſeſſion of the Lateran council, renounce the aſſembly of Piſa, and revoke whatever had been done by the Emperor towards calling and ſupporting it.

Articles of the league.

The Emperor renounces the council of Piſa. Guicciard.

Sforza put in poſſeſſion of Milan.

About the end of December, Maximilian Sforza, eldeſt ſon of Lodovico il Moro, was put in poſſeſſion of the duchy of Milan, purſuant to the confederates ſtipulation at Mantoua.

Remarks on the year 1512.

I have now run thro' the occurrence of the year 1512, a year very remarkable for the ſeveral changes in the affairs of Italy, and ſtill more for the conduct of the Princes concerned, which diſplays their different characters. Lewis XII was the dupe of his ſcruples, which made him loſe the opportunity of depriving his enemy the Pope of all power to annoy him, and in the end occaſioned his loſing the Milaneſe. Julius II made religion a tool to his immoderate ambition, by uſing God's glory and the church's advantage for a cloak to gratify his paſſions. Having formed a league to reſtore the Venetians to their dominions, to the glory of God and exaltation of the Chriſtian faith, he concluded another, on the ſame pretenſe, to diſpoſſeſs them of all they had recovered. Ferdinand drew Henry VIII into a war for the Pope's defenſe, and to procure Guienne for the crown of England; but artfully made it ſubſervient to the conqueſt of Navarre for himſelf. The Emperor Maximilian acted with no more ſincerity: his conduct was the more extraordinary, as he was ſolely indebted to Lews XII for all he had conquered in Italy, after the league of Cambray; nay, the very preſervation of his conqueſts was wholly owing to that Prince's continual ſupplies: nevertheleſs, no ſooner did he behold him on the brink of a dangerous precipice, but, with a conſummate ingratitude, he lent his hand to puſh him down. It is ſaid, he had a book, wherein he marked, in red letters, the injuries received from the King of France: but I know not in what color Lewis XII ſhould have writ in his book the wrong done him by Maximilian on this occaſion. As for Henry VIII, he certainly was the dupe of the King of Aragon and Pope Julius: but what is yet more aſtoniſhing, after Ferdinand and his Holineſs, by their artifices, had ingaged that Prince in a league againſt France, as ſoon as affairs had taken ſuch a turn that they no longer wanted his aſſiſtance, they thought no more of him than if no ſuch perſon had exiſted. In all negociations between the allies, whether at Mantoua or Rome, after the retreat of the French, cardinal Bambridge was never called to them, neither was there any mention of the King of England. The Pope and King of Aragon, ſatisfied with expeling the French, forſook Henry, without troubling themſelves about his concerns: nay it even ſeems as if not the leaſt notice had been given him of theſe negociations. We ſee, in Rymer's collection, that the tenth of November he ſtill gave full powers to his embaſſadors at ſeveral courts, to treat of a league in favor of Julius, at the juncture when that Pontif abſolutely neglected the intereſts of England. About the ſame time, Henry ſigned letters patent, declaring he acceded to the league concluded at Rome a year before, tho', ſince that, Julius II was in poſſeſſion of Ravenna, all La Romagna, Parma, Plaſenza, Reggio, and his deſires had been accompliſhed by Lewis's loſs of Genoua and Milan, and by the Emperor's renouncing the aſſembly of Piſa. Thus, he was evidently the dupe of all theſe intrigues. Without knowing it, he lent Ferdinand his troops to conquer Navarre. On the other hand, the terror of his arms was greatly ſubſervient to the Pope's deſigns, as it hindered Lewis XII from keeping in Italy a body of troops, as believing his forces neceſſary for the defenſe of France againſt the Engliſh. This was the real aim of Julius and Ferdinand, and Henry was ſo blind as, without any neceſſity, to ingage in a war with France for their intereſt, imagining he was acting for his own.

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Vol. XIII. p. 341.

Ib. p. 342.

Who would not have thought that this experience ſhould have rendered Henry wiſer and more circumſpect? and yet he was farther amuſed by theſe very Princes, who told him that, having nothing more to fear in Italy, they were about uniting their whole forces to invade France, and if he alſo would act his part, he might eaſily recover Guienne and Normandy. Henry, perſuaded of their ſincerity, inſtantly diſpatched away embaſſadors to Bruſſels, to conclude a league againſt France with the Pope, the Emperor, the King of Aragon, Charles of Auſtria Sovereign of the Netherlands, and Margaret dowager ducheſs of Savoy his aunt, who governed his dominions during his minority. Henry imagined that the execution of that treaty would immediately follow its concluſion; but the ſequel will ſhew us, that, if they concluded the league, it was only to draw money from him, and leave him to make war alone. He was young and unexperienced, but withal ſo ſelf-conceited as to fancy himſelf wiſer than his council: beſide, he had plenty of ready money in his coffers. What could perſons ſo ſubtle as

Henry ſuffers himſelf to be ſtill farther impoſed on.

Ib. p. 344.

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as Julius, Maximilian and Ferdinand desire better than to have to deal with such a Prince as Henry? We have already seen this year, 1512, how artfully they improved a disposition so favorable, and we shall see, in the insuing years, how very little he himself profited by what he might have learned experimentally, during the course of the present. However this be, being resolved to carry war into France, he assembled a parliament the fourth of November, to demand money. Shortly after, the commons, without examining too closely the reasons which induced him to take arms, granted him a subsidy and a poll-tax (1) upon all his subjects, for the expenses of the war (2).

The parliament gives Henry money. Herbert. Stow. Hollingsh.

While the parliament sat, Henry received a bull from the Pope, who, to incourage him to push the war vigorously against France, granted a plenary indulgence to all his subjects who should aid him with their persons or purses. This was all the assistance he had from the Pope for a war, the sole motive whereof, as was pretended, was the church's defense.

Bull much in Henry's favor. Rym. Fœd. Vol. XIII. p. 343.

Nothing more remains to complete our detail of this year's occurrences, but briefly to mention the measures taken by Henry with regard to Scotland.

Henry tries in vain to prevent a rupture with Scotland. Herbert.

While this Prince was fixing himself in the resolution of carrying war into France, he indeavors to preserve a good understanding with the King of Scotland: but it was impossible England should be in war with France, and Scotland not interpose. However, Henry imagined that, by the assurances he gave the Scotish King of his intention to observe punctually the treaty of peace, he should prevent his interfering in the quarrel. James let him alone to think what he pleased, and in the mean time was preparing to assist France by a powerful diversion, in case that kingdom was attacked. On the first rumor of Henry's intention to break with Lewis XII, James took care to be furnished with pretexts for a rupture with England. Breton's business supplied him with one; and he also sought others: but the true reason of his acting was, that the Kings of England were, for some preceding ages, grown so powerful, and expressed so fixed a desire to unite all Great Britain under their dominion, that Scotland could not reasonably hope to withstand them otherwise than by the assistance of France, which had been the Scots constant protectrix: it was therefore no less necessary than just for Scotland to adhere firmly to the interests of France, and not suffer that crown to be disabled from assisting her allies; so not to swerve from this maxim, James IV, who had determined on taking a voyage to Jerusalem, laid aside his design when he was apprised of the likelihood of a rupture between England and France. He equiped a fleet, which he intended to send into France, under color of presenting it to Queen Ann, consort of Lewis XII: but these ships, one of which was the largest that had yet been seen on the sea, was lost or disabled, partly by a storm, and partly thro' the admiral's mis-conduct.

The King of Scotland prepares to aid France.

James concludes a league with Lewis XII.

Henry having at length proclaimed war with Lewis XII, James concluded with France a league against him, May the twenty-second this year: and soon after, he prepared an army, but without divulging for what it was designed. His intent was, so soon as Henry had transported his forces over to France, to have made an incursion into England. Henry, having intelligence of this armament, dispatched to Scotland two embassadors, under color of adjusting some trifling differences, but in reality to sound the King's intentions. The embassadors acquainting King James, that their master was somewhat jealous of this armament, as if it was made in favor of France; James replied, "That "being equally an ally of both crowns, his design "was to observe an exact neutrality." The embassadors prayed him to give that answer in writing; but he refused, on pretense it would breed a suspicion in the King of France. Shortly after, Henry did, by his spies, learn that a league was concluded between France and Scotland, and he even procured a copy of the treaty (3): wherefore, perceiving that a war with Scotland was unavoidable, he sent the earl of Surrey to the north, with power to levy forces, and, with them, act against Scotland if requisite (4).

Rym. Fœd. Vol. XIII. p. 332, 333, 347.

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Rym. Fœd. Vol. XIII. p. 339. Herbert.

AN' 1513.

The occurrences of the year 1512 made great alterations in the interests of the Princes concerned, and consequently in their measures and designs.

Views and interests of the Princes.

Julius II, pleased with having driven the French from Italy, and so greatly increased his power by the acquisition of many places, was thinking however of seizing Ferrara: after which he hoped, with the assistance of the Venetians and Florentines, to be able to expel Maximilian from the state of Venice, tho' he had lately leagued with him: as to the rest, he had no thought of making conquests in France; his sole aim was to find Lewis XII imployment at home, and intirely dissolve the remains of the council of Pisa, which however was not very formidable to him since the Emperor's disingagement.

Of Julius II.

The King of Aragon's sole view was to preserve his late conquest of Navarre. To injoy it in peace, his only way was keeping Lewis XII elsewhere imployed, or prevailing with that Prince not to give him any disturbance. To that purpose it was necessary to use the terror of the allies, and particularly of the King of England, that Lewis, being attacked from all quarters, might be induced of himself to desire a peace, and leave him in possession of Navarre. Ferdinand would not have scrupled abandoning his allies, provided he could obtain at that rate such a peace as he wanted.

Of Ferdinand.

The Emperor sought only to draw money both from his friends and enemies. He was very sensible that, with his own forces, it would be difficult to make any conquests upon the Venetians; and that the Pope, tho' his ally, did not wish it: but to them he was extremely reserved, to procure the larger sums in making a peace. On the other hand, he indeavored to imbroil affairs as much as possible, and make new leagues; because, in all the treaties of that kind, money was still given him to maintain imaginary troops, which he never raised, at least not so many as he promised.

Of the Emperor.

The Venetians were extremely desirous of terminating a destructive war, whereby they were miserably exhausted. Their sole aim was to induce the Emperor to be satisfied with a large sum of money for the restitution of their towns, and thereby put their state on the same footing it was before the league of Cambray: but as Maximilian could not think of depriving himself of an entrance into Italy by the restitution of these places, it was their business, in some measure, to compel him by new leagues, which might make him apprehensive of

Of the Venetians.

(1) Every duke was to pay ten marks, each earl five pounds, a baron four pounds, a knight four marks; every man valued at eight hundred pounds in goods, four marks; and so after that rate down to him who had forty shiltings in wages, who paid twelve-pence; after which every one above fifteen years of age, paid four pence. Herbert, p. 12.

(2) In this parliament, the benefit of clergy was taken from persons commiting murder or felony in any church, chapel, or hallowed place; and from those who rob or murther any persons on the King's high way, or in their houses. See Statute.

(3) See the articles in lord Herbert, p. 12, of the Compl. Hist.

(4) This year, a great part of the King's palace at Westminster, and the chapel in the tower of London were burned. Stow, p. 490.

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losing them without any advantage: but as this was the senate's sole view, they were ever disposed to break all their ingagements as soon as the Emperor would hearken to reason.

Of the Swissers.

The Swissers thought only of supporting Sforza at Milan, to have always in that duchy a Prince who should rely on their assistance: consequently, it was their interest to keep the King of France at a distance, and oppose all his attempts towards its recovery.

Of the King of France.

Lewis XII, extremely mortified at the prosperity of his enemies in Italy, ardently desired to recover Genoua and Milan. To succeed, the aid of the Venetians, the Emperor, or the Swissers was necessary: it was also requisite so to hasten the conclusion with one or other of the two latter powers, that the expedition of the Milanese might be made in the spring, for fear it should be prevented by the war which the King of England was preparing against him in Picardy.

Of Henry VIII.

Of all Lewis XII's enemies, Henry VIII of England was the only one who thought of making conquests in France; preposterously imagining that his allies would, in different quarters, make diversions to facilitate the execution of his designs: but he did not yet sufficiently know them. The Venetians had been excluded the late league. The Pope and King of Aragon had no desire to attack France, but only to create Lewis troubles, which might hinder him from thinking on Italy: and solely with this view it was that they feigned a willingness to second the King of England. As for Maximilian, Henry and his council must have been wilfully blind to expect from him any assistance.

Of the King of Scotland.

James IV, King of Scotland, observing France on the point of being attacked by the King of England, was preparing to assist her, deeming his own and that kingdom's interests to be inseparable. He easily perceived Henry courted him only to prevent his interposing in the quarrel, and was willing to feed him with hopes of succeeding in his design: but he was however determined to break the peace, rather than leave in danger a kingdom from which alone he could hope for a speedy and powerful protection in case of need. It is true, he had made a peace with Henry VII, and renewed it with Henry VIII; but it was when those Princes had no quarrel with France, his ancient and constant ally. In his opinion Henry, by wantonly attacking France on frivolous pretexts, violated indirectly the peace made with Scotland: at least, James pretended that, in signing a peace with England, he was not bound to forsake France, whenever the King of England should think of attacking her.

Such were the dispositions of all these Potentates in the begining of the year 1513: we must now examine by what means each strove to attain his ends. This new scene will discover to us no less variety, artful managements, devices and artifices than the former, since the actors and personages will still be the same.

The Emperor offers to league with Lewis XII purposely to deceive him. Guicciard.

While Henry was seriously preparing for the war he was to carry into France, his pretended allies were mindful of their own affairs, without regarding his interests. Since he had entered into the league of Rome, the allies, it seemed, should have acted nothing without his participation: nevertheless Julius II had leagued with Maximilian, and excluded the Venetians, without giving him thereof the least information.

Early in the year 1513, the Emperor had no farther regard for his new allies, since he proposed a fresh league to Lewis XII on new conditions. He offered to assist him in recovering the Milanese, provided Lewis, in return, would aid him against the Venetians. Moreover, he demanded Renée, Lewis's second daughter, for Charles of Austria his grandson, and that for her dower Lewis should assign him all his pretensions to Milan and the kingdom of Naples. But that the performance of the treaty might not intirely depend on the faith of the King of France, he required that the Princess should be immediately sent him, and Cremona, with all Gierradadda delivered to him as soon as the duchy of Milan was recovered. Certainly, one cannot but admire the Emperor's assurance in making these proposals. He had not hitherto been able to continue the war against Venice without the assistance of Lewis XII; nay, he thought he still wanted it, and yet made him an offer of his aid to recover the Milanese. But on what terms? Why, after Lewis should have been at a vast expense to recover that duchy, he was to resign it the Emperor's grandson, with his pretensions to Naples. This is called using people like real dupes: but since the late trick Maximilian had played Lewis XII, there is not abundance of probability that he believed his proposals would be accepted: possibly, he made them only to hinder Lewis from joining with the Venetians. At the same time he intended to inspire these last with jealousy, and a fear of his uniting with France, that this apprehension might induce them to offer him more advantageous conditions.

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Lewis tries in vain to win the Swissers. Guicciard.

Lewis XII gave ear to these proposals, as if he had some design to accept them, because he thereby hoped to create suspicions in the Swissers and Venetians, and incline them to league with him more readily. As for the Venetians, they wished for nothing more than a strict union with France, and if any thing retarded the negociation, it was only the hope of some accomodation with the Emperor, in which case they would gladly have renounced all other leagues and alliances. As for the Swissers, King Lewis could not possibly gain them over to his party, tho' he offered them more than even they at first demanded. Beside the hatred they bore him, the face of their affairs was altered since Sforza's restoration to Milan. While that Prince was in exile, it was doubtful whether, in good policy, they ought to ingage in a war with France for his sake: but since he was, by their assistance, in possession of the duchy, their honor and interest required their utmost efforts to support him (1). However this be, Lewis's negociation with the Swissers not succeeding, he was under a necessity to join in a league either with the Emperor or with Venice, otherwise he could entertain but slender hopes of recovering Milan.

Proposals of the Venetians to Lewis XII.

While affairs were in this posture, the Venetians proposed to him a league on the same terms with that of the year 1498; viz. that they would assist him to recover the Milanese, provided he would resign Cremona and Gierradadda. Lewis readily listened to their offers; but the Venetians hastened not the conclusion, by reason of the circumstances wherein they presently after found themselves.

Guicciard.

The King of Aragon, having good intelligence of what passed between Lewis XII and the Venetians, informed the Emperor, and advised him to offer Verona to the Venetians for a sum of money: this was the subject of a long, tho' fruitless negociation.

Death of Julius II. Guicciard.

While the affairs of Italy were in this state of

(1) He had promised to pay them one hundred and fifty thousand ducats on his restoraiion to Milan, and annually forty thousand for twenty-five years. Guicciard, L. 11.

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uncertainty, Julius II, who was making ready to attack Ferrara early in the ſpring, died the twenty-firſt of February, having kindled a flame which his demiſe was not able to extinguiſh (1). As ſoon as the news reached the viceroy of Naples, who was ſtill with his army in Lombardy, he approached Plaſenza, and entering without oppoſition reſtored that place to the duke of Milan. Parma quickly followed the example of Plaſenza, and was likewiſe delivered to the ſame Prince: nor did any of the Potentates ſeem in much haſte to ſend aſſiſtance to the future Pope to preſerve for him theſe places; on the contrary, none of the Italian Princes could without uneaſineſs look on, while the Roman Pontifs eſtabliſhed a footing in Lombardy, under a pretext which, on occaſion, might be imployed againſt moſt of them.

Parma and Plaſenza ſubmit to the duke of Milan.

Leo X Pope. Rym. Fœd. Vol. XIII. p. 349. Guicciard.

On the eleventh of March, cardinal Giovanni di Medicis, who eleven months before was taken priſoner at the battle of Ravenna, was elected Pope, and aſſumed the name of Leo X. He was no more than thirty-ſeven years of age, but had however great experience, having been imployed in diverſe important affairs during the late pontificate. He was neither ſo impetuous nor ſo magiſterial as Julius II his predeceſſor, but a more artful and much better politician. I ſhall in the ſequel have occaſion to add ſome ſtrokes to his portraiture, which will more fully diſplay his genius and character.

A year's truce between Lewis and Ferdinand. Guicciard.

Before Julius II died, Ferdinand was buſied in projecting a ſcheme perfectly well correſponding with the reputation he had acquired in the world. Very early in the year, he had ſent two monks into France to make ſome overtures to Lewis XII, by means of Queen Ann, to whom thoſe his agents had ſome ſort of acceſs: but, as Lewis perceived it was not poſſible to make a peace, or even a truce with Ferdinand without leaving him in poſſeſſion of Navarre, he had appeared at firſt very cold; but at length, conſidering that he could ſcarcely even hope to recover the duchy of Milan while the King of Aragon was his enemy, becauſe it was he who ſet to work the King of England his ſon-in-law, he determined, tho' unwillingly, to conclude with him a truce, for one year, on condition the King of England was included, and Italy excepted. He reckoned that, during this truce, he ſhould with eaſe be able to re-conquer the duchy of Milan, which effected, he ſhould be ſtrong enough to defend his own kingdom againſt the Engliſh. Nothing was farther from Henry's thoughts than ſuch a truce, which would have broke all his meaſures, and yet Ferdinand ſcrupled not acting in his name, as if he were ſure of his conſent. This affair was begun in January, and the eighth of February Lewis impowered Odet de Foix baron of Lautrec, to treat with Ferdinand's commiſſioners. In a word, the treaty was concluded, at Orthez in Bearn, the firſt of April. It imported; That there ſhould be a truce, for one year, out of Italy, between the King of France, the King of Scotland, the duke of Guelders on the one part; and on the other, the Emperor, the King of Aragon, the Queen of Caſtile, and the King of England. Lewis XII undertook to procure the King of Scotland's and the duke of Gueldres's conſent, and Ferdinand ingaged for the King of England: but as Ferdinand was conſcious he ſhould not eaſily obtain Henry's conſent, he cauſed it to be inſerted in the treaty, that it ſhould be ratified within a month by himſelf and Lewis XII, but that the other parties ſhould be allowed two months; with expreſs declaration that, with regard to the Emperor, the King of England, the King of Scotland, and the duke of Gueldres, the truce ſhould take place but from the day of the exchange of their ratifications. Never perhaps was ſeen any thing ſo bold as what Ferdinand did on this occaſion. He perfectly knew that Henry would never agree to the truce, and yet took upon him to procure his conſent, as if he had been fully impowered ſo to do. The laſt article, concerning the ratification, plainly diſcovers what he thought of it: but it is ſtill more evident, in that he not only took not the leaſt ſtep to get Henry to do what he ſeemed to deſire, but even concealed from him the truce itſelf, as far as poſſible,

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Ferdinand includes Henry without his knowledge. Guicciard.

Rym. Fœd. Vol. XIII. p. 350.

Soon as the treaty was ſigned, Ferdinand took care to publiſh complaints of his having been very ill-uſed by the allies of the league; that the Pope and Venetians had acquired many places, but, for his part, he had gained nothing at all, and yet the allies refuſed to continue the ſupply to which they were bound, tho' the King of France ſtill poſſeſſed ſeveral towns in Italy, and the Spaniſh army was ſtill in the league's ſervice. But this was only to prepare people to ſee with leſs ſurpriſe and indignation the private truce he had juſt made with France, without the participation of his allies.

Ferdinand complains of the allies. Guicciard.

The public's eyes were attentively fixed on the new Pope, to ſee what courſe he would take: but he did not long leave the politicians in ſuſpenſe. Tho', while a cardinal, he did not intirely approve of Julius II's conduct, he however purſued his plan as ſoon as he was in his place. He was doubly concerned to keep the French out of Italy: firſt, as Pope, ſince neighbors ſo powerful could not but be formidable to him: ſecondly, as head of the Medicis family, he had cauſe to fear that Lewis XII, if he recovered the Milaneſe, would undertake reſtoring the Florentines to their liberty: and finally, he was deſirous of terminating the council of Piſa, which could not be effected otherwiſe than by ingaging Lewis XII in wars, which ſhould compel him to make his peace with the church. Ferdinand had likewiſe the ſame views, to keep the King of France at a diſtance from Navarre, Rouſſillon and the kingdom of Naples. As for the Emperor, it was his intereſt to diſable France from aſſiſting the Venetians: but none of them had any deſire to carry war into France, but only ſo to manage, that this diverſion might be made at another's expenſe.

Views of the new Pope Leo X.

The allies try to ingage Henry in a war with France.

To that purpoſe, they unanimouſly caſt their eyes on Henry VIII, as a Prince extremely proper to execute their deſigns. He had ready money, warlike ſubjects, and could with eaſe tranſport troops into ſome part of France, remote from the borders of Spain and Italy: he was moreover exceſſively deſirous to ſignaliſe himſelf by ſhining exploits, and ſcrupled not ſhewing it openly; wherefore each of them labored with all his power to confirm him in his deſign of commencing a war with France, by puting him in hope of being vigorouſly ſupported, tho' nothing was more remote from their intentions. Leo X was no ſooner in the papal chair but, under color of notifying his promotion, he ſent him a letter, aſſuring him; that he was fully determined to adhere to the league formed by Julius II his predeceſſor, and even to conclude a new one with England. Nevertheleſs, at the ſame time, he preſſed Maximilian to a pacification with the Venetians, while with them he was negociating to prevent their joining the French,

(1) He took the name of Julius from his inclination to war, in memory of Julius Cæſar. He commanded his army in perſon againſt the French; and, as he marched over a bridge on the Tiber, he is ſaid to have thrown St. Peter's keys into the river, and to have called for St. Paul's ſword.

promiſing

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promiſing to imploy his whole credit with the Emperor to procure them an honorable and advantageous peace. All theſe practiſes could not be managed ſo privately but the King of France had thereof ſome intelligence, ſo that he ſoon grew very jealous of the new Pontif.

League concluded at Mechlin between the allies and Henry.

Henry wanted not much ſollicitation to carry his arms into France; his thoughts being already bent on a war: wherefore, finding the Pope, Emperor and King of Aragon promiſed him to act vigorouſly, he queſtioned not the favorableneſs of the opportunity to recover good part of what had been heretofore loſt by his predeceſſors; and therefore he readily agreed to form a new league with them, not for the affairs of Italy, with which he was probably diſguſted, but to attack France from ſeveral quarters. That this league might be the more ſecret, it was agreed; that it ſhould be negociated, at Mechlin, between Margaret of Auſtria governeſs of the Netherlands, authoriſed by the Emperor her father, and the embaſſadors of England (1), and that afterwards it ſhould be approved and ratified by the Pope, the Emperor and Ferdinand. This was another ſnare laid for Henry, which he perceived not 'till it was too late to avoid it. Tho' Ferdinand was then juſt on concluding the truce with Lewis XII, he nevertheleſs made himſelf one of the principal parties in this league, repugnant as it was to the truce. The ſubſtance of the new league, concluded at Mechlin the fifth of April, about the ſame time the truce was ſigned at Orthez, was as follows:

Rym. Fœd. Vol. XIII. p. 354, &c.

The terms of the league.

I. "That, within thirty days after the date of "this treaty, each of the confederates ſhould pro- "claim war with the King of France, and within "two months invade him, viz. the Pope in Pro- "vence or Dauphiné; the Emperor in ſome place "out of Italy; the King of Aragon in Bearn, "Guienne, or Languedoc; the King of England "in Guienne, Normandy, or Picardy; and "their armies ſhould be ſtrong and well provided "with all requiſites.

II. "That the Emperor (if he had not yet done "it) ſhould revoke all his proceedings in favor of "the council of Piſa." This demonſtrates how little Henry, or his plenipotentiaries knew of what paſſed at Rome, ſince it was now three months, or more that the Emperor had abandoned that council.

III. "That the Pope ſhould thunder his cenſures "againſt all the oppoſers of this league, and abettors "of the contrary party.

IV. "That, towards the expenſes of this war, "the King of England ſhould give the Emperor "a hundred thouſand gold crowns at three pay- "ments; thirty-five thouſand preſently after de- "claration of the war, a like ſum when the war "was commenced, and thirty thouſand within "three months after.

V. "That the Emperor's meaning was not to "enter into this league as guardian to Charles his "grandſon.

VI. "That the Emperor and King of England "ſhould ratify the treaty within a month, and the "Pope and King of Aragon within two months; "with this expreſs declaration that, in caſe the "Pope and King of Aragon ſhould not ratify the "treaty by the time appointed, it ſhould however "be in force between the Emperor and King of "England.

VII. "Laſtly; the confederates renounced all "exceptions whatever, and particularly that which "might be made to another's ſtipulating for "them."

Never perhaps was ſeen more inſincerity than in this whole negociation, ſince, of all the confederates, Henry alone intended to keep his word. Leo X ratified not the treaty; Ferdinand, as will be ſeen preſently, diſowned his embaſſador; as for the Emperor, he received Henry's money without concerning himſelf to perform his ingagements. Thus Henry was the conſtant dupe of theſe Princes, who were for him ſomewhat too politic.

HENRY VIII. AN' 1513.

Ferdinand's embaſſador at London ratifies and ſwears to the league of Mechlin.

The treaty being brought to London, Don Luis Carroz de Villaragud, Ferdinand's embaſſador, approved and ratified it by letters patent, dated April eighteen. He declared in theſe letters, that tho' he had a ſufficient power from the King his maſter to conclude the league with the plenipotentiaries of the confederate Princes, he had not been able, for certain weighty reaſons, to be preſent at the ſigning at Mechlin: but being very ſure, the treaty contained only what was agreeable to the King his maſter, who deſired nothing more earneſtly than its execution, he approved and ratified, in the ſaid King's name, all the articles of the treaty; and to remove all occaſion of diſputing the validity of his confirming it, he inſerted the treaty word for word, in his letters of ratification, and concluded it again with the earl of Surrey, the King of England's commiſſioner, by virtue of a full power ſent him for that purpoſe. Afterwards, the twenty-fifth of the ſame month, he ſwore to a ſtrict obſervance of the articles, on the ſouls of Ferdinand King of Aragon, and Juana Queen of Caſtile. It is uncertain whether the embaſſador was himſelf deceived, or whether, knowing it, he voluntarily contributed to impoſe on Henry. All can be ſaid is, that the great precautions taken to hinder his being ſuſpected of inſincerity, are not very common with thoſe who deſign to act upon the ſquare.

Rym. Fœd. Vol. XIII. p. 358.

p. 363.

Henry is impoſed upon.

It muſt doubtleſs be thought ſtrange, that a Pope, an Emperor, and a King of Spain ſhould thus combine to lay ſuch a ſnare for a young Prince of twenty-one years of age, and who was even ſon-in-law to one of them: and yet it is ſcarce to be doubted that the league concluded at Mechlin, in the Pope's and the King of Aragon's embaſſadors abſenſe, was thus projected to intangle Henry, under color of keeping it more ſecret. They ſucceeded ſo well, that Henry, relying on the diverſions his pretended allies would make in Guienne, Bearn, Provence, Dauphiné and Burgundy, flattered himſelf that he might eaſily extend his conqueſts in Picardy. To that end, he made extraordinary preparations by ſea and land, which put him to a vaſt expenſe: but while we leave him imployed in preparing for the inſuing campain, it is requiſite we touch on what was tranſacting in Italy.

Rym. Fœd. Vol. XIII. p. 364. Hall.

League between Lewis XII and the Venetians. Mezerai. P. Daniel.

The Venetians, not able to obtain a peace from Maximilian, who pretended to ſubject them to moſt unreaſonable terms, ſollicited afreſh the negociation they had commenced with France. On the other hand, Lewis XII, to whom time was precious, readily accepted their propoſals. Thus the league between that Monarch and the Venetians was quickly concluded (2), on the ſame foot as that of the year 1498. This was tranſacted by Andrea Gritti who, being then priſoner in France, was commiſſioned to conclude it in the ſenate's name. Preſently after, he was releaſed, as well as Alviano, who, returning to Venice, was appointed general of the republic's forces.

Guicciard.

Lewis ſends Trimouille with an army into Italy. Guicciard. P. Daniel.

When Lewis XII had concluded his treaty with the Venetians, he ordered his troops to march into Italy, where they arrived in June. As, by the treaty of truce concluded at Orthez, Henry was allowed two months to ſend his pretended ratifica-

(1) Which were ſir Edward Poynings comptroller of the houſhold, John Young maſter of the rolls, ſir Thomas Boleyn, and ſir Richard Wyngfield. Rymer's Fœd. Vol. XIII. p. 354.

(2) At Blois, March 14. P. Daniel, Vol. VII. p. 305.

tion,

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tion, and, as that term was not yet expired, very probably Lewis ſtill flattered himſelf that Henry would perform what the King of Aragon had promiſed for him; otherwiſe doubtleſs he would not have ſent his beſt troops into Italy. Mean while, the preparations which were continuing in England, and the hoſtilities already begun at ſea ſince April, between the French and Engliſh, ſhould have convinced him that Ferdinand had deceived him. However this be, the French army, commanded by La Trimouille, being arrived on the borders of the Milaneſe, Maximilian Sforza quited his capital, and retired among the Swiſſers, who were, to the number of ſeven or eight thouſand, at Como and Novara, where they expected ſupplies from Swiſſerland.

Ferdinand's general goes from Milan.

On the approach of the French, Ramon de Cardona, who was ſtill in Lombardy with the Spaniſh army, retired without making the leaſt motion to aſſiſt the duke of Milan, tho' Italy was not included in the truce of Orthez. To all appearance, Ferdinand was not diſpleaſed that the French ſhould make ſome progreſs in the Milaneſe, to keep them imployed there, while Henry carried war into Picardy: at leaſt, any other reaſon of his general's conduct can ſcarce be imagined. The duke of Milan, having no other forces but the Swiſſers to oppoſe to the French, Milan and all the other towns of that duchy, except Como and Novara, ſubmited to La Trimouille without offering the leaſt reſiſtance, while the Swiſſers, who were not ſtrong enough to take the field, remained immured within the walls of thoſe two places. While the French were making theſe conqueſts, Alviano took for the Venetians Peſchiera, Breſcia, Valeggio, and finally Cremona, after a fruitleſs attempt to poſſeſs himſelf of Verona by treachery.

Sforza loſes all the Milaneſe except Como and Novara. Guicciard.

Genoua reſtored to France. Guicciard.

About this time, the faction of the Adorni, who in Genoua ſided with France, found means to become ſuperior, and put the city again under Lewis's obedience.

LaTrimouille repulſed by the Swiſſers at Novara.

Lewis XII was now in poſſeſſion of the whole Milaneſe, Como and Novara only excepted. La Trimouille, knowing the Swiſſers expected a ſtrong reinforcement from their own country, thought he ſhould make haſte and beſiege Navara, before the arrival of theſe troops. He marched therefore to the town, and, in expectation of ſpeedily carrying it, made a furious attack: but whatever bravery the French ſhewed on this occaſion, they were repulſed with very conſiderable loſs, which even obliged the general to retire to Riotta, a village about two miles from Novara. Mean while, the Swiſſers, proud of repulſing ſuch a terrible aſſault, and begining to contemn the French, before whom they had not yet dared to appear in the field, ſuddenly reſolved to ſally from Novara, and fall on the enemy in their camp. This reſolution was immediately executed, to the great aſtoniſhment of the French, who, unable to reſiſt this unexpected attack, were intirely routed: but this was not all. Their conſternation after their defeat was ſo great, that they thought their only ſafety conſiſted in repaſſing the mountains, and returning to France with all poſſible diligence. The news of their flight reaching Genoua, the Adorni quitted the city to the Fregoſi their competitors, who choſe for Doge Octaviano Fregoſi, head of their family and faction. Thus, within a month's ſpace, Lewis XII got and loſt Genoua and Milan, and Maximilian Sforza, who had been expeled his duchy, again took poſſeſſion. But it was the latter end of the year before he recovered the caſtles of Milan and Cremona, held by the French and Venetians.

The French army defeated by the Swiſſers. Guicciard.

The French retire home.

Genoua loſt;

and Sforza reſtored to Milan.

Alviano retires. Guicciard.

This revolution in the King of France's affairs occaſioned much the ſame to thoſe of the Venetians. Alviano, their general, no ſooner heard of the French army's misfortune, but he haſtily retired into the territories of Venice, and beſieged Verona: but Ramon de Cardona, who had affected a ſort of neutrality while the French were in the Milaneſe, knowing they were out of Italy, turned his forces againſt Alviano. He not only conſtrained him to raiſe the ſiege of Verona, but even, purſuing him from place to place, obtained over him a ſignal victory, which obliged the Venetians to refer their differences to the Pope, tho' he had declared againſt them by aſſiſting the Emperor. The neceſſity of their affairs compeled them to take that ſtep in order to gain time. They had loſt all their towns in the Milaneſe, and their own country had been horribly ravaged by the Spaniſh troops, even within ſight of Venice.

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He is defeated by the Spaniards.

The Venetians made the Pope umpire.

While theſe matters paſſed in Italy, Henry was preparing to conduct into France a numerous army: but before I treat on the ſucceſs of his firſt campain, it will not be amiſs briefly to obſerve what occurred at his own court, as being not unworthy a few moments notice. Thomas Wolſey had been introduced to court by the biſhop of Wincheſter. Preſently after, he was made privy-counſellor, and as ſuch had opportunity to make himſelf better known to the King, and gain his eſteem, as well by his own qualifications, as by the intereſt of the biſhop his benefactor, who ceaſed not ingaging Henry to admire the ſtrength of his genius, and obſerve his fitneſs for grand and weighty affairs. Wolſey, on his part, neglected not what he judged capable of increaſing the King's good opinion of him. To a moſt indefatigable application, and extreme diligence in all affairs wherewith he was charged, he added a blind condeſcenſion for all his maſter's paſſions. The King was highly pleaſed to ſee in his court and council a churchman leſs rigid and ſcrupulous than the archbiſhop of Canterbury, or the old biſhop of Wincheſter. Wolſey danced, ſang, laughed, and gamboled with ſuch of the young courtiers as were moſt in favor; and, if Polydore Virgil, who neither did nor had reaſon to love him, is to be credited, he carried his complaiſance ſo far as to lend the King his houſe for his moſt ſecret pleaſures. However this be, his condeſcenſion, joined to his talents for buſineſs, and a paſſable knowledge in theology which he, as well as the King, had acquired by reading the works of Thomas Aquinas, ſoon gave him much advantage over all the other courtiers. When he found himſelf well eſtabliſhed, he made it is particular buſineſs to inform the King of his errors ſince his acceſſion to the throne, and how his youth had been abuſed. By this method he gradually inſinuated to him that he was ill-ſerved, and wanted miniſters of capacity to eaſe him in the adminiſtration of his moſt important affairs, and of ſhewing him the conſequences. In a word, he ſo managed, that he became himſelf that miniſter which he adviſed the King to ſeek, and by degrees was intruſted with the care and conduct of the King's principal affairs. His credit rendered him haughty, proud, inſolent and ungrateful to his old friends: in a word, he was taxed with all the failings of this nature which favorites are uſually charged with, and which indeed few favorites can avoid. Wolſey, like moſt others, grew exceſſively odious, chiefly becauſe his councils were always ſelf-intereſted, which the event diſcovered to all but the King, who was blind in that reſpect. His favor and credit cauſed the greateſt Potentates of Europe to ſtrive with emulation to gain him to their intereſts, and glory, at leaſt outwardly, in being of the number of his friends. The reaſon is becauſe, during this reign, the affairs of Europe were in ſuch a ſituation, that England was capable of making the balance incline to the ſide ſhe eſpouſed. Wolſey knew how to improve

Wolſey made prime miniſter. Cavendiſh. Fiddes. Burnet. Pol. Virg. Stow.

THOMAS WOLSEY Cardinal
and Archbishop of York &c.

H. Holbin Pinxit. R. Sheppard Sculp:t

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Henry VIII. An' 1513.

prove this advantage, to render himſelf the richeſt and moſt powerful ſubject the world ever ſaw; but labored not with the ſame ardor for his maſter's honor as for his own intereſt. After he was declared prime miniſter he managed, during the ſpace of ſeventeen years, all the King's affairs, both foreign and domeſtic (1).

Hall. Stow. Hollingſh. Herbert.

Before Henry was ready to paſs into France, the war was already begun at ſea. In April, admiral Howard had put to ſea with thirty-two ſhips of war (2), while the French fleet remained at Breſt, expecting ſix gallies, which Pregent (3) was to conduct from Marſeilles. The Engliſh admiral approaching Breſt, determined on attacking the French ſhips as they lay at anchor: but on intelligence of Pregent's arrival at Conquet, he ſailed that way to attempt taking the ſix gallies, and attacked them with great bravery: but, during the ingagement, his ſhip being grappled with Pregent's galley, he entered it ſword in hand, and there cauſed great confuſion; when, ſoon after, the galley being unhappily diſingaged, he was left amidſt his enemies with very few followers, and, being unknown, was knocked over-board with half-pikes. The loſs of the admiral occaſioned ſuch a conſternation in the Engliſh fleet, that they durſt not continue the fight.

Sea fight wherein admiral Howard is loſt.

Hall. Stow.

This news arriving at court, the King confered the office of lord admiral on Thomas Howard, the deceaſed's brother. Mean while, as the French fleet, by receiving a ſtrong reinforcement, was become ſuperior to that of their enemies, the Engliſh returned to ſome of their own ports, expecting the new admiral's arrival. The French, incouraged by the retreat of the Engliſh, ſailed to the coaſt of England, and even made a deſcent in Suſſex, and carried off ſome booty.

Henry prepares to paſs into France. Hall.

During this, Henry was preparing to carry war into France, tho' none of his pretended allies had yet made the leaſt ſtep towards performing the treaty of Mechlin. Leo X had not ratified the treaty, and nothing was farther from his thoughts than ſending his forces into Provence or Dauphiné. The Emperor began to ſeek excuſes not to enter Burgundy with an army, tho' that was what he had poſitively promiſed. As for the King of Aragon, he had not only concealed from Henry his one year's truce with France, but was even trying to amuſe him with the hopes of his being inſtantly going to make a powerful diverſion in Guienne: he ſo artfully acted his part, that it was June before Henry was fully informed of the truce of Orthez. Inſenſed at ſuch fraudulent dealings, he diſpatched an embaſſy to the King his father-in-law, to upbraid him with breach of faith, and ſummon him to execute the treaty of Mechlin, or rather that ſigned by his embaſſador in his name at London: whereupon Ferdinand, ſeeing he could no longer wear the maſk, diſowned his embaſſador, and ſaid, he had exceeded his inſtructions. He however acknowledged that he had concluded, with Lewis XII, a truce for one year, being forced to it by the neceſſity of his affairs, but promiſed to do wonders when it was expired, and adviſed his ſon-in-law to accept of the truce, that they might afterwards unite their forces and jointly attack the common enemy: but Henry could rely no longer on promiſes. Thus, by the artifices of the Pope, the Emperor and Ferdinand, he ſaw himſelf ingaged to carry war alone into the enemy's country, which was to have been invaded in four different quarters. He was not convinced of their inſincerity 'till it was almoſt too late to recede, the greateſt part of his army having already paſſed the ſea, and juſt entering upon action. Luckily for him, Lewis XII, deceived by the treaty of truce concluded at Orthez, had already ſent away to Italy the beſt of his troops, imagining Henry would accept of the truce conformably to the King of Aragon's ingagement.

He gets intelligence of Ferdinand's one year's truce with France. Herbert.

Ferdinand diſowns his embaſſador.

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Not long after, Henry received a letter from the Emperor, wherein, with many excuſes, he intimated, that it was impoſſible for him this year to lead an army into Burgundy; but that, next year, he would punctually perform his ingagement. Mean while, to demonſtrate that he deſigned not to forſake him, he offered to ſerve as volunteer in his army. Thus, of the four allies who were to act at once againſt France, Henry alone was charged with the whole burden of this war. Edward IV, his grandfather, had been formerly in much the ſame caſe, and deemed it not any diſhonor to ſtrike up a a haſty peace with Lewis XI, when diſappointed by his allies. Had Henry followed his example, he would have terribly imbaraſſed thoſe by whom he was deceived; but, thirſting for renown, would ſhew he wanted them not. He had ſo relied on the ſincerity of his allies that, tho' the treaty of Mechlin was not to be ratified by the Pope and the King of Aragon 'till the fifth of June, he had cauſed the beſt part of his army to paſs over to Calais in the middle of May. It is evident, the ratification of the treaty of Mechlin had been ſo long retarded only to ingage Henry beyond a poſſibility of receding.

The Emperor breaks his word with Henry. Herbert.

He paſſes his army over to Calais Herbert. Hall. Stow.

Before the departure of the firſt troops (4) Henry cauſed to be beheaded the earl of Suffolk, priſoner in the tower ever ſince the reign of Henry VII, who had poſitively promiſed Philip I, King of Caſtile, to ſpare the life of that nobleman: but, according to appearance, he gave the Prince his ſon orders like thoſe given by King David to Solomon his ſucceſſor with reſpect to Joab. The hiſtorians have attempted penetrating into Henry's motive for taking the life of this earl, at ſuch a juncture, who was not in condition to hurt him: but they have not advanced any thing ſatisfactory (5).

The earl of Suffolk beheaded. Hall. Stow. Herbert. Du Bellay.

The two bodies of troops tranſported to Calais departed thence the ſeventeenth of June under command of the earl of Shrewſbury (6), and lord Herbert in order to march to Terouenne, to which they laid ſiege: but the King departed not from England 'till the thirtieth of the ſame month, having conſtituted Queen Catherine regent. He arrived the ſame day at Calais, being attended by Thomas Wolſey his prime miniſter, Charles Brandon another favorite lately made viſcount L'Iſle, with many others of the nobility (7). While the troops continued the ſiege of Terouenne, he re-

The Engliſh beſiege Terouenne. Rym. Fœd. Vol XIII. p. 367, 372. Ib. p. 370. Hall. Stow. Herbert. Hollingſh.

(1) In the preſent war, the King committed to him the direction of the ſupplies and proviſions to be made for the army; the advantages whereof Wolſey took care not to neglect. The victualling of his army was not, without a ſarcaſm to his birth, recommended to Wolſey, ſays lord Herbert, p. 15.

(2) Hall and lord Herbert, fol. 22, and p. 13. ſay, forty two.

(3) Called by our hiſtorians, prior John.

(4) April 30. Stow, p. 491.

(5) The chief reaſon, as lord Herbert and others ſay, was for fear, in caſe of the King's death in France, the people being well-affected to the houſe of York, ſhould take him out of the tower and make him King. Edmund de la Pole was ſon of John de la Pole duke of Suffolk, by Elizabeth ſiſter of Edward IV: but this reaſon ſeems weak, ſince Margaret Queen of Scotland, the King's ſiſter, was the undoubted heir of the houſe of York, in caſe the King died without iſſue. The French writers ſay, Richard his younger brother commanded ſix thouſand French at the ſiege of Terouenne, which ſome have thought haſtened his brother's death. Dugd. Bar. Vol. II. p. 190. Hall, fol. 26.

(6) George Talbot high ſteward of the King's houſhold. This body conſiſted of above eight thouſand. Herbert, p. 15. Rymer's Fœd. Vol. XIII. p. 372. Stow, p. 491.

(7) The King divided his own forces into three bodies. The vanguard, conſiſting of three thouſand men, was commanded by Charles Brandon, viſcount Liſle; the right wing by ſir Richard Carew, and the left by Thomas lord Darcy; Henry Bourchier earl of Eſſex was lieutenant general of the ſpears, and ſir John Pechy commanded the horſe. Edward Stafford duke of Buckingham,

mained at Calais with a body of nine thouſand men, ready to march on the firſt occaſion. At length, having certain advice that the duke of Longueville was approaching to relieve the town, he haſtened from Calais to the ſiege, where he arrived the fourth of Auguſt. On the ninth, the Emperor came and confered with him between Aire and Terouenne, and three days after repaired to the camp and ſerved as volunteer under the King, ſcrupling not to receive a hundred crowns a day for his pay. By this mark of eſteem, and the imaginary honor he did the King, his meaning was to make amends for his breach of faith, and the hundred thouſand crowns he had handled for an expedition towards which he never dreamed of advancing one ſtep.

Henry comes to the ſiege. The Emperor ſerves in the Engliſh army. Hall. Stow. Herbert.

Mean time, the duke of Longueville, who commanded the French army, approaching Terouenne, Henry paſſed the Lys with the greateſt part of his troops, in order to meet him. The two armies ingaged, but not long; for the fight was ſcarcely begun, when the French, by what accident is unknown, ran away in confuſion without any poſſibility of their being rallied: but the principal officers choſe rather to be taken priſoners than follow ſo diſhonorable an example. The duke of Longueville was of the number, with chevalier Bayard, La Fayette, Buſſi d'Amboiſe, and ſome others of the greateſt diſtinction. This battle, if ſuch a rout may be ſo termed, was called, The battle of Guinegaſte, and, by ſome, The battle of Spurs, becauſe the French made more uſe of their ſpurs than than their ſwords. While the two armies were in view, before the ingagement, a body of French attempted to introduce a convoy of proviſions into the town, but were repulſed by lord Herbert, who was left to guard the trenches. After the battle the beſieged, deſpairing of relief, ſurrendered the city the twenty-ſecond of Auguſt, and King Henry, accompanied by the Emperor, entered on the twenty-fourth.

The battle of Spurs. Herbert. Mezerai. Hall. Aug. 16.

Terouenne ſurrenders. Hall. Stow.

It ſeemed to be Henry's deſtiny to be always the Emperor's dupe. After taking Terouenne, Maximilian, who had only ſerved at the ſiege as volunteer, found means to have the place delivered to him, and immediately ordered it to be demoliſhed. It is not eaſy to conceive what induced Henry to this condeſcenſion: all can be conjectured is, that there was perhaps in the capitulation ſome article againſt razing the place, but that, altering his mind, he was willing to ſave his honor by delivering it to the Emperor. Even were this the caſe, there would be no leſs reaſon to be ſurpriſed at his conduct in this particular. It is eaſy to comprehend it was very advantageous to Charles of Auſtria, grandſon of Maximilian, that Terouenne belonged neither to the French nor the Engliſh: but what intereſt could Henry have to loſe ſo many men, and ſo much time, to reduce a place in order to have it razed in favor of Maximilian, who had not merited ſuch condeſcenſion (1)?

Henry gives the place to the Emperor, who razes it. Hall. Stow. Herbert. Hollingſh.

As the ſeaſon was not yet very far advanced, Henry determined, before the campain ended, to beſiege Tournay; whether he heard the place was ill provided, or the Emperor's intrigues had again influenced his council: for, the conqueſt of Tournay, which lies at ſome diſtance from Calais, was much leſs advantageous to Henry than to the archduke Charles, whoſe dominions it ſecured; whereas Boulogne would doubtleſs have been abundantly more convenient for Henry by reaſon of the neighborhood of Calais. Nevertheleſs the ſiege of Tournay was reſolved; probably, becauſe the Emperor hoped King Henry would give him that place as he had done Terouenne: but he found againſt him intereſts even ſtronger than thoſe of the King himſelf, which oppoſed his deſigns.

Siege of Tournay. Mezerai. Hall. Stow. Herbert. Hollingſh.

While preparations were making for the ſiege, Henry paid a viſit to Margaret, governeſs of the Netherlands, then at Liſle, and with her continued two days; when he returned to his army, which was marching to Tournay (2): but the Emperor left him on ſome diſguſt, the ſubject whereof is unknown. Next day, the fifteenth of September, the army arrived before Tournay, which held out but ſeven or eight days (3). Henry entered the city on the twenty-fourth, a month after his entry into Terouenne. By the capitulation, the inhabitants were to injoy their ancient privileges, on paying to Henry a ſmall annual acknowledgment of four thouſand livres Tournois, for ten years only (4).

Henry viſits Margaret of Auſtria Hall. Herbert.

Tournay taken. Rym. Fœd. Vol. XIII. p. 377. Sept. 23. Herbert. Hall.

After the reduction of Tournay, the King calling a council of war, it was debated, whether it was proper to keep the place, which ſeemed difficult, on account of its diſtance from Calais: but after a long debate a reſolution was taken to keep it, and leave for governor ſir Edward Poynings, with a ſtrong gariſon. The contrariety of the two determinations, with reſpect to Terouenne and Tournay will perhaps appear ſtrange. The firſt of theſe places, which was neareſt Calais, and ſecured the road from Calais to Tournay, was demoliſhed. The ſecond, which could not without great difficulty be relieved, was deemed neceſſary to be retained. This contrariety could proceed only from the great credit of Wolſey, who influenced the council as he pleaſed. He had caſt his eyes on the biſhoprick of Tournay, as a morſel very much ſuiting his palate, whereas, in compariſon thereof, that of Terouenne was nothing: and accordingly, he afterwards found means to obtain the adminiſtration of this ſee, under color, that the biſhop refuſed to ſwear fealty to the King. This is the true reaſon why it was reſolved to keep Tournay, and poſſibly of undertaking the ſiege (5).

Henry keeps Tournay. Herbert.

The day ſucceeding Henry's entry into Tournay, Princeſs Margaret dowager ducheſs of Savoy, and the archduke Charles her nephew, came to congratulate him on his new conqueſt. During the whole fortnight they remained with him, he took care to entertain them with all ſorts of diverſions, as juſts, turnaments, running at the ring, balls, maſquerades, and the like. Mean while, amidſt all theſe feſtivities, the miniſters of the two courts commenced a treaty, which was concluded a few days after.

Margaret and Charles viſit Henry at Tournay. Hall. Herbert. Hollingſh.

ham, with ſix hundred men, was on the King's left hand; and on the right, ſir Edward Poynings with the ſame number. George Nevil, lord Abergavenny, followed with eight hundred men; and ſir William Compton, with the retinue of Fox biſhop of Wincheſter, and of Wolſey, which amounted to eight hundred men, brought up the rear. The King's forces were in all eleven thouſand three hundred men. Stow, p. 491.

(1) It bordered, it ſeems, upon his territories, which had been much infeſted by irruptions from thence, and therefore by his intreaty, it was razed, except only the cathedral and religious houſes: but the French repaired it ſoon after. This could not but ſeem ſtrange, ſince it coſt ſo much, as Guicciardin doubts not to call it, Intollerable and infinite expenſe. Herbert, p. 16.

(2) The King, about a mile or two from Liſle, loſt himſelf in a great miſt, neither could he nor any of his train reſolve which way to turn, 'till a victualler coming by chance from his army, both informed him where his army lay, and conducted him thither, to the great joy of them all. Herbert, p. 16. Hall, fol. 35.

(3) Though the gates bore this inſcription, Thou haſt never loſt thy virginity. Hall, fol. 44.

(4) And preſent payment of fifty thouſand crowns de ſoleil (or ten thouſand pounds ſterling. Hall, fol. 44.) The city ſurrendered to the King by the name of Roy Tres-Chreſtien [Moſt Chriſtian King] Herbert, p. 17.

(5) Wolſey repreſented to the King, that it was fit Tournay ſhould be kept as a trophy of his victories, and the rather as Cæſar (in his Commentaries) acknowledges he no where met with ſo brave a reſiſtance. However, it coſt Wolſey no ſmall trouble and oppoſition before he could obtain the poſſeſſion of this biſhoprick. Herbert, p. 17. Strype's Mem. Eccl. Henry VIII. p. 15.

Margaret

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Margaret and Charles being returned to Liſle, Henry repaid their viſit, and was received with all imaginable reſpect and courteſy. Some days after, on the fifteenth of October, they ſigned a treaty, importing;

Henry returns their viſit.

New treaty at Liſle. Rym. Fœd. Vol. XIII. p. 379. October 15. Herbert.

"I. That tho' Henry had bound himſelf not to "repaſs into England 'till the war was ended, he "ſhould however have liberty to return thither "with his army.

"II. That, during winter, the Emperor ſhould "keep in Artois and Hainault a body of four "thouſand horſe, and ſix thouſand foot, for the "defenſe as well of Tournay and the Tournaiſis, as "of the archduke's dominions.

"III. That, for the maintenance of theſe troops, "Henry ſhould pay the Emperor two hundred "thouſand crowns at ſeveral payments.

"IV. That, before the firſt of June in the in-"ſuing year, Henry ſhould carry war into Gui-"enne, Normandy, or Picardy, and the Emperor "into ſome other province of France.

"V. That, before the fifteenth of May, the "Emperor, the ducheſs Margaret, the archduke "Charles, the King of England, Queen Cathe-"rine, and Princeſs Mary, ſhould meet all toge-"ther at Calais to celebrate the archduke's mar-"riage with Princeſs Mary, purſuant to the treaty "concluded between the Emperor and the late "King Henry VII."

Remark on this treaty.

Whatever was to be done, Henry muſt always find money: Maximilian had already received a hundred thouſand gold crowns, without having performed any part of what he was ingaged to by the treaty of Mechlin, and found means to procure two hundred thouſand more by the preſent treaty, beſide the advantage of razing Terouenne, which very much annoyed his grandſon the archduke's dominions: nay, it is very probable, the diſguſt which made him quit the King's army proceeded from his not being able to prevail on Henry to promiſe him Tournay alſo when taken. This manifeſtly ſhews, he regarded Henry as a novice, very proper to be drawn into any kind of ſnare. Certainly Henry's many falſe ſteps in the begining of his reign can only be excuſed by his little knowledge of the character of the Princes with whom he treated.

Ferdinand propoſes to Henry a new league.

It is not to be queſtioned that the King of Aragon was of a like ſentiment concerning Henry his ſon-in-law. Notwithſtanding the ill turn he had done him laſt year, he had ſtill the aſſurance to ſend him an embaſſador at Liſle to propoſe a new league; as if his faith and ſincerity had been more to be depended on than a few months before: but it appears not that Henry was then diſpoſed to rely on his promiſes.

Henry returns to England. Herbert. Hall. Stow.

Henry departed Liſle the ſeventeenth of October, and on the twenty-fourth arrived at his palace at Richmond, after a glorious campain. I call it glorious, provided the ſucceſs of his arms only be conſidered: but, in another reſpect, it was not very honorable, ſince he had been the dupe of the Pope, the Emperor, and the King of Aragon, who had thrown upon him the whole burden of a war which ſhould have been common to all the four. It is true, he had taken Terouenne and Tournay: but the firſt of theſe places being given to the Emperor, and razed, was to him of no benefit. As for Tournay, he never reaped any conſiderable advantage from it, by reaſon of its diſtance from Calais. Wolſey was thereby the ſole gainer, the biſhoprick of that city, which he at length obtained, together with the abby of St. Amand, being of a much greater revenue than what the King himſelf received from Tournay and its territory.

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The ill ſucceſs of the Italian campain had reduced Lewis XII's affairs to a very indifferent poſture, and loſing the battle of Guinegaſte, with the capture of Terouenne and Tournay, had utterly diſconcerted them. But this was a trifle in compariſon of the danger France was in by a Swiſs invaſion, after the French were expeled the Milaneſe. The warlike Swiſſers, excited againſt Lewis by the Pope and Emperor, not contented with their advantages over him in Italy, reſolved to attack him in his own realm. The occaſion was favorable, by reaſon of the ſeveral above-ſpecified junctures: wherefore, to improve this opportunity, the Swiſſers levied fifteen thouſand men (1), to whom Maximilian joined the whole nobility of Franche-Comté, and ſome German cavalry, under conduct of Ulrick duke of Wirtemberg. This army entering the duchy of Burgundy, incamped before Dijon, where La Trimouille, lately returned from Italy, had ſhut himſelf up with ſome troops (2); but that place was ſo weak that there was no likelihood of its preſervation. Nevertheleſs he defended it ſix weeks: but finally perceiving that, by the loſs of Dijon, not only Burgundy but the whole French monarchy would be in the utmoſt danger, he judged it his duty to prevent it without waiting the King's orders, which might come too late. By a capitulation with the Swiſſers, he bound himſelf to pay them four hundred thouſand crowns (3), of which he paid down twenty thouſand, and, in the King's name, promiſed that he would deſiſt from all his pretenſions to the duchy of Milan. The Swiſſers, pleaſed with their expedition, retired into their own country, carrying with them four hoſtages, who found means to eſcape when they underſtood Lewis refuſed ratifying the capitulation.

The Swiſſers enter Burgundy. Mezerai. Guicciard. P. Daniel.

They beſiege Dijon.

La Trimouille treats without his ſovereign's participation. Guicciard. Du Bellai.

Lewis makes a peace with the Pope. Guicciard. Mezerai. Herbert.

Lewis XII, finding himſelf attacked from ſo many quarters, and not doubting that the Pope and King of Aragon procured him all theſe troubles, at length determined on accommodating matters with the Pontif: which accommodation might the more eaſily be effected, by reaſon Leo X had not, like Julius II, any perſonal prejudice againſt him. Since the French were out of Italy, he had nothing to demand of King Lewis but diſſolving the council of Piſa, without which indeed he could not conſent to a pacification. The council was ſo dwindled that Lewis, in abandoning it, made his Holineſs no very great ſacrifice. It is true, the ſubmiting in a point he had hitherto openly maintained ſeemed ſomewhat diſhonorable: but as the Piſa council had been properly ſummoned againſt Julius II, he thought he might without reproach yield to another Pope. Howſoever all this was, Lewis, perceiving that, by his reconciliation with Leo X, he ſhould take from the Kings of England and Aragon the pretext they uſed to make war upon him, was at length induced to renounce his council, and acknowledge that of Lateran. This renunciation was ſolemnly made in the tenth ſeſſion, held towards the cloſe of December.

The Pope exhorts Henry to peace. Rym. Fœd. Vol. XIII. p. 349. March 16. Guicciard.

Leo X, in the begining of his pontificate, wrote to Henry, as to all the reſt of the Princes, earneſtly exhorting him to peace. Such was the language it behoved him to uſe at firſt in order to diſcharge the duty of the common father of Chriſtians. Henry, who ſaw plainly, and was afterwards ſtill more fully convinced, that this was only grimace, replied, he could not make peace without his allies, and that a ſeparate peace would be directly repug-

(1) Twenty five thouſand, ſays P. Daniel, Vol. VII. p. 320.——Guicciardin ſays, they had twenty thouſand foot, and that the Emperor ſent them a thouſand horſe, with artillery, I. 12.

(2) A thouſand lances, and ſix thouſand foot. Guicciard.

(3) Six hundred thouſand. Ibid.

nant

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nant to all his ingagements. This anſwer was diſpleaſing to his Sanctity, who then ſought only to raiſe enemies to France: but when he was ſure of his agreement with Lewis XII, he took occaſion to ſend Henry another letter, telling him; "That "he never intended to perſuade him to make a "ſeparate peace; but as he had taken arms ſolely "in defenſe of the church and the holy See, and "had, by his late victories, attained the end he "had propoſed, it was reaſonable he ſhould lay "them down, ſince the Prince who oppreſſed the "church was returned to his obedience." This letter was dated December the ſeventeenth, about the time of the Lateran council's tenth ſeſſion, wherein the French embaſſadors, in their ſovereign's name, made a ſolemn ſubmiſſion.

Rym. Fœd. Vol. XIII. p. 386.

Henry ſees he is abuſed.

Nothing contributed more to open Henry's eyes, than this ſecond letter. He had fancied, when he proteſted that he took arms in the church's defenſe, that his allies were ſenſible his meaning was not, on that account, to neglect his own intereſt, that language being properly only to amuſe the public. He had the more reaſon to believe it as, even in the treaty of league, each of the allies had evidently propoſed to himſelf temporal advantages; and yet he ſaw the Pope had no ſooner obtained his deſire, but he took the words of the treaty's preamble in the literal ſenſe, as if there had been indeed no other deſign than to labor for the church, and under that color pretended to diſſolve a league formed by himſelf. This convinced him, that the Pope, in drawing him into a war with France, had only his own intereſt in view. On the other hand, he was not much better pleaſed with the King of Aragon, nor had reaſon to be ſo. As for the Emperor, he had performed nothing of what he had promiſed. All theſe conſiderations, having at length opened his eyes, produced a peace with France, which was concluded the year inſuing: but before we cloſe this, it will be neceſſary to relate what paſſed during the campain between the Engliſh and Scots.

He reſolves to make peace with France.

War between England and Scotland. Buchanan. Herbert.

James IV, perceiving Henry ready to carry war into France, called his parliament, and repreſented to them the indignities Scotland had ſuffered from the Engliſh ſince the laſt pacification; nor was Breton's affair forgot in this enumeration: but the beſt reaſon he alledged to induce the Scots to a war was, that France, the ancient and faithful ally of Scotland, being about to be invaded by the King of England, he could not diſpenſe with aſſiſting her. This reaſon, tho' very plauſible, was not however univerſally approved: many thought it ſtrange that the King ſhould thus wantonly, and without urgent neceſſity, break a peace advantageous to Scotland, ſolemnly ſworn to, and even lately renewed; but the King's creatures and the penſioners of France, whom La Mothe, the French embaſſador, had already prepared to ſerve the King his maſter on this occaſion, carried it by a great majority; ſo war was reſolved.

James IV enters England.

He ſends a defiance to Henry. Rym. Fœd. Vol. XIII. p. 382. Hall.

Henry was in France. when James aſſembled his army to invade England, purſuant to the ſaid determination: but to keep up ſome ſort of formality, James wrote him a letter, and ſent it by a herald, who found him at the ſiege of Terouenne. This letter bearing date July twenty-ſix, contained the grievances James believed he had cauſe to complain of, and a declaration of war in caſe he deſiſted not from his invaſion of France. Henry could not ſend his anſwer 'till the twelfth of Auguſt, the ſubſtance whereof was, "That he was not at all "ſurpriſed to find him violate the peace on frivo-

Henry's anſwer.

"lous pretenſes, ſince he therein only imitated the "inſincerity of his anceſtors and predeceſſors: "next he upbraided him that, while he knew him "to be in England, he never ſhewed, either by "letter or embaſſy, that he intended to eſpouſe "the King of France's quarrel, but waited for his "departure to execute his unjuſt intenſions. "Adding; that, knowing him perfectly, he had "foreſeen his breach of faith, and for that reaſon, "before he paſſed into France, had taken ſuch a "courſe, and ſo well provided for the defenſe of "his kingdom, that he queſtioned not, by the "almighty's aſſiſtance, to fruſtrate all the indeavors "of ſchiſmatics, excommunicated by his Sanctity "and the Lateran council: that beſide, he hoped to "have it very ſoon in his power to requite him, "and in the interim would not fail taking the moſt "effectual meaſures to deprive him and his poſte-"rity of all hope of ever inheriting the realm he "was going ſo perfidiouſly to invade. After that, "he ſet before his eyes the example of the King of "Navarre, who, for taking part with France, "was diſpoſſeſſed of his kingdom, without the "leaſt proſpect of being ever reſtored. As for "the pretended grievances alledged in his letter, "he ſaid, they had been ſo often anſwered, that "all farther mention of them was utterly needleſs: "but for the King of Scotland's ſummoning him "to deſiſt from the war with France, he told him "he did not acknowledge him for competent "judge in his affairs with Lewis XII, and, ſpite "of his menaces, would proſecute the war. He "concluded with ſaying, that he might reſt aſſured "that he would not omit any opportunity of being "revenged, wherein with the help of God and "St. George, he hoped to ſucceed."

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James takes Norham. Herbert, &c.

James waited not for a reply to his letter, to take the field. On the twenty-ſecond of Auguſt, he entered Northumberland, and took diverſe places, particularly Norham caſtle. The Engliſh writers affirm his army to be ſixty thouſand ſtrong; nay, ſome mount the number to a hundred thouſand, which is ſcarce credible. We are not however to diſpute its being very numerous, conſidering the care Buchanan takes to tell us how extremely it was diminiſhed by deſertions, and by being kept a conſiderable while unemployed. The earl of Surrey was then in Yorkſhire with twenty-ſix thouſand men: but, on the firſt news of the Scots entering England, he marched directly towards them, and, by the fourth of September, was near enough to offer them battle by a herald, who reported that the King of Scotland accepted it for the inſuing Friday. James then lay incamped on the edge of mount Cheviot, where he could not eaſily be attacked (1): and therefore the earl of Surrey, perceiving the Scots would fight only in ſo advantageous a poſt, determined on waiting 'till they deſcended on the plain. The Engliſh not appearing on the day appointed, a certain ancient Scotiſh peer † took occaſion to repreſent to James; "That he had done enough to "ſave his honour: that it was not prudent to fight "the Engliſh in their own country, but the beſt "way would be to retire with his booty into Scot-"land, where it would be in his power to fight or "avoid a battle as he pleaſed: that, as he had "taken arms only to make a diverſion in favor of "France, he no leſs imployed the Engliſh forces "without fighting, than by hazarding his army: "that, on this occaſion, he ought not to liſten to "the intereſted counſels of the French embaſſa-"dor, who only wanted to try ſome great "action at another's expenſe, in order to free the

Hall.

The earl of Surrey offers him battle. Hall. Stow. Herbert. Hollingſh.

It is indeavored to divert James from fighting. Buchanan.

† Archibald Douglaſs, earl of Angus.

(1) There was but one narrow field to get up to him, and at the bottom of the hill was placed all his ordnance. On one ſide of his army was a great marſh, and the other parts of it were incompaſſed with Cheviot hills. Hall, fol. 40.

"King

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"King his maſter from his preſent ſtreights: but, "in ſerving France, Scotland was likewiſe to be "regarded." James looked on this counſel as too circumſpect. As he had determined on giving battle, he fiercely replied, "He would fight the "Engliſh even were they a hundred thouſand." In the interim, the earl of Surrey, to draw him from his poſt, marched along a river (1) which parted the two armies, as if he intended to enter Scotland thro' Carliſle, towards which place he ſeemed to bend his courſe. The Scotiſh King, having thereof notice, ſet fire to his camp, and marched along the ſame river on the oppoſite ſide: but, unhappily for him, the ſmoke of his own camp prevented his ſeeing the Engliſh, who forded the river unperceived. Then James, halting not far from Floddon, drew up his army. It was there the earl of Surrey attacked him, having with difficulty paſſed a ſort of moraſs between the two armies. The particulars of this battle are ſo variouſly related, by the hiſtorians of both nations, that the one narrative is not to be followed without deviating from the other: but, with regard to the ſucceſs, it is not the ſame; ſince they all agree, that the Scots loſt the day, after valiantly fighting 'till night, which parted the combatants. The two armies retiring, the Engliſh knew not they were victorious 'till the morning, when they perceived their enemies had quited the field of battle, with all their artillery. The Engliſh own, they loſt five thouſand men in this incounter, which occurred on the ninth of September: but they ſay the Scots loſt ten thouſand (2). The Scots pretend, no more than five thouſand fell on each ſide; but confeſs their loſs was very conſiderable by the great number of lords and officers of their nation killed; whereas the Engliſh loſt not one perſon of diſtinction (3). King James was never ſeen after that day. The Engliſh imagined they found his body, wounded in two places, on a heap of the ſlain, and ordered it to be put into a coffin of lead, tho' they durſt not inter it, becauſe he died excommunicate: but the Scots affirmed it not to be their King's body. They report, that, before the battle, he had cauſed five men of his own ſtature to wear arms like his own, and that the corpſe which the Engliſh took for King James's, was that of one Elphinſton, who greatly reſembled him: however, they knew not what was become of their King. One perſon indeed avered, that he ſaw him croſs the Tweed on horſeback, after the ingagement; but as the fight laſted 'till night, this evidence is not much to be relied on; nevertheleſs it was the foundation of a report of his not being dead. Some ſuſpected he was killed, in retiring from the battle, by lord Alexander Humes, or his vaſſals: but this fact was never well proved. However this be, it was never known for certain, whether the body found by the Engliſh on the field of battle was King James's or not (4). Mean while, Henry, ſuppoſing it to be the very corpſe of James IV, wrote to his Holineſs for a diſpenſation to inhume it in St. Paul's church (5). Leo X anſwered by a brief, ſignifying, "That the King of England had given "him to underſtand, that, in a treaty concluded be-"tween the late King of Scotland and Henry VII, "and renewed by Henry VIII, the firſt had ſub-"mited to excommunication in caſe he acted in "violation thereof, and yet had broken the peace: "that therefore he had been pronounced excommu-"cate by the cardinal archbiſhop of York, by vir-"tue of a power granted by Julius II: that he died "in a battle, without having been abſolved; but, "in conſideration of his royal dignity and nearneſs "of blood, the King of England deſired permiſ-"ſion to bury him in conſecrated ground. On "theſe conſiderations, the Holy Father was pleaſed "to grant his requeſt, not doubting, as he was told "and ought to believe, James in his laſt moments "ſhewed ſome ſigns of contrition, ſuch as his cir-"cumſtances would admit. That therefore, he ap-"pointed the biſhop of London, or any other pre-"late the King ſhould pleaſe to nominate, to exa-"mine the matter; and, if it appeared that James "expreſſed any ſigns of repentance before his death, "he gave him power to abſolve him: that how-"ever the abſolution ſhould ſerve for no other pur-"poſe than his interment in holy ground. More-"over, he ordered the biſhop, to injoin the King of "England to undergo ſome convenient or ſuitable "penance in the name of the deceaſed King."

Hall.

Battle of Floddon, where James is defeated and ſlain. Buchanan. Hall. Stow. Herbert.

The Engliſh believe they found King James's body. Buchanan. Hall.

Idem.

Henry deſires the Pope's leave to bury the corpſe.

The Pope's anſwer. Rym. Fœd. Vol. XIII. p. 385. Nov. 29.

Henry VIII. An' 1513.

Among many remarks which might be made on this brief, I ſhall confine myſelf to this one. There was no declaration of war between James and Henry before James's letter, dated the ſixteenth of July, and received the twelfth of Auguſt, nor any hoſtility commited before the twenty-ſecond of Auguſt, when James entered England: ſo the King of Scotland cannot be ſaid to have violated the truce 'till that inſtant. Now, he died the ninth of September, excommunicated by the cardinal of York, who was then embaſſador at Rome. Hence I think it may be infered, that the cardinal had excommunicated James without knowing the cauſe, or hearing his reaſons, and probably on a bare letter ſent by Henry, that the King of Scotland intended to break the peace: I ſay, he only intended to break the peace; ſince there is no likelihood that, from the twenty-ſecond of Auguſt when James entered England, to the ninth of September the day of his death, the cardinal, who was at Rome, could have been informed of the actual rupture, and proceed to excommunication. I ſay nothing of the ſuppoſition, that James, ſlain on the ſpot, ſhewed any ſigns of contrition, eſpecially as it was even uncertain, whether the body they would have interred was the King of Scotland's. I paſs over likewiſe the limitation ſet to the abſolution, that it ſhould ſerve only for burying the defunct Prince in conſecrated ground, and the penance injoined a living perſon in the name of a dead one: each reader may make what reflections he thinks proper on theſe matters.

Remark on this brief.

An' 1414. Intereſts and views of the European Potentates.

Such being the poſture of affairs in Europe at the cloſe of 1513, it is no wonder the deſigns and intereſts of the Princes ſhould be different from what they were at the begining of the ſame year. It is therefore neceſſary, before we enter on the recital of tranſactions in 1514, to mention how the principal Sovereigns ſtood affected.

Lewis XII.

Lewis XII burned with deſire to recover Genoua and Milan: but he perceived that, to ſucceed in that deſign, the allies muſt be divided, otherwiſe there was not even a poſſibility of undertaking it. The Pope, Emperor, King of Aragon and the Swiſſers were equally concerned to oppoſe it; and yet, as they had alſo their ſeparate intereſts, he thought it would not be impoſſible to divide them,

(1) Either the Tyll, or Sandyford. Hall. fol 41.

(2) There were three hundred Engliſh, and twelve thouſand Scots ſlain. Hall, fol. 43. According to Buchanan, there fell above five thouſand Scots.

(3) On the Scotiſh ſide there fell one archbiſhop, two biſhops, four abbots, twelve earls, and ſeventeen barons, with eight or ten thouſand common ſoldiers. See a deſcription of the battle in lord Herbert, p. 18. Hall, fol. 38, &c. Stow, p. 492.

(4) Hall affirms, that it was found by lord Dacres, and ſhewed to ſir William Scott, chancellor to King James, and to ſir John Forman his ſerjeant-porter, who knew him at firſt ſight, fol. 43.

(5) Stow (p. 494) ſays, it was conveyed to Shene monaſtery in Surrey; and adds, that he had ſeen it there, after the diſſolution of that monaſtery, wraped in lead, thrown into a large room, among old timber, ſtone, lead, and other rubbiſh.

Henry VIII. An' 1514.

by offering to each apart, or at leaſt to ſome of them, advantages as great as thoſe they could naturally expect from their union: beſide, he hoped, in treating with each in particular, to excite among them jealouſies and ſuſpicions which would induce them to haſten treating with him, for fear of being deſerted. His hope of ſucceeding this way was the greater, as moſt of the Princes with whom he was in war, were not over ſcrupulous, but rather very ready to ſacrifice their allies to their own private intereſt: wherefore Lewis had recourſe to this artifice, to free himſelf from his preſent imbaraſſment. At the begining of this year 1514, he took care to renew the negociation concerning the marriage of Princeſs Renée, his ſecond daughter, with Charles archduke of Auſtria, as being very ſenſible that Maximilian and Ferdinand were equally deſirous of it, eſpecially on the conditions they themſelves propoſed: nevertheleſs he therein ſtarted difficulties capable of continuing the negociation without intirely breaking it off. This project the Pope could not look on without uneaſineſs. He was as much afraid of Milan's being in the hands of a grandſon of the Emperor and King of Aragon, as of ſeeing the French King reſtored; his intereſt requiring that Milan ſhould remain in the Sforza family, and the ſame was paſſionately wiſhed for by the Swiſſers. The Venetians would alſo have therein found a great advantage, had not a different intereſt prevailed; and that was, to oblige the Emperor to make peace with them on reaſonable terms: but this they could not hope without the aſſiſtance of France; and this aſſiſtance could not be obtained without aſſiſting Lewis XII to recover the Milaneſe.

Maximilian.

Maximilian found his account in his war with Venice, by reaſon it coſt him little. Since the league of Cambray, he had always been powerfully aided by either France or Spain, or rather had never made war but at another's expenſe. His allies were neceſſarily obliged to find him men or money, otherwiſe they might be aſſured he would ſpeedily ſhift ſides. Since he had abandoned France, the Spaniſh troops had done all in the war with Venice; and the King of Aragon, with all his policy, was not able to avoid acting for him. It is not therefore ſurpriſing that he was ſo difficult, when a peace was on foot, or uſed his indeavors to foment diviſions among the Princes.

The King of Aragon.

As for King Ferdinand, ſince he was poſſeſſed of Navarre, it was his intereſt to imbroil affairs, and cheriſh in Italy the hopes and fears of the ſeveral parties, to make himſelf neceſſary, and that a peace might not be concluded without him. He thereby tried to hinder Lewis from thinking on Navarre, and hoped at length to come to a treaty which ſhould leave him in quiet poſſeſſion of his conqueſt; and, for that reaſon, he acted all kinds of parts, in order to attain his ends. One while, he aſſiſted the Emperor againſt the Venetians; another while, he ſollicited him in their behalf. Sometimes he excited the Pope and Swiſſers not to ſuffer King Francis to poſſeſs himſelf of Milan; and ſometimes he offered to aſſiſt the ſame Prince to conquer that duchy: this was merely glaring fallacy and artifice to maintain a diſſenſion to him ſo advantageous: however, his policy began to fail him. He had ſo forfeited his reputation, with reſpect to ſincerity, that he was no longer truſted: it was purely thro' neceſſity, or from a deſire to create ſuſpicion in their enemies, that the reſt of the Sovereigns made with him any treaties, whereon they were ſenſible they could not rely.

Henry VIII.

Henry VIII had honorably got clear of his firſt campain, but plainly perceived himſelf indebted for his good ſucceſs to the impetuous humor of Lewis, who had neglected the defenſe of his own kingdom in order to recover Milan, whither he had ſent the flower of his army. The truth is Henry, depending on the treaty of Mechlin, and the diverſions his allies were to make in different provinces of France, had conducted into that kingdom barely twenty-five thouſand men; a force by far too feeble to afford him much hope of advantage, had he been to deal with the whole forces of his adverſary. Forſaken as he was by the Pope, the Emperor and the King of Aragon, how would he have diſingaged himſelf, had Lewis XII reſolved to defer his Milan expedition to another time, and march his intire army into Picardy? Thus Henry ſhould have conſidered, and in effect did conſider, that he was more indebted for the victory of Guinegaſte, and the taking Terouenne and Tournay, to the circumſtances of the time, than to his conduct and proweſs. He was therefore diſpoſed to get clear of an affair he had indiſcreetly imbarked in, without flattering himſelf any longer with the imaginary aſſiſtance of his allies: it was however neceſſary to conceal his inclination, in order to draw from France advantageous conditions in a treaty. Such was the ſituation of affairs in the begining of the year 1514. But, before I ſpeak of thoſe of England in particular, it is requiſite to recite what ſteps were taken by the Princes concerned in the troubles of Italy, becauſe that was then the chief point whereon all other matters depended.

Henry VIII. An' 1514.

Affairs of Italy. Guicciard.

Leo X tries to reconcile the French and Swiſſers. Guicciard. P. Daniel.

Leo X, being alarmed at the negociation which Lewis XII had renewed with the Emperor, relating to the marriage of Renée his ſecond daughter, uſed all poſſible indeavors to reconcile the Swiſſers to France, that Lewis might be the leſs inclined to treat with Maximilian and the King of Aragon. But he wiſhed that Lewis would ratify the capitulation of Dijon, as to what concerned the duchy of Milan; and, on the other hand, exhorted the Swiſſers to be ſatisfied with a more moderate ſum than was promiſed by La Trimouille: this was the plan he had formed for that reconciliation. In ſhort, he had ſo far gained his point, that the King of France had offered a truce for three years, without however departing from his pretenſions to Milan, and many of the leading Swiſſers were therewith ſatisfied: but it was not poſſible to perſuade that people to abate even a tittle of the capitulation of Dijon; nay, they even debated, whether they ſhould make a ſecond incurſion into France, to revenge the violation of that treaty. Thus the Pope's pains were fruitleſs, and the Swiſſers ſtill continued France's mortal enemies.

Ferdinand prolongs the truce with Lewis XII. Guicciard. Rym. Fœd. Vol. XIII. p. 395.

Ferdinand, having intelligence of what was tranſacting in Swiſſerland, was apprehenſive of being deſerted, whether Lewis relinquiſhed his pretenſions to Milan, or the Swiſſers accepted the truce he offered them: ſo, without communicating a ſyllable to his allies, he ſpeedily ſent Quintana his ſecretary to Paris, who renewed for one year the truce with France on the ſame foot with the former; only, by a ſecret article, Lewis promiſed not to invade the Milaneſe this year. In the publication of the truce in France, there was no mention of Milan: but Ferdinand publiſhed it in Spain with that article; ſo that the world was not a little puzzled how to judge of this affair. Lewis made no ſcruple to prolong the truce, becauſe he could not undertake to invade Milan and Navarre before he had made peace with England: beſide, he was very willing to have it thought, that the truce he had prolonged with the King of Aragon would be followed by a pacification.

This was a conſequence natural enough, and ſeemingly it inclined Henry ſeriouſly to think of peace. But, on the other hand, Lewis was on the point of being thereby greatly prejudiced, in that the Pope, to break his meaſures with reſpect to Milan,

HENRY VIII. AN' 1514.

The Pope ſtrives to make peace between the Emperor and Venetians, who make him umpire of their differences. Guicciard.

Milan, labored with all his power to procure a pacification between Maximilian and the Venetians. He, above all things, deſired that the French ſhould never more ſet foot in Italy; the intereſt of his See, of all Italy in general, and his own in particular, ſo requiring. While the French were in poſſeſſion of the Milaneſe, Italy had never been free from diſturbances, the Pontifs had been leſs regarded than before, and the Florentines had preſerved their liberty: theſe were ſufficient reaſons to make the Pope wiſh they might never return; beſide, he had formed projects for raiſing his family, which their neighborhood might obſtruct. One great means to attain his ends was, to deprive Lewis XII of the aſſiſtance of the Venetians, which would infallibly happen, if it was poſſible to find ſome expedient to make their peace with the Emperor. Laſt year the Venetians, preſſed by the Spaniſh army, had agreed to make his Holineſs umpire, and the Emperor had accepted him; but the buſineſs had ever ſince lain dormant. Preſently after Ferdinand's renewing the truce with Lewis XII, the Pope, fearing a peace would be concluded between the two Monarchs at the expenſe of the duchy of Milan, ſtrove to revive the negociation between Maximilian and the Venetians. He was very ſenſible that, if it ſucceeded, the King of France would in vain expect that republic's aſſiſtance to conquer Milan. Finally, with much ſollicitation, he obtained from both parties a formal promiſe to ſtand to his arbitration, and to impower him to ſettle the conditions of accommodation as he ſhould judge proper: however, by a writing under his own hand, he ingaged not to pronounce ſentence without their mutual concurrence.

Difficulties of the peace.

It was extremely difficult to ſettle this peace, ſince, as the war ſtill continued in the ſtate of Venice and Friuli, the leaſt ſucceſs was ſufficient to cauſe the parties to riſe or fall in their pretenſions. When the Venetians found themſelves preſſed, they very willingly agreed that the Emperor ſhould keep Verona; but then Maximilian would have alſo Vicenza, Padoua and Treviſo. When his affairs were not proſperous, he was ready to leave them theſe three places, but then they could not think of making peace without Verona. Thus his Sanctity, finding the various ſucceſs of the war was a perpetual obſtacle to his projected agreement, paſſed a proviſional ſentence, ordaining; "That both "parties ſhould lay down their arms: that the "Emperor ſhould depoſite in his hands Vicenza, "and whatever was poſſeſſed by the Spaniards in "the Padouan, and Treviſan: that the Venetians "ſhould do the like with regard to Crema, and "pay down to the Emperor fifty thouſand ducats; "but that this proviſional agreement ſhould be "deemed void, if the two parties ſhould not think "proper to ratify it; but, in caſe they approved it, "he promiſed to pronounce a definitive ſentence "within a year." The Venetians thought not proper to ratify the ſentence, being perſuaded that, in their preſent circumſtances, a truce was abundantly more prejudicial than the continuation of war: thus the Pontif's labor was ineffectual. Such was the ſituation of affairs in Italy during the year 1514. We muſt now examine what paſſed in England.

The Pope's proviſional ſentence; Guicciard.

Rejected by the Venetians.

HENRY VIII. AN' 1514.

Henry, at his return from his glorious campain, thought only on mirth and diverſions. The parliament however met the third of January, but there was nothing done of any moment, with reſpect to public affairs. Before the ſeſſion ended, the earl of Surrey was created duke of Norfolk, which title and dignity his father had injoyed, and loſt with his life at Bothworth-field, fighting for Richard III (1): by this change, Thomas Howard, the new duke's ſon and heir, became earl of Surrey. Charles Brandon viſcount Liſle, one of the King's favorites, was alſo created duke of Suffolk; and Charles Somerſet, earl of Worceſter. Margaret of York, daughter of the duke of Clarence, Edward IV's brother, obtained likewiſe the title of counteſs of Saliſbury, as heir to the earl of Warwick her brother, beheaded by Henry VII (2).

Parliament in England. Herbert.

The earl of Surrey created duke of Norfolk.

Charles Brandon duke of Suffolk. Rym. Fœd. Vol. XIII. p. 389. Feb. 1.

Margaret of Clarence counteſs of Saliſbury.

Thomas Wolſey had now been ſome months prime miniſter, without receiving other particular marks of his maſter's favor: but Wolſey was not forgetful of himſelf. The biſhoprick of Lincoln being vacant, he ſo ordered that the King demanded it for him of his Holineſs, who had ingroſſed the collations of all the Sees by anticipated reſervations. Soon after, Lewis Guillard, biſhop of Tournay, neglecting to repair to his dioceſe ſince the city was in the King of England's hands, the Pope readily ſuppoſed he had quited his See, and gave the adminiſtration thereof to Thomas Wolſey, both in temporals and ſpirituals. This was ſuddenly and almoſt at once a conſiderable augmentation of the new Favorite's revenue. Leo X, not expecting much either from the Emperor or King of Aragon, eaſily perceived he might want the King of England. In order to gain his protection, he had diſpoſed of the Sees of Lincoln and Tournay in favor of Wolſey, to win him to his intereſt by preſents which coſt him nothing: but, after having ſatisfied the favorite, he muſt teſtify, by ſome mark of diſtinction, his eſteem for the maſter. To that purpoſe, he ſent him a ſword and a hat, conſecrated on Chriſtmas-day; a preſent which the Pontifs uſually make to Princes or generals who obtain ſome ſignal victory over the church's enemies.

Thomas Wolſey made biſhop of Lincoln, p 390---394.

and adminiſtrator of the See of Tournay. p. 584.

The Pope ſends Henry a conſecrated ſword and hat. p. 393. Hall.

While the Pope, Emperor and King of Aragon were laboring to accompliſh their projects, Lewis XII was not unmindful of his own affairs (3). Among all his enemies, none gave him ſo much uneaſineſs as the King of England; and that chiefly for two reaſons. Firſt, Henry was young, greedy of glory, rich in ready money, and moreover always ſure of ſupplies from his parliament, eſpecially in caſe of a war with France. Secondly, the diverſion he could and did make in Picardy, by means of Calais, rendered abortive all Lewis's future projects in Italy; ſince he thereby kept the forces of France ſo divided, that it was in a manner impoſſible to aſſiſt each other on any emergency. It was therefore Lewis's main concern to remove from his ſide this thorn, otherwiſe he could not undertake to recover Genoua and Milan. Accordingly, he had been very ſeriouſly indeavoring it, ever ſince

Lewis XII makes an offer of peace to Henry. Hall. Herbert. Stow. Hollingſh.

(1) For his memorable victory over the Scots at Floddon, he had a ſpecial grant, from the King, to himſelf and the heirs male of his body, of an honorable augmentation to his arms; namely, to bear on the bend thereof the upper half of a red lyon, (painted as the arms of Scotland are) pierced through the mouth with an arrow. He was created duke of Norfolk, Feb. 1. 1513-14. His father derived his deſcent (by the heirs female of Mowbray and Seagrave) from Thomas Brotherton, Son to King Edward I. Dugdale's Baron. Vol. II, p. 268.

(2) She was wife of ſir Richard Pole, deſcended from a very ancient ſtock of that name ſomewhere in Wales. This ſir Richard was made chief gentleman of the bed-chamber to Prince Arthur, and knight of the moſt noble order of the garter. He had four ſons by the lady Margaret; Henry, afterwards lord Montague, Geffrey, Arthur and Reginald, the famous cardinal Pole, archbiſhop of Canterbury, and one of the three who reſided at the council of Trent. Margaret petitioned to be counteſs of Saliſbury, for all whoſe caſtles, manors and lands ſhe obtained a grant dated October 14, which came to the crown by the attainder of her brother Edward earl of Warwick. Ibid. p. 292.

(3) This year, Pregent landed on the coaſt of Suſſex, and burned Brightelmſtone; whereupon ſir John Wallop was ſent to revenge this affront, who landed in Normandy, and burned twenty-one villages and towns. Stow, p. 495.

the

Henry VIII. An' 1514.

the close of last campain, by the ministry of Lewis of Orleans duke of Longueville, taken prisoner at the battle of Guinegaste. This private embassador it was who, in his frequent conversations with Henry, labored by degrees to open his eyes, by shewing how little he might rely on his allies, and demonstrably pointing out to him the artifices they used to draw him into their snares. Henry was convinced he spoke truth; but, in all appearance, was informed of many particulars which he knew not before. However this be, these conversations had such effect, that Henry told the duke, "He "was not averse to peace, provided the terms "were reasonable." Lewis XII, having notice thereof, ordered the duke of Longueville to negociate the affair secretly, and to attempt discovering the King of England's real intentions. Seemingly, Henry insisted some time on his claim to the whole realm of France, and particularly to Guienne and Normandy, which gave Longueville apprehensions his negociation would be unsuccessful: however, to induce Henry to abate somewhat of his pretensions, the duke had orders to demand Princess Mary his sister for the King his master, who had lost Ann of Bretagne his Queen, the begining of the year. This private negociation, to which only Thomas Wolsey Bishop of Lincoln was admited, continued some time without making great progress, by reason of Henry's exorbitant demands. Finally, at a secret conference, which the King himself had with the duke of Longueville, he suddenly desisted from the hardest of his claims, and frankly told him on what conditions the peace might be concluded; adding, "He was absolutely determined on not mak-"ing any abatement." The following is a letter from the King to Wolsey, under his own hand, after the conference, wherein appears his said ultimate determination (1).

"My lorde of Lynkecolne,

The King's letter to Wolsey about the peace. Rym. Fœd. Vol. XIII. p. 403. June.

"I recommande me unto yow. And lette yow "wyte that I have spokyne with the duke; "whyche in the begynnynge was as yll afrayde as "ever he was in his lyffe lest no good effecte shulde "comme to pas. Nevertheles, in farther com-"munyng, we wente more rondly to oure matters; "in so moche that I sayde to hym, seinge that the "Kyng yowr master hathe soght so gentely unto "us for bothe amyte and marryage, I assure yow "(oure honour savyd) we colde be well content to "gyffe herkyne thereto, and, yff the offers wer "resonable, agre upon thos same; but thes be nott "resonable, excepte the amyte shulde no lenger "contynw then the payment off money: and yett "natt so, excepte ther wer a resonable summe of "mony to be payd in hand by and by:

"Yff his master wyll have the maryage, I can "natt see how itt can be convenyently, exceptte "the amyte be made duryng our lyffes and on yer "affter, to the intente that all suspycyon off bothe "sydes may be sett apart:

"Whyche maryage and amyte your master may "have wnder thys maner; that is to say, paynge "erly on hundred thousand crownes and att hys "requeste I natt to styke for no redy mony in hande, "but I to stande contente therwith for recompense "off all thyngs.

"Whyche, yff your master considere what he-"rytaunce he holdyth from me, and what good "amyte may do to helpe forth hys mater in Italy, "I thynke he wyll natt grettly styke at:

"Thys forther more I sayde to the duke, surly "I can natt see how the amyte made for yers can "any longer indure then the payment, whyche ex-"pyryde shulde be occasion off new breche and "demans, wherby noder he nor we shulde lyff "quietly, whiche, yff ther fall alyance, I wholde "be lothe to see; wherfor I see no way to eschewe "all dangers and parraylles, and to recompense "me for withholdying off myne inheritance "(whyche yff I wolde be slake in, my subjectes "wolde murmure att) but to make thys amyte dur-"yng our lyffys and on yere affter, paynge yerly "as above rehersed; whyche amyte wons grantyd "the aliance shulde natt be refusyde, nor non other "thing whyche with my honour savyd I might "do:

Saying forther more to hyme that, yff I might "demande with my honour any lesse, or take any "lesse offere (seyng hys master is so well mynded "to the forsayd alyance and amyte) I wolde be "glad to do that at hys requeste, but less then thys "hit can nott stonde with my honour, nor my sub-"jects will nat be content that I shulde take.

"My lord, I shuyd him forthermore that, yff "he thoght we myght trust to have thys ende, I "wolde be content that yow and they shuld com-"mune on all other artycylles, concerning the "amyte and maryage, tyll we might have abso-"lute assurance in that behalfe for lyfyng off time.

"To whyche he answarde, that he cold nat as-"sure me thereoff; but that he trustyde, seyng my "demans wer so resonable, that hys master wholde "agre therto.

"On trust hereon we woll that yow begyne to "penne the resydue off the artycylles as soone as "you can;

"And thus fare you well.

"Wryttyn with the hand of your lovying master,

Henry R.

Henry VIII. An' 1514.

Tho' this letter has no date, it may, by several circumstances, be presumed written in June, 1514.

Lewis not pleased with Henry's propofals.

Lewis XII, being informed of the King of England's resolution, entertained great hopes of a peace: there were however two articles which troubled him. The first was to pay annually one hundred thousand crowns, as a compensation for Henry's claim to the kingdom of France: this was, in some measure, to own the justice of his title, and pay him a sort of tribute, whereto he could not consent. The other article related to Tournay, which he desired to recover, and which however was not mentioned in Henry's propofals: but with regard to this article, there was one obstacle which was not easily to be surmounted, and that was, Wolsey was concerned: it was not sufficient to gain Henry by flatteries, or by giving him a sum of money in lieu of Tournay; the favorite must also be recompensed for the loss of a See which brought him a considerable revenue. It was therefore to indeavor settling these two articles that Lewis dispatched away to England a splendid embassy; and for this negociation he made choice of Lewis d'Orleans duke of Longueville, John de Selve first president of Roan, with Thomas Bohier, to whom Du Bellai gives the title of general of Normandy, and the King, in his commission, that of chevalier general of France. Mean while, the two Kings agreed on a cessation of arms during the treaty.

He sends embassadors to England. Rym. Fœd. Vol. XIII. p. 405, 406. July 29.

A truce,

Henry refuses to restore Tournay.

It was easier for the French embassadors to prevail on Henry to alter his ultimate resolution concerning the first article, than to obtain the restitution of Tournay: the reason is evident. In the first

(1) Of this original letter M. Rapin has given us a verbatim translation, as he does of several others: but as, doubtless, it will be more to the English's reader's satisfaction to have originals as they are, rather than re-translations, we give this literatim from Rymer, as above; a method which, in all such cases, shall be constantly observed.

article,

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article, King Henry alone was concerned, whereas in the ſecond, the miniſter's intereſt was properly in queſtion. However, as that Prince was determined to make peace with France, Tournay could be of no farther uſe, and a ſum of money would have been doubtleſs more advantageous than the preſervation of that place: but Wolſey comprehended that, when Tournay ſhould be in the King of France's poſſeſſion, he would infallibly loſe the adminiſtration of the See; wherefore the negociation of the embaſſadors on that article was intirely fruitleſs. It was not the ſame with reſpect to the penſion of the hundred thouſand crowns, demanded by Henry; they found means to perſuade him to be ſatisfied with a million of crowns, in which were included the ſeven hundred forty-five thouſand contained in the treaty of Eſtaples; but whereof, in reality what had been paid was far from being conſiderable. The Spaniſh embaſſador, reſiding at London, uſed all poſſible indeavors to intervene in the negociation: but Henry would never ſuffer him, well knowing, he only intended to obſtruct it. The commiſſioners of the two Kings (1) having ſettled all articles, the treaties were ſigned the ſeventh of Auguſt.

Henry admits not the Spaniſh embaſſador to interfere in the treaty.

Three ſeveral treaties ſigned at London. Rym. Fœd. Vol. XIII. p. 413.

There were three ſeparate treaties: the firſt concerned only a renewal of the alliance between France and England: the ſecond was about Princeſs Mary's marriage with Lewis XII: the third related to the payment of the million of crowns. As theſe treaties ſerved for foundation to many others hereafter concluded, it is neceſſary to inſert at leaſt the ſubſtance of the moſt material articles.

TREATY I.

Of Peace and Amity between Lewis XII and Henry VIII, concluded at London, Auguſt 7, 1514.

THAT the amity between the two Kings ſhould laſt 'till a year after the death of one of them. That the ſucceſſor of him who died firſt, ſhould within one year give notice to the other, whether he would prolong this, or make a new treaty.

That all impoſitions laid, within fifty-two years laſt paſſed, by one King on the ſubjects of the other, ſhould be aboliſhed.

That the peace ſhould not be deemed violated by the outrages commited on either ſide.

That neither of the two Kings ſhould afford protection or refuge to the other's rebels.

By the 14th, 15th, and 16th articles, the two Kings bound themſelves to mutual aſſiſtance in three caſes: 1. In defenſe of each other's dominions: 2. For recovery of the territories with-held by other Princes: 3. In caſe one of the two Kings ſhould be attacked on account of the preſent treaty, and affirmed, on his honor, it was for that cauſe. In each of theſe caſes the conditions were different (2): but in the laſt, they promiſed mutual aid, tho' the aſſailant ſhould be relation, friend, or ally of one only, or of both.

Lewis included in the treaty, as his allies, the Pope, the Swiſſers, and the King of Scotland (3). On Henry's part, were named the Pope, Bologna, all the towns of St. Peter's patrimony, the archduke of Auſtria, and the Swiſſers (4).

Scotland was included in the treary, but on condition that the Scots ſhould commit no hoſtilities againſt England, after the 25th of November. Henry VIII. An' 1514.

That the treaty ſhould be ratified and ſworn by the two Kings, and confirmed by the parliament of England and the general ſtates of France.

That each of the two Kings ſhould indeavor to obtain of the Pope a ſentence of excommunication againſt the infractor of the peace.

TREATY II.

Concerning the marriage of Lewis XII with Princeſs Mary.

THAT matrimony ſhould be contracted by proxies, and "per verba de præſenti," within ten days after date of the treaty. Ibid. p. 423.

That the King of England (5) ſhould convey, at his own charge, the Princeſs his ſiſter to Abbeville, where, within four days after her arrival, the King of France ſhould ſolemnly eſpouſe her.

That Princeſs Mary ſhould have in dower four hundred thouſand crowns, two hundred thouſand whereof ſhould be reckoned for jewels, &c. and, in caſe of recovery, Lewis ſhould be obliged to reſtore only the jewels, &c. which ſhould be valued at the ſum of two hundred thouſand crowns.

That the other moiety, amounting to two hundred thouſand crowns, Henry ſhould pay, by deducting the ſum out of one million the King of France was bound to pay by a late treaty.

That the future Queen's jointure ſhould be as great as that aſſigned to Ann of Bretagne, or any other Queen of France.

That, in caſe of Lewis's deceaſe, Princeſs Mary ſhould injoy her dower and jointure during life, whether ſhe reſided in France or England.

TREATY III.

For the payment of a million of crowns.

BY this treaty, Lewis XII acknowledged that, by the treaty of Eſtaples, Charles VIII was bound to pay Henry VII, or his ſucceſſors, the ſum of 745000 crowns, and that himſelf was obliged to pay the arrears thereof. p. 428, 439.

Moreover, that Charles duke of Orleans, his father, by his obligation dated March 7, 1444, had owned himſelf debtor in a certain ſum to Margaret of Somerſet, grandmother of Henry VIII.

That theſe two ſums not being yet paid, Lewis bound himſelf to pay to the King of England, or his ſucceſſors, a million of crowns, "as well for "the arrears of the ſaid two ſums, as on account "of the good affection he bore him, and to the "end their amity might be the more laſting."

That this million ſhould be paid by Lewis, to the King of England, by half-yearly payments of fifty thouſand livres Tournois, 'till the whole was diſcharged.

Thus the war, which had been undertaken on pretenſe of religion, and for God's glory, ended in a treaty, which mentions neither religion, nor the Pope, nor the church.

On the other hand, tho' Princeſs Mary had been ſolemnly affianced to Charles of Auſtria, Lewis XII and Henry VIII made no difficulty concerning this

Princeſs Mary proteſts againſt her contract with Charles of Auſtria. Ibid. p. 409. July 30. Herbert.

(1) The Engliſh commiſſioners were, Thomas duke of Norfolk, Thomas biſhop of Lincoln, and Richard biſhop of Winchester. Rym. Fœd. Vol. XIII. p. 422.

(2) In the firſt caſe, Lewis was to furniſh twelve hundred lances by land, and five thouſand men by ſea, with convenient ſhiping; and Henry ten thouſand archers by land, and five thouſand men at ſea, with ſhiping. In the ſecond, Lewis was to lend Henry ſix hundred lances only, and Henry him but five thouſand archers, with the ſame ſea-forces on both ſides as before-mentioned. In the third, one was to aid the other at the charge of him who was invaded.

(3) Alſo the Kings of Hungary, Portugal, Denmark, and Navarre; the dukes of Savoy, Gueldres, and Lorrain; Venice; Florence; the biſhop of Liege; the marquiſes of Mantoua, Montferrat, and Saluzzo; and baron de Sedan. Ibid. p. 419.

(4) As alſo the dukes of Cleves, and Juliers; the Hanſe-towns; and baron de Ligny. Ibid.

(5) Within two months after the contract.

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second marriage, neither did they so much as vouchsafe to demand the Pope's dispensation to absolve Mary from her first contract: only a few days before signing the treaty, Mary declared in the presense of a notary public, and other witnesses; "That she had been forced to plight her faith to "the Prince of Castile, archduke of Austria: "That moreover the archduke, having ingaged "to espouse her by proxy, and "per verba de "præsenti," as soon as he was fourteen years of "age, had violated his promise." She added farther; "That she was credibly informed, the "counsellors and confidents of the Prince of Ca-"stile were, to the utmost of their power, instil-"ling into him an aversion for the King of Eng-"land her brother." On these allegations, the two Kings, making themselves judges in a cause which doubtless appertained to the Pope's cognizance, thought fit the marriage should be consummated.

Remark on the third treaty.

I have still to remark on the third treaty; that, tho' Henry had declared to the duke of Longueville, as appears in his letter to Wolsey, that he could not make peace except the King of France would pay him a yearly pension of a hundred thousand crowns, as a compensation for the inheritance he with-held from him, an expedient was found to satisfy him with much less. The whole was reduced to Lewis's bond to pay him a million of crowns, two thirds of which were already due before the treaty. Beside, that this bond might not be considered as a compensation of the King of England's title to France according to Henry's intentions, it was expresly said in the treaty, to be in payment of the arrears of the seven hundred forty five thousand crowns, due to the King of England by the treaty of Estaples, of another sum due from the late duke of Orleans to Margaret the King's grandmother, and, lastly, for Lewis's good affection to Henry. Hereby was made vanish the principal foundation whereon Henry had grounded his demand of a pension of a hundred thousand crowns; a demand considered by him at first as the basis of the treaty, according to his letter to Wolsey. It may therefore be affirmed, that Henry was no less over-reached by the King of France in the treaty of peace, than he had been by the Pope, the Emperor and the King of Aragon in that which had ingaged him in the war. This proceeded not from his not understanding his own interests; since, in his letter, it appears that he was very sensible of the consequence of his demand. To what then can his easiness be ascribed but to the insinuations of his prime minister, who certainly erred not out of ignorance? Probably, Lewis XII found means to make Wolsey his friend. We shall see still more plainly hereafter, that this minister was abundantly more mindful of his own than his master's advantages, when they came in competition, and that he lost no opportunity of inriching himself.

Death of cardinal Bambridge. Herbert. Rym. Fœd. Vol. XIII. p. 404.

While Wolsey was imployed with the French embassadors in negociating the peace, cardinal Bambridge, archbishop of York, died there on the fourteenth of July (1). The same day cardinal Julio di Medicis, afterwards Pope by the name of Clement VII, sent the King notice, acquainting him withal, that he had prevailed with the Pope not to dispose of the see of York before his pleasure was known. Whereupon the King demanded the archbishoprick for Thomas Wolsey, which was immediately granted. This minister was then in such favor, that he absolutely directed all the affairs of his royal master, who had for him great esteem and affection. It may be presumed that he was now doing Lewis XII some good services, since there are, in Rymer's collection, several letters from that Monarch to him, begining with these kind words, "My lord of York, and very good friend."

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Wolsey made archbishop of York. p. 412, 450, 455. p. 439, 455.

Lewis's marriage with Mary consummated. p. 448. Hall. Stow.

August and September passed in preparations for the new Queen of France's voyage; in the celebration of the marriage by proxies in France and England; and in the ratifications of the treaties: after which, Princess Mary was conducted to Abbeville with a numerous train of lords and ladies, where the marriage was consummated the ninth of October (2).

Leo X proposes to King Lewis a new league. Guicciard. P. Daniel.

While the peace between France and England was treating at London, the Pope, Emperor, and King of Aragon omited nothing they imagined would obstruct it. They plainly perceived, it could not but turn to their prejudice, and that the burden of the war would fall upon them: they were even apprehensive lest Henry should join against them with France. Leo X had writ to Henry, persuading him to a peace; and yet, when he saw it on the point of conclusion, would have been glad his exhortations had not been regarded: wherefore, to cross the negociation at London as far as lay in his power, he proposed a new league with the King of France, imagining it would be a means to abate his eagerness for a peace with England. But as Lewis took a fortnight to give him his answer, he was afraid of being left alone, and for that reason made haste and concluded a defensive league, for only one year, with the King of Aragon.

He makes one with Ferdinand.

Fruitless indeavors of the Emperor and Ferdinand to obstruct this pacification between Lewis and Henry. Guicciard.

On the other hand Ferdinand, fearing Lewis, after making peace with England, would invade Navarre, offered him his assistance to recover Milan: but Lewis was too well acquainted with that Prince to repose in him the least confidence. Finally, the Emperor and Ferdinand, desiring at any rate to hinder him from concluding with England, sent him their consent in form for the marriage of Renée his second daughter with Charles of Austria their grandson: and at the same time, Maximilian ratified the one year's truce made by Ferdinand with France; but all this wrought no effect. They had even the mortification to hear, that they were neither of them included in the treaty of London; a clear evidence how little Henry valued their friendship: nevertheless, they both feigned to be very well pleased with the peace, tho' in their hearts they were extremely chagrined.

The Pope tries to amuse Lewis XII. Guicciard.

It was expected that the King of France, being freed from the war with England, would infallibly recover Genoua and Milan. The Pope was thereof so strongly persuaded, that he wrote to exhort him to that expedition, tho' at the same time he imployed his best efforts to break his measures, by an agreement between Maximilian and the Venetians. He even dispatched to Venice Pietro Bembo, afterwards cardinal, to incline the Senate to

(1) He was poisoned by Rinaldo de Modena his steward, or chaplain, an Italian priest, to revenge a blow his master gave him, as Rinaldo confessed at his execution. Wood, p. 104. Stow, p. 496. There is a letter writ by one Pace from Rome, charging Sylvester (an Italian) bishop of Worcester, with having a hand in his death. Fiddes.

(2) The King and Queen conducted her to Dover, and then recommended her to the care of the duke of Norfolk, who attended her to Abbeville. After the ceremony was over, all her retinue were dismissed, except a few officers and attendants, among whom, says lord Herbert, was Mrs. Ann Bulleyn, daughter to sir Thomas Bulleyn. Burnet's Ref. Vol. I. p. 43, 44. Before the coronation was over, there were solemn justs and turnaments held at Paris, by Francis de Valois, heir to the crown, at which the duke of Suffolk, and the marquis of Dorset came off with honor. The King and Queen of France were spectators; but the King was so old and infirm, that he lay on a couch. The duke of Valois, seemingly thro' envy, caused a German of prodigious strength and size, to be privately introduced into the field, in order to oppose the duke of Suffolk, who, tho' with great difficulty, got the better of the German. Herbert, p. 21. Hall, fol. 48, 49. Stow, p. 495.

peace:

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peace: but that republic, fearing the Pontif was laying a ſnare for them, to take off King Lewis from their alliance, gave him immediate information, and thereby rendered him exceſſively diffident of his Holineſs.

He forms vaſt projects for his houſe. Sardi. Guicciard.

Leo X was at that time forming grand projects in favor of Juliano di Medicis his brother. His deſign was to become maſter of Ferrara and Urbino, and to join theſe two ſtates to Parma, Plaſenza, Reggio, and the city of Modena lately purchaſed of the Emperor, in order to caſt them into one ſtate for this brother, whom he would fain have made a great Prince: nay, it is even reported that he intended to annex the kingdom of Naples, and had, in order to make that conqueſt, joined in a league with the Venetians: but, as he ſaw the King of France would quickly invade the Milaneſe, he ſhewed great regard for him, leſt he ſhould make an enemy of a Prince who, if he came to be poſſeſſed of Milan, would have it in his power to obſtruct his deſigns. Mean while Lewis, not ſatisfied with the Pope, preſſed him to declare himſelf, reſolving to know for certain, whether he was to conſider him as a friend or enemy. Leo, who perceived his intent, amuſed him with fair words, without however being determined, becauſe his purpoſe was to regulate his conduct by the events of that rupture which he foreſaw. This hindered not Lewis from vigorouſly continuing the neceſſary preparations for his expedition into Italy, whither, in the inſuing ſpring, he deſigned to repair perſonally: but while he was ſtudying means to relieve the Lantern-tower, which he ſtill held at Genoua, and by the help whereof hoped to become maſter of the city, he received intelligence of its being ſurrendered by capitulation, and immediately razed by the Genoueſes. However, this ill news ſufficed not to deter him from his deſigns on Italy.

Lewis prepares to paſs into Italy.

He loſes the Lantern tower at Genoua.

Affairs of Scotland. Buchanan. Herbert.

Before I cloſe the year 1514, it will not be unſerviceable briefly to relate what paſſed this year in Scotland. James IV left two ſons, of whom the eldeſt, who bore his own name, was not yet full two years old. By a will, made before he took the field, he left the regency of the kingdom after his death to his Queen, ſiſter of Henry VIII, during her widowhood. The ſtates being aſſembled early in 1514, immediately acknowledged for King James V, ſon and heir to the deceaſed: as for the regency, there would doubtleſs have been great debates, had not the loſs of Floddon battle made the Scots apprehenſive that the King of England would improve the advantage he had over them. There had never been in Scotland a Queen-regent, and that would have been ſufficient to reject the clauſe of the late King's will: but it was hoped the Queen would prevail with the King her brother to leave in peace a country whereof ſhe had the government. The Queen being declared regent, and writing to the King her brother, to intreat him not to diſturb the minority of the young King his nephew, Henry generouſly anſwered; he was equally inclined to peace or war, and left it to the Scots to chuſe which they pleaſed.

The Queen dowager is regent. Herbert. Hall.

She marries and loſes the regency.

After this declaration, Scotland would, very probably, have remained in quiet under the dowager's regency, had not that Princeſs married again ſome months after. She choſe for her conſort Archibald Douglaſs earl of Angus, one of the greateſt lords in Scotland, and by this ſecond marriage filled the kingdom with trouble and confuſion. As, by the late King's will, ſhe was to be regent only during her widowhood, the queſtion was to appoint another in her room. Douglaſs her huſband uſed all his indeavors to have her continued in the regency. He affirmed, there was no other way to preſerve peace with England; and beſide, Henry would be obliged to ſupport the Queen his ſiſter in caſe any one ſhould pretend to diſturb her: but this laſt conſideration had, on thoſe who dreaded the earl's too great advancement, a quite contrary effect to what he expected. They were ſenſible that, being huſband to the regent, he would always be countenanced by the King of England, and by his aſſiſtance inabled to ingroſs more authority than they wiſhed him. Alexander Hume, governor of all the country north of the Firth, was the head of thoſe who oppoſed the Queen's regency. He was a man proud and haughty, who could not indure a ſuperior. During the late King's life, he had been preſident of the Marches bordering on England, where he had commited ſuch outrages that, as ſome ſay, for fear of being called to account, he killed or cauſed to be killed James IV, when he was retiring from Floddon field after the battle. However this be, Hume imployed his whole intereſt to break Douglaſs's and the Queen's meaſures, and propoſed for regent James Steward duke of Albany. This duke was ſon of Alexander duke of Albany, brother of James III, who, to avoid the perſecutions of the King his brother, was forced to fly into France, where he died. He left there this ſon who, being married and adhering to the ſervice of Lewis XII (1), had received many favors from that Monarch, and acquired great reputation. Tho' he had never been in Scotland, he was however the young King's neareſt relation, and Hume had credit ſufficient to get him declared regent. Hereupon the ſtates ſent deputies to offer him the regency, intreating him to come inſtantly and govern the realm in the King's name. Lewis XII dying while theſe matters were in agitation, Francis I, his ſucceſſor, having great reaſons not to diſpleaſe the King of England, would not ſuffer the duke of Albany to depart 'till he had finiſhed his affairs with Henry: for which cauſe the regent arrived not in Scotland before May 1515. Scotland, during this interval, being without a governor, the diſſenſions among the grandees much increaſed, every one having time to form his cabals againſt the regent's arrival.

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The duke of Albany elected regent.

The firſt day of the year 1515 was the laſt of Lewis XII's life (2): but that Prince's demiſe occaſioned not any alteration in the ſituation of the Gallic realm's affairs. The duke of Valois, who ſucceeded him by the name of Francis I, plainly diſcovered, by adding the title of duke of Milan to that of King of France, that he intended to purſue his predeceſſor's deſigns. Mean while, he thought not proper to declare his intentions, 'till he had ſettled his affairs both at home and abroad.

AN' 1515. Death of Lewis XII. Francis I. King of France. Mezerai. Stow. Guicciard.

By the death of Lewis XII, Queen Mary his relict was at liberty to diſpoſe of herſelf, and to follow her own inclinations rather than the public views of the King her brother. Before her marriage, ſhe had conceived a no ſmall affection for Charles Brandon duke of Suffolk, a moſt accompliſhed nobleman; nay, it is even reported that the King had promiſed to marry her to him: but Lewis XII coming in the way, and her marriage with that Prince being to ſeal the peace between France and England, ſhe was under a neceſſity to ſacrifice her love to the good of the two kingdoms. The duke of Suffolk however waited on her into France, tho' he was not of the number of thoſe who were appointed to conduct her. Mezerai ſays,

Lewis XII's dowager eſpouſes the duke of Suffolk. Hall. Stow. Herbert.

(1) Lewis, when duke of Orleans, killed the duke his father at a turnament. Rapin.

(2) He died (ſays lord Herbert) after eighty days poſſeſſion, rather than injoyment of his Queen, leaving behind him no iſſue male, tho' otherwiſe of that eſteem among his ſubjects, for his care not to oppreſs them with impoſitions longer than his neceſſities required, that he was called Father of his People, p. 22. Stow, p. 496.

the

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the duke of Valois, preſumptive heir to the crown of France, had the ſaid Engliſh duke very narrowly watched, for fear he ſhould give the King a ſucceſſor. This evidences the Queen's inclination was no ſecret. Lewis XII's death occurring within three months after his nuptials, the dowager Queen was unwilling to run a ſecond hazard of being forced into the arms of another ſpouſe not of her own chuſing. Henry, ſuſpecting her deſign, wrote to her the begining of February, deſiring her not to re-marry without his participation: but the Queen believed it would be eaſier to obtain the King's pardon when the thing was done, than his permiſſion to do it (1): wherefore, in March, about two months after the deceaſe of Lewis XII, ſhe privately eſpouſed the duke of Suffolk. The very next day, ſhe notified the matter in a letter to the King her brother, and taking the whole blame on herſelf, intimated to him, that ſhe had in ſome meaſure forced the duke to this raſh action. Henry ſeemed at firſt highly inſenſed; but his anger was ſoon appeaſed. Their peace being made, they returned to Henry, and were very well received (2).

The parliament in England.

Diverſe ſtatutes. Herbert.

The parliament was then ſitting, and, as England was in profound tranquillity, the houſes were imployed ſolely in domeſtic affairs, which to foreigners are of little or no conſequence. There were however three ſtatutes paſſed this ſeſſion which deſerve notice. It was provided by the firſt, That, for the incouragement of the woollen manufacture, no unwrought wool ſhould be exported. This act by reaſon of its importance, has been often revived and yet, even to this day, no effectual means has been found to prevent the clandeſtine exportation of wool. The ſecond ſtatute declared all the King's poſterior letters patent to be void, except mention was therein made of the preceding ones: this was to prevent the King's being impoſed on. The third was no leſs neceſſary. It frequently occurred that, towards the end of a ſeſſion, ſeveral members went home, imagining there was nothing of moment to be done; and then the factious took advantage of their abſenſe, to propoſe and paſs ſuch bills as probably would have been thrown out had the houſe been more numerous. It was therefore inacted; "That the members who abſented "themſelves before the ſeſſion cloſed, without the "ſpeaker's and commons leave to be entered in "the clerk of the parliament's book, ſhould loſe "their wages (3)." I muſt now interrupt for ſome time the recital of domeſtic, to treat of foreign affairs, which are to ſerve for foundation to what will hereafter be advanced relating to England.

The alliance between France and England renewed. Du Bellay. Guicciard. Rym. Fœd. Vol. XIII. p. 473. 476.

A renewal of the alliance between France and England too nearly concerned Francis I, for him to fail of performing that article of the treaty, whereby the ſucceſſor of him who died firſt was to acquaint the other, whether he deſigned to prolong the term of the ſaid alliance. As he intended to paſs into Italy, to recover the duchy of Milan, it was abſolutely requiſite he ſhould ſecure the King of England. To that purpoſe, about the middle of March, he ſent to the firſt preſident of Roan, his embaſſador at London, a commiſſion to renew his alliance with Henry, as well as the bond for the payment of the million of crowns, whereto Lewis XII was obliged. This was done by a new treaty, ſigned the fifth of April, and exactly like the former. p. 476.

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Ferdinand ſeeks Henry's friendſhip. P. 494.

After all the frauds Ferdinand had practiſed towards Henry, there was no room to hope for a perfect friendſhip between them. Nevertheleſs the King of Aragon, who was not the leaſt diſcouraged, ſent his ſon-in-law Henry a freſh embaſſy, to propoſe renewing their alliance. Very probably, he believed not that Henry had ſo ſoon forgot the tricks he had played him; but it imported him the world ſhould know he had a miniſter in England. This embaſſador arrived in May; but was ſuffered, 'till October, to dance a fruitleſs attendance, without being diſpatched: nay, poſſibly enough, he would never have ſucceeded in his negociation, had not Wolſey imployed his credit to turn Henry from the reſolution he had taken of never more having any concerns with the King his father-in-law. I ſhall elſewhere diſcourſe more amply on this ſubject.

His embaſſador very coldly received.

Henry tries to be reconciled with the archduke Charles.

While the Spaniſh embaſſador was waiting in vain at London, Henry had two at Bruſſels, who made no greater progreſs. His dealing with the young archduke had not been over and above gallant, in ſo unceremoniouſly, without any apology, diſpoſing of, to Lewis XII, the Princeſs whom he had affianced. In reality, Charles had not repaired to Calais the fifth of May laſt year, as he was bound by the treaty of Liſle: but it could not thence be infered he had renounced his marriage, at leaſt before he was aſked, whether he intended to accompliſh it. Henry was therefore apprehenſive that the archduke, having lately aſſumed the government of the Netherlands, and made a treaty with France, would meditate vengeance for the affront: wherefore, in order to ſound him, or prevent the effects of his reſentment, he diſpatched away two embaſſadors, (4) to propoſe renewing the former alliance between Henry VII and Philip I, their fathers; but thoſe miniſters were made undergo a tedious attendance at Bruſſels, without being much regarded, or receiving any anſwer.

His embaſſadors ill received. p. 406.

Francis I. prepares to recover Milan. Guicciard. Mezerai. P. Daniel.

The affairs of Europe were then in a ſituation which would not allow the young archduke to ingage in any party. It was neceſſary, in order to take juſt meaſures, to wait the ſucceſs of the war which Francis I was preparing to carry into Italy. To all appearance, it would produce events likely enough to change and diſconcert the intereſts and projects of moſt of the Sovereigns, Since Francis's acceſſion to the crown, he had ſufficiently evidenced

(1) Lord Herbert ſays, ſhe wrote before her marriage to the King her brother, proteſting, that if he would have her married in any place, ſave where her mind was, ſhe would ſhut herſelf up in ſome religious houſe. She ſet the duke of Suffolk but the ſpace of four days to obtain her good-will, and told him, if he could not do it in that time, he ſhould be out of all hopes of injoying her, p. 22.

(2) The duke, with ſir Richard Wingfield and dr. Weſt, were deputed to carry over Henry's letters of condolance to the Queen, and had not long been at Paris, before he made his addreſs to her. They arrived the ſecond of May, and were publicly married on the thirteenth at Greenwich. The Queen (ſay the French) carried with her in Jewels, plate, and tapeſtry of Lewis XII, to the value of two hundred thouſand crowns: among which was a great diamond called le Mirior de Naples, which Francis would fain have redeemed at a great price. Ann Bulleyn ſtaid behind in the French court. Herbert, p. 22.

(3) Theſe wages were levied by the ſheriffs, and the moſt ancient writs for knights wages extant are thoſe of 28, 29, 32 of Edward I. The firſt ſtatute concerning them is that of 12 Richard II; namely, That the levying of the expenſes of knights ſhall be as hath been uſed before this time. The wages in this reign were four ſhillings a day for knights of the ſhire, and two ſhillings at leaſt for burgeſſes, beſide the charges of going and coming, and fees for writs, &c.——In this parliament there was alſo another ſtatute made, importing; "That whereas diverſe felons and murderers did, on feigned and untrue ſurmiſes, get "themſelves removed into the King's-bench, and could not by order of law be remited and ſent down to the juſtices of jail-delivery: "that therefore, for the future, the juſtices of the King's-bench ſhall have full power and authority to remand and ſend down the "bodies or indictments of all felons and murderers, into the counties where the murders or felonies were commited." Statute 6 Hen. VIII. c. 6.

(4) Sir Edward Poynings, and dr. William Knight.

that

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that he designed not to leave Maximilian Sforza in quiet injoyment of the Milanese. On the other hand, the King of Aragon was under apprehensions for Naples and Navarre. Francis I was a young Prince, full of courage and ambition, and it could not be doubted that he had formed great projects; and therefore all eyes were on him, to see in what manner he would commence his reign. He was making preparations which discovered he had some grand scheme on foot, and took not much pains to conceal that he had Milan in view. Mean while, he used for pretense of his armament, the invasion wherewith Burgundy was threatened by the Swissers: but the league he had lately renewed with Venice, and his offer to Ferdinand to prolong the truce, provided the secret article concerning the Milanese was annulled, were plain indications of his designs. Guicciard.

Ferdinand forms a league against France. Guicciard.

All this sufficed not to make Ferdinand perfectly easy: he was afraid of being deceived by Francis, and that his preparations were intended for Navarre. To prevent this danger, he rejected Francis's offer, and withal made use of it to induce the Emperor and Swissers to join with him in defense of the Milanese; intimating, that there was no room to question that the King of France would turn his arms that way. As for the Emperor, he needed not much sollicitation: he readily ingaged in every league, because he ever found means to do his own business at another's expense. With regard to the Swissers the difficulties were greater, because Francis had among them adherents who indeavored to dissuade them from the league: but finally his adversaries prevailed (1), and the league was concluded between the Emperor, King of Aragon, duke of Milan and Swissers. Ferdinand, on this occasion, failed not playing off one of his usual artifices. He persuaded the Swissers that, to defend the Milanese, the shortest way was to attack the King of France in his own kingdom. For that purpose, he ingaged to make a powerful diversion on the side of Fontarabia, while the Swissers should invade Burgundy, and the Emperor, by continuing war in the state of Venice, disable the Venetians from assisting the common enemy. His chief aim was to defend Navarre, in case King Francis thought of turning his arms that way, and then to hinder that Prince from possessing himself of the duchy of Milan. To both these ends was his league with the Swissers equally subservient: for, if Francis invaded Navarre, the Swissers would divert him from his purpose, by making inroads into Burgundy; but in case he really purposed the recovery of Milan, the Swissers, as next neighbors and most concerned, could not dispense with assisting that duchy. What Ferdinand had foreseen came to pass. Francis, having ordered his forces to file off towards the Alps, the Swissers sent their troops into Italy, where they seized the two passes thro' which only it was thought possible to enter the Milanese. When Ferdinand was assured the King of France was marching towards Milan, he disbanded the army levied for defense of Navarre, leaving the Milanese to be guarded by the Swissers. Even the army Ferdinand had in Italy, under command of the viceroy of Naples, moved not a foot to join them. The Emperor remained at Inspruck quite inactive. Leo X, who had likewise acceded to the league, afforded them not the least assistance. Thus the whole burden of the war fell on the Swissers, without even the other allies supplying them with a single penny of the money promised, But this was not strange: the Swissers were no more exempted than the King of England, and so many other Potentates, whom Maximilian and Ferdinand had served in the same manner.

He deceives the Swissers.

Francis passes into Italy. Guicciard.

The Swissers deserted by their allies.

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Mean while, Francis I, having found means to march his army thro' a streight which seemed impracticable (2), the Swissers who guarded the passes retired to Milan, and Francis advanced also towards the same city. When he was within a small distance, he offered the Swissers a sum of money to return home. This negociation was already in great forwardness, when they received a supply of fifteen thousand men of their nation; which reinforcement inspiring them with fresh courage, they resolved, by suggestion of cardinal de Sion, immediately to attack Francis, who lay incamped at Marignano, little expecting such a visit. They were defeated, and ten thousand slain on the spot; after which, they retired into their country, leaving Francis master of the whole Milanese. Maximilian Sforza, who had shut himself up in the castle of Milan, surrendered it by capitulation, and was sent into France, to pass his life privately. Guicciard.

Francis gains the battle of Marignano.

Before Francis commenced this expedition, Octaviano Fregoso had brought Genoua under the dominion of France, and instead of Doge, stiled himself governor for the King.

Genoua subjected to France. Guicciard.

Leo X had been in hope that Francis would never be able to enter Italy. He had joined in the league against him, but so secretly that Francis knew nothing of it 'till he came to Verceil. During the whole interval between that Prince's arrival in Italy and the battle of Marignano, the Pope was under great perplexities. He had sent an army into Lombardy to support the duke of Milan: but when he heard Francis had surmounted the difficulties of the passage, he sent orders to Lorenzo di Medicis, who commanded his army, not to commit any hostilities against the French; and, at the same time, he assured Francis, that his army was there only to guard Parma and Plasenza. Mean while, as the affair of Milan was not yet decided, he durst not make too many advances to the French King, for fear of disgusting the allies, who would have it in their power to be revenged had Francis been worsted. But, after the battle of Marignano, he immediately struck up a reconciliation with that Monarch; and, tho' he had grievously offended him, obtained however advantages which he could scarce have expected, even had he sided with him originally. The Popes make leagues, and undertake wars as temporal Princes, and when their affairs prosper not, disintangle themselves as heads of the church, and vicars of Jesus Christ. Tho' Leo X's behavior to Francis was such that he deserved no favor from that victorious Prince, he nevertheless obtained whatever he pleased, and, among other things, the abolition of the Pragmatic Sanction, for which the Pontifs his predecessors had thitherto in vain sollicited the Gallic Monarchs (3). Guicciard. Burnet.

Leo X makes his peace with Francis. Ibid.

Tho' Henry had not been able intirely to avoid the snares laid by the Pope, Emperor, and King of Aragon, he had happily got clear, but with a firm resolution never more to be thus over-reached. His affecting not to mention them, in his treaty with France, evidently demonstrated he did not much value their friendship. But he was not so fortunate as to persist in this resolution, since it was his own fault that he ingaged in a fresh war with France, not so much for his own, as the interest of others. His change may be ascribed to three several causes. The first is, his jealousy of the glorious success of

Henry ingaged in new troubles.

Causes of it.

(1) The rest of the confederates ingaged to pay them thirty thousand ducats per month. Guicciard. l. 12.

(2) Between mount Viso and mount Cenis. Hollingsh. l. 12. Thro' the valley of Barcelonete, Roque Sparviere, St. Pol, l'Argentiere, &c. P. Daniel, Vol. VI. p. 351.

(3) See a full account of these transactions in bishop Burnet's Hist. Ref. Vol. III. p. 8, &c.

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Francis's arms in Italy. The ſecond, to prevent the growing power of that neighbor. The third, and principal, was the intereſt of his favorite Wolſey who, fancying he had cauſe to complain of the King of France, would be revenged. The two firſt need no farther explanation. It is well known, that Princes are like other men, ſubject to paſſions, and that jealouſy may induce them to run counter to their intereſt. It is alſo known, that policy is as it were the hinge on which almoſt all their actions turn: but, on this occaſion, Henry went on very erroneous grounds, ſince nothing was more capable of ſecuring the peace of England than the King of France's acquiſitions in Italy. The third cauſe requires a more particular explication.

Wolſey's great credit. Pol. Virg.

Thomas Wolſey, archbiſhop of York, was King Henry's prime miniſter, and chief favorite: but ſaying thus expreſſes not the matter fully. It muſt be added, that he governed his maſter ſo abſolutely, that he turned him which way he pleaſed: yet he managed ſo artfully, that the King always fancied he took his own courſe, when he only followed the ſuggeſtions of his miniſter. Wolſey, for a perſon of ſuch mean extraction, had great talents; but he had alſo great failings. He was exceſſively vindictive, greedy of poſſeſſions and honors, and inſufferably proud and imperious. He no ſooner ſaw himſelf fixed in his maſter's favor, but he ſought means to remove from court all thoſe who, by the King's eſteem for them, gave him any jealouſy. Hall. Stow. Herbert. Richard Fox biſhop of Wincheſter, the dukes of Norfolk and Suffolk, who had been moſt in favor, received ſo many mortifications from this magiſterial prelate, that at length they left the court, purely not to be expoſed to his inſults. Fox withdrew to his dioceſe the begining of this year (1). The two dukes ſoon followed (2), and Warham archbiſhop of Canterbury retired alſo at the end of the ſame year. Theſe old miniſters being thus removed, Wolſey became ſtill more abſolute over the King, who had only him to adviſe with in his moſt important affairs. The reſt of the privy-council were all the favorite's creatures. The hiſtorians unanimouſly agree, that Wolſey's intereſt was the ſole rule of the counſels he gave his maſter; and, as this intereſt anſwered his reigning paſſions, revenge, greedineſs, ambition and pride, the reader muſt not be ſurpriſed when he ſees him hereafter inducing his Sovereign to make ſo many falſe ſteps.

Francis I wants to recover Tournay. Pol. Virg. Herbert. P. Daniel.

Francis I, ever ſince his acceſſion to the throne of France, had meditated how to recover Tournay from the Engliſh: there had even paſſed, in the begining of the year, a treaty on that ſubject, but to no purpoſe, becauſe Henry demanded, in exchange for Tournay, ſome places in the neighborhood of Calais (3), which Francis did not judge proper to grant him (4). But the greateſt difficulty came from Wolſey, who was far from adviſing the King his maſter to reſign Tournay, becauſe himſelf would have loſt the adminiſtration of that biſhoprick and the abby of St. Amand, which brought him a great revenue. On the contrary, he had been extremely urgent with Francis I to beſtow ſome good benefice on Lewis Guillard biſhop of Tournay, that he might ſuffer him peaceably to injoy his adminiſtration, Francis had promiſed it, but without deſignig to perform. Inſtead of aiding him to keep his ſaid adminiſtrations, he ſecretly perſuaded Guillard to ſollicit the Pope for his reſtoration, and even ſtrongly ſeconded his petition. He was of opinion, that, when once Wolſey ceaſed to be adminiſtrator, the reſtitution of Tournay would become abundantly eaſier.

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While Francis was ſtill in France, buſied in preparing for his Italian expedition, the Pope, yet uncertain of the ſucceſs of that enterpriſe, did not much regard the biſhop's ſollicitations. But when he ſaw that Prince maſter of Genoua, and entered the Milaneſe at the head of a powerful army, he readily granted a bull to Guillard, reſtoring him to his biſhoprick, and even allowing him to make uſe of the ſecular arm to obtain poſſeſſion. This bull, which ſacrificed the King of England's and his miniſter's intereſt to thoſe of the French King and the biſhop of Tournay, would ſeem very ſtrange, did not the conſideration of time and circumſtances make the wonder ceaſe. Leo X had given Francis juſt cauſe to complain of his conduct, and beheld that Monarch on the point of re-poſſeſſing himſelf of the Milaneſe, and concluding a treaty with the Swiſſers in order to diſmiſs them. It was therefore his intereſt to appeaſe him, by granting a favor he ſo eagerly deſired. Henry was extremely offended at this bull, which reſtored to the biſhoprick of Tournay a prelate who refuſed to ſwear fealty to him, and on which the King of France and reſtored biſhop of Tournay might proceed to raiſe there ſome ſedition. He therefore ſent orders to his embaſſador at Rome, to expoſtulate with the Pope, and repreſent to him the conſequences of his partiality. Leo X could not but acknowledge the charge: but, at that very juncture, Francis gaining the battle of Marignano, and preparing to make him feel the effects of his reſentment, it was no proper ſeaſon to inſenſe him farther, by revoking the bull. This convinced Wolſey that Francis was the real author of Guillard's reſtoration. Mean while Pope Leo, not a little imbaraſſed on the King of England's oppoſition, choſe to leave the affair undecided, by refering it to the examination of two cardinals, who probably were ordered not to haſten the concluſion. In the mean time, Wolſey was uncertain whether he ſhould keep the biſhoprick of Tournay: and that was preciſely what the King of France wanted, that this uncertainty might induce the ſelfiſh miniſter to find ſome expedient to make himſelf amends, after which it was apparent he would no longer oppoſe the reſtitution of Tournay. Moreover, to preſerve his friendſhip, which was very neceſſary by reaſon of his credit with the King his maſter, he promiſed to aſſiſt in procuring him a cardinal's hat. Wolſey was extremely ambitious of that dignity: On the deceaſe of cardinal Bambridge, he was in hopes of ſucceeding him in the cardinalate, as well as in the archbiſhoprick of York, and had even imployed, to ſollicite it in his name, cardinal Adrian de Corneto (5), the Pope's collector in England, under whom Polydore Virgil ſerved as ſub-collector; but Adrian, inſtead of ſerving him as he had promiſed, had done him ill offices. Wolſey, thereof having notice, was ſo inſenſed that, on ſome ſlight pretext, he commited Polydore to the tower. Then he cauſed the King to write with his own hand to Pope Leo, requeſting him to nominate in cardinal Adrian's room another collector. Henry's letter was ſo ſtrong and paſſionate, that the Pontif judged

The Pope reſtores the biſhop of Tournay. Herbert.

Herbert.

Francis promiſes to aſſiſt Wolſey in being made a cardinal. Herbert.

Cardinal Adrian deceives Wolſey; who takes revenge, and ſends Polydore Virgil to the tower.

Wolſey afraid of loſing his biſhoprick.

(1) On his departure, he deſired this only of the King, "That he would not ſuffer the ſervant to be greater than the maſter." To which the King anſwered preſently, "That it ſhould be his care, that thoſe who were his ſubjects ſhould obey, and not "command." Herbert, p. 24.

(2) The duke of Suffolk had borrowed from the King large ſums of money, which he hoped would have been forgiven him; but, on Wolſey's calling to account thoſe who were indebted to the crown, the duke withdrew from court. Hall. Hollingſh. p. 839.

(3) The county of Guiſnes or Ardres. Herbert, p. 23.

(4) In May this year, King Henry ſent-twelve hundred carpenters and maſons, with three hundred laborers, to build a caſtle for defenſe of Tournay. Stow, p. 479.

(5) Named by our hiſtorians de Caſtello: he was biſhop of Bath, and the King's orator at Rome.

proper

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Rym. Fœd. Vol. XIII. p. 515.

proper to comply with his demand: however, in his brief of adviſe, he told him; "He was very ſenſible "his anger againſt cardinal Adrian was inſtilled into "him by Wolſey." Mean while, Polydore Virgil continued in the tower, 'till at length cardinal Julio di Medicis and the Pope himſelf interceded for him, by letters of Auguſt thirty, and September three. As this was at the very inſtant when Francis was ſolliciting for Wolſey a cardinalate, that miniſter deemed it unſeaſonable to deny his Sanctity a boon of ſo ſmall conſequence; ſo Polydore got out of the tower, where he had been about a year. This ill treatment was, doubtleſs, one of the reaſons which induced him, in his hiſtory of England, not to forget any one of cardinal Wolſey's bad qualities.

Wolſey made cardinal. Hall. Herbert.

Wolſey, having at length obtained a cardinal's hat, was tranſported with joy when he received the news by a courier diſpatched to him by the King of France (1): but notwithſtanding he was wholly indebted to that Monarch for this favor, the injury he imagined, to have received in the affair of Tournay, created within him abundantly more reſentment than the preſent obligation inſpired gratitude and acknowledgment. In order therefore to be revenged, he reſolved on indeavoring to ſet the King his maſter at variance with Francis, and cauſe him to enter into a new league againſt France. Herein he gratified three predominant paſſions; his pride, in manifeſting to all Europe, that even Sovereigns offended him not with impunity; his revenge, in creating Francis great troubles; and his own intereſt, in ſecuring the adminiſtration of the biſhoprick of Tournay. In reality, a rupture between the two Kings was a moſt effectual method of preventing Guillard's reſtoration to his See. This is obſerved by hiſtorians as the principal cauſe of the alteration we are going to behold in Henry's conduct. Jealouſy and policy may likewiſe have contributed thereto, but leſs as true cauſes, than as incentives uſed by Wolſey to inflame his maſter's choler. Probably, under color that his honor was concerned, he repreſented to him the neceſſity of humbling the French King's pride, and inſinuated how dangerous it was for England that France ſhould grow too powerful. When he had prepared Henry, he privately acquainted Maximilian, that it would not be impoſſible to diſingage the King his maſter from the intereſts of France. We may reaſonably preſume that the Emperor with joy received this overture: beſide, his being without aid and allies, and conſequently little able to preſerve his conqueſts in Italy, he knew that, which way ſoever he was treated with, he ſhould always be furniſhed with money. While Wolſey was projecting a negociation with Maximilian, the Spaniſh embaſſador, who had unpleaſantly paſſed ſome months at London, was looked on at court with a much more favorable eye: nay, a treaty was begun with him about renewing the alliance between England and Spain, which, being ended the nineteenth of October, contained however only a confirmation of the ancient treaties of amity.

He perſiſts in his deſign to be revenged on the King of France. Pol. Virg. Herbert.

Wolſey treats privately with the Emperor. Herbert. Pol. Virg.

Henry renews his alliance with Ferdinand. Rym. Fœd. Vol. XIII. p. 520 —— 528. Guicciard.

Sforza's embaſſy to Henry. Herbert. Pol. Virg.

Mean while the Emperor, willing to improve the preſent opportunity, ſent to the King a Milaneſe embaſſador, to deſire aid in the name of Franceſco Sforza, who was in Germany, and had aſſumed the title of duke of Milan ever ſince Maximilian his brother had reſigned his right to the King of France. Tho' Wolſey had taken care to diſpoſe Henry to a rupture with France, he was not, it ſeems, fully determined. Franceſco Sforza's requeſt, or rather the Emperor's, ſeemed to him ſo important, that he deſired to have the opinions of the biſhop of Wincheſter, and the dukes of Norfolk and Suffolk, who to that intent were ſent for to court. The council being met to debate on this affair, cardinal Wolſey ſpeaking firſt, made a harangue abounding with bitterneſs againſt France, laboring to demonſtrate how much it was England's intereſt to oppoſe her growing power (2). The biſhop of Durham, and all the new counſellors, ſtrenuouſly ſupported the cardinal's opinion: but the old ones indeavored to diſſuade the King from breaking the peace lately concluded with France, ſince the new King had not given him any cauſe, and adviſed him rather to turn his arms againſt Scotland. Henry, who was already prepoſſeſſed, took a middle way, inſinuated doubtleſs by his miniſter: and that was, privately to aſſiſt the Emperor and Franceſco Sforza (3). Whereupon he ſent orders to Pace (4), his embaſſador at Maximilian's court, to treat with them, and to promote the treaty, returned him large ſums of money (5). Thus was he gradually ingaged, without foreſeeing that theſe ſteps muſt neceſſarily terminate in open war, as Wolſey deſired.

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Henry thereupon calls a great council. Pol. Virg. Herbert.

Henry reſolves to aid the Emperor privately. Pol. Virg. Stow. Hollingſh.

In Rymer's collection is extant a paper, evidencing the cardinal not to have forgot himſelf in theſe negociations. It is a promiſe from the duke of Milan's ſecretary, who, by virtue of expreſs power from the duke his maſter, ingaged to pay the cardinal a yearly penſion of ten thouſand ducats, to commence from the day of his maſters reſtoration. It is true this paper, being neither dated nor ſigned, may be conſidered only as a draught of the ſaid contract; but it is however a proof of the cardinal's ſelfiſh diſpoſition. The Emperor no ſooner heard that Henry was inclined to aſſiſt him againſt France, than he diſpatched to England Matthew Skinner cardinal of Sion, to negociate a league with him. This is the ſame prelate who, a little before, had incouraged the Swiſſers to attack King Francis.

The duke of Milan's promiſe to Wolſey Vol. XIII. p. 525. Pol. Virg. Herbert.

The Emperor's embaſſy to Henry. Hall. Stow.

The parliament re-aſſembled on the twelfth of November: but, as it was not yet time to lay before the houſes the King's reſolution with regard to France, there was no mention of war, or any foreign affair. The clergy, in a ſynod held at the ſame time, returned anſwer to the Pope concerning his demand of a moſt exorbitant ſubſidy, on pretenſe of an apparent war with the Turks. They alledged, that they were ſo exhauſted by the late war with France undertaken, at the inſtance of Julius II for the church's defenſe, that they were not in condition to grant a new ſubſidy: that beſide, by a decree of the council of Conſtance, the Pontif could not lay any impoſition on the clergy, without conſent of a general council.

Parliament meets. Herbert.

The clergy refuſe his Holineſs a ſubſidy. Hall.

While the Engliſh were thus indeavoring to ſcreen themſelves from the oppreſſions of the Roman court, they beheld a member of their own body, ariſing like a new Pope, whom they foreſaw it would be more difficult to reſiſt than him at Rome,

Cardinal Wolſey's pride. Herbert. Hall. Pol. Virg.

(1) In September. Hall, fol. 57. He was cardinal by the title of Sanctæ Cœciliæ trans Tiberim; or, Sancti Ciriaci in Termis. Rymer's Fœd. Vol. XIII. p. 529, 530.

(2) He likewiſe alledged, that Francis had broken the treaty by favoring Richard de la Pole, brother of the late duke of Suffolk, a fugitive and traitor; in aſſiſting thoſe Scots who oppoſed his ſiſter Queen Margaret. Beſide that, Francis with-held ſome goods and jewels of Queen Mary. Laſtly, he ſaid, Francis might be hindered of growing more powerful, without effuſion of blood, only by privately aſſiſting Maximilian. Herbert, p. 24. Pol. Virg.

(3) Lord Herbert (p. 25.) ſays, the King, after the debate, being inclined to the cardinal, ſaid, "He would hinder the "deſigns of Francis without coming yet to an open rupture."

(4) Late ſervant to cardinal Bambridge, who wrote the letter before mentioned concerning Silveſter's having a hand in poiſoning his maſter.

(5) Put into the hands of ſome Genoueſe merchants, who breaking, great part of the money was loſt. Hall, fol. 59.

becauſe

Henry VIII. An' 1515.

becauſe he was ſupported by the Sovereign: I mean Wolſey. Since that prelate was advanced to the cardinalate, he was become vainer, prouder and more imperious than ever. He never ſtired without a Prince's retinue, always attended by a crowd of domeſtics, cauſing the cardinal's hat to be carried before him like a ſort of trophy, and having it placed on the altar when he went to the King's chapel (1). He was the firſt eccleſiaſtic in England who ever wore ſilk veſtments, and uſed gold in ſaddles. In a word, he deviſed all kinds of methods to diſtinguiſh himſelf. His pride and arrogance gave ſuch univerſal offenſe, that it was inceſſantly talked of with indignation: but none durſt open his mouth before the King, ſince the old biſhop of Wincheſter, for only glancing thereat, was ſo ill received that ſhortly after he withdrew to his dioceſe. The archbiſhop of Canterbury was no leſs offended than the reſt, to ſee the archbiſhop of York thus affect ſo great a diſtinction: but what gave him moſt offenſe was, to ſee the croſs of York carried before the cardinal, tho' he was within the province of Canterbury. I have elſewhere ſpoken of this conteſt between the two archbiſhops, which, after having cauſed violent quarrels, could not be otherwiſe decided than by the King's expreſs command to the archbiſhop of York, not to have the croſs carried before him in the other province. But Wolſey, who thought himſelf much above his predeceſſors, in contempt of theſe prohibitions, prepared to revive the conteſt. Warham, who was of a peaceable temper, eaſily perceived that, tho' he ſhould attempt to hinder it, he ſhould not ſucceed, becauſe Wolſey had ſuch abſolute ſway over the King: wherefore, to avoid perpetually having this object before his eyes, he deſired the King leave to reſign the chancellorſhip, and retire to his palace. His requeſt was immediately granted; and the ſame day the King gave the ſeals to cardinal Wolſey. In all appearance, he had created Warham ſo many mortifications only to oblige him to quit his office, with which he deſired to be inveſted himſelf. To ſupport the ſplendor of his dignity with more ſtate than any other before him, the King daily loaded him with freſh favors, prebends, wardſhips and the like, which continually augmented his revenues. Beſide the archbiſhoprick of York and the chancellorſhip, he had in farm, on very low terms, the Biſhopricks of Bath and Wells, and Hereford (2), held by Italians reſiding at Rome: yet all ſufficed not to ſatiate his avarice. I muſt now, before I cloſe the year 1515, briefly recite the Scotiſh affairs, the knowledge whereof is requiſite for a reader's better underſtanding diverſe events mentioned in the ſequel.

He is made lord chancellor. Rym. Fœd. Vol. XIII. p. 529. Dec. 22. The King loads him with favors. p. 507, 530. Hall. Herbert.

Affairs of Scotland. Buchanan. Herbert. Pol. Virg.

Alexander duke of Albany, who had been declared regent in 1513, arrived not in Scotland 'till May 1515. He found the kingdom full of factions and diviſions, which made him ſenſible the adminiſtration commited to him would prove extremely troubleſome; but what gave him moſt uneaſineſs was, that the King of England was but too much concerned in what paſſed in Scotland, and to the utmoſt of his power fomented theſe diſſenſions. Under color that Scotland had been ſometime without a regent, Henry VIII, as the young King's uncle, had aſſumed the title of Protector of Scotland, and by virtue thereof his embaſſadors at Rome demanded of his Holineſs the eccleſiaſtical preferments of that kingdom, which he beſtowed on his creatures. But as ſoon as the duke of Albany was arrived, he wrote to Pope Leo, in the young King's name, ſharply complaining of the King of England's incroachments, and the court of Rome's condeſcenſion: he even menaced the Pontif, in his letter, not to apply to him for the future, on any account whatſoever, if this grievance were not ſpeedily redreſſed (3).

Henry VIII. An' 1515.

Rym. Fœd. Vol. XIII. p. 513. July 3.

The duke of Albany, tho' of Scotiſh extraction, was a mere ſtranger to Scotland (4), from whence the duke his father had retired in 1483. As, at his entrance on the regency, he was deſirous of acquainting himſelf with the realm's condition, he unhappily applied to Hepburne biſhop of Murray, a fiery, vindictive churchman, who took this occaſion of revenging himſelf on his adverſaries. This prelate, being prior of St. Andrew's, had been elected archbiſhop of that church in the begining of the preſent reign: but he was forced to reſign the archbiſhoprick to Forman biſhop of Murray, who was armed with a pontifical bull. However, Forman would never have ventured to make uſe of this bull, had he not been ſupported by Alexander Hume, a powerful nobleman already mentioned. By his credit and authority, Forman was inſtalled in St. Andrew's, having reſigned the biſhoprick of Murray to Hepburne, and promiſed to pay him a certain penſion. Hepburne, finding he had a fair opportunity to be revenged, painted out Hume to the regent in ſuch colors, that when he came to court he was looked on with a very ill eye. Hume, being by nature exceſſively proud and high-ſpirited, reſolving to convince the regent that no man ſhould ſlight him with impunity, went to the Queen dowager and, perſuading her that the King her ſon was in danger, adviſed her to carry him into England. This combination reaching the regent's ears, he repaired ſuddenly to Sterling caſtle and ſecured the King's perſon: but in order that his enemies ſhould not put any ill conſtruction on this action, he renewed his oath of allegiance to the King, and commited the care of his education to three perſons of irreproachable characters.

Buchanan.

Alexander Hume and his brother William, finding their plot diſcovered, fled immediately into England, and were ſoon followed by the Queen and her conſort the earl of Angus. When the regent heard this, he ſent Henry embaſſadors to juſtify his conduct, and at the ſame time ſo artfully treated with the fugitives, that he prevailed with them to return into Scotland; but the Queen being very far advanced in her pregnancy, ſhe was obliged to ſtay at Harbottle caſtle in Northumberland, where ſhe was delivered (5) of a daughter, whom they named Margaret (6). The ſequel of this buſineſs ſhall be related elſewhere.

Hall. Stow. Hollingſh. Rym. Fœd. Vol. XIII. p. 513.

(1) He is by Cavendiſh, ſaid to keep eight hundred ſervants, among whom were nine or ten lords, fifteen knights, and forty 'ſquires. The hat was borne, by ſome pricipal perſon, before him on a great height. He had moreover, his ſerjeant at arms and mace, and two gentlemen, carrying two pillars of ſilver, beſide his croſs-bearer. Herbert, p. 24. Pol. Virg. See Stow, p. 501. Burnet's Ref. Vol. III. p. 21.

(2) The biſhopricks of Bath, Worceſter and Hereford, the incumbents whereof, Adrian de Corneto, Silveſter Gigles, &c. being ſtrangers, who had been ſent here upon legations, King Henry VII, a frugal Prince, choſe rather to reward them on their return with preferments which coſt him nothing, than to impair his treaſure by making them preſents in money: and now living abroad, to ſave the charge of agents, and trouble of making returns by them, were willing to let the cardinal have the revenues at eaſy rates, with the diſpoſal of the eccleſiaſtical preferments thereto-annexed.

(3) He alſo wrote to the King of France, deſiring to be included in the treaty made at London, April 5, 1515. Rymer's Fœd. Vol. XIII. p. 508, 511.

(4) He was born in the time of his father's baniſhment, and ſuch a ſtranger, that he could not ſpeak the country language. Herbert, p. 26.

(5) October 7.

(6) Her huſband, the earl of Angus, left her, and returned into Scotland. She ſtaid about a year in England. Hall, fol. 58

The

HENRY VIII. AN' 1516.

The death of King Ferdinand (1), in February 1516, broke the meaſures cardinal Wolſey had taken to ingage all Europe in a war with France. Thus, notwithſtanding the cardinal's projects, Henry was forced to remain in peace, becauſe the other Potentates intereſts were not agreeable to his, or rather to the paſſions of his miniſter. But tho' Europe was very pacific for ſome time, it will be however neceſſary to relate, in each year of this calm, the ſituation of affairs of the principal ſtates, in order to ſhew the occaſion of the ſubſequent combuſtions.

Ferdinand King of Aragon's death. Herbert. Hall.

Nothing remarkable paſſed in England in the begining of the year 1516, except the birth of a Princeſs, whom the Queen brought into the world the eighteenth of February, and named Mary (2). Cardinal Wolſey, commonly ſtiled cardinal of York, ever mindful of what could procure him any advantage, cauſed thoſe who had managed the King's money to be called to a ſtrict account. The majority were however ſpared: but thoſe who had not the addreſs to make the miniſter their friend, were rigorouſly treated (3).

Birth of Mary, Henry's daughter. Hall. Stow. Hollingſh.

After Ferdinand's deceaſe, the kingdom of Aragon came of courſe to Joana his eldeſt daughter, already Queen of Caſtile. But that Princeſs was incapable of governing her dominions, by reaſon of her defect of underſtanding which had obliged the King her father to keep her confined; ſo that the adminiſtration of theſe two kingdoms, with all their dependencies, could not be diſputed with Charles of Auſtria, Joana's eldeſt ſon, and Sovereign of the Netherlands. But as that Prince reſided in Flanders, Ferdinand had left by his will the regency of Aragon to Alfonſo his natural ſon, biſhop of Saragoſſa, and that of Caſtile to cardinal Ximenes, 'till Charles ſhould come himſelf and aſſume the government. Mean while, when Ximenes would have taken poſſeſſion of the regency of Caſtile, Adrian Florentio, doctor in divinity, who managed the Prince of Auſtria's affairs in Spain, produced letters patent from his maſter, conſtituting him regent of that realm. But Ximenes refuſed to acknowledge him as ſuch, pretending that Charles had not power to appoint a regent before he was received for governor. The conteſt was however adjuſted by this expedient, that the orders ſhould be ſigned by both: but the cardinal left the doctor the bare name of regent only, and himſelf diſcharged all the functions. Mean while, Charles aſſumed the title of King of Caſtile, with the conſent of the ſtates of that realm: but the Aragonians, more jealous of their privileges than the Caſtilians, refuſed to give him the title of King of Aragon, while his mother Joana was alive: nay, there was a party in the kingdom who maintained, that Joana herſelf could not pretend to the crown of Aragon, becauſe daughters were excluded by the national laws, and therefore Charles could not derive from his mother a right ſhe never poſſeſſed. But others affirmed, that the excluſion of females extended not to their male-heirs. This was much the ſame caſe as happened formerly in France, in the diſpute between Edward III, and Philip of Valois. I ſhall enter no farther into the affairs of Spain. What I have ſaid is ſufficient to ſhew the neceſſity Charles was under of going thither, and how dangerous it would have been for him to ingage in a war againſt France, in the begining of ſo unſettled a reign. Accordingly, he neglected nothing to renew the treaties of peace and alliance, as well with France as England, but with liberty to take other meaſures when his affairs ſhould be in another ſituation. Juſt before the King of Aragon's deceaſe, he had, as Sovereign of the Netherlands, renewed the alliance with England, by a new treaty concluded at Bruſſels the twenty-fourth of February this year. About a month after, Henry, who was contriving to form a league againſt France, ordered his embaſſador to treat with Charles on that head. But Ferdinand's death ſo changed the face of affairs, that Henry was forced to be ſatisfied with a bare defenſive league, which I ſhall preſently mention; but muſt previouſly relate the ſucceſs of a campain made by the Emperor in Italy.

Charles of Auſtria ſucceeds Ferdinand. Mayern. Mezerai.

Affairs of Spain.

HENRY VIII. AN' 1516.

Rym. Fœd. Vol XIII. P. 533, 545.

P. 525.

It was not without reaſon that Maximilian had readily imbraced the opportunity offered him by cardinal Wolſey, of making war upon France. There was no more likelihood of his being able to keep his conqueſts in the ſtate of Venice, ſince Francis I was become maſter of the Milaneſe, and had joined forces with the Venetians: beſide, he could expect no farther aſſiſtance from the Pope, who had lately agreed with Francis. As for the Spaniſh army, which was retired to Naples, it was not eaſy to make them return, ſince they were neceſſarily to march thro' the Eccleſiaſtical State. On the other hand, King Ferdinand's death had changed the poſture of affairs, and quite deſtroyed the Emperor's hopes. So far was the new King of Caſtile from having any thoughts of a war with France, that it highly concerned him to maintain peace with that kingdom, in order to have time to ſettle his affairs in Spain. Thus the Emperor, contrary to his uſual method, was forced to act alone, during this year, in expectation of ſo imbroiling affairs, that other Potentates ſhould at length be conſtrained to join with him. He had already received ſome of the King of England's money, and cardinal Wolſey put him in hopes of ſtill larger ſums. With this aid, he aſſembled an army of about twenty thouſand men, Germans and Swiſſers, and in March entered the ſtate of Venice, while the Venetians, aſſiſted by a body of French troops commanded by Lautrec, were beſieging Breſcia. On his approach, the French and Venetians raiſed the ſiege, and after making a ſhew of diſputing his paſſing the rivers, retired to Milan to avoid a battle. Thus the Emperor approached Milan without much difficulty.

The Emperor's expedition againſt Milan. Guicciard. Mezerai. Pol. Virg. Herbert.

The French were in ſo great conſternation that they were like to abandon both city and duchy, and retire into France. Had Maximilian made the beſt expedition he was able, he would have doubtleſs conſtrained them to execute this reſolution: but having amuſed himſelf two or three days to no purpoſe, by the time he came before Milan the French had received news that ten thouſand Swiſſers of the Cantons in alliance with France were coming to their aſſiſtance, and were within a day's march.

The arrival of the ten thouſand Swiſſers at Milan, threw both parties into equal conſternation. The French, who conſidered theſe troops as a ſure aid, were ſtruck with aſtoniſhment when they heard that they abſolutely refuſed to fight againſt the

(1) In the ſixty-third year of his age. He left the ſtile of Catholic to his ſucceſſors. Tho' he had vaſt poſſeſſions, was much inriched from the Indies, proſperous in almoſt all his attempts, and of a frugal diſpoſition, yet the money found in his coffers ſcarce ſufficed to diſcharge his intering, tho' not very ſumptuous. Herbert, p. 26.

(2) She was born at Greenwich 1515-16.

(3) He ſo ſeverely puniſhed perjury, that in his time it was little practiſed: he alſo called to account perſons guilty of riots, vexing, oppreſſion, and the like; and erected four under-courts to hear complaints by bill of poor people: whereof the firſt was kept in Whitehall; the ſecond before doctor Stokeſly, the King's almoner; the third in the lord Treaſurer's chamber; and the fourth at the Rolls. Hall, fol. 59. Hollingſhead, p. 838.

HENRY VIII. AN' 1516.

Swiſſers in the Imperial army. Theſe laſt, on their part, demanded their pay with ſuch boldneſs, that Maximilian was afraid, it was a pretext not to join battle with their countrymen newly arrived at Milan. He had no money for them, and was apprehenſive the French had but too much to corrupt them: ſo, when it was leaſt expected, he ſuddenly retired, after which, having no money to pay them, the army diſbanded.

The Emperor makes as if he would reſign the Empire to Henry. Herbert.

Maximilian, having thus miſſed his aim, was forced upon new trials to ingage the Pope, the King of England, and the young King of Caſtile his grandſon, in a league againſt France: but this project was not eaſy to be executed. The Pontif had his private views, which ſuffered him not to break openly with Francis. Charles's council were better adviſed than to agree, that their maſter ſhould ingage to gratify his grandfather's paſſion at a time when he was neceſſarily obliged to haſten into Spain, and take poſſeſſion of his kingdoms. Thus the Emperor's whole refuge lay in the aſſiſtance he could expect from England: but as there was no likelihood, that Henry would undertake a war of which he was to bear the ſole expenſe, Maximilian bethought himſelf of a device to preſerve his good diſpoſition towards him, or at leaſt to draw money from him; and that was, to declare to Robert Wingfield, the Engliſh embaſſador at his court, that he was tired with the burden of the Empire, and, having a particular eſteem for the King his maſter, intended to reſign it to him. For that purpoſe, he charged him to write to the King, that if he would come to Triers, he would call a diet and ſettle that grand affair, after which, he offered to attend him to Rome, to be a ſpectator of his receiving the Imperial crown: he moreover put him in hopes, he would reſign to him his right to the duchy of Milan, and aſſiſt him in its conqueſt. Henry eaſily perceived Maximilian's aim in making ſuch offers, and therefore wrote to his embaſſador to thank the Emperor for his good intention, deſiring him to defer the execution of this project to a more convenient ſeaſon, when the French ſhould be expeled Italy. Mean while, in return for his good-will, he ſent him ſome money, excuſing the former defect of payment, with laying the blame on a Genoueſe banker (1).

Francis I. forms the project of invading Naples, but does not do it. Mezerai. Guicciard.

While Maximilian was indeavoring to imbroil the French affairs, Francis was forming new projects. He had good reaſon to be pleaſed with his glorious campain, which, in a ſhort time, had regained him the duchy of Milan. Mean while, Ferdinand's death inſpiring him with freſh hopes, he formed the deſign of ſeizing the kingdom of Naples, imagining the new King of Spain would be unable to defend it before he was thoroughly ſettled in his kingdoms: beſide, he believed he had ſo attached the Pope to his intereſts, by the treaty of Bologna, that he doubted not finding in him all the aſſiſtance neceſſary to his undertaking, looking on him as his beſt friend: but he was not well acquainted with Leo X's character. That Pontif did by no means deſire the French ſhould become more powerful in Italy, and if he inſinuated to Francis that he was in his intereſts, it was only to prevent his oppoſing the projects he had himſelf formed in his own family's favor. The Emperor's invaſion of the Milaneſe, this year, interrupted the execution of Francis's deſign upon Naples, and what afterwards occurred made him lay aſide all thoughts of it: however, his deſire to conquer that kingdom occaſioned a defenſive league againſt him, towards the end of the year, as after a few more words, concerning the Italian affairs, will be ſpecified.

HENRY VIII. AN' 1516.

No ſooner was Leo X reconciled with Francis I, than he deprived, on a frivolous pretext, the duke of Urbino of his duchy, and therewith inveſted Lorenzo di Medicis, who thenceforward aſſumed the title of duke of Urbino, and the aged diſpoſſeſſed duke retired to Mantoua.

The Pope diſpoſſeſſes the duke of Urbino. Cimarelli. Guicciard.

It was in order to accompliſh this deſign, that the Pope had flattered Francis with the hopes of aſſiſting him in the conqueſt of Naples. But after he had got poſſeſſion of Urbino, by that Monarch's connivance, inſtead of thanking him for the favor, his whole ſtudy was bent how to drive the French out of the duchy of Milan. To that end, he held ſecret intelligence with the Emperor, the King of England, and the new King of Spain, and, by the help of his emiſſaries, imployed his utmoſt efforts to perſuade the Swiſſers to break their alliance with France. Tho' he acted with all poſſible precaution, he could not treat ſo privately but that his ſecret practiſes came to the King's knowledge, who pretended however to be ignorant of them. On the contrary, he did whatever lay in his power to gain the Pontif ſincerely to eſpouſe his intereſt, otherwiſe he was ſenſible his attempt upon Naples would never ſucceed. Leo X deſired nothing better than to amuſe him, while he was ſecretly acting againſt him. But at length, Francis more and more diſcovering his inſincerity, ſet aſide all thoughts of the conqueſt of Naples, and determined on treating with the King of Spain, who, in the preſent ſituation of his affairs, could not but be deſirous of maintaining with him a good underſtanding. Thus the two Kings being equally inclined to a peace, ſent their plenipotentiaries to Noyon to conclude it. The treaty was ſigned the twenty-ſixth of Auguſt, the ſubſtance whereof was; That Charles ſhould eſpouſe Louiſa, Francis's daughter, then about a year old. That he ſhould have with her the King of France's pretenſions to the kingdom of Naples, and 'till the marriage ſhould be conſummated, Charles ſhould allow annually, for the young Princeſs's maintenance, a hundred thouſand crowns. That within ſix months he ſhould reſign the kingdom of Navarre to Henry d'Albret, ſon of John d'Albret and Catherine, King and Queen of Navarre, who were diſpoſſeſſed by Ferdinand; and in caſe Charles ſhould not perform this article, Francis ſhould be at liberty to aſſiſt the King of Navarre. Laſtly, That the Emperor ſhould reſtore Verona to the Venetians, who in return ſhould pay him two hundred thouſand crowns, and give him a full diſcharge for the ſum of three hundred thouſand crowns lent him, by King Lewis XII, to maintain the war againſt Venice. It is very viſible, that in a treaty ſo advantageous to France, Charles's meaning was only to gain time, by granting him whatever he could deſire, for fear of being prevented from going to take poſſeſſion of his kingdoms. Accordingly, this treaty was afterwards very ill obſerved.

He indeavors to drive the French out of Italy.

Francis tries in vain to gain him.

Treaty of Noyon between Francis and Charles. Mezerai. Herbert. Du Beliai. Guicciard.

The peace of Noyon was directly contrary to the deſigns of the Pope, Emperor, and King of England. The Pope was extremely deſirous the French ſhould be expeled Italy. Maximilian was wholly intent on raiſing enemies to Francis, to hinder his aiding the Venetians. He readily comprehended that he muſt reſolve either to ratify the treaty of Noyon, and conſequently reſtore Verona, or defend his conqueſt without the aſſiſtance of any ally. To avoid both theſe extremes, he tried all poſſible ways to imbroil affairs, and kindle a new

Intereſts of the Princes.

(1) The Empire was then ſo bare of money, that Maximilian was nick-named Pochi Denari, which in Italian ſignifies, Few-Pence. Herbert, p. 25.

war

Henry VIII. An' 1516.

war which might occaſion a league againſt France; hoping thereby to be able to reject, without danger, the treaty of Noyon, which he believed very prejudicial to his intereſts. It is true, the reſtitution of Verona would be worth to him five hundred thouſand crowns; but from that ſum muſt be deducted the three hundred thouſand which he owed, but never intended to pay, to the King of France: ſo, for the ſum of two hundred thouſand crowns, he was bound to reſtore Verona, that is to ſay, he was to be ſhut out of Italy, which was what alone made him conſiderable in the preſent ſituation of the affairs of Europe. Henry VIII was no leſs deſirous of a war with France, being prompted thereto by cardinal Wolſey, or by his jealouſy of Francis. But it was not the ſame with the archduke, to whom a peace for ſome time was very advantageous.

Negociations againſt France, Rym. Fœd. Vol. XIII. p. 547.

This was the ſubject of the ſeveral negociations, ſet on foot from the concluſion of the treaty of Noyon to the end of October. The chief aim of the Pope, Emperor, and King of England, was to diſingage the eight Swiſs Cantons, in alliance with France, from the intereſt of that crown, that their troops might ſerve to invade the Milaneſe. Mean while, they were laboring to form a league, wherein they paſſionately deſired to ingage the new King of Spain: but all they could obtain was, his conſent to a defenſive league, in caſe Francis attacked any of the confederates. Leo X, anſwerably to his uſual cuſtom, would not openly declare himſelf, but intimated, that he would readily join in the league when concluded, if a place was left for him. As to the Swiſſers, it was reſolved to include them, tho' they deſired it not, on the hopes of ingaging them by means of ſome chiefs of their nation, who had been gained.

which end only in a defenſive league. Ib. p. 556.

Articles of the league of London. Ibid.

This league was therefore concluded at London the twenty-ninth of October, about two months after the treaty of Noyon. It imported; "That "Maximilian, with the Kings of England and "Spain, ingaged to defend each other againſt any "Prince who ſhould attack one of the three, and the "number of troops, each was to find, was ſet-"tled (1): that all Princes, Potentates, repub-"lics, and ſtates, which deſired to enter into the "league, ſhould be admited: that as the confede-"rates had reaſon to hope the Pope would willing-"ly accede, they declared him head of the league. "Finally, that all the Swiſs Cantons ſhould be "deemed included in the league, provided they "ratified it, and to that end the penſions, which "ſhould with them be agreed on, ſhould be aſ-"ſigned them." By a private article, ſigned two days after, it was ſtipulated what each of the allies was to pay towards the penſions which ſhould be diſtributed to the Swiſſers, "as well to the "public as to private perſons (2)", (which are the very words) to induce them to come into the league. This ſhews there was no certainty of gaining them, and that the chief reliance was on the cabals of ſome intriguing men of their nation.

The Emperor makes peace with Venice.

To this league, inconſiderable as it was, tended all the motions of Pope, Emperor, and King of England, during this whole year's courſe. Maximilian had conceived hopes of ſome greater gain; and tho', by ſtipulation, his allies were, in ſome meaſure, bound to aſſiſt him, if the King of France continued to aid the Venetians, he ſoon diſ-reliſhed a league which procured him no money. Before the year was expired, he accepted and ratified the treaty of Noyon. At the ſame time, he concluded with the Venetians a treaty for ſome months, and they mutually concurred to put to arbitration the reſt of their differences. This determination of Maximilian quite changed the face of affairs, as will appear in the year inſuing. We find in Rymer's collection of public acts, that preſently after the league was ſigned, Henry ſent Richard Pace to the Swiſſers, to perſuade them to come into the league; but this meſſage proved of no effect. On the contrary, the Emperor reſolving to make peace with the Venetians, agreed, that the five Cantons which had refuſed to join with France, ſhould accede to the treaty made by the other eight with that crown.

Henry VIII. An' 1516.

Rym. Fœd. Vol. XIII. p. 570.

Before I quit the tranſactions of 1516, it will be neceſſary briefly to touch on what paſſed in Scotland. Henry, having formed great projects againſt France, and conſcious how cordially the duke of Albany wiſhed that realm's good, concluded on forcing the Scots to remove him from the regency: and, with that view, he required them to ſend embaſſadors, to whom he might impart certain matters advantageous to both kingdoms. This negociation tended only to preſs the Scotiſh grandees to expel the duke of Albany: he even wrote to the parliament of Scotland, that the beſt way to preſerve peace between the two nations, was to ſend back the regent into France, under color that it was dangerous to truſt the preſumptive heir to the crown with the guardianſhip of the young King; intimating withal; "That, in caſe of refuſal, he ſhould be "obliged, by proper methods, to provide for his "royal nephew's ſafety." He alſo gave to underſtand, that he claimed the regency as uncle to the infant King. But to this letter the parliament returned ſuch a reply as fully convinced Henry, that the Scots were not at all diſpoſed to gratify his requeſt (3).

Affairs of Scotland.

Ib. p. 549, 566.

Henry tries to have the duke of Albany removed. Ib. p. 550.

Ib. p. 550.

Whether Hume was concerned in the King of England's proceedings, or was only ſuſpected, the parliament ſummoned him to appear and anſwer to the accuſations brought againſt him. Hume, not thinking fit to appear, was condemned for default. He looked on this ſentence as unjuſt, and in revenge commited hoſtilities on ſome of his enemies. Hereupon the parliament granted to the viceroy a levy of ten thouſand men, to chaſtiſe the rebels: but his friends adviſing him to ſubmit, he caſt himſelf on the clemency of the regent, who ſent him to Edinburg, and commited him to the cuſtody of James Hamilton (4) his brother-in-law. Soon after, Hume perſuaded lord Hamilton to eſcape with him, and claim the regency, as James III's ſiſter's ſon (5), and conſequently as nearly related to the King as the duke of Albany. He urged; "That "if the duke could alledge, he was deſcended "from the male-line, it might be objected, that "he was ſon of a fugitive, born out of the king-"dom, and ſcarce acquainted even with the coun-"try language." The regent hearing of their

Hume's rebellion. Buchanan.

(1) Each of them was to find, on occaſion, five thouſand horſe, and twenty thouſand foot. Rymer, Vol. XIII. p. 558.

(2) ———In publico ac privato & particulari———Ibid. p 569.

(3) They ſaid; "The hall three eſtatis of the realme, had electit and nemmit, with ane conſent, the duc of Albany protector to "their ſouverane lord the King and his realme; quhilkis ordinans and electionn was affermit and approbate in parliament nevir "impugnit be perſon.——And this ordinains of parliament was conforme to imperiall, cannon, and their awin civile lawis: be "quhilkis lawis is decernit that the nerreſt and lauthful perſonage of the agnatis ſide ſall have the cure, tutoury, and gover-"nance, &c." See Rymer, Vol. XIII. p. 550, 551.

(4) Earl of Arran.

(5) His mother was Mary daughter of James II, firſt wife of Thomas Boyd, earl of Arran, but divorced from him, and married next, in 1474, to James Hamilton a favorite, from whom the dukes of Hamilton are deſcended. Others ſay, he married her after Boyd's deceaſe. See Anderſon's Tab.

flight

HENRY VIII. AN' 1516.

flight and deſigns, marched to attack Hamilton caſtle, and in a few days reduced it to a ſurrendry. Then Hume, finding it no longer time to diſſemble, raiſed troops, with which he took and utterly deſtroyed Dunbar.

Truce between England and Scotland;

Mean while, the embaſſadors ſent by the regent into England in May, had concluded a truce the firſt of June. But as Henry had granted the truce only to facilitate the execution of his deſigns, he appeared little inclined to obſerve it, after receiving the above-cited anſwer. However, in order to avoid a war, which muſt have been fatal to Scotland, the regent ſent him, by Francis de la Fayette, certain articles, deſiring his approbation, on which condition, he offered to come in perſon and pay him his reſpects. At that time the affairs of the reſt of Europe having, as has been intimated, aſſumed a new countenance, Henry agreed to prolong the truce to the cloſe of the year 1517.

Rym. Fœd. Vol. XIII. p. 574, 578.

prolonged. p. 577.

The Lateran council reſolves on reforming the calendar.

Theſe are the moſt conſiderable occurrences in the ſeveral ſtates of Europe during the year 1516. I ſhall only add a word concerning the Lateran council, which ſtill continued its ſeſſions without being much burdened with buſineſs. As the council interfered not either with the church's reformation, tho' they ſeemed to be called for that very purpoſe, or with the extirpation of hereſy, they reſolved, in order to keep themſelves imployed, to reform the calendar, which was become extremely defective. To that purpoſe his Holineſs, cauſing memorials to be drawn, undertook to write to all the Chriſtian Princes, inviting them to ſend their beſt aſtronomers to Rome, or at leaſt order them to examine what had been propoſed on that ſubject. We find, in Rymer's collection, the brief addreſſed to Henry VIII, where the Pontif ſays, "He had "adjourned the next ſeſſion to December, to give "the mathematicians time to ſend in their opi-"nions."

p. 552. July 10.

AN' 1517.

The Emperor reſtores Verona to the Venetians, and prolongs the truce for five years. Guicciard.

The Emperor, having ratified the treaty of Noyon as far as it concerned him, reſtored Verona to the Venetians, the fifteenth of January 1517, having received two hundred thouſand crowns, and an acquittance for what he owed the King of France. Moreover, to afford the arbitrators time to adjuſt the differences he ſtill had with Venice, he agreed the truce ſhould be prolonged for five years; but on condition that, during the truce, the Venetians ſhould pay him twenty thouſand crowns annually. It was in a manner impoſſible to make with him any ſort of treaty, without his being thereby a gainer of ſome money. Thus finally terminated a war which may be looked on as a mere conſequence of the league of Cambray. The Venetians were ingaged in it from firſt to laſt, and expended at the very leaſt five millions of ducats of the public treaſure, beſide the infinite damages their ſubjects had ſuſtained.

He concludes with Francis and Charles a league againſt the Turks. Herbert.

Maximilian, having thus deſiſted from his deſigns upon Italy, went into the Netherlands to viſit his grandſon Charles before he departed for Spain. During his ſtay there, he concluded with him and the King of France a league againſt the Turks, wherein a place was reſerved for the King of England. The Pope and Lateran council earneſtly preſſed all the Princes of Chriſtendom to join in this league, on pretenſe of the progreſs the Turks were making in Egypt againſt the Mamalucs, after which, he pretended, their deſign was to attack the Chriſtians. But what followed ſufficiently evidenced, that his Sanctity's ſole view was to amaſs treaſures for his own uſe, and to inrich his family.

Leo X excites the Chriſtian Princes to war upon the Turks. Rym. Fœd. Vol. XIII. p. 478. Jan. Guicciard.

Mean while, Charles, the new King of Spain, thought only of ſpeedily going to take poſſeſſion of his kingdoms. He had juſt made with Francis I a peace ſo advantageous to France, that he had no apprehenſion of that Prince's breaking it, becauſe ſo doing would not be for his intereſt: and therefore, when the Engliſh embaſſador preſſed him to ratify the London league, he defered it ſome time on diverſe pretexts, becauſe, deeming it needleſs, he dreaded offending the King of France. He ratified it however after ſome alterations, and finally, in Auguſt, departed for Spain, where his preſence was abſolutely neceſſary. On his arrival, he diſmiſſed cardinal Ximenes, who died with reſentment. After that, he ſo gave himſelf up to the Flemings, whom he brought with him, that the Spaniards conceived ſuch a jealouſy as carried them afterwards to great extremities.

HENRY VIII. AN' 1517.

Charles ratifies the league of London. Rym. Fœd. Vol. XIII. p. 571.

He arrives in Spain, and diſmiſſes Ximenes.

The Pope and Francis diſſemble their ſentiments of each other.

Pope Leo, as I obſerved, continually amuſed Francis with the hope of a ſtrict alliance with him, at the very time he was raiſing him enemies on all ſides. Francis was partly informed of his practiſes, but was not acquainted with the whole; wherefore, in expectation of really attaching him to his intereſts, at the long run, as we ſay, he neglected not one ſtep he judged capable of gaining him, even faining to think him his beſt friend when he moſt ſuſpected him: but as the Holy Father was in his conſcience ſatisfied that he merited not the amity of King Francis, he could not believe his advances ſincere. Mean while, it was for his intereſt that Francis ſhould publicly appear to be his friend, and therefore he kept very fair with him, and not without cauſe. In the begining of the year 1517, Franceſco Maria della Rovere, who had been diſpoſſeſſed of the duchy of Urbino, prepared to recover his dominions. When, by the truce concluded between the Emperor and Venice, the Spaniſh troops in the Venetian territories were become uſeleſs, La Rovere found means to gain and imploy them in his ſervice. With theſe ſupplies he took Urbino, and carried terror into Tuſcany and the Eccleſiaſtical ſtate. Lorenzo di Medicis, the new duke of Urbino, or rather the Pope his uncle, being then unable to recover that duchy, he was obliged to have recourſe to the aſſiſtance of Chriſtian Princes, under color that the church was grievouſly oppreſſed, the Medicis family's intereſt being then the ſame with thoſe of the church. Francis I, who had gaining the Pontif conſtantly in view, made uſe of this opportunity to do him a ſignal ſervice, in ſending him a good body of troops, under conduct of Leſcun, Lautrec's brother. This war however laſted ſeven or eight months, during which the Pope never ceaſed preſſing all the Chriſtian Potentates to contribute towards the charges of a war which, according to him, ought to have affected the whole univerſe: Henry VIII, being ſollicited like the reſt, refuſed to be any way concerned in the diſpute: but the Pontif found means to ingage his ſubjects, by levying a tenth upon the clergy, of which cardinal Wolſey was nominated his Sanctity's collector. The Urbino war terminated in a manner little expected by La Rovere: Leo corrupted the Spaniards in his ſervice, who in his name ſtruck up an agreement which he was forced to accept. Thus, being once more obliged to quit his dominions, he again took ſhelter in Mantoua.

La Rovere gets poſſeſſion of Urbino. Guicciard.

Francis I aids the Pope. Mezerai.

The Pope levies a tenth upon the Engliſh clergy. Rym. Fœd. Vol. XIII. p. 59[illegible] June 10. p. 596, 598.

La Rovere driven from Urbino.

While Pope Leo was buſied in the Urbino war, he diſcovered a plot againſt his perſon, contrived by the cardinal of Sienna, who had bribed a ſurgeon to poiſon him. His ſaid eminence, when the conſpiracy took vent, being abſent from Rome, Leo, who paſſionately thirſted to have him in his power, ſcrupled not uſing fraud to attain his deſire. He ſent him a ſafe-conduct, and moreover ſolemnly ingaged his word to the Spaniſh embaſſador not to do him any injury. The cardinal, being ſo weak as to come to Rome on the faith of Leo's ſafe-conduct, was inſtantly ſhut up in caſtle St. Angelo, and afterwards there ſtrangled. The Spaniſh embaſſador complained of this breach of faith; but was

Conſpiracy againſt the Pope. p. 589. Guicciard.

Henry VIII. An' 1517.

was by the Pontif told; "That a ſafe-conduct "was never ſuppoſed to extend to high-treaſon, "without expreſs mention of the caſe." Some other cardinals, accuſed or ſuſpected of being concerned in the combination, were depoſed, impriſoned, or ſeverely fined.

Marriage of Lorenzo di Medicis with the heireſs of Boulogne. Guicciard.

Francis I never ceaſed courting the Pope to gain his friendſhip, as being apprehenſive leſt, by his ſecret practiſes, he ſhould re-kindle the war, to deprive him of Milan. He imagined to have found at laſt a moſt infallible method for attaching him to his intereſts, in procuring Lorenzo di Medicis a very advantageous match with Magdalen heireſs of the houſe of Boulogne. This propoſal was gladly accepted, and Lorenzo, repairing to Paris for that purpoſe, did, in the Pontif's name, ſtand godfather to the young Dauphin, born the begining of this year. In acknowledgment for the King's favor to Lorenzo, the Pope granted him tenths upon the clergy, under color of the war to be entered on againſt the Ottomans: but he took care to aſſign therefrom fifty thouſand livres, for expenſes of the nuptials which were to be ſoleminſed at Paris.

Sale of indulgences on pretenſe of a war with the Turks. Guicciard. Sleidan.

This pretended war which Chriſtendom was to undertake againſt the Turks, ſeemed to his Holineſs to be a fair opportunity to inrich himſelf by contributions of Chriſtians. To that end, he granted plenary indulgences to all ſuch as would contribute, and cauſed them to be publicly ſold at a price ſo moderate, that people muſt have been ſhametully careleſs of their future welfare not to make the purchaſe; and this cheapneſs it was which made the Pontif expect to reap immenſe profit, ſince, in all probability, not a Chriſtian would be without them. Mean while, that the money ariſing from the ſale might be regularly collected, all Chriſtendom was cantoned out into ſeveral diviſions, and in each were appointed collectors to receive the money, and preachers to extol the benefit of indulgences (1). But, by a certain accident which at firſt ſeemed very unconſequential, the archbiſhop of Mentz, who was commiſſioned to appoint the preachers in Germany, thought proper to aſſign the Saxon diviſion to the Jacobins, whereas, in former Croiſades, that imploy had been alloted to the Auguſtines. The wrong done to theſe latter rouſed their jealouſy. They narrowly examined the deportment of both preachers and collectors, firſt ridiculed and afterwards exclaimed againſt them very loudly. At length, Martin Luther, a monk of the Auguſtine order, and divinity-profeſſor in the new univerſity of Wirtemberg, publiſhed ſome writings againſt them, not without ſatyrical remarks on the very indulgences. This boldneſs created him ſome enemies, who, by their oppoſition, obliged him by degrees to inquire more carefully into the grounds of thoſe indulgences; and he was ſoon convinced they had no foundation in the holy Scriptures. From thenceforward he uſed his utmoſt indeavors to undeceive the public concerning the hitherto-received ſentiment of the Pontifical power. Hence ſprang the reformation which afterwards ſpread itſelf in Germany, and diverſe other ſtates of Europe.

MartinLuther begins to appear. Sleidan.

The Pope at firſt little regarded Luther's repreſentations. He not once imagined that the Papal power, which ſeemed to ſtand on immoveable foundations, could be prejudiced by a ſingle fryer: wherefore, contemning this trifling oppoſition, he continued without interruption to ſell his indulgences. He every where publiſhed, that a powerful effort was to be made on the Infidels, and exhorted all Chriſtians to contribute, according to their abilities, towards ſo neceſſary a war, which would procure them, beſide many temporal advantages, deliverance from the pains of purgatory, provided they would qualify themſelves to injoy the indulgences. One thing however very much cooled the zeal of many Chriſtians for this Croiſade. It was diſcovered that his Holineſs had already, for his own temporal concerns, diſpoſed of the money which was to ariſe from the ſale of indulgences: for inſtance, he had aſſigned to his ſiſter Magdalen di Medicis, wife of Franceſco Cibo Innocent VIII's natural ſon, part of the money to be raiſed in Germany. Nevertheleſs, he continued his ſollicitations in every ſtate of Europe. He forgot not writing to Henry VIII, exhorting him to join his forces with thoſe of the other Chriſtian Potentates, and exciting him to this pious work by great commendations of his conſtant zeal in defenſe of the holy See, and exaltation of the faith. All theſe encomiums cloſed with a demand of two hundred thouſand ducats for the pretended war upon the Infidels: but it appears not that Henry complied with his requeſt. The Turks were then imployed in Egypt and Perſia, and the Croiſade was founded only on a bare conjecture that, after ending thoſe wars, they would invade Chriſtendom. One muſt have wilfully ſhut his eyes, not to perceive the whole to be merely a pretext to repleniſh his Sanctity's coffers: beſide, in the then poſture of affairs in Europe, Henry had no great occaſion for the Pontif.

Henry VIII. An' 1517.

Rym. Fœd. Vol. XIII. p. 592.

He demands money of Henry, who refuſes.

The Pope continues to ſollicit a Croiſade.

In this interim, cardinal Wolſey, perceiving the league of London would come to nothing, becauſe Francis was not diſpoſed to commence a freſh war with any of the confederates, dreaded his laying hold on this pacific interval to move the Tournay buſineſs. On the other hand, by many circumſtances which had occurred ſince the ſaid affair had been put into the commiſſioners hands, he was ſufficiently convinced how much he was conſidered, on account of the abſolute ſway he bore over his royal maſter. Indeed, nothing could be expected from the King but thro' his means, and for that reaſon all the Princes ſtudiouſly made their court to him, to gain him to their intereſts. In Rymer's collection of this year's public acts, we find that Charles King of Spain aſſigned him a penſion of three thouſand livres annually, tho' he had not as yet received from him the leaſt ſervice; and therefore it was for thoſe he hoped to receive in futuro. Mean while, Wolſey was uneaſy about Tournay. As the Pope and King of France regarded him only for the ſake of what he could do for them, he ran the hazard of their retracting the deference they expreſſed for him, in caſe they ſhould ever chance to ſtand no longer in need of his aſſiſtance. He began therefore privately to intimate to Francis I, that it would not be impracticable to prevail on King Henry to part with Tournay for a valuable conſideration in money, provided he himſelf was recompenſed for the adminiſtration of the biſhoprick. I ſhall, under next year's occurrences, recite the ſucceſs of this negociation.

Wolſey's uneaſineſs about the biſhoprick of Tournay.

Ibid. p. 591.

He begins to treat with Francis about reſtoring that place.

Henry, injoying this year great tranquillity, reſolved to ſee what the Emperor intended with regard to his reſignation of the Empire to him, as he had intimated. Maximilian being in Flanders with his grandſon the King of Caſtile, Henry ſent the biſhop of Wincheſter, with doctor Cuthbert Tunſtal, to renew with him that negociation, withal acquainting him that, if he would appoint a convenient place,

Henry's negociation with the Emperor, concerning that Prince's ceſſion of the Empire, ineffectual. Herbert.

(1) Guicciardin, (L. XIII) among other attrocities of this kind, acknowledges the affair of indulgences was carried to ſo ſhameleſs a length, that the Papal powers, for releaſing ſouls frying in purgatory, were openly gamed for in taverns, and other public places of reſort.

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he would paſs over and have with him a perſonal conference. The Emperor, who had never intended any ſuch reſignation of the Empire, and ſtill leſs at that juncture, replied very courteouſly; "That, "to ſave King Henry the trouble of croſſing the "ſea, he would himſelf go and confer with him "in England." But when the embaſſadors preſſed him on the affair they were charged with, they found he ſought only to evade his ſaid ſpontaneous offer. One while he ſaid; he would reſign the Empire to Henry, but firſt would try to obtain of the Imperial diet, that himſelf might retain the title of King of the Romans; and the ſame be rendered hereditary to his family. Another while; he talked of making Charles his grandſon Emperor, Henry King of the Romans, Ferdinand Charles's brother King of Auſtria, and himſelf only marſhal of the Empire. Such irreſolution convinced the embaſſadors nothing was to be expected from the negociation; and they notifying the ſame to their Sovereign, that Prince was readily perſuaded, that Maximilian had no other deſign than to draw from him a ſum of money.

Inſurrection at London. Hall. Stow. Hollingſh.

This year, the London apprentices roſe againſt foreign merchants, in which inſurrection diverſe perſons loſt their lives: but it was appeaſed by the puniſhment of ſome of the ſeditious, who were hanged in the principal ſtreets of that city (1).

The ſweating ſickneſs. Hall. Stow.

This ſame year, the ſweating ſickneſs made great ravages in the kingdom, and eſpecially at London. Moſt of thoſe who were ſeized with it, died within three hours, and no cure could be found. As this diſtemper was peculiar to England, it was called Sudor Anglicus, or the Engliſh Sweat (2).

Affairs of Scotland. Buchanan. Herbert. Pol. Virg.

The affairs of Scotland were ſtill in the utmoſt diſorder, by reaſon of its inteſtine diviſions. Alexander Hume and his brother William, after ſeveral pardons, were finally beheaded (3). Theſe two brothers being thus removed, the duke of Albany, hoping Scotland would be in perfect tranquillity, reſolved to take a journey into France, promiſing to return in few months: but being detained there longer than he expected, by accidents hereafter mentioned, the Scotiſh affairs fell into very great confuſion, on account of the diſſenſions among the grandees, which were inflamed by thoſe who deſigned therefrom to take advantage.

An' 1518. Leo X ſends legates to ſollicit the Croiſade. Guicciard. Hollingſh.

Mean while, Pope Leo eagerly puſhed the affair of the pretended war, contriving, with the embaſſadors reſiding at his court, projects which would have required a more fervent zeal and a perfecter union than are uſually to be met with among Potentates. To execute his deſigns, he muſt have amaſſed vaſt ſums of money, and that was the ſecret intent of the league propoſed by his Holineſs, and whereof he was to be head and director. In order thereto, he exhauſted, if I may ſo expreſs it, the church's treaſures, to incourage the faithful to exchange their periſhable wealth for eternal advantages. This affair was carried ſo far, that he ſent legates to every court, to excite the Sovereigns to unite their forces to deſtroy the Infidels. There was not one who did not outwardly expreſs a moſt ardent deſire to apply himſelf to ſo holy a work, provided he could be ſecured from being diſturbed by his neighbors: but that was what rendered the execution of this project extremely difficult, becauſe they had not any confidence in each other. Nor had they a tittle more in the Pope himſelf, who, ſince the begining of his pontificate, had but too plainly diſcovered that the concerns of religion were not what moſt affected him. Wherefore, in ſeeing him act thus zealouſly, they could not help ſuſpecting, that the deſire of inriching himſelf by voluntary contributions of Chriſtians, by the ſale of indulgences, by tenths of the clergy, and by the bounties of Sovereigns, was what moſt fired his zeal. Nevertheleſs, not one of them cared to ſhew any averſeneſs to the undertaking, leſt he ſhould be taxed with not having a due regard for religion: but they gave only words, whereas his Sanctity wanted deeds. Hence the Pope's ſcheme of a univerſal league had not, as will hereafter be ſeen, the ſucceſs he expected: nevertheleſs his ſaid project, tho' merely chimerical, ſerved for pretenſe and a cloke to many other deſigns. The Emperor, deſiring to have one of his grandſons choſen King of the Romans, uſed the pretext of this imaginary war, Chriſtendom was in danger of from the Turks, to ſhew the neceſſity of continuing the Imperial dignity in the houſe of Auſtria, there being no other in Germany able, by its own ſtrength, to withſtand their arms. Charles King of Spain made uſe of the ſame pretenſe for the ſame purpoſe. Beſide that, as he had occaſion for ſome years of peace, he ſtrenuouſly inſiſted on the project of a general truce, that the Chriſtian Princes might be free to unite their forces againſt the Ottomans. Francis plainly ſaw, by the defenſive league made againſt him, that a pretext was only ſought to invade him, and recover the Milaneſe; wherefore a general truce could not but be advantageous to him in his then circumſtances. He had moreover in view the reduction of Tournay, which could be effected only during a peace. Henry VIII, knowing that the Pope, Emperor, and Kings of France and Spain had joined in a league againſt the Turks, was apprehenſive that league veiled ſome combination againſt him; and for that reaſon, he would not refuſe entering into the ſame ingagement, for fear of furniſhing them with a handle. Thus the chief Potentates of Europe being concerned to improve the Croiſade, or at leaſt not to reject it, the leſſer powers were alſo obliged to follow the torrent: and this it was which gave the Pope great hope he ſhould at laſt accompliſh his deſigns; but, as in reality not one of the Princes thought the affair practicable, the project was ſtill very remote from being executed.

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The project of the Croiſade uſeful to the houſe of Auſtria. Mezerai.

While Leo X amuſed himſelf with theſe expectations, Francis was abundantly more ſeriouſly meditating how to recover Tournay, than on any thing concerning the Croiſade. On the other hand cardinal Wolſey was afraid of loſing the adminiſtration of that biſhoprick, becauſe he ſaw no likelihood of ſowing diſcord between France and England, at a juncture when every Potentate in Europe expreſſed a deſire to live in peace. He could not therefore keep the adminiſtration, provided Guillard, the rightful biſhop, would ſwear allegiance to King Henry, whereto he ſeemed inclined. This induced him to imbrace the ſecret offers of Francis, to make him ample amends if he could prevail on the King his maſter to reſtore that place to France.

Negociation touching Tournay. Herbert. Stow. Pol. Virg.

(1) The chief author of this inſurrection (which began April 28) was one John Lincoln a broker. He drew up a paper full of complaints againſt the foreign merchants, which he got doctor Bele, a noted preacher, to read in his pulpit on Eaſter Tueſday; whereupon the mob aſſembled, and commited ſeveral outrages. The curious may find a particular account of this commotion in Hall, fol. 59——63. Hollingſh. p. 840, &c.

(2) This diſtemper continued from July 'till the middle of December. Many knights, gentlemen, and officers of the King's court died thereof, as lord Clinton, lord Grey of Wilton, and of the common ſort of people ſo many, as in ſome towns it carried off half, in others a third of the inhabitants. Hall, fol. 63. Herbert, p. 28——There was alſo ſo great a drougth this year, that it did not rain from the begining of September till the May following. And the froſt was ſo hard in the winter, that horſes and carts could paſs over the Thames on the ice between Weſtminſter and Lambeth. Stow, p. 505.

(3) On the 16th of October, 1516. Herbert, p. 27. The 11th, ſays Buchanan.

Francis

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Francis was very ſenſible that, before all things, the cardinal was to be ſatisfied, not only to get him Tournay, but to procure it as cheap as poſſible. This was the ſubject of a private negociation between them, before any part of the affair was communicated to Henry. To ſucceed, Francis ſpared neither flatteries, nor promiſes, nor preſents. If Polydore Virgil may be credited, theſe preſents were very conſiderable: however, it was between them ſtipulated; That the cardinal ſhould be recompenſed with a yearly penſion for his loſs of the adminiſtration; and that the King of France ſhould pay Henry ſix hundred thouſand crowns for Tournay. But as this ſum was ſomewhat too exorbitant, a certain expedient, hereafter ſpecified, was found to reduce it to one conſiderably more moderate. On theſe two conditions, the cardinal undertook to obtain his maſter's conſent to the King of France's deſires. One of leſs aſſurance than cardinal Wolſey, and not ſo ſecure of the King's confidence, would doubtleſs have been greatly imbaraſſed, ſince the buſineſs was to convince the King of directly the contrary to what thitherto he had been indeavoring to perſuade him, namely, that Tournay was no longer of any utility. When Francis would have treated for the reſtitution of Tournay, Wolſey had repreſented to the King; "That, both "for his own and England's intereſt, it was of "very great conſequence to keep that place, which "was moreover a perpetual monument of his "victories, while it ſhould be in his hands." Now altering his tone, he undertakes to perſuade, and indeed does perſuade him; "That the place is "quite uſeleſs, and the maintenance of its gariſon "abundantly out-balances all advantages he can "thence propoſe to receive: that it was better to "yield it to the King of France, who earneſtly "ſued for it, and, to obtain it, ſcrupled not con-"deſcending to make preſents to a miniſter: that "nothing could be more honorable for the King, "than to ſee that Monarch make the firſt advan-"ces to procure his friendſhip, and render it per-"petual by the Dauphin's marriage with Princeſs "Mary, as he alſo propoſed: that therefore the "preſent opportunity ſhould be improved to re-"ceive a good ſum of money in lieu of Tour-"nay, which, being ſo remote from Calais, would "infallibly be loſt on the firſt rupture between the "two crowns: that hereby the King of France, a "moſt powerful Prince, would be obliged to be "his friend, and their union would render them "umpires of Europe: that this union was the more "neceſſary, as it was time to think of oppoſing the "growing power of the houſe of Auſtria, which "family, poſſeſſing the Empire, Spain, the Ne-"therlands, the Kingdoms of Naples and Sicily, "was infallibly on the point of becoming extreme-"ly formidable to all other Sovereigns." The ſtrength of theſe reaſons was too manifeſt for Henry to reſiſt them: all he could think ſtrange was, that the cardinal had not ſooner propoſed them, but 'till then had rather uſed arguments directly oppoſing the reſtitution of Tournay. But, as it has been remarked, Wolſey had over him ſuch aſcendancy that he could perſuade him, pro and con, juſt as he pleaſed (1).

Pol. Virg.

Henry having agreed to the cardinal's propoſals, what remained was to treat on the matter. As ſoon as Francis was informed of it, he ſent to England a ſolemn embaſſy, conſiſting of admiral Bonnivet, Stephen Poncher biſhop of Paris, and M. de Villeroy ſecretary of ſtate (2). For form's ſake, ſome time muſt be imployed in this negociation, tho' the King of France and Wolſey had already agreed on the chief articles, by the mediation of Villeroy, who had been in London ever ſince the begining of July, whereas the collegues arrived not 'till two months later. The French embaſſadors had full powers to treat of renewing friendſhip between the two Kings; of a league with the Pope and all Chriſtian Princes who deſired to be included in it, for the defenſe of religion and the church; of a marriage between the Dauphin and Princeſs Mary King Henry's daughter; of the reſtitution of Tournay, St. Amand, and Mortagne; and of an interview of the two Kings. Moreover, they brought Francis's letters patent, whereby he promiſed to pay annually to his good friend the cardinal of York, a penſion of twelve thouſand livres, in conſideration of his relinquiſhing the adminiſtration of the biſhoprick of Tournay. As the treaties concluded on theſe articles were not ready 'till the begining of October, I ſhall briefly touch on another affair, tranſacted at this very juncture.

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Embaſſy from Francis to Henry. Herbert. Hall. Rym. Fœd. Vol. XIII. p. 608, 611.

p. 611.

p. 613, 616.

p. 616.

p. 610.

The Pope was ſtill intent on the Croiſade buſineſs, whence he hoped to draw great profits. He wrote laſt year to all Chriſtian Princes, to notify the victory of Selim the Turkiſh Emperor over the Mamalucs of Egypt, whoſe Empire he had utterly ſubverted. Early in this year, he cauſed the college of cardinals to ſend a letter to Henry, repreſenting to him, the danger Chriſtendom was in after the victory obtained by the Ottoman Emperor over the Sultan of Egypt, who, according to the beſt advices, was ſlain in battle. The cardinals exhorted the King to undertake the defenſe of religion, jointly with all the other Chriſtian Sovereigns, with the Pope and ſacred college, who were ready to ſacrifice to that end, their own, as well as the church's treaſures. The plain meaning of all this was, that Henry ought to contribute largely in money towards the Croiſade, his country being too remote from Turky to ſend thither his forces.

Rym. Fœd. Vol. XIII. p. 603.

Some time after, the Pope ſent legates a latere (3) to ſeveral courts (4), with orders to exhort the Sovereigns to accept and preſerve a five years truce, injoined by his power apoſtolic. They were likewiſe to uſe their indeavors to perſuade them to unite all their forces, and make war upon the Turk. Cardinal Lorenzo Campejo was appointed for England, and already departed from Rome in the begining of May, in order to execute his commiſſion. But Wolſey deemed it a very great affront, that the Pope had not thought of him for his legateſhip. Wherefore, while Campejo was on the road, he ſent a truſty meſſenger to Rome, repreſenting to his Holineſs, "That, by ſhewing ſo little regard to "a cardinal actually in England, and the King's "prime miniſter, he put it out of his power to do "him any ſervice: that whatever he ſhould ſay to "ſupport what his Sanctity required, would be of "no weight, ſince he ſhould be conſidered as one

Campejo ſent as legate a latere to England. Herbert. Rym. Fœd. Vol. XIII. p. 606, 609. Hall.

Wolſey gets himſelf joined in the legateſhip. Stow. Hollingſh. Pol. Virg.

(1) Polydore Virgil obſerves, how artfully the cardinal managed this affair: he began with making Henry a preſent of ſome part of what Francis had given him, that he might thereby incline his Sovereign to accept the friendly overtures of the French King. Having thus prepared the way, he uſed the arguments above-mentioned for the reſtitution of Tournay. Whereupon the King ſaid; "He ſaw plainly now Wolſey would govern both himſelf and the King of France."

(2) And Francis de Rochecavard; with no fewer than twelve hundred perſons in their train. Sept. 30. Herbert, p. 31. Hall, fol. 65.

(3) There are four ſorts of legates. 1. They whom the Pope ſends to preſide at general councils. 2. The Pope's perpetual vicars in countries remote from Rome; thus before the reformation, the archbiſhop of Canterbury was legatus natus apoſtolicæ ſedis. 3. They who for a certain time, and in certain places, are delegated to convene ſynods for reſtoring church-diſcipline and other emergencies. 4. The name of legate is given to the Pope's extraordinary embaſſadors to Emperors and Kings, who are called Legati a latere. At preſent none but cardinals have this character.

(4) To England, France, Spain, and Germany. Hall, fol. 64.

"whom

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" whom the court of Rome could not truſt with " the legateſhip: that it was rather the Pontif's in- " tereſt to make uſe of him to obtain his views, " conſidering the confidence wherewith the King " honored him, and that, without his aſſiſtance, " the preſent affair would be in danger of miſcar- " rying." Leo X, therefore, by this repreſenta- tion, readily comprehended, that Wolſey muſt be ſatisfied: and by a bull, dated May 17, he joined him with Campejo in the ſame commiſſion (1), giving equal authority to both, " knowing (ſays he " in the bull directed to Wolſey) your great credi- " with the King, and how eaſily you can perſuade " or diſſuade him." Mean while Campejo arriv- ing at Boulogne, Wolſey found means to detain him there 'till he had received the Pontif's anſwer: for which reaſon it was the twenty-ninth of July be- fore the Italian legate made his entry into London. As he had but a very mean equipage, Wolſey ſent him twelve mules carrying coffers ſumptuouſly co- vered: but certain of the ſaid coffers happening to ſlip down during the proceſſion, and being broke open with the fall, were found empty (2), to the great ſport and laughter of the populace, who de- rided this external pageantry. In Rymer's collecti- on of public acts is extant a bull of Leo X, with extraordinary powers to the two legates, authoriſing them to grant a plenary indulgence to the faithful of either ſex, who ſhould be preſent at the maſs which either of the legates ſhould celebrate in preſenſe of the King and Queen, or at leaſt at the bene- diction, provided they confeſſed their ſins, or de- ſired to confeſs, and were penitent.

Rym. Fœd. Vol. XIII. p. 606. May 31.

Campejo's entry into London. Hall.

Rym. Fœd. Vol. XIII. p. 609.

The legates commiſſion.

The legates commiſſion conſiſted of two points. The firſt was; to attempt obtaining from the clergy an aid of money for the war againſt Infidels: but the eccleſiaſtics ſo well maintained their ground, that all their efforts were ineffectual. The ſecond was; to perſuade Henry to join in the projected league with all Chriſtian Potentates for defenſe of religion and the church. The Pope's deſign was not to undertake a war againſt the Turk, but only, under that color, to procure a round ſum of money. Thus, the league he was meditating was ſolely to make the world believe, he really intended to at- tack the Ottomans; which effected, he had a moſt plauſible pretext to lay impoſitions on all the clergy, and drain the purſes of Sovereigns and their ſub- jects, to bear the charges of the pretended war. With this league therefore he was to begin, and on that head the legates were commiſſioned to treat with King Henry, who ſeemed inclined to accede, tho' he might eaſily foreſee the league would evapo- rate in ſmoak.

Cardinal Adrian de- poſed.

As cardinal Wolſey's credit increaſed in England, it became likewiſe greater at the Pontifical court. He had, as has already been obſerved, got cardi- nal Adrian de Corneto removed from the office of his Sanctity's collector in England: but a chaſtiſe- ment ſo moderate not ſufficing to ſatiate Wolſey's vindictive ſpirit, he had ſo managed, that King Henry wrote to the Pontif, requeſting him to de- prive Adrian of the cardinalate, and of the bi- ſhoprick of Bath and Wells, then in his poſſeſſion. Leo X could not but think it very ſtrange, that the King ſhould make ſuch a requeſt, and yet not al- ledge any reaſon: however, without giving him a poſitive denial, he contented himſelf with ſaying; " He would, at a properer ſeaſon, give him ſatis- " faction." In 1517, a conſpiracy was formed againſt the Pope, wherein cardinal Adrian was con- cerned, and was therefore impriſoned. Guicciar- dini affirms, he was never more heard of, and that it is not known what became of him (3): but, in Rymer's collection, is to be ſeen a letter of cardinal Julio di Medicis, dated the fifth of July 1518, no- tifying to King Henry that, in a conſiſtory held that day, cardinal Adrian was depoſed and ſtriped of all his preferments; intimating withal to the King, that it was done in regard to him: but it is more probable, he was puniſhed for his having of- fended the Holy Father. However this be, a few days after, the Pope gave cardinal Wolſey the ad- miniſtration of the biſhoprick of Bath and Wells, preſuming he ſtood in need of that additional in- come to ſupport the dignity of his purple.

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Vol. XIII. p. 602.

p. 609, 622, 623.

The negociation of the two cardinals proceeded very ſlowly, ſince it was not ſufficient to incline Henry to the league, but all the European Sove- reigns were alſo to give their conſent. Accordingly, the Pontif, to the utmoſt of his power, ſolli- cited every Potentate, magnifying the danger to which the Chriſtian religion was on the point of be- ing expoſed. Finally, all Princes returning him the ſame anſwer, viz: " That it was requiſite all the " Sovereigns ſhould unite in this affair," he diſ- patched away a bull to his legates in England, im- powering them to conclude between the Emperor, and the Kings of France and Spain, a league againſt the Turks. His drift was, that this league ſhould be offenſive, elſe it would be of no advan- tage to him, except the Turk really intended to in- vade Chriſtendom, which was hitherto looked on as a very uncertain ſuppoſition. But Leo was too well known, for the Princes to be thus taken in a ſnare, which tended only to render his ſaid Holi- neſs maſter of their own, and their peoples purſes: wherefore, pretending zealouſly to enter into his project, they contented themſelves with concluding together a defenſive league to protect the Pope, the holy See, and their reſpective dominions, againſt all invaders, and particularly againſt the Ottoman Emperor (4). Of this league the Pope was de- clared head, provided he ratified it within a certain time ſpecified; but, the treaty mentioned not what each of the allies was to furniſh: all which demon- ſtrates that this league, according to the parties in- tentions, was only to caſt a miſt before peoples eyes, to give Leo ſome ſatisfaction, and perhaps ſomewhat to frighten the Turks.

Pope Leo ſollicits a league offen- ſive againſt the Turk.

p. 621.

Leo ratifies the league; but drops the project. Ib. p. 681— 691. Herbert. Hollingſh.

This was not what the Pontif required: he could have wiſhed, all the Princes of Chriſtendom had joined together in a league offenſive againſt the Turk, and ingaged to ſend their forces to Conſtan- tinople, to attack the Ottoman Emperor in his capital. In ſuch caſe, he was ſenſible that the moſt remote would have been eaſily induced to furniſh their quota in money. Ever ſince Europe's frenzy for Croiſades began to abate, the Popes had not miſſed any occaſion to attempt rekindling the ſame mad zeal which had formerly procured to their pre- deceſſors ſo many great advantages. But the peo- ple as well as their Sovereigns were utterly diſcou- raged, becauſe it was but too viſible that, by thoſe

(1) At the requeſt of King Henry, and the King of France. Hollingſh. p. 845.

(2) In Cheapſide one of the mules broke looſe from her leader, and overturned her own and two or three of the other mules carriages; which fell with ſuch violence, that ſeveral of them unlocked, and there fell out of them old hoſe, torn ſhoes, pieces of roaſted meat, bits of bread, eggs, and ſuch vile baggage. Hall, fol. 64.

(3) Polydore Virgil ſays, Adrian bequeathed a magnificent palace, in Rome, to the King of England his patron, which was called the Engliſh palace, and is now poſſeſſed by the family of Colonna.

(4) Lord Herbert (p. 31. Comp. Hiſt. Vol. II.) ſays, this treaty is ſingular in its kind, and a moſt excellent precedent for peace to future ages; and therefore recites it more at large, becauſe (as he ſays) it ſeems to have been the rule by which Henry framed his actions many years after.

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Croiſades the Popes had been the ſole gainers: ſo, for once, the Chriſtian Princes were contented to make a defenſive league, to ſhew only that they were ready to defend Chriſtendom in caſe of any attack from the Infidels, defering their taking other meaſures 'till they ſhould be obliged. Leo X, ſeeing he could obtain no more, approved and ratified the league the thirty-firſt of December, after which it was never more mentioned: all thoſe terrible preparations, the Turks were ſaid to have been making to fall upon the Chriſtians, intirely vaniſhed, as ſoon as the Pontif found his artifices could not produce the effect he expected.

Rym. Fœd. Vol XIII. p. 691.

Several treaties between France and England.

While this affair was on the anvil, cardinal Wolſey, jointly with the French embaſſadors, was buſied in preparing the agreed on treaties to be ſigned.

I. Treaty, of marriage between the Dauphin and Mary. p. 624--641.

The firſt related to the eſpouſals of Princeſs Mary with the Daughin, which were to be ſolemniſed when the young Prince ſhould have compleated his fourteenth year, each of the two Kings ingaging himſelf to the forfeiture of five hundred thouſand crowns, in caſe it was his fault the nuptials were not accompliſhed. Mary's dower was to be three hundred thirty three thouſand gold crowns, one moiety to be paid on the day of marriage, and the other one year after. The jointure was to be as great as had ever been aſſigned to any Queen of France, and particularly to Ann of Bretagne and Mary of England, King Lewis XII's conſorts.

II. Treaty concerning Tournay. p. 642. Hall.

The ſecond treaty was on the reſtitution of Tournay, for which Francis ingaged to pay Henry ſix hundred thouſand crowns, of thirty-five-ſols Tournois each, beſide fifty thouſand livres Tournois due to him from the inhabitants (1); but out of theſe two ſums Francis was to deduct Princeſs Mary's dower: as to the payments, he obliged himſelf to pay fifty thouſand livres on taking poſſeſſion of the place, and then twenty-five thouſand livres every ſix months 'till the whole was diſcharged (2).

III. Treaty relating to hoſtilities. Rym. Fœd. Vol. XIII. p. 649.

The third treaty concerned ſuch outrages as might thenceforward be commited againſt the peace, by the ſubjects of either King, and contained certain rules to procure ſpeedy reparation.

IV. Treaty touching an interview. p. 679.

By the fourth, the two Monarchs agreed on an interview in the village of Sandinfelt, between Ardres and Guiſnes.

Wolſey's recompenſe for his loſſes. p. 611.

Theſe treaties being ſigned, the fourteenth of October, the French embaſſadors gave cardinal Wolſey their maſter's letters patent, whereby he bound himſelf to pay him yearly a penſion of twelve thouſand livres Tournois, to ſatisfy him for his loſing the biſhoprick of Tournay.

Eſpouſals of the Dauphin with Mary. p. 666, 678.

So ſoon as the two Kings had ratified the treaties, and ſolemnly ſworn to the peace at London and Paris, the King and Queen of France, acting in the name of the Dauphin their ſon, affianced Princeſs Mary, repreſented by the earl of Worceſter (3) her proxy. This ceremony was performed at Paris the twenty-firſt of December (4).

AN' 1419. Death of the Emperor. Guicciard. Herbert.

Europe then injoyed a profound tranquillity. But, on the Emperor Maximilian's demiſe, which happened (5), January 21, 1519, new troubles aroſe. By his death, France, Spain, Italy, Germany, England, Scotland and the Netherlands were ingaged in wars no leſs deſtructive to thoſe regions than were the late preceding commotions. Maximilian was no ſooner in his grave, than the Kings of France and Spain openly declared themſelves candidates for the Empire, and began to cabal among the electors to obtain their deſires. This threw the electors into great perplexity: on which ſide ſoever they turned, they ſaw for themſelves, for Germany and for all Europe, advantages and inconveniencies which merited their whole attention. It would have been the intereſt of Germany to keep the ballance even between the two Monarchs who aſpired to the Imperial dignity, and to reject both: but by chuſing one of the competitors, ſuch ſuperiority would be given him as could not but be detrimental to all Europe, particularly to Germany. I ſhall not farther inſiſt on the reaſons the electors had to chuſe one, or reject both: it is well known, on theſe occaſions, the public good does not always ſerve for rule and foundation to form deciſions of this nature. Leo X wiſhed, as it was indeed his intereſt, the electors would agree to chuſe one of their own body. Charles being poſſeſſed of the kingdom of Naples, and Francis of the duchy of Milan, the election of one of theſe Monarchs could not but one day diſturb the peace of Italy, and prove deſtructive to the Pontifical authority; and accordingly the Pope uſed his utmoſt efforts to perſuade the electors to take that courſe; however, he was forced to act ſecretly, for fear of making the two candidates his enemies, by openly declaring againſt them.

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Francis and Charles aſpire to the Empire. Mezerai. Guicciard.

The Pope's intereſts.

Death of Lorenzo di Medicis. Guicciard.

While the reſolution of the electors was impatiently expected, Lorenzo di Medicis, the Pope's nephew, was ſeized with a diſtemper which carried him off: by which unforeſeen event that branch of the Medicis family was reduced to the perſon of Pope Leo, the ſole legitimate deſcendant of Coſmo the Great, who firſt acquired the ſovereignty of Florence. Some indeavors were uſed to perſuade that Pontif to reſtore his country to liberty; but his affection for the Florentines extended not far enough for him to ſuffer them to injoy that valuable bleſſing, whereof he had been at ſuch pains to deprive them. Reſolving therefore to keep that ſtate, he ſent cardinal Julio di Medicis, his uncle Juliano's natural ſon, to govern in his name. Soon after, he annexed to the church the duchy of Urbino, and razed the walls of its capital, leſt La Rovere ſhould think of recovering his ſaid rightful domain.

The Pope keeps Florence, and governs it by a legate.

He annexes the duchy of Urbino to the church.

The electors being aſſembled to proceed to the election of a new Emperor, Francis and Charles ſent to the aſſembly embaſſadors to manage their concerns. The Pope would alſo have there a nuncio, who had orders privately to indeavor that both theſe Princes might be rejected; yet outwardly to conform himſelf to the diſpoſition of the electors. Henry VIII, perceiving what difficulties would occur in the choice of either of the candidates, ſent Richard Pace to the diet, to try whether any thing was to be expected for him: but as he thought of it too late, his embaſſador found the affair ſo ad-

The electors meet to chuſe a new Emperor. Guicciard. Pol. Virg.

Henry aſpires to the Empire. Herbert.

(1) The whole was but fifty thouſand, whereof part was paid. See Rymer, p. 642. Our hiſtorians ſay, the arrears remaining due were twenty three thouſand livres. Hall, fol. 65; and Stow, p. 567.

(2) Tournay was delivered up to the King of France, Febr. 8. 1519. Hall, fol. 67.

(3) M. Rapin, miſtaking the name for the title, ſays Somerſet.——He was accompanied in his embaſſy to France by Nicolas Weſt biſhop of Ely, the lord St. John, ſir Nicolas Vaux, ſir John Pechy, and ſir Thomas Bulleyn. Hall, fol. 66.

(4) This year was inſtituted the college of Phyſicians in London. King Henry's charter for that purpoſe bears date October 23. By the appointment, in this corporation, or college, are included the phyſicians in London, and ſeven miles round that city. The phyſicians named in the charter, are, John Chamber, Thomas Linacre, Fernand de Victoria, Nicolas Halſewell, John Francis, and Robert Yaxley. Rymer's Eœd. Vol. XIII. p. 654.

(5) He was King of the Romans, and ſtiled Emperor, tho' never crowned by that title. Some ſay, the reaſon was, becauſe he declined the charge and hazard of going into Italy to receive the Imperial crown at the Pope's hands. He imployed his leiſure-hours in Poetry, writing the hiſtory of his life in Dutch verſe. As knight of the garter, his obſequies were ſolemnly kept in St. Paul's, by our King and the knights of that order. Herbert, p. 34.——This Emperor's character has been ſufficiently drawn by our author, in ſome preceding pages.

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vanced, that he judged it not proper to expoſe the reputation of his Sovereign; and therefore he wrote to him; "That indeed ſome of the electors (1) "ſeemed inclinable to favor him: that the Pope "would have likewiſe ſupported him to the utmoſt "of his power, had he declared ſooner; but that "matters were ſo ordered, that the election would "infallibly be over before proper meaſures could "be taken to accompliſh his deſires." And, in effect, a few days after, on the twenty-eighth of June, Charles King of Spain was declared Emperor, by the name of Charles V, or indeed rather of Don Carlos Quinto, according to the ſtile of thoſe, and even of the preſent days (2).

Charles King of Spain is elected. Guicciard.

Diverſe occaſions of quarrel between Charles and Francis. Guicciard.

Don Carlos Quinto's election was, to Francis I, a terrible mortification. It was immediately and univerſally conjectured, that the emulation between thoſe two potent Monarchs would infallibly occaſion cruel combuſtions; and this conjecture was but too well confirmed by experience. Beſide the King of France's jealouſy, which was doubtleſs one of the chief cauſes of the inſuing rupture, there were differences between them of very great importance, and extremely difficult to adjuſt. King Francis had pretenſions to the kingdom of Naples. Moreover, by the treaty of Noyon, Charles was bound to reſtore Navarre to Henry d'Albret, within four months after ſigning the treaty; and this article was yet unperformed. On the other hand, Charles, as heir of the houſe of Burgundy, believed he had a lawful title to that duchy. He pretended that, after the deceaſe of the laſt duke, his great-grandfather, Lewis XI had unjuſtly ſeized it, on a bare allegation that it was a male fee, tho' the contrary was evident. During his minority, he had ſuffered his title to lye dormant: but, when arrived at years of maturity, he had thoughts of reviving it; and the lately-obtained Imperial dignity abundantly contributed towards confirming him in that reſolution. The duchy of Milan was another cauſe of diſpute, which would naturally beget a war between theſe two Potentates. Its being a fief of the Empire could not be denied; nevertheleſs Lewis XII had ſeized it, and Francis re-conquered it, and was then in poſſeſſion, without either's being inveſted by the Emperor Maximilian, or having even requeſted ſuch inveſtiture. Charles therefore could alledge it was his duty to aſſert the rights of the Empire, and indeavor to diſpoſſeſs the King of France of that duchy. The duke of Gueldres afforded another occaſion of quarrel between theſe two Monarchs. He was the Emperor's profeſſed enemy, and France protected him openly. Finally, the treaty of Noyon gave Charles another cauſe of complaint. He pretended; "That "Francis had extorted from him ſo diſadvantage-"ous a treaty, by menacing war when his affairs "neceſſarily required his preſenſe in Spain, to take "poſſeſſion of his realms: that therefore the re-"ſignation of the kingdom of Navarre, and the "hundred thouſand crowns penſion to which he "had been ingaged, under the ſpecious pretext of "a maintenance for the Princeſs his future ſpouſe, "were no other than the price of a peace which "he had been conſtrained to purchaſe."

Intereſts of the Princes of Europe.

But tho' theſe two powerful Sovereigns beheld each other with a jealous and envious eye; and wanted not pretexts for a war, neither of them durſt however begin before he had founded the other Potentates: and how they ſtood affected will alſo be neceſſary to be well known, to inable readers to comprehend the ſequel, the intereſts of Princes giving to hiſtory a certain perſpicuity, which is in vain ſought for without that aſſiſtance.

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Leo X equally dreaded both thoſe Monarchs, being ſenſible, to which ſide ſoever the ballance inclined, Italy muſt be in danger. Could he have ſet them at variance, without making Italy the ſeat of war, he would have done it moſt willingly: but that was not poſſible; much leſs was it in his power to remain preciſely neutral: the reaſon is, becauſe he could not hinder the conteſts concerning Naples and Milan from being decided by arms, and therefore could not avoid interpoſing in a quarrel wherein himſelf muſt be ſo nearly concerned. He took therefore the courſe which beſt ſuited his diſpoſition, and that was to be reſerved and manage both parties, 'till he found it his intereſt to declare: yet, thro' all his diſguiſes, he diſcovered a certain partiality to the Emperor, in granting him a diſpenſation to hold the Empire with the kingdom of Naples, tho' that was directly contrary to the terms on which he had given him the inveſtiture of that Kingdom. Francis thereof made complaint; but his Holineſs excuſed it, as not having in his power to refuſe, without being involved in troubles from which he ſhould not be able eaſily to extricate himſelf.

Of Leo X.

Mezerai.

As for Henry VIII, the poſture of affairs between Charles and Francis might have rendered his reign very glorious, had he not intirely given himſelf up to the intereſted counſels of cardinal Wolſey. It lay purely in his own breaſt to preſerve the peace of Europe, by keeping the balance even between the two rivals, without ſuffering it to incline too much to either ſide. This was his grand intereſt as well as the kingdom's, and accordingly this was his reſolution. Hence it was that he frequently ingaged in one or other party; but not always as the intereſt of Europe, the welfare of his realm, and his own glory required. Thus, while he thought to follow the maxims of good policy, he ſerved, without perceiving it, to gratify the paſſions of his miniſter, as will hereafter be manifeſt.

Of Henry VIII.

Charles and Francis were ſo convinced of the advantages to be reaped from the King of England's friendſhip, that they neglected nothing they ſuppoſed would procure it. The beſt, or rather the only means ſo to do, was to gain cardinal Wolſey to their intereſts: and therefore, they ſpared neither flatteries, promiſes, nor preſents to make him their friend. They took occaſion ſometimes to write to him, purpoſely to ſtile him "Their "friend; their father." In their letters they extolled his virtue, his prudence, his capacity, in ſuch affected terms, that he muſt have been blind not to perceive they had farther views than barely to expreſs their eſteem. Wolſey made good uſe of theſe teſtimonies of their friendſhip, to put his maſter in mind how formidable he was to theſe two Monarchs, ſince they even diſdained not beſtowing on his miniſter ſuch careſſes: but withal it ſerved him to inſinuate, how far his merit excelled that of other miniſters, ſince it was ſo univerſally blazoned

Both Monarchs try to gain Henry thro' Wolſey's mediation. Herbert.

Their careſſes increaſe Wolſey's credit.

(1) The electors of Mentz, Cologne and Triers ſtood ſo affected, that Pace was of opinion that if King Henry had put in ſooner, he would have carried it. Ibid. p. 33.

(2) Particularly among the Spaniards, who conſtantly ſo ſtile him, and abundance of them obſtinately, tho' moſt ridiculouſly maintain, that, during twenty-four hours, he was maſter of the whole world; but they are at a loſs, when interrogated concerning the point of time when he was ſuch. —— This remarkable Prince, inſtead of ſpending his money in bribing the electors, as Francis did, particularly the marquis of Brandenburg, imployed it in raiſing numerous forces, which he brought to Francfort: whereupon the majority of the electors (viz. the archbiſhops of Mentz and Cologne, the count Palatin, and the duke of Savoy) being thereby terrified and over-awed, agreed to chuſe him. There were then only ſeven electors who, together with the four above-mentioned, were the archbiſhop of Treves or Triers, the marquis of Brandenburg, and the King of Bohemia. See Guicciard. l. 13. The electorate of Bavaria commenced in 1648, and that of Brunſwic-Lunenburg-Hanover, in 1693.

and

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and considered. All this produced the effect he expected. Henry deemed himself the arbiter of Europe, and remained so persuaded of his favorite's capacity, that he no longer saw but with his eyes, or acted but with his concurrence.

The cardinal's preferments.

Thus Wolsey was then on the summit of fortune's wheel. He was favorite, prime minister, lord chancellor, administrator of the bishoprick of Bath and Wells, archbishop of York, sole legate à latere, his collegue Campejo having been recalled. He had pensions from the Emperor and King of France, and received immense profit from his chancellorship, by the privileges his royal master had thereto annexed: moreover Henry ceased not making him presents, and giving him continual occasions of augmenting his revenues. On the other hand, the Pope, the Emperor, the King of France and the republic of Venice strove with emulation to gain his favor, and seemed, as I may say, to glory in their dependance on this aspiring prelate. About the begining of this year, King Francis, sent him letters patent, whereby he consented that he alone should regulate the ceremonies of his interview with Henry, giving him thereby a most authentic testimony of the confidence he placed in his probity, on a point wherein, generally speaking, Sovereigns are extremely jealous. Mean while, the advances made by such great Potentates to this cardinal, did not argue so much their esteem for him, as their dread of losing the King his master's friendship. Francis I, to give Henry a fresh token of his respect, desired him to stand godfather to his second son, afterwards King of France by the name of Henry II. These particulars sufficiently evidence Henry's felicitous situation, and how glorious his reign might have been, had he known how to improve such advantages: but, unfortunately for him, instead of acting for himself and his own glory, he in effect labored only to agrandise his favorite.

Rym. Fœd. Vol. XIII. p. 691.

Henry is godfather to Francis's second son. Herbert.

Wolsey's excessive pride.

It would have been difficult to conceive to what height the cardinal's pride was carried, had not all the historians taken care to describe it, and all in the same colors. Cardinal Campejo's legateship having set his said eminence on a level with him, he could not long indure such equality. By his credit at Rome he had got him recalled (1), and himself appointed sole legate, with power to visit the monasteries, and all ecclesiastics in general (2). To obtain this commission, he had taken care to fill his Sanctity's ears with defamations against all the English clergy, intimating, how necessary it was to commit the reforming them to his care (3): but this was only to increase his authority, and subject the whole church of England to his orders. When he saw himself invested alone with the dignity of legate, he let loose, if I may so say, the reins to his vanity. He no longer said mass otherwise than after the manner of the Pope himself, not only bishops serving him therein, but earls, nay dukes giving him water and the towel. When he went into the city, two crosses were carried before him by two of the tallest priests to be met with, mounted on the largest horses: one of which crosses was that of legate, and the other that of York. At first these things served only for diversion to the people, who passed their jokes on this pompous pageantry (4), but it was not long before they became feelingly sensible of abundantly more grievous effects of the power assumed by the legate. A new court of justice was erected, called the Legate's Court, the jurisdiction whereof extended to all actions relating to conscience; that is, properly speaking, to all the actions of life, since there is scarce any but where conscience may be some way concerned. One John Allen, being made judge of this new court, commited numberless rapines and extortions, under color of reforming the manners of the people, tho' he was himself a man of a very indifferent character (5). Strict inquiry was made into the life and manners of all persons without exception, which gave occasion to the new judge to oppress such as refused to compound with him. Particularly, he pretended that his jurisdiction reached to all suits arising from wills or marriage-contracts, and drew to his court numberless causes, without the King's judges daring to oppose (6). On the other hand, the legate treated the clergy with inconceivable rigor, and confered all the benefices of the kingdom on his creatures, without troubling himself about the rights of churches, monasteries, or patrons. This is what had ever occasioned violent quarrels between the Kings of England and the court of Rome, and given birth to the famous statute of Præmunire, daily violated by the legate, Henry suffering in him things which undoubtedly he would not have allowed in the Pope himself; nor indeed was he informed of transactions any farther than just as Wolsey pleased. At length, the archbishop of Canterbury, seeing so many oppressions, judged it his duty to acquaint the King, who seemed surprised, and charged the archbishop to tell Wolsey, that it was his pleasure he should amend whatever was amiss (7). The effect of this remonstrance was, that the cardinal still more hated the archbishop, for whom he had already conceived no small aversion, for having, in one of his letters, presumed to subscribe himself, "Your brother of "Canterbury (8)." But soon after, one John London a priest (9), boldly accusing the judge of the legate's court, it was not possible to hinder tha

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The legate's court erected. Hall. Pol. Virg. Herbert. Hollingsh.

Herbert.

Herbert. Pol. Virg. Hollingsh.

Rym. Fœd. Vol. XIII. P. 734. Pol. Virg. Burnet.

He oppresses both clergy and people. Pol. Virg. Hall. Stow. Herbert. Hollingsh.

(1) John Clarke, doctor of law, was sent to Rome for this purpose. The Pope's commission to Wolsey is dated June 10. 1519. Herbert, p. 32.

(2) By virtue of his legatine commission, he might summon the archbishop of Canterbury, and all other bishops within the King's dominions, to assemble at his convocation. He might super-intend and correct what he thought irregular within their jurisdictions; appoint all officers in the spiritual courts, and present to all ecclesiastical benefices; constitute masters of faculties and masters of ceremonies, to advance his dignity, and exercise a visitatorial power over monasteries and colleges, and all the clergy, exempt and not exempt; and this for one whole year, from the date of the bull. Fiddes, life of Wolsey, p. 100. Fœdera. Vol. XIII. p 734.

(3) The clergy were so defamed by the cardinal's information, that they were termed, "Dati in reprobum sensum; given "up to a reprobate sense," and the like, in the original bull among our records, which lord Herbert says, he should have inserted at large, but that it is too long and infamous to the hierarchy and all religious persons, p. 32. Comp. Hist.——The cardinal intended to visit all the monasteries in England, that, discovering their corruptions, he might the better justify the design he had to suppress most of them, and convert them into bishopricks, collegiate churches and colleges; but was diverted from his design. However, he led the way to their total suppression which soon followed. Burnet's Ref. Vol. I. p. 20.

(4) Insomuch that Polydore Virgil says, it grew to a jest, as if one cros did not suffice for the expiation of his sins.

(5) He was thought to be guilty of perjury. Herbert, p. 33. Pol. Virg.

(6) He had a great number of spies and informers dispersed every where, to let him know what livings became vacant, that he might fill them up immediately; and what persons of note died in every town or parish, that he might cite their executors to prove the wills in his court. Ibid.

(7) Polydore Virgil says, the King replied to the archbishop; "That he should not have heard of these things but by him; "adding, that no man is so blind any where as in his own house; therefore I pray you (said he) Father, go to Wolsey, and tell "him, if any thing be amiss that he amend it." Herbert, p. 33.

(8) When the bearer of the letter informed the archbishop what offence the cardinal had taken at his subscription, he said, with some shew of resentment; "Peace; knowest thou not that the man is inebriated with prosperity." Hollingsh. p. 848.

(9) Thro' mistake, M. Rapin calls him a priest of London. Herbert, p. 33.

affair

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affair from coming to the King's knowledge. As this judge was convicted of numberleſs miſdemenors, Henry ſo reprimanded the cardinal, that from the ceforward he became, if not better, yet at leaſt more wary.

Wolſey, by means of the new Emperor, aſpires to the Papacy. Herbert.

The grandure, opulence, power and authority injoyed by Wolſey in England, were not capable of ſatisfying his ambition, while there was ſtill one ſtep higher to be aſcended by a churchman. He had ſome time ſince begun to take meaſures to attain the Pontificate, when the See ſhould be vacant, and the King of France had already offered him the votes of fourteen cardinals. But ſince Charles was elected Emperor, Wolſey deemed him ableſt to procure him the papal dignity, and, in all probability, was carrying on with that Prince ſome ſecret negociation thereto tending. For that purpoſe, he gradually diſingaged the King his maſter from the intereſt of France, to turn him to the Emperor. Mean while, he believed he could not, without too much diſcovering himſelf, hinder the interview of Francis and Henry, which had been defered 'till the year 1520 (1): but he well knew how to prevent the ill effects this interview might produce againſt the Emperor, his new friend. Beſide, he could not bear the thoughts of loſing the pleaſure of appearing before the court of France with a magnificence little inferior to that of a King, and of ſeeing himſelf, in the preſenſe of the Engliſh, honored and careſſed by the King of France, and his whole court, as he would probably be. This was an opportunity which a perſon ſo fond of pageantry and oſtentation could not neglect.

Affairs of Spain.

The Emperor had reaſon to careſs cardinal Wolſey. He had met in Spain with unexpected difficulties. The Caſtilians and Aragonians were bent to preſerve their privileges, which were continually attacked by Charles's Flemiſh counſellors. On the other hand, that Monarch, on pretext of the Croiſade publiſhed by his Sanctity, having demanded a tenth of the clergy, that demand had cauſed throughout Spain commotions which involved this new Enmperor in ſtrange perplexity. There had been alſo an inſurrection in Auſtria which was not appeaſed without difficulty. Finally, King Francis was ſecretly laboring to excite troubles in Naples, Sicily and Navarre, to annoy Charles, and to withdraw from him his allies. All this made Henry's friendſhip ſo neceſſary to him, that it was no wonder he ſhould indeavor to win over Wolſey to his party, ſince there was no other way to gain the maſter but thro' the miniſter's credit. King Francis uſed the ſame method, which exceedingly increaſed the arrogance of this prelate, who, ſeeing himſelf courted by theſe two Monarchs, had it in his power, if I may ſo ſay, to ſet on his ſervices juſt what price he pleaſed.

The Emperor and King of France equally court Wolſey's friendſhip.

Affairs of Scotland. Buchanan.

While all the world was impatiently expecting the effect of the jealouſy between Charles and Francis, the affairs of Scotland ſtill remained in the ſame ſituation, that is, in extreme diſorder, on account of the regent's abſenſe. When he departed Scotland, he hoped to return in few months; but was not ſuffered to follow his inclination. Francis I, foreſeeing the want he might have of England, had made a private treaty with Henry, promiſing to detain the duke of Albany in France. Thus Henry, by a different way, obtained what the parliament of Scotland had flatly refuſed him. It was very eaſy to conceive, why he oppoſed the duke of Albany's return: his aim was to involve Scotland in trouble and confuſion, to have an opportunity to interpoſe in the affairs of that kingdom,

Francis ingages to detain the duke of Albany in France. Herbert.

under color of ſupporting the intereſts of the young King his nephew. He could not therefore execute it better than by fomenting diſcord among the nobility, which the regent's preſenſe might have remedied: but the war which afterwards broke out between Charles and Francis, and wherein he was but too much concerned, prevented the proſecution of his deſigns againſt Scotland. Probably this ſaved the kingdom, which otherwiſe was in apparent danger of being conquered by the Engliſh.

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Diſcovery of Mexico and New Spain.

Before I cloſe the year 1519, I muſt not omit remarking, that this year the Emperor received news of the diſcovery and begining of the conqueſt of Mexico and New Spain. The mention of this particular is the more neceſſary, tho' it ſeems foreign to our hiſtory, as it was the gold and ſilver wherewith that new world furniſhed Spain, which contributed moſt to render Charles V ſo powerful as he will hereafter appear. Beſide, money growing more plenty by the commerce carried on by other countries with Spain, the reader muſt not be ſurpriſed to find hereafter more numerous armies, greater magnificence in Princes courts, and the dowries of Princeſſes much larger than before: but Spain firſt improved the gold and ſilver of the new world, and was thereby inabled, in the reigns of Charles V and Philip II, to aſpire to univerſal monarchy.

An' 1520. The regulation of the interview between the two Kings by Wolſey. Rym. Fœd. Vol. XIII. p. 705. March 12. Hall. Stow. Hollingſh.

The confidence King Francis repoſed in cardinal Wolſey, in giving him power to regulate his interview with Henry, would have been very honorable for that miniſter, if, on the other hand, this proceeding had not ſhewn his little eſteem for him, as believing him liable to corruption. Howſoever this was, Wolſey, by virtue of powers received from the two Kings, did, on the twelfth of March 1520, make a regulation, importing, among other things, "That the interview ſhould be on the "fourth of June between Ardres and Guiſnes: that "the King of England ſhould go towards Ardres, "as far as conveniently he could (2), without how-"ever paſſing the Engliſh pale, and the King of "France ſhould meet him at the place where he "ſhould ſtop." Hereby he ſo ordered it, that Francis paid the firſt viſit to Henry: but he aſſigned for reaſon, that the King his maſter having croſſed the ſeas purpoſely to do his friend honor, it was very juſt King Francis ſhould, in ſome meaſure, make him amends, by advancing to receive him a little beyond the limits of his own territories, in ſome open place appointed by deputies on either ſide. The reſt of the regulation concerned the ſafety of the two Monarchs, their Queens, the dowager Queen of France, ſiſter of Henry, Louiſa of Savoy ducheſs of Angoulême, Francis's mother, the trains of the Princes and Princeſſes who were to aſſiſt at the interview, the place where the two Kings were to meet and confer together, and laſtly, the diverſions which the two courts were to take.

Francis gains Wolſey to agree Calais ſhould be given up: Herbert.

but the cardinal dares not propoſe it to Henry.

During the time between the regulation and the interview, Francis got Wolſey ſounded, to know whether, by his means, he could not prevail with Henry to reſtore Calais for a ſum of money. Undoubtedly, this propoſal was attended with ſecret promiſes to the cardinal anſwerable to ſo ſignal a ſervice, ſince he thought not fit to reject it. He cared not however to ſpeak of it directly to the King; but tried ſo to manage that others ſhould inſpire him with the thought, that, in caſe the King adviſed with him upon it, he might give his opinion more freely. To that end, in his converſation he would frequently turn the diſcourſe upon Calais, and ſay, "What have we to do with this Calais,

(1) Both Kings in the mean while agreeing, not to cut their boards 'till they ſaw each other. Herbert, p. 34.
(2) A mile.

"which

"which * costs us so much? It were to be wished "we were honestly rid of it!" This artifice failing, he never ventured to make the King so extraordinary a proposal; and the rather as, being resolved to ingage with the Emperor, he was not so over desirous to oblige the King of France.

* Being on the continent.

Henry set out for the interview.

The time of the interview approaching, Henry arrived at Canterbury the twenty-fifth of May, in order to pass Whitsuntide there, and then proceed to Calais: but news was next day brought him, that the Emperor was landed at Dover. This arrival surprised the whole court, and perhaps the King himself: but Wolsey had no reason to be surprised, since the Emperor had, on the twenty-ninth of March last, by letters patent dated from Compostela, promised to give, or cause to be given him by the Pope, the bishoprick of Badajos (1), within two months after the personal conference he was to have with the King of England, as appears in Rymer's collection. Hence it is plain, the Emperor's journey to England had been determined on ever since March, at least between that Prince and Wolsey: but it is uncertain, whether Henry had thereof any notice. However this be, the cardinal was commissioned to go and welcome his Imperial Majesty at Dover, at which place the King arrived likewise on the morrow. Then the two Monarchs went together to Canterbury, where Henry sent for his Queen, who was exceedingly rejoiced at sight of her nephew the Emperor, having never seen him before (2). Charles's aim in this visit was to dissuade King Henry from the interview with Francis; but he could not succeed, the King of England convincing him that he could not with any honor recede: but, very probably, he had also in view the securing cardinal Wolsey, in order, by his means, to gain King Henry to his interest. It is the common opinion, his journey was not fruitless, but that he could obtain the cardinal's favor only by promising to imploy his whole credit to raise him to the Papacy, in case Leo X died before him. Tho' the Emperor had not obtained all his desires, he departed very well satisfied with his visit; Henry having promised not to enter into any ingagement with the King of France to his prejudice (3). On the thirtieth of May, Charles proceeded to Flanders, and Henry to Calais (4).

The Emperor arrives at Dover. Hall. Stow. Hollingsh.

Vol. XIII. p. 714.

Hollingsh. Pol. Virg.

He promises the Pontificate to Wolsey.

Hall.

The interview of Francis and Henry. Herbert. Stow. Hall. Hollingsh.

I shall not dwell on a circumstantial description of the interview of those Monarchs between Ardres and Guisnes, as regulated by cardinal Wolsey. During its continuance nothing was to be seen but entertainments, tournaments, balls, masquerades and other diversions, wherein the two courts mixed to their mutual satisfaction. All things on both sides were so magnificent, that this Princely assembly was named, The camp of the cloth of gold (5). But amidst all those recreations which the two courts took together, public affairs were not neglected. The following articles were agreed on by the two Kings at their conferences; "That, after "Francis should have discharged the million of "crowns, according to the late treaty, he should "annually pay Henry, during his life, a pension "of one hundred thousand livres Tournois (6): "that, in case the Dauphin should become King of "England by his marriage with Princess Mary, "the pension should be continued to Mary and "her heirs for ever: that the differences between "the Kings of England and Scotland should be "refered to the arbitration of Louisa of Savoy, "the King of France's mother, and the cardinal of "York." The two Kings parted not 'till the twenty-fourth of June, after passing about three weeks together in continual diversions.

Treaty between them. June 6.

Henry, on his return to Calais, thought fit, before he repassed into England, to repay the visit received from the Emperor at Canterbury. In order thereto, on the tenth of July, he repaired to Graveling, and returned the same day to Calais. On the morrow, the Emperor, with his aunt lady Margaret, governess of the Netherlands, came to see Henry at Calais, and continued with him three days. These mutual visits made Francis extremely jealous, and not without reason. Probably, in these conferences were laid the first foundations of the alliance afterwards concluded between Charles and Henry. In a few days after, Henry returned to England.

Henry visits the Emperor at Graveling.

The Emperor returns his visit at Calais. Hall. Stow. Hollingsh.

It was not without reason that cardinal Wolsey's favor and amity were sought for by the greatest Potentates. He absolutely governed his master, who, in the present situation of his affairs, could make the ballance incline to which side he pleased. The senate of Venice, foreseeing that a war would soon break out in Italy, indeavored to anticipate Wolsey's friendship by expressing their great esteem for that minister. In Rymer's collection, is extant a letter, from their Doge to the cardinal, to congratulate him on the interview of the two Kings, as a work of his consummate wisdom (7).

Letter of the Doge of Venice to cardinal Wolsey.

Vol. XIII. p. 724. July 6.

But this was only words; whereas his Holiness, who found he should quickly want the cardinal, thought he must gain him by something more substantial. He granted him, as appears in Rymer's said collection, on the twenty-ninth of July, a pension of two thouland ducats on the bishoprick of Palencia in Spain, and constituted him perpetual administrator of the see of Badajos, without pre-

The Pope grants Wolsey pensions on Spanish Sees. P. 714, 725.

(1) In Estremadura; worth annually five thousand ducats.

(2) The Emperor saw likewise the Queen dowager of France, Henry's sister, once propосed for his wife, at the sight of whom (says Polydore) he was so sad, (she being a celebrated beauty) that he could not be persuaded to dance. Herbert, p. 36.

(3) The treaty of commerce, made between England and Germany in 1506, was also now confirmed. Rymer's Fœd. Vol. XIII. p. 714, &c.

(4) See the lists of the noblemen and others who attended the King and Queen, in Rymer's Fœd. Ibid. p. 710, 711.

(5) The King caused a building 328 foot square to be erected, from which a private gallery reached to the castle of Guisnes. The parts of this great building were artificially framed in England, and afterwards taken asunder and brought home. The model whereof, lord Herbert says, was at Greenwich in his time. The two Kings met on the 7th of June, in the vale of Andren, and alighting, walked hand in hand to a tent of cloth of gold. On the 9th they came and viewed the camp or place of exercise, 300 yards long, and 106 broad, with scaffolds on the sides for the beholders. There were also set up two artificial trees, with the arms of the two Kings and their assistants, on which were affixed the articles of the justs, &c. June 11th, 12th, 13th, 14th, 15th, the two Kings, with seven assistants each, incountered all comers, and came off with applause. June 16th passed in feasting and dancing with the Queens and other ladies. June 17th, being Sunday, and the 18th, being foul weather, they reposed. The 19th they continued their courses. On the 20th the tournay began, where our King particularly got that honor, that a brave French nobleman with whom he fought, presented him with his horse as a gage of his being overcome. On the 21st the sport was so rough, that four of the assistants were hurt. On the 22d the barriers began. The 23d, our King, with his sister Queen Mary, went in masquing habits, to see the French Queen at Ardres, Francis likewise going to the English Queen. On the 24th, after many compliments, imbraces, and rich presents, they took leave of each other. Herbert, p. 37. See Hall, who seems to have been an eye-witness, fol. 73, &c.

(6) This sum was to be paid 'till the marriage was solemnised, per verba de præsenti, between the Dauphin and Princess Mary; and then, every year afterwards to King Henry during his life. Rym. Fœd. Vol. XIII. p. 719, 720.

(7) In this letter, the Doge compliments him in the strongest terms, and constantly stiles him Dominatio vestra Reverendissima, and in one place, Majestatis ejus pars altera. But, it seems, the university of Oxford was wont to outdo the Doge, and not scruple to bestow absolutely on the cardinal the title of Majesty, as appears from several letters to him from the university. But that appellation, seemingly, was not then appropriated to Kings. See Fiddes, p. 178.

HENRY VIII. AN' 1520.

judice to the benefices he had or ſhould have for the future. We are not to queſtion but this was done with the conſent of Charles, who indeavored by degrees to gain ſo powerful a miniſter, whoſe credit was very neceſſary in the preſent ſituation of his affairs. He had left Spain full of troubles, occaſioned by the greedineſs of his Flemings, who only ſought to inrich themſelves at the Spaniards expenſe. This had even obliged him to depart with ſome precipitation, for fear of being imbroiled in affairs which might have obſtructed his voyage to receive the Imperial crown. He had left in Spain for governors, Adrian Florent, biſhop of Tortoſa, and the conſtable of Caſtile: but he was no ſooner departed than diverſe of the nobility, and ſome cities of Caſtile joined in a league for defenſe of their liberties, and expulſion of all Netherlanders. This league was followed by a bare-faced rebellion, which exceedingly imbaraſſed the two governors: nevertheleſs, having drawn together a body of forces, conſiſting partly of the gariſons left in Navarre, they formed a good army, and at length reduced the male-contents to obedience.

Troubles in Spain.

The Emperor crowned.

While this was tranſacted in Spain, the Emperor was preparing for his coronation, which was ſolemniſed the twenty-firſt of October (1).

Luther's defection made then great noiſe in Germany. Pope Leo ſtrove to excite every Prince of the Empire againſt the ſaid doctor, who had boldly appealed to a general council, notwithſtanding the bull of Pope Pius II. At length, after fruitleſs trials to gain him by promiſes, or intimidate him by menaces, he publiſhed a bull of excommunication againſt him and his followers. But Luther, regardleſs of theſe thunders, in very harſh terms renewed his appeal to a council. His Sanctity, highly inſenſed that a ſingle monk ſhould thus dare to brave him, requeſted the Elector of Saxony, then at Cologn, either to diſpatch or ſend him to Rome. The elector refuſing, the Pope's nuncio ordered Luther's books to be burned at Cologn; to retaliate which, Luther cauſed the Canonical decretals (2) to be alſo publicly burned at Wirtemberg, and publiſhed a manifeſto in juſtification of his procedure. He found himſelf ſupported by the Elector his Sovereign, who earneſtly deſired a reformation in the church.

The Pope excommunicates him,

who appeals to a council. Sleidan. Herbert.

The Pope ſolicits the Elector of Saxony againſt Luther.

Mean while, the duke of Wirtemberg, who, at the inſtance of Francis I, had forſaken the league of Swabia, was expeled his dominions, and the Emperor purchaſed them. As the King of France was not then in condition to protect him, he was forced to ſubmit to the Emperor's terms, without the leaſt proſpect of re-eſtabliſhment.

The duke of Wirtemberg loſes his dominions.

The combuſtions ſtill continued among the Scots, who were divided into two factions, whereof Andrew Hamilton, and George Douglaſs (3) were the heads. During the year 1520, the Hamiltonians found means to conſtrain Archibald Douglas earl of Angus, one of thoſe left by the regent to govern in his abſenſe, to relinquiſh his poſt; after which they would likewiſe have deprived him of life: but, with only eighty followers, in the ſtreets of Edinburg, he worſted upwards of a thouſand enemies, and drove them from the city. All this ſerved only to exaſperate more and more the factions againſt each other, ſo that at length Douglas received into his party all the friends of the two Humes, beheaded by the regent, in order, with their aſſiſtance, to make head againſt his adverſaries. Theſe were the wretched effects occaſioned by that unſeaſonable abſenſe of the regent, whoſe return to Scotland the King of England prevented. Mean while, the truce between the two kingdoms was farther prolonged to the ninth of April in the inſuing year, by the King of France's mediation, and the Scotiſh council poſitively promiſed to ſend King Henry a very honorable embaſſy, to deſire a peace (4).

Troubles in Scotland. Buchanan.

HENRY VIII. AN' 1520.

Rym, Fœd. Vol. XIII. p. 727 — 737.

The ſituation wherein affairs were at the beginning of 1521, promiſed not a long continuance of Europe's tranquillity. Four Potentates ingroſſed in a manner the whole, and had even over the dominions they were not poſſeſſed of a no ſmall influence. They were all four young, able and ambitious enough to form vaſt projects, which could not be executed without inflaming all Europe.

AN' 1521. Characters and diſpoſitions of the principal European Sovereigns.

Francis I, ſilently devoured with invidious jealouſy of Charles V, ſought only ſome proper opportunity to expreſs his reluctance at beholding him on the Imperial throne, and meditated laying hold on the pretext of recovering Naples for himſelf, and Navarre for Henry d'Albret: but the real deſign of his attacking the Emperor was founded on another ſtill more powerful motive, namely, policy, which called for his ultimate efforts to humble this formidable rival, otherwiſe France might be in the utmoſt danger. To execute this grand project required his being ſolely intent on his own affairs, together with the greateſt œconomy, in order to ſupport the vaſt expenſes of his projected undertaking; but, unhappily for him, he was too much addicted to pleaſures, and very frequently applied to other uſes the money deſigned for the war. Moreover, he was too eaſily governed by his miniſters, and ſtill more by the ducheſs of Angoulême his mother, whoſe intereſts were often contrary to his. However, he fancied his affairs in ſuch a poſture as promiſed a happy ſucceſs of his enterpriſe. Spain was diſaffected and agitated with inteſtine broils, which probably would greatly imbaraſs the Emperor. On the other hand, the Turks menaced Hungary, which Charles could not abandon without indangering his Auſtrian dominions. In the next place, Francis flattered himſelf with having in the King of England a faithful friend who would not forſake him, and who ſeemed to be almoſt equally concerned to prevent the too exorbitant growth of the houſe of Auſtria. Laſtly, he imagined to have reaſon to expect that the Pope, with whom he was in treaty for the conqueſt of Naples, inſtead of helping to increaſe the Emperor's power, would employ his beſt efforts towards humbling a neighbor who could not but be a terror to him. This confidence was alſo farther fortified by King Francis's alliances with the Venetians and Swiſſers, who, joining with the Pope and King of England, would of courſe render him ſuperior to his enemy, whoſe kingdoms, remote from each other, were leſs capable of giving mutual aſſiſtance. Thus Francis, flattered by theſe appearances, formed extraordinary projects, ſuiting his natural ambition and immature years, having then barely attained the age of twenty-ſeven.

Of Francis I.

As for Charles V, he had not thitherto perform- Of Charles V.
ed any exploit to give of him a very advantageous

(1) At Aix, the ſame day whereon Sultan Sulyman was inaugurated at Conſtantinople; and it is obſervable, that, as Charles was the XIth from Albertus, in whoſe time the houſe of the Ottomans began, ſo Sulyman was the XIth Prince of his race.

(2) Together with his Sanctity's ſaid bull of excommunication, &c.

(3) M. Rapin erroneouſly ſtiles him earl of Arran; whereas at this time the earl of Arran was James Hamilton.

(4) This year, the earl of Kildare was diſcharged from the office of deputy, or lord lieutenant of Ireland, which was confered on Thomas Howard earl of Surrey, and lord admiral. He went over to his government early in April, with about a thouſand men, and remained there two years, in which time he had many ſharp ingagements with the natives, and reduced the earl of Deſmond to reaſon. Hall, fol. 70. Stow, p. 508.

idea.

HENRY VIII. AN' 1521.

idea. His childhood and juvenile years paſſed under the tutelage of the Emperor Maximilian his grandfather, or of Margaret of Auſtria his aunt, and ſince he had aſſumed the adminiſtration of the Netherlands, his governor Chievres did all in name of the Prince. His firſt proceedings, after the death of King Ferdinand, begot no great opinion of him; for he had ſcarce ſet foot in Spain, before the country was all in commotion. His advancement to the Imperial diadem was perhaps owing to the little eſteem the world had for him: nevertheleſs he then actually was the moſt potent Sovereign in Europe. Beſide the Imperial dignity, he poſſeſſed all Spain, the kingdoms of Naples and Sicily, the whole Netherlands, the archduchy of Auſtria, and many other provinces and lordſhips in Germany: ſo, with his own forces alone, he was well able to make head againſt Francis I, in conjunction with all his allies. Henry VIII was the ſole Potentate who had at firſt imbaraſſed him, by reaſon of his union with France: but he had luckily withdrawn that thorn from his ſide, by means of cardinal Wolſey. With this he began, as I may ſay, to diſcover his ability, which 'till then had been as it were concealed. After that, he diligently applied himſelf to gain the Pope, and ſucceeded to his wiſh. Thus, at the time I am now ſpeaking of, he was become very formidable, not only by his forces, but alſo by the proofs he had given of his capacity. On his being raiſed to the Imperial throne, he rightly judged he ſhould, in Francis I, find a rival who would ſpare nothing to make him feel the effect of his envy: and therefore, he thought early of means to ſcreen himſelf from his attempts, not only by a juſt defenſe, but even by attacking him firſt. He had two plauſible reaſons: one was, that the crown of France with-held from him the duchy of Burgundy, ſince the death of his great grandfather Charles, the laſt duke of Burgundy: the other concerned the duchy of Milan, whereof Francis ought to have received the inveſtiture from the Emperor, ſince it was a fief of the Empire, and yet had not once even vouchſafed to aſk it. He believed moreover to have cauſe of complaint for Francis's extorting from him the treaty of Noyon, as was before obſerved.

In vain therefore do the hiſtorians on both ſides ſtrive to caſt the blame of the rupture on one or other of the two Monarchs. It is certain, both thought at the ſame time of making war, and took meaſures beforehand to execute their deſigns, tho' each privately indeavored to ingage his antagoniſt to take ſome ſtep which might occaſion his being deemed the aggreſſor. So, as the begining of a rupture is not to be judged of by the firſt act of hoſtility, but rather by the cauſe, we cannot well err in affirming Charles V and Francis I to be equally authors of a war which ſet all Europe in a flame. Charles was but twenty-one years of age, but of a very different character from that of his competitor. Francis was too much inamored with pleaſure, whereas Charles was extremely attentive to buſineſs, having been thereto inured from his very childhood. Francis was of a free and open temper; whereas Charles was abundantly more reſerved. Charles maturely deliberated on whatever he had to ſay or do, and ſcrupled not making uſe of artifice and evaſion to accompliſh his purpoſes; framing his conduct by that of his two grandfathers, Maximilian and Ferdinand.

Of Leo X. Guicciard.

Leo X had reaſon to be ſatisfied with his lot, could he have reſolved to live in quiet. He was abſolutely maſter of the whole Eccleſiaſtical ſtate, to which he had lately added all La Romagna, Modena, Reggio, and the duchy of Urbino. His own, the church's, and all Italy's grand intereſt was therefore, to omit nothing which might contribute towards keeping the ballance even between the Emperor and King of France, and to manage ſo that neither of theſe two Monarchs ſhould become too powerful in Italy. This was very practicable, ſince, as his dominions lay between thoſe appertaining to theſe two Princes in Italy, they neceſſarily wanted him, in order to invade either Naples or Milan: wherefore, by keeping a ſtrict neutrality, he would probably have freed Italy from a war, and preſerved the Pontifical power in its full luſter: but he was of too active a ſpirit to remain in peace. As he had a great opinion of his own abilities, he ventured to ingage in all kinds of affairs, how difficult ſoever they appeared, becauſe, let what would be the event, he hoped to get clear by ſome artifice: beſide, he had this in common with all the Popes his predeceſſors, that the reſpect for his character removed his fear of being reduced to extremities, in caſe his undertakings were not crowned with ſucceſs. As to the reſt, he was intirely given to pleaſure, ſpending moſt of his time with muſicians and buffoons, and in ſome ſtill leſs innocent diverſions. This, added to his natural profuſeneſs, threw him into ſuch exceſſive expenſes, that he was indigent amidſt his immenſe revenues, and inceſſantly ſtudying methods how he might procure money. Hence alone proceeded his unwearied zeal to form a league againſt the Turks, becauſe it furniſhed him with a pretext to levy tenths upon the clergy, and ſell his indulgences to the great ſcandal of all Chriſtendom (1).

Had this Pontif been of a narrower or more contracted genius, he would doubtleſs have maintained the tranquillity of Italy: but as he knew himſelf capable of forming and executing great projects, he was deſirous of rendering his pontificate illuſtrious by ſome ſignal actions. Unfortunately for him and his ſucceſſors, he reſolved to drive the French, Spaniards and Germans from Italy, a ſcheme which may well be deemed extravagant. To accompliſh it, he was neceſſarily to uſe the one to cruſh the others, and by thus making the ballance incline all to one ſide he could not but give maſters to himſelf and all Italy, which he would have avoided by ſtanding neuter. But what chiefly ingaged him in this project, was his great deſire to ſeize the duchy of Ferrara, and recover Parma and Plaſenza, which he could not hope to effect while the French were poſſeſſed of the Milaneſe. On the other hand, he was ſomewhat uneaſy with reſpect to Florence: he could not but be apprehenſive that Francis would think of reſtoring the Florentines to their ancient liberty. He reſolved therefore to begin with the French; but took care not to diſcover his deſigns: on the contrary, he continued private negociations with the King of France as well as with the Emperor, and put both equally in hopes of his friendſhip. Nevertheleſs, as his intent was not always to remain in this medium, he got levied in Swiſſerland a body of forces ſix thouſand ſtrong, and ſent for them into the Eccleſiaſtical ſtate, having demanded a paſſage thro' the Milaneſe, under color of providing for the defenſe of his own territory. Guicciard.

Of Henry VIII.

Henry VIII was then more advantageouſly ſituated than had ever been any preceding King of England. He was at peace with all Europe except Scotland, which would moſt gladly have been left in quiet. Tho' he had already conſumed all

(1) This is the Pope of whom Bembo, his ſecretary, reports this ſaying: "It has been long and well known, how beneficial "this fable of Chriſt has been to us and our predeceſſors."

the

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the treaſures found in the King his father's coffers, he was however aſſured of being always ſupplied, ſince he was in a good underſtanding with his parliament, and had the art of managing the two houſes with a very ſingular addreſs. Thus being able to raiſe numerous armies, and at liberty to turn them which way he pleaſed, it was doubtleſs in his power to render himſelf umpire of Europe. For that reaſon Charles and Francis, with equal ardor, courted his friendſhip, being conſcious he could invincibly obſtruct their deſigns, and cauſe the ballance to lean to the ſide he ſhould vouchſafe to favor. It was his intereſt to keep always in this ſituation, 'till obliged to interpoſe in their differences, to hinder the one from riſing to the other's prejudice: and indeed this was his aim and intention; but, unfortunately for him, his weakneſs for his prime miniſter Wolſey ſurpaſſed all comprehenſion. This favorite had over him ſuch unaccountable aſcendency, that he inclined him which way he pleaſed, but ever under the ſpecious color of carrying his glory to a great height, tho' in reality he had in view only his own intereſts. We have already ſeen ſenſible proofs of his great influence over his maſter, in what paſſed during and after the late war with France. He had perſuaded him to deliver to the Emperor Maximilian the city of Terouenne, which might have been of great ſervice to him, and to keep Tournay, which was of little or no advantage. Afterwards, when he was in poſſeſſion of the biſhoprick of Tournay, he had artfully perſuaded him, that keeping that place would be an everlaſting monument of his glory: but when he found himſelf likely to loſe the adminiſtration of that See, and had ample amends offered him, he found other reaſons to convince him, that he ought to part with a place which was not to him any way beneficial. We ſhall preſently ſee, that he led him alſo to make a very falſe ſtep in eſpouſing Charles's cauſe againſt Francis, whereas his true intereſt was to keep the ballance even between theſe two Potentates. All this was done for the ſake of cardinal Wolſey, who, ambitiouſly aſpiring to the Papacy, thought to ſucceed by the Emperor's means. The penſion procured him by Charles on the biſhoprick of Palencia in Caſtile, and the adminiſtration of the ſee of Badajos, at a time when he had not yet received any public ſervice from him, are inconteſtable proofs that the cardinal had ingaged with him, as being ſure of governing his maſter as he pleaſed. All this gives no very advantageous idea of Henry's penetration.

Such were the characters, intereſts and deſigns of the four chief Potentates concerned in the new war whereof I am on the point of treating. The King of Scotland was yet too young to be reckoned among the directors of the affairs of Europe. The Venetians ſought only to live in peace, being, as I may ſay, quite exhauſted by the preceding troubles: nevertheleſs, they could not avoid entering into this war alſo. As for the Swiſſers, they were ſatisfied with their penſions from France, and generally inclined to obſerve the articles of their alliance with that crown: but they were not intirely ſecure from the ſecret practiſes continued by the Pope's and Emperor's agents with ſome of their magiſtrates, to attempt prevailing on them not to ſide with France.

Francis I invades Navarre. Du Bellai. Mezerai.

Francis I, having formed a ſcheme of attacking Charles V, without incurring blame as author of the rupture, reſolved to begin with what could not be imputed to him as a premeditated deſign to quarrel. By the treaty of Noyon, the Emperor was bound to reſign Navarre to Henry d'Albret within four months, in default whereof, Francis was free to aſſiſt d'Albret to recover his kingdom. The affairs of Spain being exceſſively imbroiled ſince Charles departed thence, Francis believed it a fair opportunity to invade Navarre. He was the more inclined to this undertaking, as the two regents of Spain had been conſtrained to draw troops from Pampluna and other places of that kingdom, to reinforce the army which was to act againſt thoſe of the above-mentioned league. He ſent therefore into Navarre, in the begining of March, an army under command of Leſparre of the houſe of Foix, elder brother of Lautrec and Leſcun. This general, finding the kingdom without troops, and in a manner deſerted, became maſter of it in the ſpace of a fortnight. Had he ſtoped there, perhaps Navarre would have been ſtill at this day annexed in deed, as it is in name only, to the crown of France, ſince the Spaniards were then utterly unable to expel Henry d'Albret, from whom the Gallic Monarchs of the Bourbon family are lineally deſcended. But the thirſt of acquiring renown, or procuring his Sovereign's advantage, carried Leſparre to enter the province of Guipuſcoa, and beſiege Logrono. The regents of Spain had no thoughts of recovering Navarre: but when they beheld the French invading Spain itſelf, they aſſembled forces to ſtop their progreſs. Even the male-contents, lately vanquiſhed, accepting a general amneſty, led all their troops to the regents. Leſparre, ſeeing an army much ſtronger than his own coming againſt him, would have retired; but was ſo cloſely purſued, that he was obliged to come to a battle, wherein he was defeated and taken priſoner. The loſs of this battle occaſioned the loſs of Navarre, which the Spaniards recovered in leſs time than the French had conquered it. Thus the King of France had the mortification to loſe his army to no purpoſe, and flagrantly diſcover how he ſtood affected towards the Emperor.

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Leſparre poſſeſſes himſelf of that kingdom.

He enters Spain.

Guicciard. Herbert.

Is beaten, and taken priſoner.

Francis ſtirs up Robert de la Marc againſt the Emperor. Du Bellay. Guicciard. P. Daniel.

The ſame inſtant he was invading Navarre, he raiſed Charles another enemy from a different quarter; namely, Robert de la Marc, Prince of Sedan and Sovereign of Bouillon, who, believing he had cauſe to complain of the Emperor for a denial of juſtice to the young Princes of Chimay (1), whoſe guardian he was, implored the King of France's protection: very probably, Francis had offered it before it was requeſted. However, Robert de la Marc, ſeeing himſelf ſupported by King Francis, was ſo bold as to ſend a defiance to the Emperor, who was then at the diet of Worms. Shortly after, count de Fleuranges, De la Marc's eldeſt ſon, put himſelf at the head of four or five thouſand men (2) levied in France, and beſieged Vireton, a town in Luxemburg appertaining to the Emperor.

The Emperor calls on the King of England to aid him againſt Francis. Herbert.

Then it was that Charles, who had with reluctance agreed to the league of London, thought proper however to make uſe of it, in ſummoning the King of England to aſſiſt him, as obliged by that treaty, ſince it was evident the King of France had raiſed him this enemy. Henry, prepoſſeſſed by the cardinal, was glad of a pretenſe to caſt the blame of this rupture on the French King: however, not to deviate from the articles of the league, he diſpatched away an embaſſador to require him to forbear all hoſtility againſt the Emperor, not only in Luxemburg but alſo in Navarre. Francis replied: He was not author of the war between Robert de la Marc and the Emperor, and all he could do was to forbid his ſubjects to ſerve or aſſiſt De la

Henry ſends an embaſſador to Francis. Bellay. Mezerai.

(1) A certain baron named D'Aimeries had ſeized the town of Hierge, in Ardennes, belonging to thoſe Princes; and D'Aimeries was ſupported by the Emperor. P. Daniel. Vol. VII. p. 435.

(2) Three thouſand foot, and four hundred horſe. Ibid.

Marc.

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Marc. As to Navarre, it would have been needleſs to make any reply on that head, it being now out of his power to re-enter it. He performed his promiſe with regard to the war of Luxemburg, and Fleuranges diſbanded his army. Francis took care not openly to ſupport the duke of Bouillon, for fear of furniſhing Henry, who had offered his mediation, with a pretext to declare for the Emperor. I ſhall purſue this affair, after having touched on thoſe of Italy, which are of no leſs importance.

Who makes De la Marc lay down his arms. March 22.

In the begining of this, or perhaps before the end of laſt year, Leo X concluded, with the French embaſſador reſiding at Rome, a treaty whereby he joined in a league with Francis for the conqueſt of Naples. The treaty ran; That all that part of the kingdom of Naples ſituate between the Eccleſiaſtical ſtate and La Garigliana ſhould remain to the Pontif; and the reſidue ſhould be for Henry, King Francis's ſecond ſon; but, during his minority, the kingdom ſhould be governed by the Pope's legate, who ſhould reſide at the city of Naples. Whatſoever views Leo might have in making this treaty, it may be almoſt affirmed that he acted inſincerely, becauſe it muſt have been very diſadvantageous to him for the ſame Prince to hold Milan and Naples. He was too politic, and too much accuſtomed to crooked and fallacious dealings to be thought to proceed fairly on this occaſion. What may moſt probably be conjectured is, that his intention was to deal by Francis I, as Ferdinand King of Aragon had done by Lewis XII, when he made much the ſame partition with that Prince. At leaſt Francis, who had frequently experienced what Pope Leo was capable of, could never believe he really intended to aſſiſt him in that conqueſt: wherefore he delayed ratifying the treaty, to gain time to deliberate maturely on the affair.

Leo X joins with France for the conqueſt of Naples. Guicciard. Mezerai.

Francis puts off the ratification.

Leo X, perceiving the time allotted for the treaty's ratification expired, ſuſpected King Francis of projecting with the Emperor ſome accommodation detrimental to the Holy See. Thoſe who deal not with ſincerity are very apt to judge others to be like themſelves. However, the King of France's affected delays afforded Leo a motive or pretenſe to conclude with Charles another treaty, to expel the French from the Milaneſe, and reſtore the Sforza family. As he at once carried on ſecret negociations both with the Emperor and King of France, it would be ſomewhat difficult to penetrate his real deſign, were there not a notable difference between the two laſt-mentioned treaties. That with the French embaſſador, concerned a chimerical project, the execution whereof, in the preſent juncture of affairs, was in a manner utterly impracticable, nay, and actually repugnant to his true intereſt; whereas the other was to his advantage, and agreeably to the projects he had formed: ſo, very probably, the firſt was made only to procure better terms from the Emperor; beſide, his conſtant cuſtom had been to keep, as we ſay, two ſtrings to his bow, which he conſidered as the grand myſtery of politics. His treaty with the Emperor was no leſs advantageous than that he would have made with the King of France: the chief articles were theſe.

Pope Leo leagues with the Emperor. Mezerai. Guicciard.

Articles of the treaty of league.

"That the Pope and Emperor ſhould join their "forces to expel the French from the Milaneſe, "and reſtore Franceſco Sforza."----That Prince at was then Trent, having retired thither a little before his brother Maximilian was diſpoſſeſſed of his dominions.

"That Parma and Plaſenza ſhould be reſtored "to the church.

"That the inhabitants of the Milaneſe ſhould "provide themſelves with ſalt only at Cervia, a "town in the Eccleſiaſtical ſtate.

"That the Emperor ſhould aſſiſt Leo to re- "duce Ferrara.

"That the ſum Charles was to pay his Sanctity, "for the kingdom of Naples, ſhould be aug- "mented.

"That the Emperor ſhould protect the Medicis "family.

"That he ſhould aſſign cardinal di Medicis a "yearly penſion, of ten thouſand ducats, on the "archbiſhoprick of Toledo.

"That Aleſſandro di Medicis, natural ſon of "Lorenzo late duke of Urbino, ſhould have, in "the kingdom of Naples, lands to the annual va- "lue of ten thouſand ducats."

This treaty was kept ſo private, that it came not to Francis's knowledge 'till the two allies were actually on the point of invading the Milaneſe. Mean while they concerted proper meaſures to accompliſh their deſigns. Pope Leo, who had already in his ſervice ſix thouſand Swiſſers, took care to augment his forces on diverſe pretenſes. Charles ordered the viceroy of Naples to keep the troops of that kingdom ready to march on the firſt notice, and at the ſame time cauſed levies to be made in Germany, to reinforce his army in Italy. Proſpero Colonna was declared general of the league.

They prepare for war. Guicciard.

Colonna general of the league.

While Francis continued in a fatal ſecurity, leaving the Milaneſe deſtitute of troops, never imagining he ſhould be attacked in Italy, as judging himſelf ſecure of his Holineſs, the two new allies were contriving to ſeize at once Milan, Genoua, and Como, before they proclaimed war againſt him. For the firſt of theſe projects they imployed Hieronimo Morone, ſenator of Milan, who, being ſuſpected by the French, was baniſhed the city. Morone having aſſembled a great number of exiles (1) in the neighborhood of Milan; Leſcun, who commanded in abſenſe of his brother Lautrec the governor, ſallied from Milan with ſome troops, and purſued the exiles to Reggio, a town of the Pope's, whither they had retired, and even ſummoned the governor to ſurrender thoſe fugitives; who excuſing himſelf, Leſcun withdrew and poſted himſelf about ten miles from Reggio, within the Pope's territories, and there lay ten or twelve days incamped. Thereupon Leo, who only wanted ſome plauſible pretext to declare againſt France, called a conſiſtory, greatly aggravated Leſcun's inſult, and declared that, by way of retaliation, he would forthwith join the Emperor. But he had already done ſo, and the affair of Reggio was a mere pretenſe to delude the cardinals.

Attempts on Genoua, Milan, and Como. Guicciard.

While Leſcun was at Reggio, Adorno, a Genoueſe exile, attempted to poſſeſs himſelf of that city with ſome gallies wherewith Leo and the viceroy of Naples had ſupplied him; but could not ſucceed. A few days after, Leſcun diſcovered a plot to ſurpriſe Como, and was fully informed that the Pope and Emperor were the authors: it is therefore evident that, in caſe they had ſucceeded in their deſigns, they would not in the leaſt have ſcrupled paſſing for the aggreſſors.

Guicciard.

Francis orders a levy of Swiſſers, and ſends Lautrec to Milan. Guicciard.

Leſcun, no longer doubting a deſign to invade the Milaneſe, therewith acquainted Francis, and at the ſame time ſent for the four thouſand Swiſſers intended for Milan, who were ready to march. That Prince, amazed at the danger the duchy was in, ordered a ſpeedy levy of twenty thouſand Swiſſers, and ſent Lautrec to Milan, promiſing he ſhould be well ſupported and ſupplied: but this ingagement was but very indifferently executed.

Mean while, Proſpero Colonna, having aſſem-

(1) Theſe were ſome of the Emperor's adherents who had been baniſhed by the French. Guicciard.

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bled at Reggio the confederate army, beſieged Parma, into which Leſcun had already thrown ſome troops: but before he could carry the place, Lautrec, having received the ſupplies he expected from Swiſſerland, conſtrained him to raiſe the ſiege, and purſued him even beyond the borders of the Milaneſe. As he imagined Parma to be out of danger, he had drawn out Leſcun, with the gariſon, to ſtrengthen his army: but no ſooner was Leſcun out of the city, than the inhabitants declared for his Holineſs, and erected the Church's colors on the walls.

Colonna beſieges Parma. Bellay. Mezerai.

He raiſes the ſiege.

Parma declares for the Pope.

But this was not the only misfortune whereto Lautrec was to be expoſed during the campain. Preſently after, he was deſerted by the twenty thouſand Swiſſers he had lately received, and obliged to retire to Milan, whither, alſo in his turn, Proſpero Colonna purſued him with all poſſible diligence. Hereupon Lautrec, deſpairing of defending Milan, quited the town, after ſupplying the caſtle with ammunition, and withdrew to Como, where the four thouſand Swiſſers he ſtill had forſook him and returned home, becauſe he had no money to pay them. So Colonna, taking poſſeſſion of Milan, marched thence to make other conqueſts, which Lautrec could not oppoſe. In a word, Francis loſt the whole duchy of Milan, ſome few places only excepted.

Lautrec deſerted by the Swiſſers, is cloſely purſued by Colonna. Guicciard.

Lautrec quits Milan,

and Colonna takes it.

In all appearance, Lautrec would not long have been able to ſupport himſelf in Italy, had not the Pontif's death, on the firſt of December, afforded him ſome reſpite. Leo X is ſaid to have died with joy, at hearing the league's good ſucceſs: tho' ſome affirm his death was haſtened by poiſon (1). However this be, the news of Pope Leo's demiſe was no ſooner ſpread, but the troops he maintained diſbanded themſelves. Of the twelve thouſand Swiſſers he had in the allies army, only fifteen hundred remained, and the Florentines retired home. Thus, in a very few days, Proſpero Colonna found himſelf in as bad a ſituation as Lautrec. The college of cardinals, at a loſs what courſe to take, gave no orders, but defered all farther proceedings 'till the election of a new Pontif. Mean while, the duke of Ferrara recovered ſome of his towns in La Romagna, and Franceſco Maria della Rovere repoſſeſſed himſelf of the duchy of Urbino. Had Lautrec been then ſupplied with the men and money promiſed him, he would doubtleſs have expeled the Imperialiſts from Milan. But Francis I, intirely neglecting the affairs of Italy, thought only of defending himſelf in Flanders and Picardy, where he was vigorouſly attacked: nevertheleſs, he ſtill held in Italy, Genoua, Cremono, the caſtles of Milan and Novara, with ſome no very momentous fortreſſes on the lake Major, or Gorda.

Death of Leo X. Guicciard.

The confederate army diſband.

The duke of Ferrara recovers his towns.

La Rovere takes poſſeſſion of Urbino. Guicciard.

While all this paſſed in Italy, the war at length commenced in the Netherlands in a manner very diſadvantageous to France. The troops raiſed by Robert de la Marc, to beſiege Vireton, being diſbanded, Francis believed he had thorougly ſatisfied Charles and Henry. It was indeed ſufficient to take from the King of England all pretext of declaring againſt him, ſince, by the treaty of League, in caſe one of the allies was invaded, the reſt were not to declare againſt the aggreſſor, 'till, being ſummoned to deſiſt from the war, he ſhould have refuſed. Francis was ſummoned, and had deſiſted, conſequently Henry had no cauſe to complain: but it was otherwiſe with the Emperor, who was not contented with ſo ſlight a ſatisfaction. He forbore however to complain of the King of France, but was reſolved to be revenged on Robert de la Marc, who had the preſumption to ſend him a defiance: beſide, he conſidered, if Francis undertook to defend that Prince, as it was very likely, he would incur the blame of the rupture, and this was what the Emperor and cardinal Wolſey chiefly deſired, in order to make uſe of that inducement to perſuade Henry to declare againſt France. So Charles, having prepared an army, gave the command to Henry count of Naſſau, who, entering the territories of Robert de la Marc, took and razed ſeveral places. Francis was patient, chuſing rather to forſake his ally than give the King of England a pretext to arm againſt him. Then Robert, finding himſelf without refuge, made his ſubmiſſion to the Emperor, who granted him a truce for ſix weeks. Mean while, tho' Charles had to deal only with a feeble Prince, unable to reſiſt him, and on whom he had taken ſufficient vengeance, he continued to reinforce his army. Francis, ſeeing ſo many troops in the neighborhood of Champagne, eaſily perceived they were not ſolely deſigned againſt Robert de la Marc, and that he might be taken unprovided except he prepared for his defenſe. Mean while, he repreſented to the King of England, that he could not avoid taking arms, in order to reſiſt the Emperor, who was preparing to attack him. Henry anſwered, he would ſide with neither; but, as a common friend, offered to be their umpire: adding, if they would both ſend their plenipotentiaries to Calais, the begining of Auguſt, cardinal Wolſey ſhould be there, to act in his name as mediator. Charles readily accepted ſo advantageous a propoſal, ſince he and the cardinal underſtood each other. As for Francis, he durſt not reject it, tho' he had no reaſon to be pleaſed with the King of England; but as yet he knew not that Wolſey was wholly devoted to the Emperor. It was therefore agreed, that the plenipotentiaries of the two Monarchs, the Pope's nuncio, and the cardinal mediator, ſhould meet the fourth of Auguſt at Calais.

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The King of France's repreſentation to Henry; who offers to become mediator. Bellay. Herbert. Rym. Fœd. Vol. XIII. p. 748.

A congreſs at Calais agreed on.

Mean while, baron de Liques (2), having levied a body of forces at his own charge, as he affirmed, ſurpriſed Mortagne and St. Amand, in the Tournaiſis, on pretenſe of ſome claim of his family. The Emperor affected to conſider this as a private quarrel wherein he had no concern, tho' Liques's army was compoſed of his ſubjects. His aim was to oblige Francis to take ſome ſtep which might give occaſion to tax him with being the aggreſſor. Herein he only imitated that Prince who had attacked him under the name of Robert de la Marc. But, ſome time after, the governor of Flanders beſieging Tournay in form, it was not poſſible to put ſo favorable a conſtruction on that ſiege, eſpecially as what paſſed then in Italy, left the Emperor no room any longer to diſſemble. It is certain, Francis had been ſurpriſed, as well in Italy as in Champagne and Flanders. He undoubtedly had deſigned to attack the Emperor, but did not expect to be firſt attacked: and for this reaſon he wanted time to prepare his army. Mean while, the Imperialiſts took and razed the town of Ardres.

The Emperor tries to lay the blame of the rupture on King Francis. Bellay.

He diſcovers himſelf by ordering Tournay to be beſieged. P. Daniel. Pol. Virg. Hall.

The time appointed for the congreſs of Calais (3) being come, cardinal Wolſey repaired thither with a numerous retinue (4) and carried with him the

Conference at Calais. Mezerai.

(1) Guicciardini ſays, it was ſecretly whiſpered, but on conjectures only, that the French King had him poiſoned, by means of one Barnabo Malaſpina his chamberlain, who was impriſoned on ſuſpicion; but the proſecution ſoon droped, and he was diſcharged by cardinal di Medicis, out of reſpect for the King of France. l. 14.

(2) Lord of Hainault.

(3) Which was July 25. In the mean time a ſix weeks truce was appointed between the Emperor and King of France. Rymer's Fœd. Vol. XIII. p. 748.

(4) He was attended by Charles Somerſet earl of Worceſter, the lords St. John, Ferrers, and Herbert, the biſhops of Durham and Ely, the primate of Armagh, ſir Thomas Boleyn, ſir John Peche, ſir John Huſſey, ſir Henry Guildford, and many others. He came to Dover the eighth of July, and ſailed to Calais the twentieth. Hall, fol. 86.

great

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great ſeal (1). It appears, in Rymer's collection, that he was furniſhed with diverſe royal commiſſions, to be uſed as he ſhould think proper. By the firſt, he was conſtituted the King's lieutenant-general to adjuſt, as mediator, the differences between the Emperor and King of France. By a ſecond, he was impowered to treat and conclude with Francis I a renewal of the alliance: but, probably, this was merely to perſuade the French embaſſadors of Henry's impartiality and pretended deſign to join with him of the two Monarchs who ſhould appear to be unjuſtly attacked. By a third, he had power to conclude a league between England and the Emperor, the Pope, the King of France, or any other Potentate whatever. Thus Henry, without having yet examined on which ſide the blame lay, left it to his lieutenant to ingage him in which party he pleaſed: but, to all appearance, his reſolution was already taken, and the congreſs of Calais was only to ſhow he would not determine 'till after a ſtrict ſcrutiny, and to make the blame of this rupture to be thrown on the King of France. The whole procedure of the cardinal mediator diſcovered his meaning not to be procuring a peace between the two contending Potentates, but only to find the King his maſter a pretext to declare for the Emperor.

Rym. Fœd. Vol. XIII. p. 749.

p. 750. Hall. Stow.

Henry and his miniſter act not ſincerely.

The Emperor's army takes Mouzon, and ravages Campagne. Bellay. Mezerai. P. Daniel.

While theſe affairs were negociating at Calais, the Imperialiſts beſieged and carried Mouzon in Champagne. This done, they ravaged the country, and plundered the little town of Aubanton, where the count of Naſſau ſuffered his ſoldiers to commit grievous outrages; after which he laid ſiege to Mezieres. Francis, wanting time to aſſemble his army, could not be ready 'till the cloſe of September: which however was ſoon enough to throw ſuccors into Mezieres, and thereby force the count of Naſſau to raiſe the ſiege. Count de St. Pol recovered Mouzon ſoon after, and the count of Naſſau retired into the earldom of Namur. Champagne being thus freed, Francis ordered his army to march into Flanders, where the Imperialiſts ſtill continued the ſiege of Tournay. When his troops were drawn together, he aſſaulted Bapaume, Landrecy, Bouchain, and carried them. Having afterwards intelligence that Charles, who had headed the Imperial army, was retiring towards Valenciennes, he reſolved to advance and attack him; but, merely thro' his own fault, he miſſed the opportunity. It is affirmed that, had he uſed the expedition as he might, and ought to have done, he would infallibly have defeated the Emperor, who, giving all over for loſt, was retired with a hundred horſe only, quiting his army, not to be a ſpectator of their deſtruction. On this occaſion, King Francis gave great cauſe of diſguſt to the duke of Bourbon, conſtable of France, by ſtationing the duke of Alenſon at the head of the vanguard, tho' that poſt, when the King was in the army, properly belonged to the conſtable. Francis is ſaid to have given the conſtable this mortification purely to oblige his mother, the ducheſs of Angoulême, who hated him: but he had afterwards too much reaſon to repent his complaiſance.

Siege of Mezieres raiſed. Hall. Herbert.

Francis's conqueſt in the Netherlands.

He miſſes a fair opportunity of defeating the Emperor;

and diſobliges conſtable de Bourbon.

Campain in Navarre. Bellay. Hall. P. Daniel.

At the very time Francis I was attacked in Champagne, he ſent an army into Navarre, under command of admiral Bonnivet, who, about the end of September, arrived at San Juan de Luz. At firſt, he pretended to march towards Pampluna. Then, after diverſe marches and counter-marches, he ſuddenly approached and laid ſiege to Fontarabia. When the breach was made, he ordered the town to be furiouſly ſtormed, but was however bravely repulſed: but the gariſon, little able to withſtand a ſecond aſſault, ſurrendered by capitulation. This conqueſt was of very great importance, Fontarabia being one of the keys of Spain.

Bonnivet takes Fontarabia. Oct. 18.

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While the war was vigorouſly proſecuted in Italy, Champagne, Flanders, Picardy, and Navarre, cardinal Wolſey was buſy at Calais in treating with the plenipotentiaries of Charles and Francis. This congreſs laſted ten weeks, and the parties could not be brought to agree. Very apparently, the mediator, inſtead of cloſing, helped rather to widen the breach. Long was it debated to know which of them had begun the war. This was the chief point, with reſpect to Wolſey, who intended to throw the blame on the King of France. Afterwards, when the differences themſelves came to be conſidered, the propoſals of the Emperor's plenipotentiaries evidently ſhewed a pacification to be ſtill very remote. They demanded reſtitution of the duchy of Burgundy, and abolition of the homage due to the crown of France for Flanders and Artois: the only reaſon they alledged to ſupport their laſt pretenſion was, that it was unbecoming for an Emperor to do homage to a King. Theſe two propoſitions were of ſuch a nature, that Francis would ſcarcely have accepted them, even after the loſs of many battles. On the other hand, the French embaſſadors, having notice of what paſſed in Italy, earneſtly demanded reſtitution of Milan, and that the Emperor ſhould withdraw his troops from before Tournay. They moreover inſiſted on the reſtitution of Navarre, whereto Charles was bound by the treaty of Noyon. Had the Emperor been apprehenſive of Henry's joining with the King of France, he might have granted part of theſe demands without being obliged to diſmember his dominions. But Francis could not reſign Burgundy, without opening a paſſage for the enemy into the heart of his kingdom, nor honorably forgo the homage of Flanders and Artois: but, as the Emperor was ſecure of the King of England, he perſiſted in his demands, without the leaſt abatement.

Account of the Calais congreſs. Hall. Herbert.

After the mediator had long feigned to indeavor only to procure a peace, he declared, he ſaw no proſpect of ſucceſs. He then preſented to the plenipotentiaries a treaty to ſign, containing articles of ſmall moment, viz. "That the French and Flemings ſhould have liberty to fiſh for Herrings, 'till the end of January: that the two contending Monarchs ſhould injoin their ſubjects not to purſue any veſſel into the ports or harbors appertaining to the King of England, nor commit any hoſtilities within the territories of the ſaid King, during the war: that the Pope's nuncio, and the plenipotentiaries at Calais might freely retire with all their train, without receiving any injury from the troops of the two competitors: that the King of England, and the cardinal legate his lieutenant, ſhould be the conſervators of theſe articles, to be ratified within ten days." We have here a very ſenſible proof of Wolſey's inſolence, who, in a treaty drawn by himſelf, preſumed thus to ſet himſelf on a level with his Sovereign, by being jointly with King Henry declared conſervator. Theſe conventions were ratified by the two Monarchs the 2d and 11th of October, and there appears not in Rymer, the leaſt trace of any other treaty made at Calais at or near that juncture.

Wolſey declares he has no farther hopes of a peace. Treaty of ſmall conſequence. Rym. Fœd. Vol. XIII. p. 732. Hall. Stow. Herbert.

The cardinal's pride.

However Du Bellay (2) ſays, in his memoirs, that the King of England having ſent embaſſadors

Remark on a paſſage of Bellay's Memoirs.

(1) For which reaſon, many Engliſh were forced to go to him to receive their diſpatches, and at home the conſtituting of Sheriffs was ſuſpended, &c. Which things were afterwards urged againſt him at his trial. Herbert, p. 44. Hall, fol. 88.

(2) Martin du Bellay, brother to cardinal John Bellay, was much eſteemed by Francis I, and imployed by him in his wars, and in important embaſſies. He wrote memoires, containing the moſt memorable tranſactions under the reign of Francis I, to the Reign of Henry II.

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to Francis I, during the congreſs of Calais, they labored ſo effectually, that at length it was agreed, the Emperor ſhould raiſe the ſiege of Tournay, and withdraw his troops from the Milaneſe; alſo that Francis ſhould retire into France with his army, and their differences be refered to the King of England's arbitration. He adds that, after theſe conventions, each thought the peace concluded, but that, on the Emperor's receiving news of Fontarabia's being taken, he demanded, before the treaty was ratified, the reſtitution of that place, and, on Francis's refuſal, the treaty remained unexecuted: but, very probably, this illuſtrious author, who was better acquainted with the particulars of the war than with thoſe of the negociations, was miſinformed. Firſt, becauſe Rymer's collection of public acts mentions not this pretended treaty, tho' we ſee there another of much leſs conſequence concluded at the ſame time. Secondly, we find not in the ſaid collection, any embaſſy from the King of England, either to Francis or Charles V, during the time which muſt have preceded this ſame treaty. Thirdly, there is no probability that the Emperor would have withdrawn his troops from the Milaneſe, that is, would have reſtored Milan to France, and loſt the hopes of acquiring Tournay, now reduced to extremities, for the bare advantage of ſeeing Francis retire home. Finally, it might readily have been comprehended that Henry was very far from the thoughts of conſtraining the Emperor to yield to theſe terms; and it will ſtill more manifeſtly appear by the ſequel. Add to all theſe conſiderations that, ſeeing what regard both Charles and Francis had for cardinal Wolſey, it is not likely they ſhould conclude a treaty without his participation, and by the miniſtry of other embaſſadors, while he was at Calais to do the office of mediator. Poſſibly, theſe propoſals were made to Francis, and he was ſo blind as to imagine they would take place, becauſe he was yet ignorant of the ſecret ingagements of the King of England and his miniſter with the Emperor, and becauſe ſuch a report was ſpread in the court of France. However this be, after the reduction of Fontarabia, the war was proſecuted unintermittingly, and with the utmoſt inveteracy. Francis I, became maſter of Heſdin about the begining of November, and Tournay ſurrendered to the Emperor by capitulation.

Mezerai. Herbert.

Wolſey goes to the Emperor at Bruges. Hall. Stow. Herbert.

Mean while cardinal Wolſey ſtill continued at Calais, under color of ſearching for ſome farther expedient to procure a pacification between the two Monarchs. He often diſpatched couriers to both, with propoſals which he knew they would not accept. At length, feigning himſelf deſirous of gaining time, he went perſonally to the Emperor at Bruges (1), where he was received with as much reſpect as if he had been King of England (2). There he concluded with the Pope and Emperor a league againſt France, by virtue of the powers he had brought with him. By this treaty, his Sanctity ingaged to thunder the church's cenſures againſt King Francis. Henry was to invade him with an army forty thouſand ſtrong. The Emperor and Henry obliged themſelves to break all their ingagements with him. Moreover, Henry promiſed to give the Emperor in marriage Princeſs Mary, already affianced to the Dauphin. Theſe were the chief articles agreed on by the Emperor and cardinal, the 24th of November 1521, which were to be ratified and put into form of treaty within three months; but they ingaged to be ſecret till the time of performance. Thus was Henry perſuaded by his miniſter to oppreſs his ally the King of France, by whom he had not been any way injured. The only thing he could complain of was, that Francis had lately permited the duke of Albany to return into Scotland, doubtleſs becauſe he perceived the cardinal was hatching againſt him ſome miſchief. It is in vain to inquire, what intereſt Henry had to declare againſt France, and cauſe the ballance to incline to the Emperor's ſide: no other can be found but the cardinal's, who wanted to be Pope at Francis's coſt. The death of Leo X, haſtened by poiſon, as ſeveral affirm, and happening during theſe tranſactions, has made ſome ſuſpect that Wolſey was concerned in it, and the more becauſe he aſpired to be ſucceſſor to a Pope much younger than himſelf; but no proof was ever produced. Certainly Henry would have acquired more glory in continuing umpire of the peace between the two contending Monarchs, and procuring tranquillity to all Europe, than by the conqueſts wherewith he was flattered by his miniſter.

and makes a treaty with him and the Pope againſt France. Herbert.

Princeſs Mary promiſed to the Emperor.

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Henry's falſe politics. Hall. Herbert.

Wolſey had already puſhed his fortune to ſuch a height, that it ſeemed difficult to make thereto any addition; nevertheleſs, all was too little to ſatiate his ambition and avarice. His legateſhip had, at the begining of this year, been prolonged for two years; but he deemed himſelf too ſuperior to all other legates not to have a different commiſſion from theirs. In April, he procured from Leo X a bull, impowering him to make fifty knights, fifty count palatines, as many acolyths (3) and chaplains, forty apoſtolic notaries, who ſhould have the ſame privileges as thoſe made by the Pope; to legitimate baſtards, give degrees in arts, law, phyſic, and divinity, and grant all ſorts of diſpenſations: in ſhort, not ſatisfied with the vaſt wealth he poſſeſſed, or with the means he had to increaſe it inceſſantly, he cauſed alſo the rich abbey of St. Albans to be given to him this year in commendam.

Bull to inlarge the legate's power. Rym. Fœd. Vol. XIII. p. 734, 739.

Abbey of St. Albans given to Wolſey.. p. 760, 775.

Diſgrace and death of the duke of Buckingham. Herbert. Hall. Stow. Hollingſh.

It is no wonder if, being arrived to ſo elevated a degree of grandure and opulency, his pride increaſed proportionably. Tho' the King's blindneſs for him was inconceivable, it was not ſo with the courtiers, who ſaw but too plainly how groſly he miſled his maſter, who placed in him ſuch confidence: yet none durſt take notice of it, ſo was his haughty and revengeful diſpoſition dreaded. The duke of Buckingham, ſon of the duke of the ſame name, who, in the reign of Richard III, loſt his head on the ſcaffold for attempting to procure the crown for Henry VII, ſadly experienced how dangerous it was to diſcover peoples ſentiments of that proud prelate. He happened one day to ſay, in the hearing of one who betrayed him (4) that, "in "caſe the King died iſſueleſs, he thought he had "a right to the crown, and if ever he aſcended "the throne, his firſt care ſhould be to puniſh the "cardinal according to his deſerts." The duke's title was not altogether groundleſs, ſince he was deſcended from Ann of Gloceſter, grandaughter to

(1) On Auguſt 12, being attended by four hundred and ſixty horſe. Hall, fol. 87. Stow, p. 514.

(2) The Emperor met him a mile out of town. Hall, ibid. Herbert, p. 43.

(3) Inferior church-ſervants in popiſh countries, who, under the ſub-deacon, waits on the prieſts and deacons, lights the candles, carries the bread and wine, and pays other ſervile attendance.

(4) Charles Knevet his ſteward, who was by the duke turned out of his place on the complaints of his tenants, was the perſon who informed againſt the duke, and told Wolſey all the particulars which were alledged againſt him. The firſt thing that inſenſed the cardinal, was his ſpeaking againſt the interview of the two Kings as an idle expenſe, tho' no man made a greater figure than himſelf. Herbert, p. 41. The reſt of the witneſſes againſt the duke were, Gilbert Perke his chancellor, and John Delacourt his confeſſor. Hall, fol. 86. The words above-mentioned were ſpoken by the duke to George Nevil lord Abergavenny, who, for concealment, was commited to the tower, as was alſo Henry Pole lord Montague; and ſir Edward Nevil, the aforeſaid lord's brother, was forbid the King's preſence. Hollingſh. p. 863.

Edward

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Edward III. Doctor Morton, afterwards archbiſhop of Canterbury, preſſed the duke his father to indeavor to ſeize the crown; but the duke choſe rather to act for the earl of Richmond than for himſelf, as was ſhewn in the reign of Richard III. What the ſon had ſaid, concerning his title, was therefore rather imprudent than criminal, ſince he pretended not to the crown except King Henry died without heirs. Indeed, his title might be ill-grounded; but he had done nothing to ſupport it. His crime then conſiſted only in what he had ſaid againſt the cardinal, who, for that reaſon, reſolved to diſpatch him. To that purpoſe, he gained ſome of his domeſtics, and, by their means, learned that he had conſulted a certain monk (1) who pretended to fore-tell things to come, and had confered with him ſeveral times ſince April 1512. Probably, the duke, fond of this title, had inquired of the monk, whether the King would die iſſueleſs: and that was ſufficient to give the cardinal occaſion to miſconſtrue all his proceedings. When he believed he had ſufficient evidence againſt him, he began with depriving him of his two principal ſupports; namely, the earl of Northumberland his father-in-law, whom he ſent to the tower on ſome pretenſe (2), and the earl of Surrey (3) his ſon-in-law, on whom he confered the government of Ireland, to remove him from London. Preſently after the duke was apprehended and accuſed of high-treaſon. The ſubſtance of his impeachment was, that he had ſeveral times conſulted that monk concerning the ſucceſſion to the crown, and affected to make himſelf popular. The duke confeſſed he had talked ſometimes with the monk; but denied it to be with the intent he was charged with. Nevertheleſs he was condemned to die as a traitor, which he could not bear to hear when the ſentence was pronounced (4). "My lord of Norfolk (cried he) you "have ſaid as a traitor ſhould be ſaid unto; but I "was never one. My lords (continued he, addreſſing himſelf to the peers his judges) I nothing "malign for what you have done to me, but the "eternal God forgive you my death, and I do. I "ſhall never ſue to the King for life; howbeit he "is a gracious Prince, and more grace may come "from him than I deſire. My lords, and all my "fellows, I deſire you to pray for me." When he ſaid he would not ſue to the King for life, his meaning was, he thought it would be fruitleſs, knowing he fell a victim to Wolſey, whoſe ſway over the King was abſolute. Indeed, the miniſter had ſo ordered it that, tho' all the peers of the realm had a right to aſſiſt at the trial, there were preſent only one duke, one marquis, ſeven earls, and twelve barons (5); and probably he had ſecured the majority. All the favor this unhappy nobleman received, was to be beheaded, inſtead of dying the death of a traitor (6). This execution was attended with loud murmurs among the people, and ſatyrical libels againſt Wolſey wherein, among other things, was ſaid, "That it was not ſtrange the ſon of a butcher "ſhould delight in ſheding blood:" but this was all the revenge was taken for that injuſtice; this cardinal was too deeply rooted in his Sovereign's eſteem to dread or regard theſe murmurs, which beſide never reached the King's ears, all who approached him being either ſpies or creatures of the cardinal.

Hall. Herbert. Stow. Hollingſh.

Hall.

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Henry was then wholly intent on one affair, namely, the war he had reſolved to make upon France, as if his glory and grandure had depended on the ruin of that kingdom, whereas his true intereſt was to ſupport France againſt the Emperor, who was grown but too powerful. He was already formidable to all Europe, even without the aſſiſtance of England; how much more ſo by his union with that kingdom? This was owing to the ambition of cardinal Wolſey, whoſe counſels to his maſter were always ſelfiſh. To all appearance, France was on the point of being reduced to a moſt wretched condition, it being ſcarcely poſſible for her to reſiſt ſuch potent enemies, who were to invade her from ſeveral quarters. Francis imagined however he had ſtill one refuge by means of the Scots, who could make a conſiderable diverſion in England. The congreſs of Calais having plainly diſcovered Henry's partiality to the Emperor, he made no doubt of its being the introduction to a rupture. In this belief, tho' he had ingaged to detain the duke of Albany in France, he thought proper to keep him no longer, not thinking himſelf bound to perform a promiſe the motive whereof was now no more, namely, the mutual friendſhip between him and Henry. He therefore ſuffered the duke of Albany to return into Scotland, or rather ſent him back, in hopes he would imploy part of the Engliſh forces on the borders of the two kingdoms. He very juſtly expected this ſervice from a Prince who was devoted to him, and looked on his ſettlement in France as much more ſolid than that in Scotland, where his regency was to laſt but few years. The duke departed for Scotland, and arriving, on the thirtieth of October 1521, after a four years abſenſe, reſumed the regency. As he intended to ſerve France to the utmoſt of his power, his firſt care was to oblige the earl of Angus, the Queen's conſort, to quit the realm, deeming him one of the King of England's principal adherents; nevertheleſs the earl took refuge in France.

Affairs of Scotland. Buchanan. Herbert.

Buchanan. Hall. Hollingſh.

While all the Chriſtian Potentates were buſied in their temporal concerns, the reformation made great progreſs in Germany, by means of Luther's writings, which were read with great eagerneſs. Luther was ſatisfied at firſt with attacking the ſale of indulgences, then the indulgences themſelves, and the Pope's power to grant them. This naturally led him to examine the grounds of the Papal authority; and, being perſuaded there was nothing to ſupport it in Scripture, he wrote on that ſubject without any regard to the Roman Pontif: in his writings he likewiſe attacked the celibacy of prieſts, monaſtic vows, and private maſſes. Tho' at the time I am now ſpeaking of, namely, the begining of the year 1521, he had preached and written againſt the Pope only three years, he had gained abundance of followers, and ſtill more enemies, not only by his novel opinions, but alſo by his ſharp and ſatyrical ſtile, wherein he threw off all ceremony with re-

Progreſs of the reformation in Germany. Sleidan.

(1) One Nicolas Hopkins, prior of the Carthuſian monaſtery of Hinton, near Briſtol. Hall, fol. 85, 86.

(2) Henry Percy. For claiming certain wards, which he was forced to relinquiſh. Herbert, p. 40.

(3) The cardinal bore the earl of Surrey, Thomas Howard, a grudge, for having drawn his dagger at him on ſome occaſion. Hollingſh. p. 855.

(4) By the duke of Norfolk, who was conſtituted high-ſteward for the time. He was brought to trial May 13. Hall.

(5) The duke of Suffolk, the marquis of Dorſet, the earls of Worceſter, Devonſhire, Eſſex, Shrewſbury, Kent, Oxford, and Derby; the lords St. John, Delaware, Fitzwarren, Willoughby, Broke, Cobham, Herbert, and Morley; theſe are mentioned by Hall.

(6) He was executed on Tower-hill, May 17, and was buried in the church of the Auguſtines in Broadſtreet, London. Edward Stafford deſcended of Edmund earl of Stafford, who married Ann, daughter of Thomas of Woodſtock, ſon of Edward III, left (by Alianore his wife, one of the daughters of Henry Percy earl of Northumberland) one ſon, Henry, and three daughters; Elizabeth, married to Thomas Howard duke of Norfolk; Catherine, to Ralph Nevil earl of Weſtmorland; and Mary, to George Nevil, lord Abergavenny. With this duke of Buckingham ceated that great place of high-conſtable of England, hereditary in his family. Dugdale's Barony Vol. I. p. 171.

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gard to the church of Rome. The book which made moſt noiſe, was intitled, "Concerning the "Babyloniſh Captivity." Therein the Popes were not ſpared.

In the ſeveral anſwers which appeared, as well againſt this as the other books of Luther, the decretals of the Popes, and the works of Thomas Aquinas were urged in favor of the Pontifical authority. This gave him occaſion, in his replies, to ridicule thoſe who, in defenſe of the Papal power, alledged the deciſions of the Popes themſelves, and the teſtimony of Thomas Aquinas, who was canonized for carrying the Pope's authority as high as poſſible. Beſide, he expreſſed not any extraordinary regard for that author's writings; which, very probably, was what chiefly inſenſed Henry VIII againſt him. As Henry had much ſtudied the works of Thomas Aquinas, and from thence properly had acquired all his theological knowledge, he could not bear to ſee his favorite author thus contemned (1). He thought himſelf therefore a match for Luther, and able to confute his writings: but, as Leo X had by a bull expreſly prohibited the reading Luther's works, and as an anſwer neceſſarily ſuppoſed the peruſal, cardinal Wolſey applied to the Pope for a power to permit ſuch to read them as deſired it with intent to confute them. This was granted him by a brief dated the ſeventeenth of April 1521, the Pope little dreaming what ſort of doctor it was who was about ſupporting his cauſe.

Rym. Fœd. Vol. XIII. p. 742.

Henry VIII's book againſt Luther, Herbert. Hall. preſented to the Pope;

In September Henry finiſhed his book againſt Luther, intitled, "Concerning the ſeven Sacra-"ments." He defended indulgences, Papal authority, the number of ſacraments, and other articles combated by Luther, proceeding on Thomas Aquinas's principles as on truths not conteſtable. Moſt probably, he was aſſiſted by cardinal Wolſey in compoſing this work, which was preſented to the Pope in full conſiſtory (2). Leo X, who was ſtill living, received it with great joy, and ſpake of it in the higheſt ſtrains of adulation, making no ſcruple to compare it to the works of St. Auguſtine and St. Jerom. This is no wonder: a book compoſed by a potent Monarch, in defenſe of the Papal authority, could not be too much eſteemed by a Pope. A few days after, Leo aſſembled the cardinals, to conſult with them after what manner he ſhould requite the King of England's ſervice to the church. After a long debate, they reſolved to honor that Prince with the glorious title of Defender of the Faith (3). In conſequence of this reſolution, the Pope ordered a bull to be drawn, confering that title on Henry, and all the Kings of England his ſucceſſors. I ſhall not repeat here the magnificent eulogies beſtowed on Henry by his Holineſs in this bull, and in a letter of thanks for his book. It may be eaſily imagined he ſpared not the moſt extravagant expreſſions to flatter a Prince, who was ſo fond of being flattered, and of whom he ſtood in need, his nuncio being then at Calais negociating, with cardinal Wolſey, a league againſt France (4).

who gives Henry the title of Defender of the Faith. Rym. Fœd. Vol. XIII. p. 756.

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P. 758.

Of this league, which was really concluded at Bruges, I have already made mention. Henry founded his joining with the Emperor on Francis's having been the aggreſſor, by incouraging Robert de la Marc to take arms: but beſide that Francis denied his being concerned in that affair, and had even obliged De la Marc to deſiſt, it was evident the Emperor had prevented him, by joining in a league with the Pope, tho' their league was not ſo ſoon made public. The ſecret attempts on Como, Milan, Genoua, and the open war in the Milaneſe, by which the King of France loſt that duchy, were clear evidences that the league was concluded before De la Marc's attempt. Henry pretended alſo to have againſt Francis another cauſe of complaint, which however had no better foundation; viz. his having, contrary to his promiſe, ſuffered the duke of Albany to return into Scotland: but, if it is conſidered that the duke arrived not in his own country 'till the thirtieth of October, and that the league of Bruges was ſigned the twenty-fourth of November, it will be eaſy to perceive the league was already reſolved before Henry could have intelligence of the duke of Albany's being arrived in Scotland. But tho', on the firſt notice, he had taken a haſty reſolution to join with the Pope and Emperor; was that a juſt cauſe to proceed to a war which, in all appearance, would prove France's utter deſtruction? The truth is, theſe were only pretenſes to cover the injuſtice of a war undertaken by Henry for the cardinal's intereſt, and perhaps without knowing himſelf the real motives of that miniſter's procedure.

An' 1522. Henry's reaſons for making war upon France.

Hall. Stow. Buchanan.

Mean while Henry, perceiving the duke of Albany would imbaraſs him if he continued in Scotland, attempted a ſecond time to drive him thence. To that purpoſe, he ſent Clarenceux his herald, with orders to upbraid him with breach of promiſe, and with returning into Scotland to marry the dowager Queen, and deprive the young King of his crown. The pretended reaſon of this laſt charge was, that the Queen-dowager, being deſirous to have her marriage with the earl of Angus annulled, the duke of Albany had ſeconded her ſuit at the court of Rome (5). The duke anſwered,

Henry ſummons the duke of Albany to depart Scotland. Buchanan. Herbert.

(1) Wolſey alſo much read Thomas Aquinas, and was therefore called Thomiſticus. Pol. Virg.

(2) The manner of delivery was thus: Dr. John Clarke dean of Windſor, our King's embaſſador, appearing in full conſiſtory, the Pope, knowing of the glorious preſent he brought, firſt gave him his foot and then his cheek to kiſs; after which he received the book, and made a ſpeech. This copy, richly bound, is preſerved in the Vatican, where lord Herbert ſays, he remembers to have ſeen it. The book is dedicated to his Sanctity. "In this addreſs your Holineſs may be ſurpriſed, ſays the King, to find a "Perſon bred to war and the buſineſs of the ſtate, ingaged in a controverſy of this nature, with a man who has paſſed his whole "time in the improvements of learning." Some have thought that this book was compoſed, at leaſt in part, by Fiſher biſhop of Rocheſter, Stephen Gardiner, and ſir Thomas More. Herbert, p. 38. Fiddes, p. 251.

(3) It was debated, whether he ſhould be ſtiled Protector or Defender of the Roman Church; or, of the Apoſtolic See; or, the Apoſtolical, or Orthodox King: but Defender of the Faith was at laſt pitched on. This title had formerly been injoyed by ſome of our Kings his predeceſſors. Spelman. Fuller, in his Church-Hiſtory ſays, there went a tradition, that Patch, King Henry's fool, perceiving the King very jocund one day, aſked him the reaſon; and when the King told him, it was becauſe of his new title, Defender of the Faith; the fool made this arch reply, "Prithee, good Harry, let thee and I defend one another, and let the "faith alone to defend itſelf." Fiddes life of Wolſey, p. 248.

(4) This year 1521, muſkets were invented, which Du Bellay ſays, were firſt uſed in this war.——This year alſo, it being obſerved there was a great decay of tillage and huſbandry, occaſioned by the many incloſures made by the nobility and gentry, who, within fifty years, had converted moſt of their lands to paſture, and kept them in their own hands; from whence, among other inconveniencies, it followed, that the number of huſbandmen, and perſons capable of defending the country, was very much leſſened; many towns and villages were depopulated; and the prices of wool and meat were very much inhanced, as being ingroſſed by perſons who were not obliged to ſell: to remedy all this, the King revived the ſtatutes made againſt incloſures, and iſſued out his commiſſions to juſtices of peace, and other magiſtrates, to ſee them put in execution. Stow, p. 512. Hollingſh. p. 682. ——The ſea overflowing the dikes of Holland, drowned ſeventy two villages, and above a hundred thouſand people.——Alſo there was ſo great a dearth in England, that wheat was ſold for twenty ſhillings a quarter. Stow, p. 514.

(5) She was offended, it ſeems, at his leaving her at Harbottle, and very much nettled at the love he bore to a certain Scotiſh lady. She alledged, among other things, at the court of Rome, that ſhe heard her huſband James IV was living three years after Floddon battle, and therefore not dead when ſhe married the earl; ſo much did that report prevail. Herbert p. 50.

"that

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" That his return to Scotland was by the invitation " of the grandees: that he never had done any " thing to give occaſion to ſuſpect him of aſpiring " to the crown, neither had he ever any ſuch " thought: that indeed he had countenanced the " Queen's ſuit, but without any deſign to marry " her, having already a wife of his own."

Henry writes to the Scotiſh parliament on the ſame account.

Henry was not ſatisfied with ſummoning the regent, but alſo ſent a letter to the parliament of Scotland, containing the ſame accuſations againſt the duke of Albany, and a charge to the ſtates to expel him the kingdom. The ſubſtance of the parliament's anſwer was: " That what had been re- " ported to his Majeſty, concerning the duke of " Albany's return into Scotland, to take forcible " poſſeſſion of the King's perſon, was utterly falſe: " that the duke did nothing, with regard to the " King, which could create the leaſt ſuſpicion, " ſince he did not even offer to change any of his " domeſtics without the ſtates concurrence, and " that it was with the Queen's advice and conſent " that they had taken care of the young King's " guardianſhip and education: that they could not " believe the duke had ever intended to put away " his wife, and marry the Queen, or that the " Queen had any thoughts of eſpouſing the duke: " that, with regard to the treaty with the King of " France, to prevent the duke of Albany's return " to Scotland, it was never communicated to them, " neither had they thereof the leaſt knowledge: " that they could not but look on ſuch a treaty as " very ſtrange, ſince they rather imagined his Ma- " jeſty ſhould have ſollicited the duke's return, in " order to defend the King his nephew againſt his " rebellious ſubjects; whereas they with grief per- " ceived it was he who fomented the rebellion: " that, if matters continued in this poſture, they " ſaw not how it was poſſible to keep a good un- " derſtanding between the two kingdoms: that " nevertheleſs, if he would be pleaſed to diſmiſs " the biſhop of Dunkeld from court, and, " without interpoſing in the affairs of Scotland, " leave to the regent and ſtates the care of govern- " ing the realm, a truce might be concluded 'till " the embaſſy which was to be ſent to him was " ready; but that, in caſe he would have no truce, " except they expeled the regent, they would in- " deavor to defend themſelves in the beſt manner " they were able."

The parliament's anſwer. Rym. Fœd. Vol. XIII. p. 761. Feb. 11.

The Queen of Scotland's letter to the King her brother. Herbert.

Queen Margaret, to whom the King her brother alſo wrote on the ſame ſubject, returned a reply full fraught with reproaches for his giving ear to the report concerning her marriage with the duke of Albany. She freely owned, it was with her conſent and advice that the duke was recalled; adding; " That if he had not been ſo unkind a bro- " ther, ſhe ſhould not have had any occaſion to " ſeek the protection of a ſtranger."

Henry finds means to avoid a war with Scotland. Buchanan. Hall. Stow. Hollingſh.

Henry could not expect any other anſwer, ſince he was conſcious to himſelf, that his accuſations againſt the regent of Scotland were only affected pretexts to complain indirectly of the King of France. Nevertheleſs, he ordered lord Dacres to march into Scotland with five hundred men, and proclaim on the borders, " That if the Scots made " not peace with him by a certain limited day, it " ſhould be to their peril:" but he ſupported this bravado but very indifferently. His ſole aim was to furniſh his party in Scotland with a pretenſe to refuſe ſerving the regent, in caſe he attempted to make a diverſion in England in favor of France; nor was he therein diſappointed. In October following, the regent of Scotland, raiſing forces to make an inroad into England, was no ſooner come to the borders, but many of the lords refuſed to advance any farther, alledging; " They were un- " willing to ingage the kingdom in a needleſs war " with England." The oppoſition the duke of Albany found in his army convincing him, he ſhould not be able to effect any thing conſiderable, he propoſed a truce, which the Engliſh gladly accepted; Henry's view being only to terrify the Scots with a dread of the ſucceſs of a war with England during their King's minority. So, the duke of Albany, finding it out of his power to ſerve France as he deſired, returned about the end of October to Paris, in order to take freſh meaſures with King Francis. Thus Henry attained his ends, in avoiding a rupture with Scotland, as a war with that kingdom could not but extremely incommode him, his then circumſtances conſidered.

The regent returns to France.

Mean while, Francis I, having had ſome intelligence of what paſſed at Bruges between the Emperor and cardinal Wolſey, and deſiring to convince Henry how directly contrary to the league of London his proceedings were, ſent him letters patent, inſerting the article of the treaty whereby they were ingaged mutually to aſſiſt each other. Then he recited what injuries Charles had done him, as well in Italy, as in Champagne and Flanders, and ſummoned him to perform the treaty he had ſolemnly ſworn. Henry anſwered by a herald whom he ſent to proclaim war againſt him (1), alledging, he was obliged to it by the ſame treaty of London, becauſe Francis had firſt attacked the Emperor, and had moreover falſified his promiſe with reſpect to the duke of Albany (2). Thus war was once more declared between France and England, on very frivolous, not to ſay unjuſt occaſions: but Wolſey had the art of perſuading the King his maſter to whatever he pleaſed.

Francis calls upon Henry to aid him againſt the Emperor. Rym. Fœd. Vol. XIII. p. 764. Feb. 23.

Henry proclaims war. Hall. Stow. Hollingſh. Pol. Virg.

Henry having, without cauſe, proclaimed war againſt France, durſt not call a parliament to demand a ſubſidy: for he could not alledge either a juſt cauſe, or any real neceſſity for undertaking a war deſtructive to the Engliſh merchants; nevertheleſs money muſt be raiſed, and it was the buſineſs of Wolſey, who had imbarked him in the war, to find means. The expedient he thought moſt proper was, to order the ſheriffs to ſend a liſt of the names of all above ſixteen years old, with exact accounts of what each perſon was worth in land, ſtock, moveables, and money. This was ſuch a ſurvey as was formerly taken in the reign of William the Conqueror, and had given the nation ſuch great cauſe of complaint (3). This was followed by a general loan of the tenth on his lay-ſubjects, and a fourth of the clergy, according to the true

A tax impoſed on England. Herbert. Stow.

Hall.

Hall. Hollingſh.

(1) Whereupon King Francis ordered all the effects of the Engliſh merchants at Bourdeaux, and elſewhere to be ſeized: and Henry did the like by the French and Scotiſh merchants in London, and moreover cauſed them to be impriſoned. Hall, fol. 92.

(2) At this time, Ann Bulleyn, who had lived in the French court ever ſince her going over with Mary, King Henry's ſiſter, and wife of Lewis XII, returned to England. Herbert, p. 46. Burnet's Ref. Vol. I. p. 44. Fiddes, p. 268. Du Tillet, p. 397.

(3) Stow, in Ann. p. 515, gives account of this ſurvey from an original warrant directed to the conſtable of a hundred, who was commanded to charge the conſtables of every pariſh, within the ſaid hundred, to appear perſonally before certain commiſſioners, and to bring with them the names of all perſons above ſixteen years old, dweling within the ſaid hundred, and to injoin them to repair to a certain place aſſigned, with their arms, and declare their names, and to whom they belong, and who is lord of every town or hamlet, and who are ſtewards, and who parſons of the town, and what their benefice is worth, and who owners of every parcel of land within the ſaid precincts, and what is the yearly value of every man's land, what ſtock on the lands, and who the owner thereof; alſo what ſtrangers dwell there, and what buſineſs they follow; alſo the value and ſubſtance of every perſon above ſixteen years of age; alſo what penſions go thence to religious and ſpiritual men. " Which being certified, ſays Polydore Virgil, " the King rejoiced, finding his kingdom ſo wealthy." This warrant was dated at Brentwood, March 27. 1522.

value

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value of their eſtates, beſide twenty thouſand pounds which the King borrowed of the city of London in particular: thus one injuſtice commonly draws on another. This war was manifeſtly unjuſt, and became ſtill more ſo by the means imployed to maintain it: theſe kinds of involuntary loans, to which certain Kings of England have ſometimes forced their ſubjects, being a manifeſt violation of the peoples privileges, and tend directly to arbitrary power. If the King may oblige his ſubjects to furniſh him with money, when he ſhall think neceſſary, tho' it be by way of benevolence or loan, it may be aſſured he will very ſeldom, or perhaps never think himſelf obliged to call a parliament. It is true, Henry was neither the firſt nor laſt who uſed this extraordinary method to raiſe money. But, tho' he was ſo lucky as not to receive any prejudice by it, ſome of his ſucceſſors, who were pleaſed to imitate him, were not ſo fortunate.

Remark on involuntary loans.

Murmurs againſt the cardinal.

This general loan made a great noiſe throughout the realm. Every one openly exclaimed againſt the cardinal, who was the author: but he little regarded the peoples clamors, becauſe he was ſupported by the King. However, tho' at firſt he had given orders to exact loans with the ſame rigor as if they had been a tax impoſed by parliament, he met with ſo many obſtacles that he grew apprehenſive of raiſing in the kingdom commotions not to be appeaſed at his pleaſure: wherefore much greater moderation was uſed in levying the tax than at firſt was intended. This occaſioned ſuch a great drawback in the cardinal's calculation, that Henry was finally obliged to have recourſe to the uſual method of a parliament to maintain the war, as we ſhall ſee preſently. Thoſe who moſt ſtrenuouſly oppoſed this levy were the London merchants. They were required to declare, upon oath, the real value of their effects: but they firmly refuſed it, alledging; it was not poſſible for them to give any exact eſtimate of their ſubſtance, part whereof was in the hands of their correſpondents in foreign countries. At length, the King agreed to content himſelf with what they thought fit to give him, according to their own calculation.

The London merchants oppoſe the tax.

Wolſey diſappointed of his hopes of the Papacy.

Cardinal Wolſey's concern at not ſucceeding in this affair, according to his wiſh, was not comparable to his trouble at being diſappointed in another which touched him abundantly nearer, and for which he had ſpared neither labor, aſſiduity nor expenſe: I mean his advancement to the Pontifical dignity, whereof he deemed himſelf very ſecure. Leo X dying the begining of December laſt year, when his obſequies were over, the cardinals entered the conclave, where they were not a little imbaraſſed concerning the election of a new Pontif. Cardinal Julio di Medicis aſpired to the Papacy, and had for him a good number of votes: but the Emperor's party, and ſome cardinals gained by Wolſey, openly oppoſed his ſaid eminency's election. Mean while, as it is required to have two thirds of the voices to be choſen Pope, if cardinal Di Medicis had not ſufficient to do his own buſineſs, he had however enough to exclude any other: and this long detained the cardinals in the conclave. Tho' the Emperor had aſſured Wolſey of his whole intereſt, he deſigned not to perform his promiſe. His intention was to procure the Pontificate for his quondam preceptor, Adrian Florent biſhop of Tortoſa, native of Utrecht, as reckoning he would be intirely devoted to him when in St. Peter's chair: but this affair was managed ſo artfully, and withal ſo privately, that the cardinals of his party, without diſcovering their intent, were ſatisfied with breaking the meaſures of Julio di Medicis, 'till ſome opportunity to carry their point ſhould offer.

Management of the conclave. Guicciard. Pol. Virg.

Herbert. Stow. Hollingſh.

Mean while, Wolſey left no ſtone unturned. As he grounded his whole hope on the Emperor's intereſt, he wrote to remind him of his ingagement, repreſenting the advantages he would reap by having a ſovereign Pontif wholly at his devotion. He alſo, at the ſame time, ordered Richard Pace, then at Venice, inſtantly to repair to Rome, and do him all poſſible ſervice. The Emperor was extremely perplexed in relation to Wolſey. He had ingaged to imploy the utmoſt extent of his credit in that cardinal's behalf, tho' nothing was more remote from his intentions. It was his intereſt to have a Pontif at his devotion: but he knew Wolſey too well to imagine ſuch a Pope would be guided by his counſels. It was therefore requiſite for Charles, in order not to loſe Wolſey's friendſhip, to get Adrian elected without his appearing to be therein any way concerned. As he had gained that miniſter to his intereſt ſolely by the promiſe of procuring him the Papacy, he could not doubt that, if he found himſelf deceived, he would turn his maſter againſt him. On theſe conſiderations, Charles concealed his deſigns, and was, in the conclave, ſo faithfully ſerved, that they could not be diſcovered; neither had Adrian ever one vote in the daily ſcrutinies. Mean while, he held Wolſey in hopes, and threw on the faction of cardinal Di Medicis thoſe obſtacles which occurred in the performance of his promiſe. Finally, when thoſe who were in Charles's ſecret, and managed his affairs in the conclave, were ſecure of a ſufficient number of votes, one day, as the cardinals were met to make a ſcrutiny, ſome one propoſed cardinal Adrian, biſhop of Tortoſa, then in Spain. He expatiated on that prelate's extraordinary qualifications, and the advantages which would accrue to the church by his promotion: whereupon they who were of the party ſucceſſively voted for Adrian, as if they had been inſpired, and perhaps without being acquainted with each other's deſign, ſo dexterouſly had the buſineſs been managed: the reſt, who were not in the ſecret, ſeeing two thirds of the ſuffrages for Adrian, voted the ſame way, leſt a fruitleſs oppoſition might turn to their prejudice. Thus the election was made with unanimous concurrence, and paſſed for a miraculous inſpiration of the Holy Ghoſt. It is not probable Wolſey was ſuch a dupe as to believe the Emperor not concerned in Adrian's election, ſince the whole was ſo very apparently manifeſt. The new Pontif, who aſſumed he name of Adrian VI, had been, as was obſerved, Charles's tutor, and on his recommendation was made cardinal, and was then actually regent in Spain. Beſide, there is no likelihood that the cardinals would have thought of chuſing a Barbarian (for that is the honorable appellation the Italians beſtow on all ſuch as are not of their nation) had not the election been managed by the Emperor. However this be, Wolſey expreſſed not the leaſt reſentment; whether he waited for opportunity to take open vengeance, or thought it convenient to keep fair with the Emperor againſt another vacancy; it being likely one would happen ſpeedily, the new Pope being aged and very infirm. Adrian VI was elected in January 1522, but it was mid-ſummer before he reached Rome.

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Guicciard.

Adrian VI elected Pope. Hollingſh.

Wolſey ſmothers his reſentment.

The Emperor, having made a Pope at his devotion, and ſettled his affairs in Flanders and Germany, determined on returning to Spain, where his preſenſe was neceſſary: but as he had cauſe to fear ſome change at the court of England, on account of what had paſſed in the late conclave, he thought proper, in his way, to viſit Henry. This viſit was requiſite, as well to confirm with that Prince the articles agreed on at Bruges, as to try to preſerve cardinal Wolſey's friendſhip, without which he could not expect to preſerve the King's. He landed, the twenty-ſixth of May, at Dover, where Wolſey waited on him with a magnificent train, and the King

The Emperor, in his way to Spain, touches at the court of England. Herbert. Hall. Stow. Hollingſh.

King himſelf came two days after (1). He thence conducted the Emperor to Greenwich, and then to London, where he was received with all the honor and reſpect uſual on ſuch occaſions. The cardinal legate forgot not making parade of his grandure by ſaying high-maſs before the two Monarchs, aſſiſted by ſeveral biſhops, and ſerved by dukes. As he had reſolved to hide his reſentment, the Emperor had reaſon to be ſatisfied with his reception, and found a ready compliance with all his deſires. After ſome ſtay at London, the King invited him to Windſor, where he was inſtalled of the order of the garter, into which his brother Ferdinand alſo had been admited the twenty-third of the preceding April (2). This done, the two Monarchs received the ſacrament together, and ſwore to the treaty of Bruges.

He is honorably received. Rym. Fœd. Vol. XIII. p. 767. Hall. Stow. Hollingſh.

Charles inſtalled knight of the garter. Hall. Stow. Hollingſh.

He ſigns with Henry the treaty of Bruges. Herbert.

The preamble of this treaty ran, "That the "Emperor and King of France had refered their "differences to the arbitration of the King of England, who had ſent the cardinal of York to Calais to decide them: that, in theſe conferences, it "was long debated, to know which of the two "Monarchs had been the aggreſſor, and, after mature deliberation, the cardinal had declared, it "was the King of France, as well by means of "of Robert de la Marc, as by invading Navarre: "that therefore the King of England was, by the "treaty of London, obliged to aſſiſt the Prince "attacked againſt the aggreſſor. That moreover, "he had himſelf cauſe to complain of the King of "France, for breach of promiſe, in ſending back "the duke of Albany into Scotland, and for diſ"continuing the payments of the ſums due to him." On all theſe accounts, Charles and Henry, deemed themſelves free and clear from all ingagements with the King of France, and determined to contract a ſtrict alliance, and ſeal it with a marriage between the Emperor and Princeſs Mary, Henry's daughter, on the following conditions. Of theſe terms I ſhall recite ſuch only as may be of ſervice to the ſequel of the hiſtory: thoſe concerning the marriage were to the following purport: viz.

Articles of the treaty.

"That the Emperor ſhould eſpouſe Mary, "daughter to Henry, as ſoon as ſhe ſhould be "twelve years old.

"That her dowry ſhould be four hundred thou"ſand crowns, from which ſhould be deducted "what the Emperor Maximilian had borrowed of "the King of England (3).

"That, in caſe the marriage ſhould not be ac"compliſhed thro' any default on the Emperor's "ſide, he obliged himſelf to pay four hundred "thouſand crowns to the King of England, who "bound himſelf in the ſame ſum to the Emperor, "in caſe the marriage was thro' his means fruſtrated."

The terms of the league were;

"That, before the end of May 1524, the Em"peror ſhould enter France on the ſide of Spain, "and the King of England in Picardy, each with "an army of at leaſt thirty thouſand (4) foot, and "ten thouſand horſe.

"That they ſhould not conclude either peace or "truce without a mutual conſent.

"That if any places ſhould be conquered upon "France, they ſhould be reſtored to him of the "two allies who thereto had a right; and to pre"vent all diſputes, each ſhould declare his preten"ſions before the firſt of May, 1524.

"That if the King of England intended to ſub"due Scotland, or reduce Ireland to intire obedi"ence, or the Emperor to recover Gueldres or "Friſeland; if the Scots invaded England, or "the duke of Gueldres made war upon the Em"peror; in all theſe caſes the two Monarchs ſhould "be bound to aſſiſt each other.

"That they ſubmited to the ſpiritual juriſdiction "of the cardinal of York as legate, and required "him to pronounce the ſentence of excommunica"tion againſt him of the two who ſhould firſt vio"late the treaty.

"That the treaty ſhould be kept private, ſo that "the common enemy might not thereof have any "knowledge.

"That the Pope ſhould be intreated to enter in"to the league as a principal contractor, and re"puted as ſuch, provided he accepted it within "three months.

"That the Venetians ſhould be likewiſe admit"ed, provided they renounced their alliance with "France.

"That the two Monarchs ſhould uſe their ut"moſt indeavors to perſuade the Swiſſers to for"ſake the French, or at leaſt to be neutral."

The ſame day the treaty was ſigned, the Emperor ſigned alſo letters patent, promiſing to pay Henry whatever was due to him from Francis, in caſe Francis, on account of the preſent league, ſhould refuſe to continue the payments whereto he was ingaged.

The Emperor's bounty to Wolſey.

But cardinal Wolſey had not delayed doing his own buſineſs 'till the King's was finiſhed, for, on the eighth of June, the Emperor, by letters patent, ingaged to pay him the penſion of twelve thouſand livres (5), which the King of France gave him for the biſhoprick of Tournay. Some days after, he obliged himſelf to allow him annually two thouſand five hundred ducats, 'till the like penſion was aſſigned him on the vacant churches in Spain, in lieu of that he received from the See of Badajos, which the Emperor deſired to diſcharge. But Charles's bounties to cardinal Wolſey were amply recompenſed, by a large ſum lent him by the King before his departure.

Henry lends him money. Ibid. Guicciard. Herbert.

The Emperor makes the earl of Surrey admiral of his fleet. Herbert. Hall. Hollingſh.

During the Emperor's ſtay in England, which was about five weeks, he ſo won the affection of the whole court by his civilities, careſſes and preſents, that he was almoſt ſure of leaving none but friends about King Henry. He gained the goodwill of the Engliſh chiefly by conſtituting the earl of Surrey admiral of his fleet (6). The commiſſion was drawn while the Emperor was at London, before his journey to Windſor. As he was to make ſome farther ſtay in England, the earl of Surrey, taking with him the Engliſh and Flemiſh fleets, made two deſcents into France, and carried away

(1) See the names of the noblemen and others, who attended the King and cardinal to Canterbury, in Rymer's Fœd. Vol. XIII. p. 767. Hall ſays, Wolſey ſet out for Dover the twentieth of May; being accompanied by two earls, thirty ſix knights, a hundred gentlemen, eight biſhops, ten abbots, thirty chaplains, all in velvet and ſattin, and ſeven hundred yeomen. He came to Dover the twenty-ſixth. In the mean time, Thomas Grey marquis of Dorſet, with lord Delaware, and a large retinue of knights and gentlemen, was ſent to Calais, to wait on the Emperor. fol. 93.

(2) Being St. George's day, and had the order and habits ſent him to Noremberg. He was afterwards Emperor. Herbert, p. 47.

(3) Alſo what Charles himſelf had borrowed.

(4) M. Rapin by miſtake ſays forty thouſand. Whereas in the original it is only thirty thouſand or more. See Herbert, p. 48.

(5) Or nine thouſand crowns of gold de ſoleil. Rymer's Fœd. Vol. XIII. p. 769.

(6) Lord Herbert has inſerted the patent, which is dated June 8, as well for the rareneſs of it, as the honor of the perſon, p. 49. Comp. Hiſt. Vol. II.

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a rich booty (1). Then he returned and conducted the Emperor to Spain.

Affairs of Italy. Guicciard. Mezerai. Herbert.

I must now briefly relate the success of the wars which were carrying on in diverse quarters. The death of Leo X had reduced the confederates affairs in Italy to a very bad posture. The troops of the Church and of Florence had relinquished the army, immediately after the news of Leo's decease: also, Prospero Colonna, receiving no more supplies of money either from Rome or the Emperor, was obliged to disband most of his remaining forces, and to retain only such as were absolutely necessary for the defense of Milan. Mean while, the Emperor ordered a levy of six thousand Landsquenets (2), which Francesco Sforza and Ieronimo Adorno, a Genoese, were to lead into Italy. Very soon after, Lautrec received a re-inforcement of sixteen thousand Swissers, which rendered him superior to the allies, and yet he could not prevent the Landsquenets from joining the Imperial army. His sole resourse was to attempt bringing the Imperialists to a battle, and for that purpose he besieged Pavia; but Prospero Colonna found means to throw succors into the place without runing any hazard. Lautrec, thereupon despairing of success, raised the siege, and incamped at Monza, while Colonna, who was under apprehensions for Milan, posted himself at Bicocca, a country seat with a large park which might easily be fortified, being surrounded with a deep ditch. Here Colonna having so intrenched himself that it would have been great rashness to attack him, Lautrec had very little stomach to fall upon the Imperialists in that post; but he could not possibly evade it: his Swissers would have money, and he had none to give them; Louisa of Savoy, the King's mother, having applied to other uses the four hundred thousand crowns designed for the army in Italy. Mean while, the Swissers pressed their general either to give them money, or lead them to battle, else they were resolved to return home. This put him at length upon assaulting the camp of Bicocca, where he was repulsed with great loss (3); after which, the Swissers quiting him, he was constrained to repass the mountains, not being in a condition to face the Imperialists. Presently after Colonna became master of Genoua. This rich city, being taken by a surprise, while a capitulation was negociating, was miserably sacked. In short, Francis had nothing left in Italy, but the castles of Milan and Cremona, and even these were very straitly blocaded.

Issue of the campain in Italy.

The Swissers in the French army oblige Lautrec to fight.

Lautrec is defeated at Bicocca.

He returns to France.

Colonna takes Genoua.

Bizan.

In other parts, where the war was prosecuted during this campain, France was more prosperous. After admiral Bonnivet had taken Fontarabia, the Spaniards invested that place, and pushed the siege without being able to accomplish their enterprise. At length, marshal de Chabanes, being sent into Bearn to take command of the French army in the room of marshal de Chatillon who was dead, raised the siege, and left for governor of Fontarabia one Frauget, who afterwards very badly performed his duty.

The Spaniards raise the siege of Fontarabia. Mezerai.

In Picardy and Champagne, the Imperialists and English having joined their forces, did nothing worthy notice. The two armies, commanded by count de Bure for the Emperor, and by the earl of Surrey for the King of England (4), were so superior to those of France, that the duke of Vendôme, who commanded in Picardy, was not able to make head against them; wherefore, having furnished the towns with ammunition, he contented himself with annoying them with a small flying army which incessantly accompanied them, either in flank or rear. In September the two generals besieged Hesdin, but, after having been five or six weeks before the town, were forced to retire. Thence they marched to Dourlens, and finding the place deserted, and the gates taken down, set fire to it. Then intending to approach Corbie in October, the bad weather, and the care the French had taken for that place's defense, hindered their undertaking the siege. After that, the Imperialists retired into Artois, and the English returned home (5).

The Imperialists and English do no great matters in Picardy. Bellay. Mezerai. Hall. Hollingsh.

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Thus, all the efforts of the Emperor and King of England would have done Francis no great mischief this campain, had not he himself been the cause of his ill success in Italy, by neglecting to supply the Swissers with money. Indeed, had not Lautrec been constrained to attack the Imperialists at Bicocca, probably he would have been master of Milan before the end of the campain. Charles V then perceived, that, to gain any considerable advantage upon France, much greater efforts were to be used, and for that reason continued to caress cardinal Wolsey, in order to secure the King his master's assistance. In Rymer is extant a letter of his to the cardinal, full of obliging expressions, plainly denoting his want of him. "I return you "thanks (said he to him) for the good affection "you have always shewn me, desiring you to con- "tinue it, as I firmly believe you will, for you are "sensible that I place my whole confidence in you." Again, "I intreat you to give the same credit to "my said embassadors as to myself, and shew "yourself, on this occasion, as I take you to be, "my good and faithful friend, for I shall have a "grateful remembrance of it."

Francis's error in leaving Lautrec without money.

The Emperor caresses Wolsey.

Vol XIII. p. 776. Nov. 11.

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The extraordinary method used by the cardinal to raise money having been very disagreeable to the English, he judged it more advisable for the future to proceed in the usual way; and therefore the King assembled a parliament the fifteenth of April 1523. The convocation meeting at the same time, as usual, the cardinal resolved to establish a good precedent in the King's favor, by exacting from the clergy a considerable subsidy. His character of legate gave him such interest with that body, that he was almost sure of obtaining whatever he was pleased to demand: but in order to have the fewer difficulties to incounter, he removed, on diverse pretexts, some of those from whom he feared to meet opposition, and gained others by promises or menaces. Matters being thus ordered, he demanded of the clergy a subsidy of one half of their annual revenues, payable in five years. Richard Fox bishop of Winchester, John Fisher bishop of Rochester, and a proctor of the inferior clergy, one Philips, would have opposed this exaction; but his eminence treated them so as discouraged the rest from supporting them: so the subsidy was granted, tho' the ecclesiastics privately murmured, that the Pope's legate, who ought to maintain their rights, was the first who violated them.

Wolsey demands of the clergy a subsidy for the King. Herbert. Hall. Burnet. Stow.

This affair touching the clergy being thus terminated, Wolsey repaired to the house of commons, where he made a long speech, indeavouring to mani-

He receives a mortification in the house of commons. Herbert. Hall. Stow. Hollingsh.

(1) He landed June 13, near Cherbourg, and after having destroyed the adjacent country, returned to Portland: he landed a second time on July 1, near Morlaix in Bretagne, with seven thousand men, who plundered and then burned that town; whence he brought away a great booty. Herbert, p. 50. See a list of the most remarkable English gentlemen in this expedition, in Hall, fol. 99, 100.

(2) So German foot soldiers were called formerly. Hall calls them Lance-knights.

(3) Three thousand Swissers fell in that battle. Guicciard. l. 14.

(4) The earl of Surrey had about sixteen thousand men. Hall, fol. 101.

(5) After having plundered and destroyed several villages.

fest

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feſt the neceſſity of the war King Henry was entering on, by aggravating the pretended injuries he had indured from the King of France. He concluded with demanding a ſubſidy of the fifth part of the goods of every lay-ſubject, to be paid in four years. This demand cauſed warm debates among the commons. Several repreſented that, were the realm actually invaded, the King could ſcarce require ſuch a ſubſidy, much leſs for a war wantonly undertaken, and rather for the Emperor's than England's intereſt. However, as the court-party were very numerous in the houſe, it was reſolved to grant the King a ſubſidy, which was but one half of what he demanded. Wolſey, who was uſed to be complied with, was extremely offended at this oppoſition of the commons. He went again to the houſe and told them; "He deſired to reaſon with "thoſe who oppoſed his demands." But the commons replied, by their ſpeaker*; "That it was "the order of that houſe to hear, and not to reaſon "but among themſelves." At this reply the cardinal withdrew, extremely mortified, perceiving he could only prejudice the King's affairs in attempting to treat the commons with the ſame arrogance he treated the reſt of mankind. However his motion was not quite without effect, ſince there was ſome addition made to the ſubſidy (1).

Herbert, p. 56.

* Sir Thomas More.

Beſide this affair, for which properly the parliament was called, nothing remarkable paſſed in this meeting, except an act of attainder againſt the late duke of Buckingham, who had been condemned by a ſentence of his peers. As the public was thoroughly ſatisfied that this ſentence had been procured by indirect and irregular methods, and openly accuſed Wolſey of having ſacrificed that noble peer to his revenge, he had intereſt enough to obtain this act, in order to divert thoſe odious imputations: tho' at the ſame time the parliament ſufficiently evidenced the ſaid act to have been paſſed merely thro' condeſcenſion, ſince, by another, Henry Stafford ſon of the deceaſed was reſtored to his eſtate and honors (2). A ſtatute was alſo made this parliament, impowering the King to repeal all attainders of high-treaſon, by his letters patent, under the great ſeal (3).

Act of attainder againſt the duke of Buckingham. Herbert.

The King has power to repeal attainders. Herbert.

Theſe were the firſt attempts made in this reign to render the King maſter of the parliament's debates. Cardinal Wolſey was the firſt author, and, unfortunately for the ſubjects, the King too well improved his miniſter's inſtructions. Such favorites as this have but too much cauſe to dread the parliament, and therefore ſtrive to the utmoſt of their power to leſſen its authority, by inlarging that of the Sovereign who ſupports them: but all to very little purpoſe; very few fail at laſt of falling into the hands of that authority they have indeavored to deſtroy. Wolſey is one of thoſe who have the moſt openly abuſed their favor, not only againſt the nation's, but alſo the King's intereſt, which was much leſs dear to him than his own. He was never ſatiated either with wealth or dignities. The twenty-fourth of March, this year, he procured for himſelf the biſhoprick of Durham, one of the richeſt in the kingdom, in lieu of Bath and Wells, which he willingly reſigned in exchange. Two months after, Adrian VI prolonged his legateſhip for five years, after the expiration of the term granted by Leo X. Thus eſtates and honors were inceſſantly heaped upon him, tho' all without any poſſibility of ſatisfying his voracioufneſs. Indeed, he carried his deſires much higher, ſince he ſtill aſpired to the Papacy, Adrian's age and infirmities giving occaſion to think his Pontificate could not be of any long continuance. He ſtill expected to be raiſed to that high dignity by the Emperor's means, and therefore forgot nothing to preſerve his favor. To this doubtleſs muſt be aſcribed the honorable reception given this year to Chriſtiern King of Denmark and Sweden, who had eſpouſed the Emperor's ſiſter. This Prince having, by his cruelties, rendered himſelf odious to his ſubjects, and for that reaſon been expeled his dominions, arrived in England about mid-ſummer with his Queen, and was received as a King unjuſtly oppreſſed, and not like one who had by his barbarities drawn his misfortunes upon himſelf. Henry was not contented to do him all poſſible honor, but moreover renewed with him the treaty of alliance between England and Denmark, as if that Prince had ſtill been in poſſeſſion of his dominions.

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Wolſey ſtil aſpires to the Papacy.

Chriſtiern King of Denmark is received in England. Hall. Hollingſh.

Henry renews the alliance with Chriſtiern. Rym. Fœd. Vol. XIII. p. 795. Jan.

Such fruit proceeded from the ſelfiſh counſels of cardinal Wolſey, who never regarded either honor or juſtice in gratifying his paſſions. He expected all things from the Emperor, and therefore imployed his utmoſt efforts to increaſe that Monarch's power, that he might be better able to perform his promiſe. It was not the cardinal's fault that France was not utterly ruined: at leaſt he, this year, in conjunction with the Emperor, formed projects tending to the intire diſſolution of that ancient monarchy.

Tho', by the treaty of Bruges, ratified by the Emperor and Henry at Windſor, they were not to enter France 'till 1524, a certain occaſion which offered making them take other meaſures, they reſolved to anticipate their expedition, and invade King Francis from three different quarters. Charles was to have a powerful army on the frontiers of Spain, to re-poſſeſs himſelf of Fontarabia and Bayona. Henry was to imploy his forces in Picardy, jointly with thoſe of the Netherlands, and conſtable de Bourbon, who had ſuffered himſelf to be corrupted by the Emperor (or, poſſibly, it was his own voluntary offer) was to make an inroad into Burgundy. As moſt of the inſuing years events turn upon that Prince's diſguſt, it will not be amiſs ſuccinctly to touch on the reaſons.

Project againſt France founded on the conſtable of Bourbon's rebellion. P. Daniel. Herbert. Stow.

The duke of Bourbon, Prince of the blood royal of France, had received the conſtable's ſword ever ſince the firſt year of Francis I. He had all the qualifications requiſite for that elevated dignity: nay, perhaps he had too much merit, ſince, if we may believe Mezerai, Louiſa of Savoy, mother to Francis, wiſhed to have him for her huſband; but, as he feigned not to underſtand her meaning, he made her his irreconcileable enemy. From that

Cauſes of the conſtable's diſcontent. Mezerai. P. Daniel. Hall.

Character of Wolſey.

Adrian gives him the See of Durham, and prolongs his legateſhip. Rym. Fœd. Vol. XIII. p. 783, 788, 795.

(1) At firſt every man of twenty pounds a year was to pay two ſhillings in the pound; and from twenty pounds downward to forty ſhillings a year, one ſhilling in the pound; and under forty ſhillings, every head of ſixteen years old or more, four-pence in two years. But afterwards, by the liberal motion of ſome, particularly of ſir John Huſe a knight of Lincolnſhire, thoſe of fifty pounds a year and upwards were induced to give one ſhilling more for three years to come, which at length being continued to the fourth year, and extended to thoſe who were worth five pounds in goods, was all could be obtained. Hall, fol. 110. Herbert, p. 56.

(2) He was only reſtored in blood, and not to honors and lands.

(3) For his life only.——This parliament was, on July 31, adjourned to Weſtminſter, where it ſat 'till the 13th of Auguſt, and then was diſſolved. The moſt remarkable ſtatutes inacted were theſe: 1. That no foreign artificer in England ſhall take any apprentice, but what is born under the King's obeiſance; or have above two journeymen who are not ſo; and that they ſhall have a proper mark for their wares, on pain of forfeiting ten pounds. 2. One confirming the college of Phyſicians. 3. By another, the marriage of the ſix clerks in chancery is allowed. 4. It was ordained, That no perſon, of what eſtate, degree, or condition ſoever, ſhall kill any hare in the ſnow, with a dog, or otherwiſe, on pain of forfeiting ſix ſhillings and eight-pence for every offenſe.

time,

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time, he perpetually received mortifications from the King, over whom the ducheſs his mother had by far too much aſcendency. The firſt affront mentioned in hiſtory, was when, in 1521, the King commanding the army in perſon, gave the conduct of the van to the duke of Alenſon, contrary to the prerogative annexed to the office of conſtable. But this was nothing in compariſon of another, which however is related in the hiſtory of France only on uncertain reports. The King, telling the conſtable, he ſhould be glad to marry him to the ducheſs his mother, received a reply ſo injurious to the ducheſs (1), that Francis ſtruck him on the face. This fact is not perhaps ſufficiently atteſted; however, it is certain the ducheſs's affection for the conſtable turned to hatred. From thenceforwards he was looked on with a very evil eye at court, and no more truſted with the command of the King's armies. This was ſufficient to give him great diſguſt: but his female adverſary, not being ſatisfied with theſe mortifications, which ſeemed to her too ſlight a revenge for her contemned love, commenced againſt him a ſuit for his whole eſtate. The cauſe was naturally to be tried by the parliament of Paris; but the ducheſs put it into the hands of the chancellor and ſome other commiſſioners, her creatures, which convinced the conſtable that his ruin was determined: ſo, perceiving no way to avoid ſo fatal a blow, his deſpair cauſed him to throw himſelf into the Emperor's arms. A certain Flemiſh nobleman was the manager of this negociation, wherein the King of England interpoſed, as being equally concerned with the Emperor to create troubles in France. It is difficult to know preciſely when this negociation began; but, in Rymer's collection of public acts, we find the treaty was advanced the ſeventeenth of May 1523. We ſee there Henry's commiſſion to Richard Sampſon and Richard Jerningham, to treat with the duke of Bourbon (2) in order to draw him into the league. This commiſſion impowered the envoys alſo to receive of the ſame Prince a promiſe or ingagement to acknowledge Henry for King of France, to do him homage and ſwear fealty to him. It cannot be hence infered that the conſtable entered into any ſuch ingagement, but only that Henry intended to draw him into it. However this be, by the treaty made by Bourbon with the two Monarchs, he was, after the conqueſt of France, to have for his part Provence, to be erected into a Kingdom, and was to marry Leonora the Emperor's ſiſter, widow of Don Manoel King of Portugal (3). The duke was to bring into the field a good army compoſed of his friends and vaſſals, to whom the Emperor promiſed to join ſeven or eight thouſand men. This army was to act in the heart of France, while the Emperor and Henry invaded Bearn and Picardy.

Mezerai.

P. Daniel.

He enters into ingagements with the Emperor, Du Bellai. Herbert. Hollingſh.

and Henry. Vol. XIII. p. 794.

P. Daniel. Herbert.

Mean while Francis I, ignorant of the deſigns of his adverſaries, was wholly buſied in preparing to recover the duchy of Milan, where he intended to command his army in perſon. He haſtened his preparations the more, becauſe the Venetians were ſtrongly ſollicited to join with his enemies, on pretenſe that he amuſed them with the vain hopes of ſoon ſeeing him in Italy with a powerful army: but, notwithſtanding all his diligence, he could not poſſibly fend off that blow. The Venetians, ſeeing no French army arrive, and dreading to be expoſed to the Emperor's indignation, entered at laſt into the league againſt France, about the end of July.

Francis prepares for Italy. Guicciard. P. Daniel.

The Venetians declare againſt him.

On the other hand, Pope Adrian VI, labored with all his power to procure a truce between the Chriſtian Princes, fancying, after that, there would be no difficulty to unite them together in a war againſt the Turks. But as his genius was mean, and very different from that of Leo X, and Julius II his predeceſſors, inſtead of making the Princes ſubſervient to his deſigns, he was himſelf, without knowing it, inſtrumental to thoſe of others. The Emperor let him know, that he heartily deſired the truce in queſtion, but intimated the neceſſity of its being of ſome conſiderable length, that the parties might reap the intended advantage. He thereby laid an invincible obſtacle in the way, becauſe the King of France, being lately diſpoſſeſſed of the duchy of Milan, would never hearken to a long truce, which would afford his enemies time to ſecure their conqueſt. That Monarch's oppoſition gave the Emperor and King of England occaſion to ingage the Pope to proceed farther, by hinting to him, that, after the example of ſome of his predeceſſors, he ſhould exert his apoſtolic power, which no Chriſtian Prince ſhould preſume directly to oppoſe. Pleaſed with theſe hopes, Adrian publiſhed a bull, dated the thirtieth of April, injoining, by virtue of that power commited to him by God, a three years truce between all Chriſtian Princes, under pain of excommunication and interdict againſt thoſe who ſhould refuſe to obſerve it. But the King of France, diſregarding ſuch a truce, continued his preparations for the Milan expedition, and ordered his troops to march towards Italy. It was hereupon inſinuated to Adrian, that Francis alone, by his obſtinacy and diſobedience, prevented the Chriſtians from uniting their forces againſt the Infidels. By theſe ſecret practiſes, the good Pontif was gradually brought to conclude a league againſt France with the Emperor, the King of England, Ferdinand archduke of Auſtria the Emperor's brother, the duke of Milan, the Genoueſes and the Florentines. This league was ſigned the third of Auguſt, a few days after the Venetians had deſerted France.

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Adrian ſuffers himſelf to be deceived by the enemies of France. Guicciard.

He injoins a three years truce among Chriſtian Princes. Rym. Fœd. Vol. XIII. p. 790. May 1. Herbert. Francis rejects it.

The Pope joins with the enemies of France.

Italy, by this league, ſeemed effectually ſecured from all invaſions: and in reality Proſpero Colonna, who commanded in Milan, ſo little expected to be attacked, that he quite neglected taking the meaſures neceſſary for defenſe of that duchy. Mean while, Francis purſued his project, and the more, as he heard there were no preparations at Milan. The Emperor ſeemed wholly to neglect the defenſe of that ſtate, on purpoſe to draw Francis into Italy, reckoning that his abſenſe would promote the duke of Bourbon's deſigns: nay, it is ſaid, that to induce Francis to abſent himſelf from his kingdom, Henry had cauſed him to be privately told, there was no danger from him that year in Picardy.

Francis is induced by the affected negligence of his enemies to paſs into Italy.

Affairs being in this ſituation, Francis departed for Lyons, in order to paſs into Italy. Mean while, the Emperor was preparing forces in Spain to beſiege Fontarabia and Bayona: but this army was levied very deliberately, becauſe it was not to act 'till Francis was ingaged in the Milan war. On the other ſide, count de Bure, his general in Flanders, remained quiet, waiting to join the Engliſh, who, the better to deceive the King of France, were not to land at Calais before the cloſe of September. Finally, the Emperor ordered eight thouſand Landſquenets to march in ſmall diviſions into Franche Comté, who were to join the duke of Bourbon as ſoon as he was ready. On that Prince's revolt it was that the confederates grounded all their hopes, imagining that Francis

He ſets out for Lyons. Du Bellay. Mezerai. Project of the allies. Herbert.

(1) Reflecting on her looſe behavior. P. Daniel, Vol. VII. p. 501, 504.
(2) The name of Bourbon is in blank, but is is certain the perſon there underſtood is no other than the conſtable. Rapin.
(3) The Emperor promiſed to appoint her his heir, in caſe he and his brother Ferdinand died without iſſue; and to give her a dower of two hundred thouſand crowns. P. Daniel, Vol. VII. p. 508.

being

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being in Italy, France thus unexpectedly invaded in ſo many places at once, would make no great reſiſtance: and theſe hopes ſeeemed to have the better foundation, as Francis not having the leaſt intelligence of the duke of Bourbon's projects, had no troops at all in Burgundy, few in Guienne and Bearn, and Picardy in but a defenſeleſs condition.

The conſtable feigns ſickneſs at Moulins.

Mean while, the conſtable, to avoid being obliged to attend Francis, pretended to be ſick at Moulins: but while that Monarch was on the road to Lyons, two of the conſtable's domeſtics gave him information that their maſter held private correſpondence with the Emperor. Surpriſed at the news, he turned out of his way and went to Moulins, where he told the duke, who ſtill feigned himſelf indiſpoſed, what had been to him diſcovered. Bourbon frankly acknowledged, that the Emperor had founded him by count de Rœux, but affirmed that he had refuſed liſtening to his propoſals: that he deſigned therewith to acquaint his Majeſty, but being prevented by his illneſs from coming to court, he could not venture to truſt any with the ſecret. Whether Francis gave credit to the conſtable's aſſertions, or thought he could not with ſafety arreſt him in his own territories, he was contented with ordering him ſpeedily to follow him to Lyons. Bourbon did in reality ſet out as if he intended to follow the King, being carried in a litter, on pretenſe of his indiſpoſition, and traveling by very eaſy journies: but on notice that two of his confidents were arreſted at court, he privately withdrew from his attendants, and, taking with him only Pomperan, one of his gentlemen, he eſcaped through by-ways, and got ſafe into Germany *.

The King is informed of the conſpiracy He goes to Moulins.

The conſtable owns he was founded by the Emperor. Du Bellai. P. Daniel. Herbert. Stow. Hall.

The King orders his haſtening to Lyons.

He flies into Germany.

* To Trent.

The conſtable's flight convincing Francis that ſome grand conſpiracy was hatching in France, to be executed during his abſenſe, he relinquiſhed his deſign of going to Italy, and contented himſelf with ſending his army (1) under command of admiral Bonnivet, who paſſed the Alps about the end of Auguſt or begining of September. Near the ſame time, Charles aſſembled his army in Spain, the Landſquenets arrived in Franche Comté, and the Engliſh landed at Calais, to act in Picardy in conjunction with the Flemings. It will be abſolutely neceſſary, briefly to recount what paſſed during this campain in thoſe four different quarters.

The King ſtays in France and ſends Bonnivet to Italy. Guicciard. Mezerai. P. Daniel.

The war begun in four ſeveral places. Hall.

Campain in Italy. Guicciard. Mezerai. Herbert.

The caſtle of Milan, where Lautrec had left a gariſon, ſurrendered the fourteenth of April. So the French had no place of importance in the Milaneſe, except the caſtle of Cremona, which alſo was ſo cloſely blocked up that there was no likelihood of its holding out much longer. On the other hand, as France could expect no farther aſſiſtance from the Venetians, and as all the reſt of Italy was joined in a league againſt her, Proſpero Colonna who commanded in Milan, doubted not of Francis's deſiſting from his deſign of carrying war into the Milaneſe. For that reaſon, he had neglected repairing the fortifications of the capital city; which were in a very indifferent condition, the ramparts being fallen down in ſeveral places. However, on intelligence that admiral Bonnivet was on the point of paſſing the Alps, he drew together all his forces to try to defend the paſſage of the Teſin: but he came too late; the French made ſuch ſpeed, that he was conſtrained, in the utmoſt diſorder, to haſten away to Milan: nay, he had even determined on abandoning that capital, had not the enemy, by a moſt unaccountable negligence, afforded him ſome days time to repair the works. He had only fifteen thouſand men, with which he could not expect to defend, againſt an army more than forty thouſand ſtrong, ſo ſpacious a city, which alſo was open in ſeveral places. However, as long experience had taught him, that enemies are not always to be ſuppoſed to do what is moſt for their advantage, he never ceaſed repairing the places which moſt wanted it, deeming he could but withdraw at laſt in caſe the French were as expeditious as they ought to have been. Had Bonnivet marched directly to Milan, he would have found the gates open: but, after taking Novara and Vigerano, and paſſing the Teſin without oppoſition, he prepoſterouſly imagined a few days more or leſs would not be of much conſequence: ſo, having loſt to no purpoſe four or five days, he gave the Emperor's general time to put Milan in a poſture of defenſe. At length, when too late, approaching the city, he found it, by the good management of Colonna, in a condition of bidding defiance to all inſults: whereupon he reſolved to incamp at Chiaravalla, in hopes of being able to cut off all acceſs of proviſions to Milan, and of having by that means the whole Imperial army at his mercy; but, ſo ill did he take his meaſures that, after perſiſting in his deſign 'till the end of November, he was himſelf obliged to remove from Milan for want of proviſions. All he did during that time was to relieve the caſtle of Cremona, reduced to the laſt extremities (2). Such was the ſucceſs of Bonnivet's campain, which might have been more glorious for him, and more advantageous for the King his Sovereign, had he taken juſter meaſures, and improved his ſuperiority. Colonna died ſoon after, and Lanoy, viceroy of Naples, ſucceeded him in his poſt of general. The ſeaſon was ſo far advanced, that nothing remarkable paſſed in thoſe parts 'till the year's end, when Bourbon arrived and took command of the Imperial army, not without great diſguſt of Lanoy, who unwillingly reſigned his poſt to a foreigner.

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Campain in Bearn. Mezerai. P. Daniel. Herbert.

The confederates, as I hinted, were determined on not invading France 'till September, becauſe it might be preſumed Francis would then be imployed in Italy. For this reaſon, it was the begining of that month before the Emperor aſſembled his army in Spain. Lautrec, who commanded in Guienne, hearing the Spaniards were drawing together, haſtened to the frontiers to provide for the defenſe of Bayona and Fontarabia, which were moſt expoſed. Frauget, a commander of good note, was governor of Fontarabia, having been left there the laſt year by marſhal de Chabanes. Lautrec, relying on Frauget's bravery and experience, left him in the ſame poſt, after having re-inforced the gariſon, and laid in ſome ammunition; after which he queſtioned not the place would be able to maintain a long ſiege: theſe precautions being taken, with regard to Fontarabia, he repaired to Bayona. He was no ſooner arrived, than the Spaniſh army appeared before the walls, ſupported by a fleet, which threw the inhabitants into great conſternation, the town being weak towards the ſea: but Lautrec ſo managed that the Spaniards were diſappointed, tho' they had expected to carry the place without oppoſition. Perceiving therefore that the ſiege would imploy them too long, they ſuddenly raiſed it, and inveſted Fontarabia, which in a few days was baſely ſurrendered by Frauget. He was like to have loſt his head for a fault of that conſequence: but tho' he preſerved his life, he ſaved not his honor, being ſhamefully degraded.

The Spaniards recover Fontarabia. P. Daniel.

The Emperor was not ſo ſucceſsful in Burgundy and Champagne. Lamothe des Noyers, one of

Campain in Champagne. Du Bellay.

(1) Conſiſting of thirty-three thouſand men. Guicciard, l. 15.

(2) And which Janot d'Herbouville, the governor, had kept for the French near two years together, after taking the town. P. Daniel, p. 516.

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Bourbon's principal officers, was gone ſome time ſince into Germany, to conduct to Burgundy count de Furſtemberg who, with ſeven or eight thouſand Landſquenets, was there to join the conſtable. Tho' this project ſeemed to be fruſtrated by Bourbon's flight, De Furſtemberg however entered Champagne with his army. He immediately reduced Coiffy and Monteclair, ſmall places which made no great reſiſtance: but the duke of Guiſe, who commanded in that province, knowing that De Furſtemberg had no cavalry, aſſembled all the nobility of thoſe quarters, and, forming ſome ſquadrons, warmly purſued the Germans. De Furſtemberg, finding himſelf not very ſtrong, and in the heart of an enemy's country, and withal not having any cavalry to oppoſe Guiſe's, determined on retiring to Lorrain. He could not however make his retreat without receiving a terrible check near Neufchâtel, where the duke of Guiſe defeated the beſt part of his troops.

Furſtemberg defeated by the duke of Guiſe.

Campain in Picardy, where the Imperialiſts and Engliſh make no great progreſs. Du Bellay. P. Daniel. Hall. Stow. Hollingſh.

While the war was proſecuted in Italy, Bearn and Champagne, Henry imbarked his army under conduct of the duke of Suffolk (1) who, landing at Calais, joined count de Bure, the twentieth of September. Theſe two bodies compoſed an army of between twenty-five and thirty thouſand foot, and about ſix thouſand horſe. The duke de la Trimouille, who commanded in that country, was ſo inferior in number of troops, that he durſt not keep the field: all he could do, was to throw ſuccors into the places moſt expoſed, and ſpeedily inform the King of what paſſed in thoſe parts. Francis I, being then at Lyons, was extremely imbaraſſed to withſtand ſo many unexpected invaſions. It is reported that, deceived by falſe advices from England, he had been in hopes Picardy for this year would be unmoleſted, and yet he ſaw it was there his enemies intended to make their greateſt effort. In this perplexity, he inſtantly diſpatched the duke of Vendoſme, with all the troops he could aſſemble, both to defend Picardy and quiet Paris, which he doubted not was in no ſmall alarm. Indeed, the duke of Suffolk and count de Bure, paſſing by Terouenne, Heſdin and Dourlens, had taken Roye and Montidier, and were advanced as far as Corbie: but the news of Vendoſme's march, rendering them more circumſpect, they thought proper to proceed no farther, and the rather becauſe the weather began to be very incommodious, and they were apprehenſive of being ſhut in between Vendoſme and La Trimouille; which conſiderations induced them to think of retreating. In their return, they became maſters of Buchain, whoſe governor brought them the keys, tho' they had no thoughts of attacking the place. Then leaving a gariſon of Engliſh in Buchain, they retired into Artois: but the French preſently after recovered that town. Thus the progreſs of the confederate army was not ſo great as Francis had at firſt cauſe to apprehend. Indeed, had the army taken the field ſooner, he would have been greatly imbaraſſed: but, as I obſerved, the hopes Charles and the King of England had conceived of Bourbon's ſchemes, was the reaſon why they opened not the campain in any place 'till towards the cloſe of September.

Hall.

Death of Adrian VI. Guicciard.

When Adrian VI acceded to the league, he had no deſign to ruin France, in order to force Francis to a war againſt the Turks, but he had been told, it would be a certain means to oblige that Prince to conſent to the truce: mean while, without Adrian's having thereof any knowledge, the Emperor and Henry had combined to invade France, and divide it between them. Probably, had he ſurvived the end of this year, he would have ſeen that their deſigns correſponded not with his; but he died about ſix weeks after ſigning the league againſt France. He was a good man, of a character very different from thoſe of his predeceſſors. Inſtead of thinking to inlarge the Eccleſiaſtical ſtate by unjuſt confiſcations, he had given the duke of Urbino the inveſtiture of his duchy. He had done the like by the duke of Ferrara, knowing that the former Popes had quarreled with thoſe Princes purely to gratify their deſire of inriching their own relations. He would have even reſtored Modena and Reggio to the duke of Ferrara, had he not been prevented by the clamors of his council, who could not comprehend that juſtice ought to be the foundation of policy. He thought likewiſe of reforming the Roman court, but death ſuffered him not to execute that worthy deſign. Such a procedure, ſo very remote from that of thoſe who immediately preceded him in the Potificate, who had inured their courtiers and people of Italy to ſee Popes purſuing the looſe maxims of temporal Princes, occaſioned its being ſaid of him; "That he was indeed a "very honeſt man, and a good Chriſtian, but a "very indifferent Pope." Accordingly the Italian writers ſpeak of Adrian VI in terms not importing for him any extraordinary eſteem.

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His character. Guicciard. Cimar. Sardi.

Guicciard.

Julio di Medicis prime miniſter to Adrian VI.

The begining of this year, cardinal Julio di Medicis who, on Leo X's deceaſe, had retired to Florence, returned to Rome, where he had a good reception. In a ſhort time, he ſo far ingratiated himſelf with Pope Adrian, that he ſupplanted the cardinal of Volterra, his ſaid Sanctity's prime miniſter, and got him ſhut up in caſtle St. Angelo. From thence forward he had the ſole management of the Pontif's affairs, gaining more and more his eſteem by acting the devout, and expreſſing a great zeal to unite all Chriſtian Princes againſt the Turk. By this artifice he led him to publiſh the bull for a triennial truce, and at length to ſign the league againſt France. A miniſter of this ſtamp was doubtleſs too politic for ſuch a Pope. Adrian VI died the fourteenth of September, juſt as the allies began to put themſelves in motion. Had he ſurvived, he would undoubtedly have been convinced, that nothing could poſſibly be leſs proper to procure that union he ſo ardently deſired among the Chriſtian Princes, than that league wherein he had ſo inconſiderately ingaged.

Wolſey's freſh efforts to obtain the Papacy. Herbert. Burnet. Fiddes.

Cardinal Wolſey, having advice of Pope Adrian's death, ſent notice thereof to his royal maſter, requeſting his aſſiſtance and protection (2). Next day he again wrote, intreating his recommendation to the Emperor, by a letter under his own hand. He flattered himſelf that Charles would have a grateful ſenſe of his late ſervice, in cauſing the King his maſter to declare againſt France, and would now at leaſt keep his word with him, ſince he had no preceptor to be elected, as in the former conclave: but, if the Italian hiſtorians are to be credited, Charles little thought of procuring him the Papacy, and much leſs the conclave, who met preſently after Adrian's deceaſe. Of the thirty-nine cardinals there aſſembled, Julio di Medicis had fifteen or ſixteen at his devotion, beſide three

Recital of what paſſed in the conclave. Guicciard.

(1) Charles Brandon. He was attended by ſeveral lords and gentlemen, whoſe names ſee in Hall, fol. 113. The vanguard was commanded by lord Sandes; the right wing by ſir William Kingſton; the left by ſir Edward Digby; the rear by ſir Richard Wingfield; and ſir Edward Guilford was captain of the horſe. This army conſiſted of ſix hundred demi-lances, two hundred mounted archers, three thouſand archers on foot, five thouſand bill-men, two thouſand ſix hundred pioneers and laborers: to whom were added ſeventeen hundred men out of the fortreſſes of Guiſnes and Calais: ſo that his whole army was thirteen thouſand one hundred ſtrong. Hall, fol. 114.

(2) In his letter, which is dated September 30, he proteſts, "That he thought himſelf unfit for the Papal dignity, and that he "deſired much rather to end his days with the King." Which was ſtrange diſſembling. See Burnet's Ref. Vol. III. p. 19; and Collect. Fiddes Collect. p. 80.

who

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who had promiſed not to be againſt him if he was like to ſucceed in the conclave; ſo that he had only ſeven or eight to gain, in order to have two thirds of the voices: but this was no eaſy matter. Cardinal Colonna, his competitor, was at the head of a much more numerous party, who would have infallibly carried it, if the cardinals of that faction could have as readily united in chuſing a Pope, as in preventing the election of Julio: this made the conclave hold fifty days. As for Wolſey, if he had any cardinals for him, they could not be many, ſince he had againſt him the French party, and the Emperor's adherents were the ſame with thoſe of Julio di Medicis. In ſhort, Colonna's faction not agreeing on the choice of a Pontif, becauſe their chief would have one elected diſagreeable to his friends, his indignation at their obſtinacy induced him to be reconciled with cardinal di Medicis. Guicciardini ſays, Julio gave him a promiſe, under his hand, to make him his vice-chancellor, and preſent him with his palace, one of the moſt magnificent in Rome. Howſoever this was, Colonna giving him ſeven or eight votes which were at his diſpoſal, there was no farther obſtacle to his election. It being reported in the conclave, that cardinal di Medicis would be elected the next ſcrutiny, moſt of the cardinals ſtayed not 'till day appeared, but went and made their court to the perſon who was ſoon to be their maſter. Their example drew in the reſt who, finding it not in their power to hinder the election, were willing alſo to ſhew they freely concurred: ſo, that very night, between the eighteenth and nineteenth of November, all the cardinals went and paid obeiſance to the new Pope, and next morning his election was confirmed by a ſolemn ſcrutiny, wherein he had all the voices. Thus it is that the Holy Ghoſt influenced the cardinals in the choice of a Pontif, who, contrary to their intention, was to be the cauſe of the Roman church's receiving the deepeſt wound ſhe had ever met with. The new Pope aſſumed the name of Clement VII, on account of St. Clement's day, which was to be very ſhortly ſolemniſed. He was natural ſon of Juliano di Medicis, Leo X's uncle: but this defect in birth, tho' contrary to the canons, was not conſidered. Leo X, who made him cardinal in the begining of his Pontificate, took care to have it legally atteſted, that Juliano promiſed his mother marriage; ſo, taking for granted that a bare promiſe was equivalent to real matrimony, he declared Julio legitimate. Alexander VI took the ſame courſe, when he made Cæſar Borgia his baſtard ſon cardinal: he produced witneſſes who depoſed, that Cæſar was born of a married woman; whence it was infered the child was to be deemed the huſband's ſon. In this manner did the vicars of Jeſus Chriſt abuſe laws divine and human to gratify their paſſions.

Wolſey conceals his diſguſt.

The news of Clement's election was a great mortification to Wolſey, who, ſince the promotion of Adrian VI, had expected to be Pope on the firſt vacancy. He muſt have been extremely incenſed with the Emperor, who had twice deceived him; wherefore it may be affirmed that, conſidering his vindictive temper, he reſolved from that moment to be revenged: but as he could not execute this reſolution without his maſter's aſſiſtance, he was to take care that he acted not from a motive of revenge; otherwiſe he would have run the hazard of being diſappointed. He concealed therefore, under the maſk of a feigned moderation, the reſentment he harbored in his breaſt, and contented himſelf with telling the King, that ſeveral had voted for him in the conclave, but his abſenſe had turned to his prejudice, and the ſituation of the affairs of Italy cauſed the cardinals to chuſe Julio di Medicis. A few days after, the King's embaſſador at Rome had orders to notify to the new Pope the King's and Wolſey's joy at his promotion. At the ſame time, Wolſey deſired the continuance of his legateſhip, affirming, that, by reaſon of the King's prerogative, it was not worth to him a thouſand ducats annually. Clement VII was abſolutely in the Emperor's intereſt, and knowing of what conſequence the King of England's aid was at the preſent juncture of affairs in Europe, gladly imbraced this opportunity to gratify cardinal Wolſey, and make him his friend, by whoſe means he might gain the favor of his royal maſter: in this diſpoſition he granted the cardinal more than he deſired. By a bull of the ninth of January 1524, he gave him the legatine power for life. This is the firſt, and perhaps the only inſtance of a perpetual legateſhip.

Ibid. p. 96. He demands the continuance of his legateſhip. Herbert.

Clement grants it for life. Herbert. Rym. Fœd. Vol. XIV. p. 18.

Wolſey was now raiſed to the higheſt point of grandure a ſubject can aſpire to. He was archbiſhop of York, biſhop of Durham, abbot of St. Albans, cardinal, legate a latere for life, lord chancellor of England, prime miniſter and favorite, careſſed by the Emperor, reſpected by the Pope, regarded by all the Princes of Europe, with almoſt abſolute power in England, where nothing material was tranſacted, either in ſpirituals or temporals, but by his ſole direction. It is eaſy to comprehend ſo many advantages were but too capable of rendering him proud and inſolent. He looked on the King's ſubjects as ſlaves, and, unfortunately for them, gradually inſpired his Sovereign with the ſame principles, and inſinuated to him, that he ought to conſider parliaments only as inſtruments to execute his will. Theſe inſinuations were but too effectual, as will appear in the ſequel. In order to render him independent of the parliament, he perſuaded Henry to exact from his ſubjects (1) at once, the ſubſidy given by parliament, and payable in four years. Every one aſcribed to the cardinal this illegal procedure, which eſtabliſhed a very dangerous precedent: but he little regarded popular complaints, ſince he was ſecure of the King's countenance, and the protection of the Roman court.

Wolſey's pride daily increaſes.

He cauſes the ſubſidy payable in four years to be paid at once. Herbert. Hall. Stow.

He alſo, this very year, undertook a thing he would never have ventured on, had he not been fully ſatisfied that the Pope could not be without King Henry's aſſiſtance: and that was, to cauſe ſeveral religious houſes to be ſuppreſſed, to appropriate the revenues to two colleges, which he intended to found at Oxford and Ipſwich. Had the Pope reaped any advantage, his conſent would not have been very ſtrange: but that he ſhould agree to the ſuppreſſion of ſeveral monaſteries, to gratify a private man, is what could ſcarcely be expected, and perhaps had never happened; and conſequently the Pontif would never have concurred, had not ſatiſfying the paſſion of this ambitious miniſter been abſolutely neceſſary to his deſigns. The cardinal's project was to found a magnificent college, at Oxford, by the name of Cardinal-college, which was to conſiſt of one hundred eighty-ſix perſons, with ſalaries. The other college was to be founded at Ipſwich, the place of his birth, but only for Grammar, and to qualify young ſtudents for his college at Oxford: but as theſe projects were not accompliſhed this year, I ſhall ſpeak of them on another occaſion, and cloſe the year 1523 with a brief account of what paſſed in Scotland, where affairs were no more undiſturbed than elſewhere.

He forms the project of founding two colleges. Herbert. Stow. Fiddes.

Fiddes Coll. p. 82.

Henry, being ingaged in a war with France, juſtly dreaded the diverſion the Scots might make

(1) From all perſons worth forty pounds. Hall. Herbert, p. 60.

on

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on the frontiers. On the other hand, the King of Scotland's minority frequently tempted him to poſſeſs himſelf of that kingdom, after the example of Edward III his predeceſſor, who diſpoſſeſſed the King his nephew at a like juncture. The factions in Scotland increaſing his hopes, he never ceaſed to foment them by means of his adherents, who were very numerous, becauſe he had wherewithal to give penſions. He uſed for pretext, his being by nature obliged to be mindful of what concerned the King his nephew, who was not of age to diſtinguiſh what was advantageous from what was prejudicial. Wherefore, as a moſt affectionate uncle, he did his indeavor to remove the duke of Albany, under color of the Scotiſh crown's manifeſt danger of being ſeized by that Prince. He knew he ſhould never accompliſh his deſigns ſo long as Scotland was guarded by ſuch an Argus. The Queen his ſiſter had made him very uneaſy in joining with the regent, becauſe he was thereby deprived of all pretext of alledging the King to be in danger: nor indeed was it likely, as the Scotiſh parliament wiſely intimated in their anſwer, that the Queen ſhould join with the regent to deſtroy the King her ſon. Henry however, to give ſome color to this accuſation, was pleaſed to ſuppoſe that the Queen his ſiſter deſigned to marry the duke of Albany: but at length finding this ſuppoſition not to have the expected effect, he had recourſe to another expedient, which was to gain his ſiſter, by promiſing to procure her the regency. That done, he preſſed yet more earneſtly the parliament of Scotland to remove the duke of Albany, and confer the regency on the Queen: but, to render his inſtances more effectual, he reſolved to imploy his beſt indeavors to prevent the duke's return to Scotland. To that end, he ſent out a fleet to intercept him in his paſſage (1). At the ſame time he ordered the earl of Surrey to march into Scotland (2), to ſhew the Scots what they were to expect in caſe they did not give him ſpeedy ſatisfaction. The Scots, being without a leader, and unprepared againſt this invaſion, ſuſtained great damages during the campain. The earl of Surrey took Jedworth, and carried fire and ſword into the country, without meeting any oppoſition. Mean while, Henry's adherents ceaſed not to cry, that a peace muſt be made with England, ſince it was the ſole means could ſave Scotland from utter deſtruction. Henry ſupported them, by offering to the King his nephew his only daughter Mary in marriage, and magnifying the advantages the Scots would receive from this alliance: but withal he required of them, that they ſhould break all their ingagements with France. It was however very unlikely, he ſhould ſeriouſly think of giving his daughter to the Scotiſh King, ſince ſhe was affianced to the Emperor, and he himſelf in ſtrict union with that Monarch: beſide, ſuch a marriage would have been of no advantage to himſelf or the nation. To this the oppoſite party replied, "The King of England fought "to diſingage Scotland from France, only the "more eaſily to ruin the kingdom, and that to "make alliance with England by abandoning "France was the ready way to become ſlaves to "the Engliſh; That this was not the firſt time "the Kings of England, by ſuch marriages, had "attempted to poſſeſs themſelves of Scotland, and "the worſt was to be feared from neighbors who "had ever aſpired to the dominion of all Great-"Britain. Finally, that deſtroying with fire and "ſword a country whoſe friendſhip was courted, "was a ſtrange way of ſeeking alliances and pro-"poſing marriages." Theſe reaſons failed not being replied to by the adverſe party; but it all tended only ſo to augment diſorder and confuſion among the Scots, that it was quite impracticable to bring them to any reſolution. However Henry, who only deſigned to terrify the Scots, by making them feel the force of his arms, ordered the earl of Surrey to quit their country and return to England: but he had ſcarce ſent his men into winter quarters, when the Scots made inroads on the Engliſh borders, which obliged him to march a ſecond time into Scotland, where he made himſelf maſter of Jedburrough.

Henry forms deſigns deſtructive to Scotland. Buchanan. Herbert. Hall.

He foments their diviſions; and would remove the duke of Albany;

and make his ſiſter regent.

He invades Scotland; Hall. Buchanan. Herbert. Pol. Virg. Hollingſh.

and offers his daughter in marriage to the King his nephew. Buchanan. Herbert.

Oppoſition of the contrary party. Pol. Virg.

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The Engliſh army retire. Buchanan.

Mean time, the duke of Albany, underſtanding what paſſed in Scotland, ardently longed to be there, by his preſenſe to appeaſe the troubles cauſed by the King of England's partiſans, and to ſtrengthen the French faction, which was in danger of being cruſhed by the adverſe party. Francis I, had granted him a ſuccor of three thouſand foot and two hundred men at arms, to inable him to make a diverſion upon Henry from that quarter: but there was no poſſibility of tranſporting theſe troops into Scotland, while the Engliſh fleet kept the ſea to interrupt their paſſage. He muſt therefore have recourſe to ſtratagem. For that purpoſe, he feigned to deſiſt from his deſign of paſſing over to Scotland, and ſent his troops into quarters remote from the coaſt, with orders to be in a readineſs on the ſhorteſt warning. The tranſport-veſſels were alſo ſent away to certain ports, whence they were ordered to ſail to the appointed rendezvous the moment they heard from the duke. This politic procedure deceived the Engliſh admiral, who being, by his ſpies informed, that the duke of Albany was returned to court, and had diſmiſſed his troops and ſhipping, concluded there was nothing more to apprehend this year, and ſo returned with the fleet into England. Of this he had no ſooner got notice, but he re-aſſembled his forces and tranſports, and imbarking, about the middle of September, arrived in Scotland the twenty-fourth, the ſame day the earl of Surrey entered Jedburrough.

The duke of Albany deceives the vigilance of the Engliſh, and goes to Scotland. Buchanan. Hall.

The regent's arrival revived the ſpirits of the whole French party, who began to be greatly diſmayed, and drew from the King of England ſeveral perſons who had only favored him thro' fear. Some time after, the regent ſummoned the nobility to Edinburg, and indeavored to convince them, that the kingdom would be in great danger, except the King of England's deſigns were timely and vigorouſly oppoſed: but his eloquence ſufficed not to create a change of opinion in thoſe who prefered Henry's penſions to all the arguments could be alledged. However he got together a body of forces, and advanced towards the borders, where he arrived the twenty-ſecond of October: but when he would have purſued his march into England, he met with the ſame obſtacles which made him ſtop ſhort the preceding year, viz. the officers of Henry's faction refuſed to follow him, maintaining, it was manifeſtly againſt the intereſt of Scotland to provoke the Engliſh, and therefore it was ſufficient to remain on the defenſive: adding, that if the deſign was to ſerve France, it could not be done better than by keeping an army on the frontiers, which would oblige the Engliſh to have the like in thoſe parts: but, in the preſent circumſtances of Scotland, it was too much to hazard a battle, the loſs whereof would

He marches with an army to the borders. Buchanan. Pol. Virg. Hall.

They refuſe to follow him into England.

(1) Sir William Fitz-Williams, with thirty ſix great ſhips cruiſed on the coaſts of France; and Anthony Pointz with a good fleet guarded the weſtern ſeas. As Fitz-Williams was cruiſing about, he diſcovered twelve French ſhips, in which the archbiſhop of Glaſgow and other perſons of quality were, whom the duke of Albany had ſent before into Scotland. Giving chaſe to theſe ſhips, two of them were loſt near Diepe and Boulogne. Herbert, p. 56.

(2) With ſix thouſand men.

prove

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prove the ruin of the kingdom. In ſhort, the regent, perceiving it was in vain to attempt perſuading them to follow him, ordered Werk caſtle to be aſſaulted by the French troops; but they were vigorouſly repulſed. Mean while, on notice of the earl of Surrey's approach at the head of a numerous army, he judged it not proper to expect him, but choſe to retire. In reality, it would have been too hazardous to give battle with an army wherein the Engliſh had ſo many favorers. The ſeaſon being no longer proper for one or other to keep the field, the earl of Surrey, content with having put a ſtop to the Scots progreſs, diſmiſſed his troops into winter quarters, and the regent followed his example.

Hall. Hollingſh. The earl of Surrey approaches.

The regent retires.

While the flames of war were kindled in almoſt all parts of Europe, the reformation gained ground very conſiderably in Germany, and began even to ſpread in Swiſſerland, France, and England. In the begining of this year, the canton of Zurich, moved by the preaching of Zuinglius, renounced diverſe articles of religion they had hitherto profeſſed, tho' Zuinglius and Luther differed about the Euchariſt (1). Many likewiſe in France and England began to diſlike a religion ſeemingly founded more on the Pope than on Jeſus Chriſt. Adrian VI, hearing of the daily progreſs of Luther's doctrine in Germany, diſpatched a nuncio to the diet of Nuremburg, to exhort the German Princes to deſtroy Luther and his followers. He confeſſed, however, in a letter to them on the ſame ſubject, that many abuſes and diſorders were introduced into the church, throwing the blame on thoſe who had governed it before him: but, to reform all at once, he ſaid, would be the way to ſpoil all, and therefore it was neceſſary to proceed in this reformation by degrees. Luther having got a copy of this letter, publiſhed it in the German tongue, with annotations of his own, wherein, among other things, he ſaid, "That "the DEGREES his Sanctity ſpoke of were ſo large, "that there was a hundred years interval between "each of them." On the other hand, the diet, taking advantage of Adrian's frank confeſſion, demanded a free council in Germany, where every one ſhould be obliged upon oath to utter his real ſentiments, and that thoſe numberleſs abuſes, under which Germany had ſo long groaned, ſhould be reformed.

Progreſs of the reformation. Sleidan.

Mean while, Luther ſtill continued to write in defenſe of his doctrine. Among other things, he publiſhed a reply to the King of England's book, wherein he uſed very little ceremony. This procedure of his induced Henry to complain of him to the Princes of the houſe of Saxony: and, at the ſame time, he exhorted them to hinder the publication of Luther's German Bible, leſt the tranſlation ſhould contain what might prejudice the truth: but his letter had no great effect.

Luther anſwers the K. of England's book. Sleidan.

An' 1524. The progreſs of the reformation was not yet conſiderable enough to be much regarded by the chief Sovereigns of Europe, whoſe thoughts were wholly intent on war. Clement VII refuſed to renew the league, tho' himſelf had ingaged his predeceſſor in it, and declared he would obſerve a ſtrict neutrality. This declaration at firſt greatly perplexed Bourbon, ſince, as the Emperor had not provided for the payment of his troops, it was not poſſible for the duke to ſatisfy them, the Pope and Florentines having diſcontinued their uſual ſubſidies. He however found means to draw ſome money from the inhabitants of Milan, and at length prevailed on Pope Clement to ſupply twenty thouſand ducats, and oblige the Florentines to furniſh him with fifty thouſand, on condition of ſecreſy.

Affairs of Italy. Guicciard. Capella. P. Daniel.

Some time after, the duke of Bourbon receiving a ſupply of ſix thouſand Landſquenets, and the Venetian army, under the duke of Urbino's conduct joining him, he took the field thirty-five thouſand ſtrong. Mean while, Bonnivet was greatly imbaraſſed. He had ſcarce twenty thouſand men, having loſt the reſt of his army, by death or deſertion, during the laſt campain: yet what was ſtill worſe on his ſide, he had no money to pay his troops; but that was a defect equally common to both parties. It is true, he expected ten thouſand Swiſſers, and five thouſand Griſons, but foreſaw they would be of little ſervice, becauſe he had not wherewithal to content them at their arrival: and this made him reſolve to go in queſt of the Imperialiſts and give them battle; but, as they were informed of his condition, they determined, tho' ſuperior in number, to avoid it, in expectation of diſperſing his army without ingaging: and, in effect, the five thouſand Griſons, who were coming to join the admiral, and were advanced as far as Bergamo, not receiving the payment promiſed, inſtantly returned. As for the ten thouſand Swiſſers, they arrived indeed at Jurea, and even advanced to the banks of the Sleſia; but it was not poſſible to prevail on them to purſue their march, for want of money to anſwer their expectations. Mean while, the Imperialiſts poſſeſſed themſelves of ſeveral ſmall towns, which very much annoyed the French camp, and at laſt obliged the admiral to retire to Novara: and while this paſſed, the caſtle of Cremona, thitherto held by the French, ſurrendered to the Imperialiſts.

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Bonnivet, finding the Griſons were returned; that the Swiſſers would not ſtir without being ſecure of their pay, and that his men deſerted in great numbers, reſolved at length on repaſſing the Alps. No ſooner had the duke of Bourbon notice of his march, but he purſued him expeditiouſly, to attempt forcing him to a battle: there were, even between the two armies, ſeveral ſharp ſkirmiſhes, in one of which fell that gallant officer captain Bayard; but notwithſtanding the purſuers vigorous efforts, Bonnivet retreated in good order. When the French had repaſſed the mountains, the places they ſtill held in the Milaneſe ſurrendered, by capitulation, to the Imperialiſts.

The French repaſs the Alps. Guicciard. Du Bellai.

The French loſe the Milaneſe.

The French were no ſooner out of Italy, but the Emperor and King of England began to project how they ſhould invade Francis in his own kingdom. They had expected great matters from the duke of Bourbon's revolt, but hitherto it was not poſſible to make any uſe of it, becauſe their ſcheme had too ſoon taken vent. The affairs of Italy having proſpered beyond expectation, they reſolved to make uſe of the duke of Bourbon to carry war into France; concluding that, if he could gain any conſiderable advantage, he would excite a rebellion in ſome part of the kingdom. The duke himſelf fed them with theſe hopes, becauſe that was what alone made him conſiderable. He would gladly have acted in ſome quarter not too remote from his own eſtates, whence he expected great ſupplies: but it was judged properer that he ſhould enter Provence with an army, by reaſon he could eaſily be aſſiſted by the Spaniſh fleet, which lay at Genoua; whereas, by ingaging in any of the inland provinces the fleet would be of no ſervice. This reſolution taken,

The Emperor's and Henry's deſigns upon France. Guicciard. Du Bellai. Mezerai. Herbert.

The duke of Bourbon prepares to enter Provence.

(1) Their differences about Conſubſtantiation much hindered the progreſs of the reformation. And not being able to be compoſed, Zuinglius's party were called Sacramentarians, and Luther's, Ubiquitarians. Calvin ſucceeded Zuinglius, who by his doctrines of predeſtination, &c. ſo widened the breach between the Lutherans and Calviniſts, that they became irreconcilable: inſomuch that the Lutherans at Leipſick, where they are very rigid, have ſet up, in their great church, the picture of Ignatius Loyala, Calvin and the Devil in one frame, with this inſcription, "The three great enemies of Chriſt and the Chriſtian religion."

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Henry readily promiſed to find the duke a hundred (1) thouſand crowns monthly, on condition that, after the firſt month, he ſhould be free to diſcontinue the payment, provided he himſelf acted in Picardy, at the head of a royal army, from the firſt of July, to the end of December.

Henry ingages to furniſh him with money. Rym. Fœd. Vol. XIII. p. 794, 795. Guicciard.

Tho' the Emperor had put Bourbon in hopes of lending him his whole army in Italy for the Provence expedition, he could not however diſpenſe with leaving a good part at Milan, and other places of that duchy, under command of Lanoy, viceroy of Naples. On the other hand, the Venetians withdrew their troops, as having, by their private treaty, ingaged only to defend the Milaneſe. For theſe reaſons, June the twenty-fourth, the duke of Bourbon began his march much weaker than he expected (2), and entered Provence the ſecond of July. He preſently became maſter of Aix and ſome other places, and finally ſat down before Marſeilles, the reduction whereof was the chief end of his expedition; but, a few days before, Renzo di Ceri, a noted Italian captain in the French ſervice, had entered with a ſtrong gariſon. This gave Bourbon to underſtand, that he ſhould meet with more reſiſtance than he had imagined; nevertheleſs he opened the ſiege.

Mezerai.

Bourbon enters Provence and beſieges Marſeilles. P. Daniel. Pol. Virg.

Mean while Francis I, having intelligence of Bourbon's march, ordered his forces to be got together, and ſome troops ſent to Avignon, for fear of its being ſeized by the enemy. There he had determined to aſſemble his army, and repaired thither to command in perſon. It is needleſs to expatiate either on the ſiege of Marſeilles, or of the King's extreme diligence in aſſembling his troops: it ſuffices to ſay in a word, that the very day he departed Avignon, in order to fight the Imperialiſts, namely, the tenth of September, the duke raiſed the ſiege of Marſeilles, and retired into Italy. While Francis was at Avignon, he received the news of his Queen's death, who died at Blois, in July.

Francis I haſtens to its relief;

and compels Bourbon to retire into Italy. Du Bellai. P. Daniel.

The duke of Bourbon's retreat intirely changed the face of affairs. King Francis, who had been in danger of loſing Provence, ſaw himſelf at the head of an army upwards of forty thouſand ſtrong, ready to be imployed in any momentous enterpriſe. So, perceiving that the Imperialiſts took a great compaſs to retire into Italy, he determined on improving that advantage, and the ſuperiority of his army, to recover the Milaneſe. Being thus reſolved, he began his march, and did his utmoſt to reach Milan before them. On the other hand, the duke of Bourbon, having notice that Francis was taking the ſhorteſt cut to Milan, uſed incredible diligence not to be out-marched, being convinced that thereon would abſolutely depend the duchy's preſervation. Thus the two armies, marching by different routs, arrived the ſame day, one at Albe, the other at Vercelli. A few days after, Bourbon joined the viceroy of Naples at Pavia.

Francis marches another way into Italy. Guicciard. P. Daniel.

The two armies arrived on the ſame day.

While the Imperial army was in Provence, the Engliſh court became differently diſpoſed from what it thitherto had been, and ſeemed bent on purſuing new maxims. Henry made no diverſion in Picardy, tho' he had advanced only a month's pay of the ſubſidy he was to allow the duke of Bourbon. This was ſufficient to raiſe in the Emperor ſuſpicions, which were confirmed by Henry's unſeaſonable call for the monies lent him at his departure from England (3). He could not believe that Henry, inſtead of performing his own ingagements, would demand his money at ſo improper a juncture, except he actually ſought occaſion of quarrel. His uneaſineſs ſtill increaſed, on advice from his embaſſador in England, that a perſon was come from France to London, from the ducheſs of Angoulême regent of that kingdom, and had long and frequent conferences with cardinal Wolſey. All this, added to the revengeful diſpoſition of that prelate, whom he had vainly amuſed with hopes of the Papacy, made him juſtly apprehenſive that the King of England meditated abandoning him and joining with his enemy. However, in the preſent ſituation of affairs, there was no other meaſure to take, ſince all depended on the ſucceſs of the war which was going to be renewed in Italy, where his generals were not a little imbaraſſed.

Henry alters his deſigns, and forſakes the Emperor. Herbert. Guicciard.

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Hall. Herbert. Stow.

As ſoon as Bourbon and the viceroy of Naples were joined, they conſulted on what was to be done at ſo ill a juncture. At firſt they reſolved to leave ſtrong gariſons in Pavia and Alexandria, and take refuge in Milan: but the peſtilence having made lamentable ravages in that city, all there was in confuſion, and money and proviſions ſo ſcarce, that they were forced to deſiſt from their deſign and abandon Milan. So, having well ſtored Pavia and Alexandria, they withdrew to Soncino, whither they were alſo accompanied by Franceſco Sforza.

The Imperialiſts abandon Milan. Guicciard. P. Daniel. Hall.

Mean while, Francis I, continuing his march towards Milan, and hearing the Imperialiſts were retired, cauſed his troops to enter the city, and ordered the caſtle to be inveſted. If, inſtead of going to Milan, he had marched directly to the Imperial army, little able to withſtand him, he muſt infallibly have diſperſed it: but admiral Bonnivet's unlucky counſels led him not only to Milan (which muſt, of courſe, have been his, had he defeated or routed the Imperialiſts) but alſo to reſolve on beſieging Pavia. When he appeared before that place, the generals of the Imperialiſts began to take courage, in expectation that the length of the ſiege and the winter-ſeaſon would afford them time to take ſome meaſures. Mean while they ſpeedily ſent for a ſupply of ten thouſand Germans. The Pope, Venetians and Florentines failing them all at once, on the French King's coming into Italy, their only refuge was the length of the ſiege of Pavia, which began in November.

The French enter the city; and beſiege the caſtle. Guicciard. Du Bellai. Falſe ſtep of Francis. He beſieges Pavia. The Imperialiſts raiſe troops in Germany.

Clement VII, who in the late Pontificate had openly declared againſt King Francis, being in great perplexity, ſent a nuncio to the two armies to procure a truce; but, not ſucceeding, he made his peace with the King of France: moreover he propoſed to him the conqueſt of the kingdom of Naples, and concluded with him a private treaty, promiſing free paſſage to the French troops.

The Pope treats privately with the French King. Guicciard. Herbert.

Preſently after, Francis detached five or ſix thouſand men, under conduct of the duke of Albany (who had left Scotland early in the ſpring) with orders to march towards Naples. As they were neceſſarily to paſs thro' the Eccleſiaſtical ſtate, Clement VII pretended for ſome time to oppoſe it, to make believe it was againſt his will. When the French were in the middle of his dominions, he publiſhed his agreement with King Francis, as if newly made, and ſent Charles notice, excuſing himſelf on the neceſſity and conſtraint he was under. Tho' this Emperor was very flegmatic, he could not, on this occaſion, help expreſſing great reſentment againſt Pope Clement: ſaying, "That it "was ſolely at the inſtance of Leo X, that he had

Francis ſends a detachment to Naples. Du Bellai. Mezerai. Clement diſſembles with the Emperor, who is much inſenſed againſt him. Guicciard.

(1) According to the computation, in Rymer, Vol. XIII. p. 795, it amounted to one hundred and twenty-four thouſand crowns.

(2) He had thirteen thouſand foot, and three thouſand horſe. Rapin.

(3) And likewiſe the yearly penſion which uſed to be paid Henry by France, as alſo the cardinal's penſion of two thouſand five hundred ducats, &c. Guicciard. l. 15.

"under-

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" undertaken the defenſe of Italy: that Clement " himſelf had preſſed Adrian VI to ſign the league, " and, now he was become Pope, forſook him in " his greateſt need, and left him to proſecute alone " a war kindled by himſelf: that however he hoped " to come off with honor, and to the confuſion of " thoſe who ſo baſely deſerted him." The event however ſhewed the Pope had done him ſignal ſervice, in perſuading his enemy to carry war into the kingdom of Naples, ſince he thereby cauſed him to divide his forces: but it is uncertain whether his Holineſs had any ſuch intention.

Francis ſends another detachment to Savona. Guicciard.

Another accident farther contributed to deprive Francis of his great ſuperiority over his adverſaries. Renzo di Ceri, who defended Marſeilles, having received that Monarch's orders to imbark ten thouſand men on the gallies, and join the duke of Albany, who expected him in Tuſcany, in his way poſſeſſed himſelf of Savona. This ſucceſs, which ſeemed very advantageous for Francis, turned really to his great detriment, as it put him on ſending a freſh detachment to Savona, under conduct of the marquis of Saluzzo, to take againſt Genoua what advantages ſhould offer. The two detachments for Naples and Savona, ſo weakened the French army, that the Imperialiſts no longer dreaded taking the field, in order to protract the ſiege of Pavia 'till the arrival of the German ſuccors, which the duke of Bourbon was gone to haſten: and in effect, within a few days Piſcara became maſter of Caſſano, a poſt very convenient for his purpoſe. With this event ended the year 1524: but, before I proceed to the next, it will be neceſſary briefly to mention what had paſſed this year in Scotland.

The Imperialiſts take the field.

They annoy the beſiegers.

Affairs of Scotland. Buchanan. Herbert. Hall.

The duke of Albany returning to France, in May, the dowager Queen, and earl of Arran of the houſe of Hamilton, counſeled the young King, who was between thirteen and fourteen years old, to aſſume the reins of government. This their counſel was very intereſted, but James was yet too young to diſtinguiſh. He followed it, and, ſummoning the ſtates, declared the authority of the regent was ended, and for the future all orders were to be received from the King himſelf. After that, the Queen and Arran acted all in the King's name. This change met not with a general approbation. The earls of Lenox and Argyle, vexed at heart to ſee Arran in poſſeſſion of the government, under color of the King's anticipated majority, ſent for the earl of Angus from France, to ſupport themſelves by his intereſt, becauſe he was irreconcileably at variance with the Queen his conſort. On the ſaid earl's arrival, they combined with him, and on pretenſe of freeing their Sovereign from the pretended captivity wherein he was ſaid to be held by the Queen and earl of Arran, levied troops and took Sterling; which done, they marched to Edinburgh, where the King was. At their approach, the Queen and Arran conveyed young James into the caſtle; but, as they had not taken care to lay in proviſions they, in few days were conſtrained to deliver him up to the three earls, who aſſumed the title of regents. Thus was James again put in guardianſhip under theſe three regents, who agreed to divide the admimiſtration among themſelves and rule alternately, four months each. The earl of Angus began, and, as he was in the King of England's intereſt, ſent embaſſadors to treat of

End of Albany's regency.

Hall.

The earl of Angus is declared regent.

Rym. Fœd. Vol. XIV. p. 20, 21, 23, 28. Hall. Hollingſh.

the King of Scotland's marriage with Princeſs Mary, according to Henry's own ſcheme. To facilitate this negociation, the truce which was to expire the firſt of December, was prolonged to the twenty-ſixth of January 1525.

HENRY VIII. AN' 1524.

As England was very quiet during the whole year 1524, the affairs of that kingdom will not long detain me. I ſhall only obſerve, that Clement VII, finding himſelf in a very indifferent ſituation between the Emperor and King of France, ſhewed great regard for the court of England, for whoſe aſſiſtance he preſumed he might have occaſion. To that end, he confirmed King Henry's title of " Defender of the Faith," confered on him by Leo X, and, to pleaſe Wolſey, ſuppreſſed St. Frideſwid's priory in Oxford, on the ground whereof the cardinal purpoſed to build his college, and appropriated the revenues to that new foundation. But as this was not ſufficient for the maintenance of the college, his ſaid eminence procured powers to viſit all the religious houſes, notwithſtanding their immunities, and particularly thoſe of the Franciſcans, who pretended exemption. This was to make a regular liſt of ſuch as might be ſuppreſſed, in order to transfer the revenues to his colleges. The bull which gave him theſe powers bears date Auguſt 21. On the eleventh of September following, his Sanctity granted him another bull, impowering him to ſuppreſs what monaſteries he pleaſed, to the yearly value of three thouſand ducats, for the ſame uſe.

Clement confirms Henry's title of Defender of the Faith. p. 13.

He ſuppreſſes monaſteries for the cardinal's colleges. p. 15.

Bull granted to Wolſey. p. 18.

Another bull. p. 23. Hall. Stow.

Early in December, this year, cardinal Lorenzo Campejo, who had been the Pope's legate in Germany, was, with King Henry's conſent, inſtituted biſhop of Saliſbury. We muſt now return to the ſiege of Pavia, to behold a ſurpriſing event, which made a very great alteration in the affairs of Europe, and wherein England was not a little concerned (1).

Cardinal Campejo made biſhop of Saliſbury. Rym. Fœd. Vol. XIV. p. 29.

AN' 1525.

Francis I, ſtill perſiſted in this ſiege, tho' without making much progreſs, becauſe of the rigor of the ſeaſon, and the Imperial army which, being poſted at Caſſano, exceedingly annoyed his convoys. Beſide, he had made three detachments, one to beſiege the caſtle of Milan, another for Naples, and a third for Savona. On the other hand, towards the cloſe of January, the duke of Bourbon came from Germany, with a ſupply of ten thouſand foot, and a thouſand horſe, which made the Imperial army two and twenty thouſand ſtrong. As the generals wanted money, and for that reaſon were not ſure of hindering the army from diſbanding, they reſolved to attempt the relief of Pavia. To that end, they began to march (February 3) towards the town, reſolving to improve what opportunities ſhould offer: but, as the beſiegers camp was ſtrongly intrenched, they waited three weeks before they executed ſo dangerous a reſolution, which might be attended with terrible conſequences. Mean while, the Griſons recalled their ſix thouſand men in the French ſervice, and theſe troops departing, notwithſtanding all the King's efforts to detain them, the duke of Bourbon judged he ought not any longer defer attacking the enemy's incampment. This reſolution was executed the eve of St. Matthias, with a ſucceſs very fatal to Francis, ſince his army was routed, and himſelf unfortunately taken priſoner (2).

Guicciard. Du Bellai. Mezerai.

The duke of Bourbon brings troops from Germany.

The French are attacked, and their King made priſoner. Guicciard.

(1) This year diverſe things were newly brought into Engiand, whereupon this rhime was made:

Turkeys, carps, hops, piccarel and beer,
Came into England all in one year.

(2) In this battle fell the often-cited Richard de la Pole. Stow, p. 522. It appears from Du Tillet, that June 20, 1523, King Francis concluded a treaty with ſome malecontents in Ireland, wherein he ingaged to ſend over fifteen thouſand men, not only to conquer part of that kingdom; but alſo from thence to invade England, and procure the crown for the ſaid Richard de la Pole, who had ſome pretenſions to it, as being ſon of Elizabeth, King Edward IV's ſiſter. Du Tillet, p. 397, 412.

The

HENRY VIII. AN' 1525.

The Emperor becomes formidable to all Europe.

The Venetians propoſe a league againſt Charles. Guicciard.

Clement dares not ingage; but treats with the Emperor. Guicciard.

The Emperor's generals at a loſs.

They diſbanded part of their army. Guicciard.

Charles's moderation at the news of the victory of Pavia. Guicciard.

The ſucceſs of this battle filled all Europe with dread and conſternation. Charles V was now without a rival, and in condition to over-run Italy with his victorious army, while his ally, the King of England, had it in his power to give France a mortal wound on the ſide of Picardy. Conſequently, the balance of Europe no longer exiſting, moſt of the Potentates had great reaſon to apprehend falling at laſt into ſlavery. The Venetians alone perfectly knowing the danger, propoſed to the Pope a league againſt the Emperor, not queſtioning the King of England would alſo join in it, becauſe it was his real intereſt. This league, added to the forces France could ſtill bring into the field, and the ſupplies which might be received from the Swiſſers by paying them liberally, would have been ſufficient to bridle the Emperor, could it have been ſpeedily concluded. But the Pope, prefering his own intereſt to that of Europe in general, haſtened his treaty with the viceroy of Naples, who acted in the Emperor's name. Among other conceſſions which, by this treaty, Charles was to make Franceſco Sforza, he was to give him the inveſtiture of Milan. There were alſo three ſeparate articles concerning the Pope in particular; namely, 1. That the inhabitants of the Milaneſe ſhould furniſh themſelves with ſalt from the Pope's territories. 2. That the Emperor ſhould compel the duke of Ferrara to reſtore to the church the town of Reggio, ſeized immediately after Leo X's deceaſe. 3. That the Pope ſhould have the diſpoſal of all benefices in the kingdom of Naples. By this treaty, which was of no force 'till ratified by Charles, the politic viceroy found means to annihilate, or at leaſt to defer the project of league againſt the Emperor, propoſed by the Venetians, and to render the other powers jealous of the Pontif. This was the greateſt ſervice he could poſſibly do his maſter on this occaſion.

Mean while the Emperor's generals were greatly imbaraſſed after ſo glorious a victory, for want of money to pay their troops. They had indeed received a hundred thouſand ducats from Florence, but that not ſufficing to diſcharge the army's arrears and ſupport it afterwards, they were forced to diſband moſt of the troops when, by the treaty with Clement, they were ſure of having no league to apprehend. Beſide Triulzi, who had been beſieging Milan caſtle, had now repaſſed the Alps, and the duke of Albany thought only of retiring into France with his army. This diſbanding of troops would have been of very happy conſequence to the Emperor, whoſe intereſt it was to prevent, by his moderation, the meaſures which the alarmed ſtates of Italy might take againſt him, had but his generals proceeded accordingly: but proſperity cauſing them to be wanting in policy, they treated the ſtates of Italy, and eſpecially the Venetians, with a haughtineſs which gave them occaſion to think their liberty in danger, and made them reſolve to uſe all poſſible indeavors to avoid the menaced bondage.

The Emperor could better diſſemble his ſentiments. He received the news of this grand Pavian victory, and the French King's captivity, with great moderation, forbidding any demonſtrations of joy, and ſaying, "Chriſtians ought to "rejoice only for victories over Infidels." He ſeemed to ſympathiſe with Francis's misfortune, and, as I may ſay, to put himſelf in his place, by acknowledging it to be merely the effect of chance, and no Prince, how brave ſoever, could ſuppoſe himſelf exempt from a like accident. Preſently after he called his council, to debate what was to be done with his priſoner. His confeſſor, who ſpoke firſt, was for releaſing him without terms: he repreſented to him, "That, by ſuch a generous "action, he would not only acquire immortal fame, "but alſo make the King of France his real friend, "who, not to be out-done in generoſity, would "doubtleſs ſtrive to expreſs his gratitude: that, "with his help, he would give law to Germany "and Italy, without being obliged to demand the "aſſiſtance of other inferior Princes." But the duke of Alva anſwered all theſe arguments, and concluded it moſt adviſeable to reap from this victory all the advantages it could naturally procure; and the Emperor imbraced his opinion. This plainly ſhews, that his moderation was but a diſguiſe to keep the Princes of Europe from being alarmed, and concerting meaſures to oppoſe the execution of his ambitious deſigns.

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He debates about what is to be done with his priſoner. His confeſſor's advice. Guicciard. P. Daniel.

The duke of Alva's opinion, which is followed.

To perſevere this diſguiſe, he ſent count de Beaurain into Italy with certain terms, on which he was willing to releaſe his priſoner. He was well aſſured that Francis would not accept them: but it was his intereſt to make the world believe it was not owing to him that the French King injoyed not his liberty: wherefore, it was every where induſtriouſly reported, that the Emperor had ſent the King very reaſonable conditions; but particular care was taken not to make them public. Among other matters, he demanded for himſelf the duchy of Burgundy (1). Moreover, he inſiſted on annexing to the duke of Bourbon's eſtates, the provinces of Provence and Dauphiné, and erect for that Prince the whole into a kingdom independent of the Gallic crown. Laſtly, he demanded that Francis ſhould give the King of England intire ſatisfaction with regard to what was his due. The firſt of theſe conditions, in juſtice and equity, contained nothing ſtrange: King Lewis XI took poſſeſſion of the duchy of Burgundy, after the laſt duke's deceaſe, under color of a title which was conteſted, and of which however he made himſelf judge; wherefore could not be ill taken that Charles ſhould demand reſtitution of what was wreſted from Mary of Burgundy his grandmother, at leaſt, 'till the cauſe was legally decided. But what was ſurpriſingly hard and unreaſonable in the propoſals of this Emperor, was his deſire to eſtabliſh in the heart of France a regal ſtate independent of the crown, merely to gratify a rebellious ſubject, the prime author of the King's misfortune. But Charles, ſeemingly propoſed this article only to make the firſt paſs the better, or to give occaſion for a rupture. Francis rejected theſe terms with the utmoſt indignation (2), and ſwore, he would rather remain in bonds for life than accept them (3). But he offered, in his turn, conditions which he thought very advantageous to the conqueror, viz. "That he would eſpouſe Leonora "dowager Queen of Portugal, the Emperor's "ſiſter, and give the duke of Bourbon his own "ſiſter the ducheſs of Alenſon, who had lately "loſt the duke her huſband: that he would agree "to hold the duchy of Burgundy as the Queen "dowager's dowry, and leave it to their male "heirs: that he would reſtore to the duke of "Bourbon all his confiſcated eſtates: that he would "renounce all claim to Naples and Milan: that he "would ſatisfy the King of England concerning

The Emperor offers terms for Francis's liberty. Guicciard. P. Daniel. Herbert.

Francis rejects them.

He offers others; Guicciard. Herbert.

(1) Alſo that Francis ſhould renounce all pretenſions to any part of Italy. Guicciard, l. 16.

(2) Adding; that it was not in his power to alienate any of the demeſns belonging to the crown of France, without conſent of his parliaments, and other perſons veſted with the government of the kingdom. Ibid.

(3) When the articles were preſented to Francis, he was thereat ſo diſpleaſed, that he is ſaid, in a fury, to have drawed his dagger and cried, "It is better for a King of France to die thus:" upon which Hernando de Alenſon, who was preſent, haſtily took the dagger from him. Herbert, p. 66.

"what

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"what was due to him: and finally; that he would "pay the ſame ranſom as King John, when taken "priſoner at the battle of Poictiers." But the Emperor was not ſatisfied with theſe offers. He ſtill inſiſted, that the duchy of Burgundy ſhould be reſtored to him without condition. Moreover, he affirmed, that Francis had no right to Naples and Milan, and therefore his offer to relinquiſh that claim was chimerical and ſuperfluous.

which Charles rejects.

Great conſternation in France. Guicciard.

It was not without reaſon that Charles perſiſted in his demands. It is eaſy to judge the conſternation of France after the recent loſs ſhe had ſuſtained. Her King was a priſoner, and almoſt all his generals taken or ſlain in the battle of Pavia: the kingdom, being exhauſted by continual wars under this and the former reigns, was deſtitute of men and money: the Swiſſers were diſheartned: the canton of Zurich, which had refuſed to ſupply Francis with troops for the war, was ſtill in the ſame diſpoſition from a principle of conſcience; Zuinglius, who had great intereſt in that canton, perſuaded the ſenate, that to barter the blood of their citizens for money, and ſerve the ambition of Princes, was a thing infamous: but even had all the cantons been equally inclined to furniſh troops, it was well known they would not do it without payment; and to procure the neceſſary monies was no eaſy matter. On the other hand, there was reaſon to fear the King of England would improve this opportunity to invade France thro' Picardy, while Charles attacked the provinces bordering on Spain. Laſtly, nothing was to be expected from Italy, ſince his Holineſs had made peace with the Emperor, there not being the leaſt probability that the Venetians would even think of alone maintaining a war for the ſake of France. Thus was ſeen on all ſides juſt cauſe of alarm. Certainly, had Charles and Henry renewed their league, and vigorouſly attacked France, that kingdom in its then infelicitous circumſtances muſt have been utterly ſubverted. But while the ducheſs regent, and all true Frenchmen labored under theſe apprehenſions, they beheld breaking out a ray of hope which ſupported their ſpirits ſo as to prevent them from ſinking intirely. The Pope and Emperor could not accommodate their differences, tho' outwardly they ſeemed diſpoſed to union. The Venetians were inclined to join in a league with the other ſtates to oppoſe the Emperor's progreſs. Finally; the King of England, inſtead of taking advantage of King Francis's misfortunes, generouſly took his part. On the other hand, Franceſco Sforza, ſeeing himſelf as it were the Emperor's ſlave, ſtrove to throw off this yoke, and, tho' he miſcarried, his attempt however produced a good effect, as it manifeſted to Charles the diſpoſition of thoſe Princes who entered into this combination, which it will be neceſſary to explain, in order to give a diſtinct idea of the affairs of thoſe times, wherein England was concerned. But we muſt firſt ſee what became of the royal captive.

Several things concur to revive the courage of the French. Guicciard.

King Francis conducted into Spain, Guicciard. P. Daniel.

This unhappy Prince was ſtrictly guarded in the caſtle of Pizzighitoni, 'till Eaſter, but with ſuch diſquiets on the part of the Imperialiſts, that, leſt attempts ſhould be made for his releaſe, they dared not remove their troops from that neighborhood. Lanoy, having at length intelligence, that the Venetian embaſſador at Rome held frequent conferences with his Holineſs, was apprehenſive of ſome project in agitation to reſcue the captive King; and therefore, without conſulting Bourbon, whom poſſibly he miſtruſted, he determined on conveying the royal priſoner into Spain: tho' that was not any of the eaſieſt enterpriſes, ſince he had no naval ſtrength, and the French gallies then at ſea. To remove this obſtacle, he inſinuated to King Francis, that the ſole means for his being ſoon at liberty, was to confer perſonally with the Emperor; who being, as was well known, a moſt gracious and generous Prince, and had expreſſed a concern for his misfortune, their interview could not but have a good effect, and greatly conduce to a ſpeedy and honorable pacification. Francis agreed to the propoſal; being full of hopes he ſhould do more with Charles, in two or three conferences, that could in many months be effected by his miniſters. Nay, he even lent his own gallies to the viceroy whereon to tranſport him to Spain, where he landed about Mid-June.

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He had flattered himſelf, he ſhould meet with, in Spain, ſuch treatment as John King of France found in England; but, on his arrival at Madrid, he had the mortification to ſee himſelf inſtantly ſhut up in the caſtle; while Charles, far from confering with him, as he fondly expected, vouchſafed him not even one viſit: nay, all the favor he could obtain, was a paſs for his ſiſter, the ducheſs of Alenſon, who reached Madrid in September. By the ducheſs regent, her mother, ſhe was impowered to treat with the Emperor; but was at laſt forced to return juſt as ſhe came. At her coming to Madrid, ſhe found the King her brother ſo indiſpoſed that even his life was deſpaired of. It not being queſtioned but that mere grief, to find himſelf ſo apparently remote from his deliverance, had occaſioned his illneſs, Charles poſted away from Toledo to Madrid, to viſit and comfort him, as being terribly apprehenſive of loſing, by his priſoner's death, the advantages he expected from his captivity. He therefore, in the two viſits he made him, put him in hopes of a releaſe, which tho' done only in general terms, failed not producing the deſired effect, ſince the royal captive preſently mended: but when, on his perfect recovery, he would have recommenced the negociation, he found himſelf not ſo near his deliverance as he had imagined. Charles ſtill inſiſted on the reſtitution of Burgundy; and when Francis proffered to eſpouſe Princeſs Leonora, and to hold that duchy as her dowry, the Emperor, to excuſe himſelf, alledged his being ingaged to marry his ſiſter to the duke of Bourbon. It mortified Francis not a little to find the preference thus given to one of his own ſubjects: but what ſtung him ſtill more was his ſeeing this to be merely a pretext to delay concluding the treaty: and therefore, in the deſpair into which he was plunged by Charles's rigor, he delivered the ducheſs of Alenſon a writing, ſigned by himſelf, whereby he not only conſented, but even ordered, that the ſtates of France ſhould forthwith make ready and ſet the Gallic crown on the head of his ſon the Dauphin. This inſtrument is what they call in France, The Edict of Madrid. The parliament of Paris would not however record it, either on account of its repugnancy to the national conſtitution, or becauſe they looked on the ſaid edict as imperfect and of no authority, the King being under conſtraint. Very poſſibly, Francis deſigned thereby to make the Emperor comprehend, that, inſtead of having in his power a great Monarch, he ran the hazard of finding himſelf maſter of only a nominal King who had not a foot of dominion.

and ſhut up in Madrid caſtle. Guicciard.

His ſiſter arrives, and finds him dangerouſly ill.

Charles viſits him. Ibid.

Difficulties in the pacification.

Francis orders his ſon the Dauphin to be crowned;

which order the parliament of Paris refuſed to obey. P. Daniel.

While Charles was amuſing his priſoner in Spain, he acted not a whit more ſincerely with Pope Clement, who was quite at a loſs what judgment to make of his ambiguous procedure. The Imperial conqueror had eagerly courted his friendſhip; but after having, by the viceroy of Naples, made with him a treaty, he long delayed confirming it, and at length ſent his ratification without including the three ſeparate articles. He acquainted him, That, as to the duke of Ferrara, he could not oblige him to yield up to the church the city of Reggio, which was a fief of the Empire. With regard to the ſecond article, whereby Charles was bound to

Charles deals inſincerely with the Pope;

and ſends him the ratification of the treaty of Rome imperfect. Guicciard.

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compel thoſe of the Milaneſe to purchaſe their ſalt from the Pope's ſubjects only, he ſaid, that matter alone concerned the duke of Milan; and, for his part, he could not undertake to promiſe for others. And concerning the Neapolitan benefices, he would not at all meddle with that article, without ſubjoining a reſtriction which rendered it wholly uſeleſs, viz. that conformity to what had been practiſed by former Kings of Naples ſhould be ſtrictly obſerved. Clement finding the Emperor abſolutely declined ratifying thoſe three articles, would not otherwiſe accept the ratification ſent him, and they both remained on the ſame footing as before the treaty: but Charles got what he wanted, ſince he had obſtructed the league which was projecting againſt him, in rendering Clement ſuſpected by the other Potentates.

A farther proof of Charles's inſincerity.

Alſo another particular occurred, which gave ſtill farther proof of this Emperor's inſincerity; viz: Having ſent to Franceſco Sforza the inveſtiture of Milan, he thought fit to clog it with the hard condition, that the ſaid Prince ſhould pay down twelve hundred thouſand ducats, in recompenſe for his charges in keeping for him that duchy. As it was manifeſt that Sforza could not poſſibly anſwer this demand, it was no leſs ſo that Charles only ſought a pretext to keep poſſeſſion of Milan. All this greatly alarmed Clement VII, who had alſo notice that he was not at all favored by the council of Spain: and in effect, certain of the Emperor's miniſters had counſeled that Monarch to chaſtiſe the Pontif for ſiding with France at ſo critical a juncture, and compel him to reſtore Modena to the duke of Ferrara, and Bologna to the Bentivoglii.

The Pope's alarm at his conduct.

The Venetians indeavor to form a league againſt Charles. Guicciard.

On the other hand, the Venetians, ſeeing there was no likelihood that the Emperor really intended to reſtore Sforza, could not but be alarmed at his keeping the duchy of Milan. Wherefore, they uſed their utmoſt indeavors to perſuade the Pope and the King of England to join with them and France againſt the Emperor, well knowing that otherwiſe all Italy would fall under the dominion of the houſe of Auſtria. In Rymer's collection is extant a letter of Andrea Gritti their Doge to cardinal Wolſey, dated March 31, which ſhews that thoſe able politicians had formed this project not long after the battle. The letter indeed is no other than the credentials of a certain embaſſador of theirs, who had orders to treat with King Henry on a buſineſs of the utmoſt importance: but, at ſuch a juncture, this important affair could be only the league they were projecting.

Vol. XIV. p. 36.

Pope Clement's irreſolution and perplexity.

Mean while, his Holineſs was ſtrangely imbaraſſed. By aiming at a too refined ſtrain of politics, he had taken ſo many wrong ſteps, that he was quite at a loſs to know on which ſide he ſhould turn himſelf; which is indeed but too frequently the caſe with thoſe who, leaving the great road, take by-paths. This Pontif could not reſolve either to be ſatisfied with the Emperor's offers, or enter into a league againſt him. In this uncertainty, he choſe to follow the example of Leo X and Julius II, his predeceſſors, that is, to treat with the Emperor and his adverſaries at one and the ſame time, in order, by the events, to conclude on what would turn moſt to his advantage. To this purpoſe, while he was treating at Rome with the Venetians, he diſpatched away to Spain cardinal Salviati, to negociate with Charles, ſending alſo with him the bull of diſpenſation deſired by that Monarch, to authoriſe his deſigned nuptials with his niece, Iſabella of Portugal: but this bull was not to touch the Emperor's hands 'till after the treaty was concluded.

Guicciard.

Sforza unworthily treated by the Imperialiſts. Ibid.

The affairs of Italy being in this ſituation, another accident happened, which plainly evidenced Charles's aim was only, by a feigned moderation, to amuſe all the other Potentates, while in reality he thought of nothing but how to extend his dominions. His league with Adrian VI, and the other Italian powers, was founded ſolely on Franceſco Sforza's reſtitution to the duchy of Milan. As this was the common intereſt of Italy, ſo was it likewiſe the only bond whereby Charles had found means to unite all thoſe powers againſt France, then poſſeſſed of the Milaneſe. That league had ſucceeded according to the allies wiſhes. The French were driven from Italy, and Sforza entered Milan: but tho' the Emperor had pretended to give that Prince the inveſtiture, he had not yet done it, becauſe Sforza was not able to pay down the twelve hundred thouſand ducats Charles ſo unreaſonably exacted. The ſaid duke was indeed flattered with hopes of obtaining terms more moderate, but that was only to amuſe him, and remove his as well as the Pope's and Venetians ſuſpicion, that Charles's deſign was either to keep the duchy for himſelf, or give it to his brother the archduke Ferdinand.

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Charles lays a ſnare for Sforza in order to diſpoſſeſs him. Guicciard. P. Daniel.

What was then but a bare ſuſpicion, ſoon became a certainty. The duke of Bourbon repairing to Spain, there to attend certain concerns of his own, Don Ferdinand de Avalos, marquis of Peſcara, was, by the Emperor, commiſſioned to command in Italy. Shortly after, Peſcara affected to appear greatly diſſatisfied, and openly to exclaim againſt the Emperor's ingratitude. He carried his diſſimulation ſo far, that he at length inſpired Jeronimo Moroni, the duke of Milan's chancellor, with the aſſurance to ſound him to try if, by his means, the Spaniards might be expeled the Milaneſe. Peſcara liſtened to his inſinuations, and had ſeveral conferences with him, and managed ſo dexterouſly, that he ingaged Moroni to get the duke himſelf to diſcourſe with him on the buſineſs. Moroni's ſcheme was actually to cut off all the Spaniards in the duchy of Milan, and make Peſcara King of Naples. As this could not be effected without foreign aid, Peſcara propoſed to ingage in this combination Pope Clement, the regent of France, and the Venetians. Accordingly theſe three powers readily acceded, and promiſed their aſſiſtance. When matters were in good forwardneſs, Peſcara received the Emperor's orders intirely to ſtrip Sforza of his eſtates. He began with ſeizing Moroni, and then conſtrained the duke, little able to reſiſt, to reſign his capital city, together with what places he poſſeſſed. Only the caſtle of Milan Sforza would not deliver, which was therefore inſtantly beſieged. Thus had Charles a plauſible pretext to ſeize that duchy; nor could Clement or the Venetians complain of his puniſhing Sforza's treachery, ſince there were evident proofs that they themſelves were deeply concerned in the conſpiracy.

Peſcara, having deprived Sforza of all his poſſeſſions, beſieges the caſtle of Milan.

The artifice Charles had uſed to poſſeſs himſelf of the Milaneſe, ſerved only to confirm the Venetians in their reſolution, to hazard all to hinder that duchy's continuing ſubject to the Auſtrian family. Without offering to juſtify their conduct, they flatly told the Spaniſh embaſſador, who preſſed them to join with the Emperor, that Sforza's reſtoration was a preliminary from which they would never recede. Had Clement VII ſhewn a like reſolution, Charles would have been not a little imbaraſſed: but that Pontif, wanting to ſtretch his politics too far, ſuffered himſelf to be deceived, as he had been before. He had in Spain a legate, who was treating with the Emperor, while himſelf, at Rome, was negociating with the French and Venetian embaſſadors a league againſt that Monarch. He impatiently waited the ſucceſs of his legate's negociation, and, as the concluſion was long delayed, he appointed a day to ſign a league with France and Venice: but, in the interval, underſtanding that his treaty was concluded at Madrid, he would hear no more of the league. Soon after, the Emperor ſent him, by a courier,

The Venetians inſiſt on Sforza's reſtoration. Guicciard.

The Pope in ſuſpenſe to declare himſelf.

He ſuffers himſelf to be over-reached by the Spaniſh embaſſador.

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courier, the treaty concluded in Spain, which he found ſo equivocal and ambiguous that he refuſed to ratify it. The Spaniſh embaſſador, pretending to be himſelf ſurpriſed at the ambiguities of the treaty, ſtrenuouſly maintained they were undeſigned, and told the Pope, he might draw up the treaty as he pleaſed, and ingaged to have it ſigned by the Emperor within two months. This delay was only to hinder the Pope from entering into the league during that time, and Clement ſuffered himſelf to be deceived by the embaſſador's poſitive manner of ſpeaking. This was tranſacted in December 1525, and in the ſame month died Peſcara.

Peſcara's death.

Henry thinks of ſiding with France. Guicciard. Hollingſh.

Having thus ſhewn the ſituation of affairs in Italy, we muſt ſee what paſſed at the Engliſh court, where the cabals came no way ſhort of thoſe at Rome and Venice, ſince it was then really debating to preſerve the balance of Europe, which leaned too much to one ſide. The equality between the two houſes of France and Auſtria was, properly, what made England conſiderable, and conſequently was an advantage not to be neglected: but there were other reaſons which incited Henry to forſake the Emperor, and join with France. Tho' the treaty of Bruges, or Windſor, ſeemed to have inſeparably united the Emperor and Henry, it is however certain they were far from being pleaſed with one another, becauſe each was deſirous to make their union ſubſervient to his reſpective concerns, without any regard to his ally. Probably cardinal Wolſey, who was very angry with the Emperor, did not a little contribute to diſpoſe his maſter to a rupture.

Charles and Henry diſſatisfied with each other.

Cauſes of their differing. Guicciard.

Princeſs Mary, Henry's daughter, was affianced to the Emperor, and yet the King her father had offered her to the King of Scotland. On the other hand, the Emperor had not ſcrupled concluding his own marriage with Iſabella of Portugal, as if he had not been ingaged to Mary; and hence theſe two Monarchs evidenced they had little regard for each other. Charles, hearing that Henry was treating of a match between his daughter and the King of Scotland, took that occaſion to throw on him the rupture of his marriage. In March he diſpatched over to England baron de Buren, and the preſident of the council of Mechlin, to require King Henry inſtantly to ſend him the Princeeſs, pay down the covenanted dowry, and, purſuant to their league, enter Picardy with a powerful army, as he ſhould have done the year before. It was eaſy for Henry to perceive, the Emperor ſought only to juſtify himſelf, without any intention to accompliſh his marriage with Mary, and this way of proceeding was not very proper to preſerve a good underſtanding. But on the other hand, Charles had no leſs cauſe to complain of him. Henry had promiſed to find a hundred thouſand crowns monthly for the duke of Bourbon's expedition into France, or to make a powerful diverſion in Picardy: but after ſeting the affair on foot by the firſt month's payment, he had there made a full ſtop, without the leaſt attempt againſt France: nay, he had demanded the monies owed him by Charles, when he was well aſſured of that Prince's diſability to comply with his demand. This procedure ſeemed to demonſtrate he only ſought a pretenſe. Moreover the Emperor was informed that, in October laſt, while Francis was marching into Italy, a perſon without character came to London, from the regent, and had ſeveral conferences with cardinal Wolſey: but then Charles had promiſed to invade France on the ſide of Spain, without having taken one ſtep in order thereto; and yet he thought very heinouſly of Henry's diſappointing him. Thus

Herbert. Hall. Hollingſh.

theſe two Monarchs, who were thought ſo ſtrictly united, and whoſe union made France and Italy tremble, were in reality very much eſtranged from each other, and juſt ready to quarrel. In all appearance, the conferences of the ſaid emiſſary from France with Wolſey had taken effect: beſide, that cardinal, who was exceſſively revengeful, muſt have been greatly rancored againſt the Emperor for deceiving him twice, after a poſitive promiſe to help him to the Papacy.

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Wolſey contributes to the rupture.

It was early in March when Charles's two embaſſadors diſcharged their commiſſion: but before they had their anſwer, the news of the battle of Pavia, and King Francis's captivity, reached England, by a letter from the governeſs of Flanders, with another from Lanoy, written the very day this action happened. As the Engliſh court then ſtood diſpoſed, this news was by no means agreeable: nevertheleſs, as it was yet requiſite to diſſemble, Henry ordered a ſolemn maſs to be celebrated at St. Paul's, whereat he thought fit to aſſiſt perſonally (1), tho' without a Te Deum (2). His driſt was to make Charles's agents believe that the ſolemnity was on account of their maſter's victory; yet, at the ſame time, to ſhew ſome regard for France, by avoiding to expreſs any joy at her misfortune.

Henry expreſſes a regard for France. Herbert. Hall. Herbert.

A few days after, the council was aſſembled, to conſider what was to be done at this juncture. The queſtion was, whether this opportunity ſhould be imbraced to make conqueſts upon France, in proſecuting the King's title to that kingdom, or whether it was more expedient to aſſiſt and preſerve France intire, and oppoſe the Auſtrian family's growing power. As to the firſt point, it is moſt certain that if, on this occaſion, England had ſtrictly united with the Emperor, and made vigorous efforts on the ſide of Picardy, France, in her then circumſtances, muſt have have been loſt irrecoverably; for, inſtead of being able to withſtand the attacks of thoſe two potent adverſaries, it was not poſſible for her to reſiſt the Emperor without the King of England's aſſiſtance: but, on the other hand, it was conſidered, that France could not be ruined without rendering the Emperor too powerful: that he was already in poſſeſſion of Spain, and had alſo his eye upon Portugal, by marrying his niece Iſabella, as it was openly diſcourſed: that his late victory in Milan gave him ſuch a ſuperiority in Italy, that apparently the Pope and the Venetians would not be able to make head againſt him: that he poſſeſſed almoſt the whole Netherlands, with large and rich provinces in Germany; not to reckon the Imperial dignity, which was become as it were hereditary in his family: that if, by a powerful diverſion, opportunity was given him to conquer the French provinces bordering on Spain and Italy, the moſt King Henry could expect was, to ſhare France with him; but it was to be feared, that Charles would afterwards break with him, and be an enemy the more formidable, as there would be no proportion between their forces, nor any ſtate in Europe able to ſupport the weakeſt: that therefore, ſuppoſing the King of England had all the ſucceſs in France he could wiſh, in agrandiſing himſelf in that kingdom he would only be involved for the future in a moſt unequal war with the Emperor, who very probably would never be ſatisfied 'till he had diſpoſſeſſed the Engliſh of their conqueſts: that what had paſſed between Lewis XII and Ferdinand, in reſpect of the kingdom of Naples, was a clear evidence how difficult it is for ſuch partitions long to ſubſiſt: that, on all theſe accounts,

Henry conſults his council how he ſhould proceed.

(1) March 12. Accompanied by the embaſſadors of the Pope, the Emperor, Scotland, Venice, Milan, and Florence. The day before, there were bonfires in London on account of this victory. Hall, fol. 136.

(2) Hall affirms the contrary. Ibid.

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it was much more for England's intereſt to make a vigorous effort to ſupport France, and inable her to be always a balance to the Auſtrian power: that the happineſs and glory of England conſiſted in the equality between the King of France and the Emperor, ſince thereby England was always in condition to remain arbiter of Europe, and make herſelf courted by both parties: that there was no other way to maintain a flouriſhing trade, wherein conſiſted all her ſtrength, and without which the Engliſh could never hope to render themſelves formidable: that if, on the contrary, it was reſolved to complete the deſtruction of France, and a war ſhould afterwards happen with the Emperor, of which there was great probability, at once would be loſt the trade with France, Spain, Italy, Flanders, and Germany, which would quickly reduce England to extreme poverty; or, at leaſt, that it would thereby be out of her power to keep up land and ſea forces ſufficient to balance the Emperor's power: in ſhort, if France came to be divided between Charles and Henry, Scotland would certainly join with the Emperor, and continue to annoy England by frequent diverſions, as was her conſtant practiſe, in favor of France. To theſe conſiderations was added another of ſtill greater weight, namely, That a league with the Emperor to conquer France, was not the ſame thing as one with the regent for defenſe of that kingdom: that in the firſt, the Emperor's ſole aim would be to make the Engliſh forces ſerve to inable him to puſh his conqueſts elſewhere; but, at the ſame time, he would oppoſe, either directly or indirectly, England's increaſe of power; this being the uſual policy of Princes when they joined with thoſe weaker than themſelves: that it could be the leſs doubted that Charles would purſue this maxim, as even before the battle of Pavia he had ſhewn that he conſidered the King of England only as his inſtrument to promote his deſigns in Italy; but if England joined with France, the two allies, having the ſame view, would, as is uſual in defenſive leagues, act unanimouſly: that, on the other hand, in the preſent juncture, France, not able to ſupport herſelf without England's aſſiſtance, would readily accept what terms ſhould be impoſed on her, which was an advantage more real and certain than any to be expected by attacking her; and finally, that nothing could acquire his Majeſty more glory than to relieve France in her deſperate condition, and free a captive Monarch; ſince by ſo doing he would truly gain the title of Arbiter and Deliverer of Europe, and make of the King of France a friend, who undoubtedly would bear in eternal remembrance ſo ſignal a benefaction.

Henry reſolves to ſupport France; and uſes for pretenſe the injuries done him by Charles.

Theſe were the true reaſons which induced Henry and his council to take part with France. They were perfectly agreeable to the King's and Wolſey's inclinations, and to the maxims they had already began to purſue. The only buſineſs was to ſeek a pretenſe to break with Charles, by throwing on him the blame of this rupture. This is the article whereto Sovereigns are extremely attentive. When they commence wars, how unjuſt ſoever, they would perſuade the world that they proceed wholly on the grounds of juſtice and equity, without the leaſt tincture of envy, jealouſy, ambition or avarice. The war Henry was meditating againſt Charles was, as we have ſeen, intirely founded on policy; and that alone would have been ſufficient to juſtify it: but he choſe rather to ground it on the pretended injuries done him by that Monarch. The reaſon of this conduct is evident: policy and equity are very rarely found to agree, and Henry, like moſt Princes, had rather be at leaſt thought a man of probity, than a deep politician. However this be, the reſolution being taken to ſupport France, Cuthbert Tunſtal biſhop of London, and Sir Robert Wingfield were ſent to Spain, to demand of the Emperor diverſe particulars which, it was well known, would not be granted. Firſt, "That, as "the war was made at a common charge, it was "reaſonable the King of England ſhould partake "the fruits of the victory at Pavia: that therefore, "purſuant to their alliance, it ſhould be ſtipulated "in the treaty with the captive King, that Henry "ſhould be reſtored to what appertained to him in "France. Secondly, that, in caſe this could not "be obtained by fair means, the Emperor, ac-"cording to the treaty, ſhould prepare to invade "France from Spain, while the Engliſh acted in "Picardy, and that the war ſhould not ceaſe 'till "the King of England recovered whatever was "rightfully his: that the Emperor ought to be "the more ready to aſſiſt the King of England in "obtaining his deſires, ſince, by his marriage with "the heireſs of England, all theſe acquiſitions "would finally devolve to him. Thirdly, that as "it was ſaid, in the treaty of Windſor, the two "allies ſhould mutually deliver all uſurpers upon "each other's right, Henry required, purſuant to "that article, that the King of France ſhould be "delivered to him the ſame day Princeſs Mary "was conſigned to the Emperor."

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He ſends embaſſadors to Spain. Hall. Stow. Herbert.

His demands on the Emperor.

Moſt of theſe demands were of ſuch a nature, that the Emperor eaſily perceived Henry ſought only a pretenſe to break with him. In reality, he could not receive Princeſs Mary, ſince he was determined on eſpouſing Iſabella of Portugal, and much leſs would he ſurrender the captive King, and thereby deprive himſelf of the advantage he expected from his victory. Having therefore framed his anſwer in general terms, denoting his unwillingneſs to grant what was demanded, he furniſhed Henry with the pretext he was ſeeking to join the regent of France. On divulging this reſolution, the Engliſh court took care to publiſh their reaſons for the rupture with Charles. The ſubſtance of theſe reaſons was; That the governeſs of the Netherlands, inſtead of providing her quota of forces for the war, had privately treated with France: that the Flemings had broken the treaty of commerce in ſeveral articles (1): that the Emperor had not diſcharged what he owed the King: that, in the terms on which he had offered to releaſe the King of France, he had very negligently, and in general terms only, mentioned Henry's right, as a thing of ſmall moment: that he was now treating of his marriage with the Princeſs of Portugal, in contempt of Princeſs Mary, to whom he was contracted: laſtly, that the Turks being about to invade Chriſtendom (2), it was neceſſary that all Chriſtian Princes ſhould join their forces againſt them, which could not be done without a general peace; but this could not be effected, while the Emperor remained in arms to agrandiſe himſelf at the expenſe of other Potentates. Theſe are the reaſons alledged in vindication of King Henry's conduct: but his real motive was the juſt jealouſy with which the Emperor's power inſpired England, and indeed all Europe; however, Henry thought not proper to declare war againſt the Emperor, being unwilling, by ſo raſh a ſtep, to prejudice his intended treaty with France. He contented himſelf with ordering his embaſſadors in Spain, to intercede, in his name, in behalf of the captive King, tho'

The Emperor anſwers in general terms.

(1) Not the Florentines, as M. Rapin has miſtaken. The Flemings had not only inſolently treated diverſe of our merchants, but, contrary to a remonſtrance made in that behalf, had raiſed the value of our coin, and thereby ſecretly got over great ſums into their country. See Herbert, p. 65.

(2) They had already taken Belgrade and Rhodes, and thereby opened ſeveral ways into Italy and Germany. Ibid.

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he expected little from his interceſſion. Mean while, he acquainted the ducheſs regent of France, that if ſhe would ſend embaſſadors to negociate with him, there might follow a treaty advantageous to the King her ſon, and to both kingdoms. The regent immediately appointed Jean-Joachim de Paſſau, baron de Vaux (the ſame who had begun the negociation with cardinal Wolſey) and Jean Brinon preſident of Roan. Their commiſſion was dated at Lyons the ninth of June.

Embaſſy of France to London. Rym. Fœd. Vol. XIV. p. 37, 45. Hollingſh.

While the treaty between France and England was negociating at London, Henry, knowing how it would end, commited the care of raiſing money to Wolſey. The moſt natural way was applying to parliament: but Wolſey was too haughty to expoſe himſelf to a refuſal, or conteſt with the houſe of commons, as had been his caſe once before. Wherefore, concluding to make uſe of a method ſomewhat more expeditious and better ſuiting his genius, he iſſued out, in the King's name, commiſſions to levy, throughout the kingdom, the ſixth part of every lay-man's goods, and the fourth of the clergy's (1). No ſooner were theſe commiſſions publiſhed, but the nation was in a great ferment. This method of raiſing money was univerſally deemed a manifeſt breach of Magna Charta, and ſuch a conſequential incroachment that a general riſing ſeemed not very diſtant. The King, on notice thereof, inſtantly ſet forth a proclamation, diſavowing theſe commiſſions which had been publiſhed in his name, and declaring, that he would not exact from his good people any thing forcibly, nor demand of them a farthing but by way of benevolence, as practiſed in the reign of Edward IV. But this ſoon appeared to be a mere artifice to extort, under another name, what the people refuſed to give by violence; for the benevolence afterwards demanded by the King was almoſt equal to what was at firſt required authoritatively. The Londoners being taxed firſt, the magiſtrates excuſed themſelves, as benevolences were aboliſhed by Richard III. Againſt this Wolſey loudly exclaimed, as if it had been the moſt extravagant aſſertion in nature. He told them, Richard III was a tyrant and uſurper, and therefore laws made in his reign could not limit the Sovereign's power. But, as this argument had no great effect, he ſent for the city common council, one by one, to intimidate them, deſiring at any rate to compaſs his ends without being obliged to call a parliament. While he was thus imployed, the inhabitants of ſome counties, not far from London, took arms, and the inſurrection would very probably have become univerſal, had not a timely ſtop been put to thoſe dangerous commotions. The ſpeedy orders given to diſperſe the ſeditious ſucceeded as the court could wiſh: they who had taken arms, ſeeing themſelves not yet ſufficiently ſupported, ſubmited to the King's mercy, and ſome of the ring-leaders were impriſoned. Henry finding how the Engliſh ſtood affected, judged it neceſſary to give them ſome ſatisfaction, by ſhewing he was not concerned in the violent procedure of his miniſter: wherefore, in full council he declared, that his intention was not to puniſh any perſon for this rebellion. Wolſey, perceiving that his maſter threw all the blame on him, juſtified himſelf as beſt he could, without however charging the King; alledging, he had the judges opinion for what he had done. Were ſuch excuſes admited, it would be no longer neceſſary for a King of England to apply for ſubſidies to the parliament. The Judges being nominated by the King, his obtaining from them favorable deciſions would not be very difficult. But tho' there have been judges ſo daringly raſh, as to decide points of this conſequence, as in the reigns of Richard II, Charles I and James II, very few eſcaped the chaſtiſement their preſumption merited. The parliament never deſigned that the nation's privileges ſhould depend on the deciſion of the judges. The council, finding Henry not inclined to ſupport what the cardinal had done, and, on the other hand, not daring to attack Wolſey himſelf, thought fit, without naming any, to caſt the whole blame on thoſe who had given the King wrong information, and to releaſe the priſoners, after a ſevere reprimand. Purſuant to this reſolution, the priſoners being brought before the council, Wolſey ſharply rebuked them, agravating the heinouſneſs of their offenſe, and adding, that the King was pleaſed to grant them his pardon, provided they would find ſureties for their future good behavior: but anſwer being made him, they had no ſecurity to give; the cardinal and duke of Norfolk ſaid, they would be bound for them; whereupon they were diſcharged.

Wolſey would levy money without the parliament. Herbert. Stow. Hall. Hollingſh.

The King diſavows it;

but demands benevolence.

The city of London oppoſes it. Hall. Stow.

Inſurrection in the country. Hall.

It is appeaſed.

The King throws the blame on cardinal Wolſey. Hall. Stow. Hollingſh.

Remark.

The affair ends mildly.

Herbert. Hall.

Henry having once diſcovered that he approved not all the cardinal's actions, people ventured more boldly to complain of his conduct. The truth is, he oppreſſed the nation, and more eſpecially the clergy, in no ordinary manner. The inſtrument of his oppreſſions was one Allen (2) his chaplain, who obſerved no meaſures, well knowing his maſter's protection would not fail him on occaſion. Mean while, how great ſoever the cardinal's power was, a private perſon ventured to commence a ſuit againſt Allen, and proſecuted him ſo vigorouſly, that at laſt the affair came to the ear of King Henry, who was informed at the ſame time of ſeveral other complaints of the people. He had hitherto fancied, there had never been in England ſo mild a government as his, being ignorant of the ill uſe Wolſey made of his authority. This information threw him into ſo terrible a rage, that his eminence was near being quite out of favor. It was not without the utmoſt ſubmiſſion that he appeaſed the King's anger, ſhewing him withal his laſt will, wherein he had made him his heir. This he did to intimate that he was laboring for him, and that whatever outrages he perpetrated were only to augment the inheritance which his Majeſty was one day to injoy. Nothing can better expreſs the King's ſentiments concerning Wolſey, than the letter he wrote that cardinal ſome time after his pardon; a fragment whereof, as inſerted by lord Herbert in his hiſtory, is as follows:

Henry receives ſeveral complaints againſt Wolſey; Herbert. Hall.

and is on the point of diſgracing him: but is appeaſed by Wolſey's great ſubmiſſion.

"AS touching the matter of Wilton (3), ſeeing it is in no other ſtrain than you writ of, and you being alſo ſo ſuddenly (with the falling ſick of your ſervants) afraid and troubled, I marvel not that it over-ſlipped you as it did. But it

Henry's letter to Wolſey. Herbert. p. 67.

(1) The cardinal pretended, that this money was to be applied towards carrying war into France. He demanded of perſons worth fifty pounds, three ſhillings and four-pence; of ſuch as were worth twenty pounds, two ſhillings and eight-pence; and of thoſe who had from under twenty pounds to twenty ſhillings, twelve-pence in the pound. Hall, fol. 138.

(2) John Allen, doctor of law (the ſame who was judge of the cardinal's court) was made archbiſhop of Dublin in 1528, and barbarouſly murdered by Thomas Fitz-Gerard, eldeſt ſon to the earl of Kildare, 1534. Antiq. Oxf. This Allen, who is ſaid by Hall to have been a man of more learning than virtue or good conſcience, was commiſſioned by the cardinal, in conſequence of his legatine power, to viſit all religious houſes; and accordingly he rode from one religious houſe to another, with a great train, in a kind of perpetual progreſs or viſitation, and did the cardinal no ſmall ſervice. Hall, fol. 148. Herbert, p. 67.

(3) The matter of Wilton was this: the cardinal had elected a perſon prioreſs of the nunnery there, for whom the King had ſome way previouſly expreſſed his diſlike. The prioreſs of the nunnery of Wilton was a baroneſs by her title, as were alſo thoſe of Shaftſbury, Barkin, and St. Mary's in Wincheſter, which were the only ſuch in England. See Fiddes Life of Wolſ. p. 398.

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" is no great matter, ſtanding the caſe as it doth; " for it is yet in my hand, as I perceive by your " letter, and your default was not ſo great, ſeeing the " election was but conditional. Wherefore, my " lord, ſeeing the humbleneſs of your ſubmiſſion, " and though the caſe were much more heinous, " I can be content to remit it, being right glad " that, according to mine intent, my monitions " and warnings have been benignly and lovingly " accepted on your behalf, promiſing you, that " the very affection I bear you cauſed me thus to " do. As touching the help of religious houſes to " the building of your college, I would it were " more, ſo it be lawfully; for my intent is none " but that it ſhould ſo appear to all the world, and " the occaſion of all their mumbling might be ſe- " cluded and put away; for, ſurely there is great " murmuring of it throughout all the realm, both " good and bad. They ſay not, that all that is " ill-gotten is beſtowed upon the college, but that " the college is the cloak for covering all miſchiefs. " This grieveth me, I aſſure you, to hear it ſpoken " of him which I ſo intirely love. Wherefore, " methought I could do no leſs, than thus friendly " to admoniſh you. One thing more I perceive " by your own letter, which a little methinketh " toucheth conſcience, and that is, that you have " received money of the exempts for having of " their old viſitors. Surely, this can hardly be " with good conſcience. For, and they were " good, why ſhould you take money? And if they " were ill, it were a ſinful act. Howbeit, your " legacy herein might peradventure, apud homines, " be a cloak, but not apud Deum. Wherefore " you, thus moniſhed by him who ſo intirely " loveth you, I doubt not will deſiſt, not only " from this (if conſcience will not bear it) but " from all other things which ſhould tangle the " ſame; and, in ſo doing, we will ſign, Te " laudant angeli atque archangeli, Te laudat " omnis ſpiritus: And thus an end I make of this " though rude, yet loving letter, deſiring you as " benevolently to take it, as I do mean it, for I " inſure you (and I pray you think it ſo) that " there remaineth, at this hour, no ſpark of diſ- " pleaſure towards you in my heart. And thus " fare you well, and be no more perplexed. " Written with the hand of your loving Sovereign " and Friend,

HENRY R.

The cardinal removes from court thoſe whom he miſtruſts.

This letter ſhews the King was informed of ſeveral of Wolſey's miſdemeanors: but he did not yet thoroughly know him, his affection for him combating in his heart the heinouſneſs of his proceedings, and making him believe, that his faults were the pure effects of his great zeal for founding his college. Had he not been thus prepoſſeſſed in his favor, he might have been more fully informed: but it was very dangerous to ſpeak directly againſt a favorite to whom the King ſtill ſhewed ſuch deference. Mean while the cardinal, by this inſtance, finding what his enemies would be capable of doing againſt him if they had the King's ear, was very careful to remove from court all he ſuſpected: and, at the ſame time, he ſtrove to preſerve the King's love and eſteem by the utmoſt exceſs of complaiſance. He had now completed, near Hampton, a ſtately manſion, which ſurpaſſed in beauty all the royal palaces: but what had lately happened convincing him it might breed a jealouſy in the King, he made him a preſent of it (1), as if from the very firſt he had intended to build it for him. His meaning, by this preſent, was to inſinuate, that he heaped up riches purely for his ſake; and this inſinuation had its wiſhed effect. The King had the ſame confidence in him as before, which the popular murmurs ſeemed to have ſomewhat alienated. This year he obtained the King's letters patent for founding the college at Oxford.

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Hall. Stow. Herbert.

The King reſtores him to his friendſhip. Rym. Fœd. Vol. XIV. p. 39.

About the ſame time, the King created Henry Fitz-Roy, his natural ſon, duke of Richmond and Somerſet, and high-admiral of England, tho' he was but ſix years old (2). As he had no legitimate ſon, he was extremely fond of this his ſpurious off-ſpring, whom he had by the lady Elizabeth Blunt (3).

Henry the King's natural ſon made duke of Richmond. Ibid. p. 42. July 16.

Negociation with the French embaſſadors. Hall.

During theſe occurrences, the cardinal was buſied in treating with the French embaſſadors. Early in June the ducheſs regent had ſent full powers in general to her two agents: but in the courſe of the negociation they found they ſhould have occaſion for more particular powers, to ſettle the ſums due from the King of France to the King of England, and which, conſiſting of ſeveral articles, were to be reduced to one, according to Henry's intention. Theſe new powers were diſpatched the ſixteenth of Auguſt. On ſuch a very extraordinary occaſion, the French embaſſadors had properly nothing to do but to comply with the King of England's pleaſure: their aim being to diſingage him from the Emperor, and induce him to join the King their maſter, there was no diſputing on the terms. But it muſt be confeſſed that, on this occaſion, Henry's generoſity was very uncommon. Tho' he might have demanded towns, and even provinces, in return for the friendſhip he thought fit at that juncture to contract with King Francis, and for the charges he was about ingaging in, he contented himſelf with ſecuring, by new treaties, the ſums already his juſt due. Theſe treaties, being in a readineſs, were ſigned at Moore, a houſe of the King's *, on the thirtieth of Auguſt.

Henry's generoſity to the King of France.

* In Hertfordſhire.

Treaty of Moore divided into ſeveral treaties. Rym. Fœd. Vol. XIV. p. 48, &c. Du Tillet. Herbert.

The firſt contained a defenſive league between France and England, againſt all powers, ſpiritual or temporal, which ſhould invade either of the two kingdoms. The allies of the two Kings were included by name in the league (4), but with the limitation, that this article was not to be underſtood of thoſe who had any how uſurped on either of the two principal contractors ſince the league concluded at London, October the firſt, 1518. Hence the Emperor, who had lately re-conquered the duchy of Milan, was excluded. Moreover, Henry in-

(1) And the King, in exchange, permited him to live in his palace at Richmond: at which, it ſeems, the people were highly offended. See Hall, fol. 144.

(2) He was born in the prior's houſe at Blackmore in Eſſex, and firſt made knight of the garter, then earl of Nottingham, and the ſame day duke of Richmond and Somerſet, on the 18th of June. He was conſtituted likewiſe lieutenant general beyond the Trent, and warden general of the marches of Scotland. After which he was bred up with Henry earl of Surrey at Windſor, from whence they went both together to ſtudy at Paris. Their friendſhip was indeared by the duke's marrying Mary the earl's ſiſter, daughter to Thomas duke of Norfolk, by whom he had no iſſue. He was very perſonable and of great expectation, and for abilities of mind and body one of the rareſt of his time. But he departed this life in the 17th year of his age, and was buried at Thetford in Norfolk. Herbert. Dugdale's Baron. Vol. II. p. 305.

(3) Daughter of ſir John Blunt, widow of ſir Gilbert Talboys, who was thought, for her rare indowments of nature and ornaments of education, to be the beauty and maſter-piece of her time. Hall, fol. 148.

(4) Their common allies were the Pope, Venice, the Kings of Hungary and Portugal, and the Duke of Ferrara; and thoſe particularly named by France, were the Kings of Scotland and Navarre; the dukes of Savoy, Lorrain, Gueldres; the Swiſſers; the marquis of Saluzzo, the marquis of Montferrat and his mother: thoſe named by King Henry, were the Emperor, and his brother Ferdinand; the King of Denmark; the dowager Queen of France; Margaret archducheſs of Auſtria; the biſhop of Liege; the dukes of Urbino, Cleves, and Julier; the houſe of Medicis; the Florentines, and the Hanſe towns. Rymer's Fœd. Vol. XIV. p. 51.

gaged

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gaged to imploy his beſt indeavors to procure King Francis's releaſe.

Rym. Fœd. Vol. XIV. p. 58.

The ſecond treaty concerned the payment of the ſums due to Henry from the King of France, namely, 1. By a treaty of the ſeventh of Auguſt 1515, one million of gold crowns. 2. By another of the twelfth of January 1518, for reſtitution of Tournay, five hundred thouſand gold crowns. 3. By another of the ſame date, twenty three thouſand livres Tournois. 4. By another of November the thirteenth 1520, four hundred ſixty two thouſand crowns. For all theſe ſums the regent bound herſelf in the King her ſon's name, to pay Henry two millions of gold crowns of thirty-five ſols Tournois each, which being reduced to crowns de ſoleil, of thirty eight ſols, or pennies Tournois each, amounted to the ſum of one million and eight hundred ninety-four thouſand, ſeven hundred thirty-ſix crowns, and thirty-two ſols Tournois. This debt was to be diſcharged at diverſe payments; viz. forty ſeven thouſand three hundred ſixty eight crowns, within forty days after date of the treaty; a like ſum on the firſt of the inſuing November, and as much every ſix months 'till the whole was paid. This made forty payments, and conſequently the whole muſt be twenty years in diſcharging.

It was, by the ſame treaty, farther agreed, that if Henry died before he had received the two millions, the arrears were to be paid to his heirs and ſucceſſors: but, in caſe he out-lived the payment of the whole, he ſhould, during his life, injoy a yearly penſion of a hundred thouſand crowns to ceaſe at his death.

To ſecure the performance of the treaty, the regent was ſolemnly to ſwear to it in preſenſe of the Engliſh embaſſadors; and King Francis was to ratify and ſwear to it immediately on his return to

p. 65, 76, 90, —101.

France. Henry had moreover, for ſureties, cardinal de Bourbon, the dukes of Vendoſme and Longueville, counts de St. Paul, Maulevrier, Brienne; barons de Montmorency, Lautrec and Brezé; the cities of Paris, Lyons, Orleans, Toulouſe, Amiens, Bourdeaux and Rheims (1).

It muſt be obſerved that, in the ſum of two millions of crowns due to Henry, there was no deduction of what Francis had paid him from the year 1515 to their rupture. This was all the advantage Henry made, which was not exorbitant, conſidering how little punctual the King of France was in his payments.

p. 69.

By a third treaty, the regent ingaged to pay to Henry's ſiſter Mary, dowager Queen of France, all the arrears of her dowry at ſeveral payments, namely, five thouſand crowns within forty days after date of the treaty, and a like ſum every ſix months 'till the whole was diſcharged; ſhe moreover promiſed her the future injoyment of her whole dowry.

p. 74.

There was alſo a fourth treaty, which ran; that the King of Scotland ſhould be reckoned among the allies of France, but on condition the Scots commited not any hoſtilities againſt England, after the twenty-fifth of December following.

p. 75.

Laſtly, by a fifth treaty it was agreed, that the court of France ſhould not conſent, either directly or indirectly, that the duke of Albany ſhould return to Scotland during James V's minority.

p. 76, 126.

All theſe ſeveral treaties, which properly were only different articles of one and the ſame treaty, were ratified and ſworn by the ducheſs regent of France, and confirmed by the parliaments of Paris, Toulouſe, and Bourdeaux. The grandees and cities, appointed for ſecurities, gave their bonds; and finally, King Francis himſelf ſent a ratification under his own hand, and dated the twenty-ſeventh of December.

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p. 113.

But, after having finiſhed the King his maſter's affairs, Wolſey forgot not himſelf. There is, in Rymer's collection of public acts, the regent's bond of the eighteenth of November, to pay his ſaid eminence the arrears of the penſion granted him in lieu of the biſhoprick of Tournay's adminiſtration, being four years and a half, amounting to twenty-nine thouſand ſeven hundred and ninety-three gold crowns, called de ſoleil (2). She alſo declared that, for ſeveral other weighty reaſons, there was due to the cardinal a hundred thouſand crowns of gold; theſe two ſums making together one hundred and twenty-one thouſand, eight hundred and ninety-eight crowns de ſoleil, were to be paid in ſeven years, by half-yearly equal payments.

The regent's grant to Wolſey. p. 100.

The defenſive league between France and England being thus concluded and ſigned, the regent began to be ſomewhat eaſier, and more in a condition to diſpute on the terms of the King her ſon's liberty: beſide, ſhe had reaſon to hope, the King of England's declarations would help to determine the Pope and Venetians, whoſe fears alone prevented their forming a league againſt the Emperor; and in effect it will, in the ſequel, appear that they altered their meaſures on hearing what ſteps the King of England had taken. Mean while the Emperor, receiving advice of the treaty of Moore, recalled his embaſſadors, who were ſtill in England, and Henry did the like by his in Spain. Soon after, Charles concluded his marriage with Iſabella of Portugal, by virtue of a diſpenſation brought him by cardinal Salviati, who delivered it on concluſion of the above-mentioned treaty.

The ducheſs takes courage.

Henry and Charles recall their embaſſadors. Hall. Guicciard. Hollingſh. Herbert.

While the affairs of Europe thus changed countenance, thro' the effects produced in diverſe quarters by the battle of Pavia and the French King's captivity, there was no other alteration in thoſe of Scotland, except that the earl of Angus, who was to hold the adminiſtration four months only, thought not fit to reſign when his time was expired. Whereupon the earl of Argyle withdrew greatly diſſatisfied, but the earl of Lenox, tho' likewiſe diſpleaſed, ſtill remained at court. Mean while, the Queen and the earl of Arran, who had been diſpoſſeſſed, were not unmindful of their affairs. The earl of Lenox's diſcontent giving them room to hold intelligence with him, they prevailed on him to undertake inſpiring the young King with a deſire to be freed from Angus: but as there needed the utmoſt precaution to deceive that earl's great vigilance, it was not 'till the ſucceeding year that the King found opportunity to attempt executing his deſign.

Affairs of Scotland. Buchanan.

Very early this year, the Scotiſh court had ſent to England a grand embaſſy, at the head whereof was the earl of Caſſils, to treat of their King's marriage with Princeſs Mary: but, as ſeveral difficulties occurred, the truce, which was to expire the twenty-ſixth of January, was prolonged to the twenty-third of March (3), to give the earl of Caſſils time to take a journey to Scotland for new inſtructions. Nevertheleſs, there was no poſſibility of bringing matters to any concluſion, becauſe, in all appearance, Henry had never deſigned to beſtow his only daughter and heir on the King of Scotland: nor in reality does there appear any great advantage he could propoſe to reap from this match;

Truce between England and Scotland prolonged. Rym. Fœd. Vol. XIV. p. 30.

(1) All theſe grandees and cities were to ſend a bond with their ſeal annexed, within two months, under the obligation and forfeiture of all their goods.

(2) See above.

(3) Hall and Hollingſhead (fol. 146, and p. 892) ſay that, in January 1526, a peace for three years and ſix months was concluded between England and Scotland.

beſide,

beſide, as he then intended to join with France, it was no longer his intereſt to manage the Scots (1).

Negociations at Rome, &c. Guicciard.

Before the treaty of Moore was concluded, Charles had a great advantage in his negociations at Rome and Madrid. By reſtoring Sforza to Milan, he was almoſt ſure the Pope and Venetians would abandon France, and by deſiſting from his demand of the duchy of Burgundy, he could be certain Francis would readily reſign Milan, and not much concern himſelf with Italy: but he could not determine on doing either, and that made the negociations ſo tedious. After the treaty of Moore was ſigned, the face of his affairs was changed. Pope Clement was become more reſolute, and finding himſelf deceived by Charles who, in a ſecond ratification of their treaty, left the reſtoration of Sforza in a ſtate of uncertainty, flatly aſſured him, that no peace was to be expected without reſtitution of the Milaneſe. The Emperor had alſo reaſon to fear, that King Francis, ſeeing ſuch probability of his being ſo well ſupported, would be ſtill leſs compliant with reſpect to Burgundy: wherefore, perceiving the ſmall proſpect he had of obſtructing a league which was on the point of uniting againſt him ſo many Potentates, he was ſtrangely imbaraſſed. He muſt neceſſarily reſolve, and that ſpeedily, either to maintain, without any ally, the impending war, or to make peace with France. Both were equally perplexing: in chuſing war, he knew not where to find money; and, in making with his priſoner a forced peace, he could not expect to reap from his victory the advantages he propoſed. Happily for him, Francis, weary of his captivity, freed him from his perplexity, by offering to reſign the duchy of Burgundy, which had hitherto been the main obſtacle to a pacification: that obtained, Charles readily and ſeriouſly treated with him; whereas before he had only amuſed him. Not long after, they concluded the famous treaty of Madrid. The main articles to which Francis ſubmited were theſe; excluſively of many others, the recital whereof would here be abſolutely impertinent.

The Pope refuſes all terms without Sforza's reſtoration. Guicciard.

Charles determines on peace. Herbert.

Treaty of Madrid. Jan. 14. 1526. Rym. Fœd. Vol. XIV. p. 308. Herbert, Guicciard. Hall.

That the King of France ſhould eſpouſe Queen Leonora, the Emperor's ſiſter, and have with her two hundred thouſand gold crowns.

That Francis ſhould be releaſed on the tenth of March, and the ſame day ſhould deliver to the Emperor his two ſons in hoſtage (2).

That he ſhould reſign to the Emperor the duchy of Burgundy in full ſovereignty.

That he ſhould deſiſt from the homage Charles owed him for Flanders and Artois.

That he ſhould renounce all claim to Naples, Milan, Aſti, Tournay, Liſle, Heſdin, &c.

That he ſhould perſuade Henry d'Albret to reſign the kingdom of Navarre to the Emperor, or at leaſt ſhould not give him any aſſiſtance.

That, within forty days, he ſhould reſtore the duke of Bourbon and all his partiſans to their eſtates.

That he ſhould reſtore Philibert de Châlons Prince of Orange, and Michael Antonio de Saluzzo, to their principalities.

That he ſhould not give any manner of aid to the duke of Gueldres, and ſhould, after that Prince's deceaſe, imploy his utmoſt efforts to procure the Emperor poſſeſſion of all his towns.

That he ſhould pay the King of England five hundred thouſand crowns which Charles owed him.

That when the Emperor went to Italy to receive the Imperial crown, he ſhould lend him twelve gallies, four large ſhips, and a land army, or two hundred thouſand crowns inſtead of the army.

Finally, he promiſed, on the word and honor of a Prince, to execute all theſe articles, or, in caſe of non-performance, to return priſoner into Spain.

State of the Emperor's affairs at concluſion of the Madrid-treaty.

Had Francis not been ſo haſty to offer the duchy of Burgundy, he would, probably, have ſaved himſelf many troubles, and avoided reproaches which greatly ſullied his reputation (3). When this treaty of Madrid was concluded, Charles was under very great perplexities. Beſide thoſe already mentioned, he was certain that ſuch of the Princes and Hanſe Towns of Germany, as had imbraced Luther's doctrine, began to take meaſures to ſecure themſelves from the calamities wherewith they were menaced. To this was likewiſe added the dread of the Turks invading Hungary, which nearly affected the Emperor, on account of that kingdom's vicinity to his Auſtrian dominions: therefore, in all probability, had not Francis been ſo impatient and precipitate, Charles would rather have relinquiſhed Burgundy, than at once have expoſed himſelf to ſo many enemies. Theſe were the real motives which induced him to haſten concluding the Madrid treaty, directly contrary to the inſtances and great oppoſition of diverſe of his council, who repreſented, "That, infallibly, the agreement made with "him would be violated." His chancellor even refuſed to ſign it: but as that Monarch firmly believed he had cogent reaſons to run that hazard, he determined abſolutely, being perſuaded of its being the ſole means to prevent the league he dreaded. Whatever might happen, he hoped to be free from all by reſtoring Sforza to Milan, which however he did not intend to do but at the laſt extremity: mean while, by inſiſting too ſtrenuouſly on that article, he rendered all his meaſures ineffectual; he loſt his priſoner, without obtaining Burgundy, or preventing the league; in ſhort, after ſuſtaining many attacks, he was, as will be ſeen, forced to part with the duchy of Milan. But where is the Prince, be his abilities ever ſo great, who can foreſee all the conſequences of his own politics? When Charles V ſigned the treaty of Madrid, he imagined himſelf doing what would redound abundantly to his advantage. In reality, Francis would have dearly purchaſed his liberty, if, when he ſigned the treaty, he had actually intended inviolable obſervance: but it is too notorious that, when he gave his word, he deſigned to break it, ſince he had no ſooner ſet foot in his own dominions, but he refuſed to ratify the treaty. This was ſo little expected by Charles that, immediately after concluſion of the peace, he wrote to the Pontif that, notwithſtanding his promiſe to reſtore Sforza to Milan, it was however on condition that Sforza cleared himſelf of the crime of felony and treaſon laid to his charge: adding that, ſince the Princes of Italy were deſirous he ſhould not give the duchy of Milan to the archduke Ferdinand his brother, he would preſent it to the duke of Bourbon, in caſe Sforza was found guilty. Clement VII, being informed of the conditions of the Madrid-treaty,

Guicciard.

The Emperor adds a new condition with regard to Sforza. Guicciard.

Pope Clement of opinion that Francis will not obſerve the Madrid-treaty.

(1) This year, the King following his hawk, and leaping over a ditch with a pole, fell in upon his head, and had not one Edmund Moody, a footman, jumped in and raiſed up his head, which was ſtuck faſt in the clay, he had been drowned. Hall, fol. 139. Stow, p. 523.

(2) And ſome other grandees, among whom was the duke of Albany. See Rymer, Vol. XIV. p. 311.

(3) At concluſion of this treaty, Francis coming to the altar, and laying his right hand on the Bible, did ſwear by the ſacrament and the holy evangeliſts, not to break this capitulation all the days of his life, nor to give counſel or favor that any ſhould break it. Herbert, p. 74. But it ſeems all this was a farce: for before Francis ſigned the treaty, he made a formal, tho' private, proteſtation againſt it, in the preſenſe of a few truſty witneſſes and notaries. See P. Daniel, Vol. VII. p. 614.

readily

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He inſiſts on Sforza's reſtoration.

readily gueſſed that Francis had accepted them only to obtain his releaſe, without intending performance. In this belief, he ſtill inſiſted on Sforza's reſtoration without terms, being willing, before he ingaged with the Emperor, to ſee what the King of France would do. The Venetian ſenators being of a like ſentiment, contributed not a little to keep the Pope in his reſolution.

Francis arrives in his own dominions. Hall. Rym. Fœd. Vol. XIV. p. 129. Guicciard. Herbert.

What theſe refined politicians had foreſeen, came to paſs. Francis no ſooner ſet foot on his own territory, but he mounted a Turkiſh horſe and rode full ſpeed to St. John de Luz, whence he next day poſted to Bayona. The ſeventeenth of March, he ſigned bonds to King Henry for the ſums in which his mother the regent had ingaged him. By the way, hiſtorians fix this Prince's deliverance on the eighteenth of March, and yet theſe bonds are dated at Bayona the ſeventeenth of the ſame month. When he came to Bayona, Lanoy, who accompanied him as embaſſador, prayed him to ratify the treaty of Madrid: but Francis told him, That, having exceeded in the treaty the power of a King of France, in giving to his Imperial Majeſty the duchy of Burgundy, he muſt proceed to the performance by fair means, and indeavor to obtain the conſent of the Burgundians, and his other ſubjects approbation: that however he deſigned to execute the treaty, but wanted a little time to prepare for it. This anſwer might have ſufficiently convinced Lanoy of that Prince's intentions. He followed him however to Bourdeaux, where Francis's firſt care was to ratify the treaty concluded at Moore with the King of England (1). From Bourdeaux he came to Cognac, where he made ſome ſtay, having ſtill in his train the viceroy of Naples, who preſſed him from time to time to ratify and execute the treaty of Madrid, or return to Spain, according to his oath. To this, by way of excuſe, Francis alledged three reaſons, wherewith his ſaid excellency was far from being ſatisfied. The firſt was; that it was not in his power to reſign Burgundy, becauſe the Kings of France, not being proprietors of their dominion, could not legally diſmember it (2). The ſecond; that he was conſtrained to ſign the treaty of Madrid. The third; that, by his coronation oath, he was bound not to alienate any part of his kingdom, and this previous obligation invalidated that which he had taken at Madrid. The embaſſador replied to the firſt; that tho' he might not alienate any of his provinces, that was not to be underſtood of dominions unjuſtly acquired by the crown of France, as was the duchy of Burgundy. To the ſecond he anſwered, that it was left to his choice, either to remain in the ſtate whereinto the chance of war and the Almighty's decree had thrown him, or to be freed by a treaty: that he had even ſollicited it, and it was difficult to conceive in what the compulſion he exclaimed againſt did conſiſt. To the third he replied; that when his Majeſty ſwore to the treaty of Madrid, he was not ignorant of his coronation oath, and, very ſeemingly, did not believe the ſecond contrary to the firſt; that if it was otherwiſe, there would be reaſon to ſuſpect he had intended to impoſe on the Emperor's eaſineſs. Without examining here either the King's reaſons, or the embaſſador's anſwers, it ſuffices to ſay in brief, that Francis was determined.

Lanoy requeſts him to ratify the treaty; to which he anſwers evaſively. Guicciard. Herbert. Du Bellai.

Lanoy's reply.

He ratifies the treaty of Moore. Rym. Fœd. Vol. XIV. p. 134,--154, 175.

Lanoy preſſes him. Guicciard. Mezerai. Herbert. P. Daniel.

Francis alledges reaſons to be excuſed. Hall.

The Pope's and Venetian embaſſadors repair to King Francis at Cognac.

The Pope, Venetians and duke of Milan, evidently foreſeeing that Francis would ſcruple executing the treaty of Madrid, had diſpatched embaſſadors, who found him at Cognac. They were received with great civilities, and the King immediately entered into treaty with them concerning a league againſt the Emperor. The league was actually concluded at Cognac, the ſeventeenth of May, between the Pope, King of France, duke of Milan, and Venetians (3); but it was not publiſhed 'till a month after, Francis pretending he could not ratify it before he had ſeen the ratifications of the other allies. The viceroy of Naples, having thereof ſome notice, ſummoned King Francis, for the laſt time, to execute the treaty of Madrid. Whereupon Francis told him plainly, it was not in his power to reſign Burgundy, notwithſtanding he had promiſed it. But to ſhew how deſirous he was to continue in amity with the Emperor his maſter, he offered to give him two millions of gold crowns, as an equivalent for Burgundy, and punctually to perform the reſt of the treaty.

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League at Cognac againſt the Emperor. Guicciard. P. Daniel. Herbert. Hall.

Lanoy calls on the King; who offers two millions in lieu of Burgundy.

Thus were Charles's meaſures intirely broken. He had the King of France no longer in his power, and yet, was not leſs obliged to ſuſtain the efforts of the league newly concluded againſt him; not to mention the King of England, who probably would one time or other act offenſively. His whole refuge conſiſted in having the King of France's two ſons in hoſtage: nevertheleſs his imbaraſſment was not capable of bringing him to compliance on this occaſion: no, he choſe to run all hazards rather than conſent to the leaſt alteration of the treaty of Madrid. His reſolution being notified to Francis, the league was publiſhed at Cognac the eleventh of June. Two things haſtened the concluſion of this league. The firſt; that the caſtle of Milan, beſieged by the Imperialiſts, being hard preſſed, wanted a ſpeedy relief, and the Pope and Venetians durſt not ſend their troops into the field before they were aſſured of the league with France. The ſecond; that the King of France, deſigning to offer the Emperor two millions of crowns in lieu of Burgundy, believed this offer would meet with a readier acceptance after the concluſion of the league. It is certain, this was his ſole aim; and, if his offer had been accepted, he would never have ratified the league of Cognac: nay, after the league was publiſhed, neither himſelf nor the King of England ever made any conſiderable effort againſt the Emperor, their intent being only to frighten him, and obtain reſtitution of the two hoſtages on reaſonable terms. Thus, for once, the Italians were over-reached by the French and Engliſh, which merits attention as a no ſmall novelty. Mean while Francis and Henry, to purſue their game, made a new treaty, promiſing never to make peace with the Emperor, except he would reſtore the hoſtages and pay Henry what he owed him: not that this treaty bound them to take arms to procure each other the ſatisfaction demanded.

That offer refuſed.

The league publiſhed. Du Bellai. P. Daniel.

Francis aims only to frighten the Emperor.

The Pope's and Venetians army take the field. Guicciard. Hall.

The Pope and Venetians, relying on the aſſiſtance of France and England, ſent their troops into the field under command of the duke of Urbino, who ſuffered the caſtle of Milan to be taken, and cauſed an attempt upon Genoua to miſcarry, by neglecting to ſend the allies a ſupply of fifteen hundred men. Guicciardini, in ſeveral places, inſinuates, that this general acted but faintly againſt the Imperialiſts, who were very weak in Italy, and that the duke of Bourbon, who was returned to Milan, would, if the leaſt preſſed, have been conſtrained to abandon that city.

The Colonni make war upon the Pope. Guicciard. P. Daniel. Hall.

While the duke of Urbino indirectly favored Charles, the duke of Seſſa, Spaniſh embaſſador at Rome, and Hugo de Moncada, who commanded at Naples in the viceroy's abſenſe, otherwiſe ſup-

(1) Before ſir Thomas Cheney, who was diſpatched by King Henry to congratulate him on his releaſe. Herbert, p. 75.

(2) Without conſent of the principal perſons of the eſtate and parliament. Ibid.

(3) See the articles of this league in Guicciardini, l. 17; and P. Daniel, Vol. VII. p. 620, &c. Guicciard. ſays, it was concluded the tenth, and others the twenty-ſecond of May. Hall, fol. 149, &c.

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plied the Imperialiſts want of ſtrength, by exciting the Colonna family to make war upon his Holineſs, while his troops were in the Milaneſe. This unexpected attack, which the Holy Father could aſcribe only to the ſollicitations of Charles or his miniſters, induced him to reſolve on ſending into the kingdom of Naples the army commanded by the duke of Urbino in the Milaneſe, and to that end he obtained the conſent of the Venetians. But the duke of Seſſa, to avoid the invaſion wherewith the kingdom of Naples was threatened, ſo ordered it, that the Colonni gave the Pope all the ſatisfaction he deſired. The agreement was made at Rome the twenty-ſecond of Auguſt, and the duke of Urbino was countermanded.

They ſubmit.

But about a month after, when his Beatitude leaſt expected it, the Colonni, with five or ſix thouſand men, entered Rome in the night between the nineteenth and twentieth of September, and ſo alarmed the Pontif that he retired in a fright to caſtle St. Angelo. As he was not very ſafe in that fortreſs, where he had not wherewithal to ſupport a ſiege, Moncada went to him, and repreſenting the danger he was in, and that beſide Rome was juſt on the point of being pillaged, he perſuaded him to make a ſeparate truce with the Emperor, for four months. This was more than was required by Charles, who had already ordered levies to be made in Germany, and was about to ſend back Lanoy to Naples with a ſtout band of Spaniards. When the truce was ſigned, the Pope's forces, which ſerved under the duke of Urbino, were recalled to Rome.

They enter Rome ſuddenly.

The Pope flies to caſtle St. Angelo. Guicciard.

Truce between the Pope and Emperor.

Mean while, his Holineſs was extremely ſurpriſed at the ſlowneſs of Francis, who, tho' principal author of the league, made yet no effort to oblige Charles to reſtore his ſons. Nor was he leſs aſtoniſhed at the King of England's indolence, becauſe, being ignorant that the league concluded at Moore was only defenſive, he had imagined both Kings were to attack the Emperor with all their forces: wherefore, to excite them by raiſing their jealouſy, he declared he would take a journey into Spain, to concert means with the Emperor to procure the peace of Europe. This declaration ſtrangely perplexed the French and Engliſh embaſſadors: they feared ſome great myſtery lay concealed in ſo extraordinary a reſolve, and therefore did their utmoſt to divert his Sanctity from his ſaid reſolution: but Henry uſed a more effectual means, namely, a preſent of thirty thouſand ducats, which abſolutely broke off all diſcourſe of this pretended journey.

Clement VII feigns a deſign of going to Spain. Guicciard. P. Daniel.

Henry makes him a preſent. Herbert.

Not long after, Clement broke his agreement with the Colonni, and ordered the troops he had ſent for to Rome to march into their territories, having excommunicated them, and deprived Pompeo Colonna of the cardinalate. He affirmed his treaty with them was void, becauſe he was forced to it; whereby he, in ſome meaſure, juſtified the procedure of King Francis, whom, on a like pretenſe, he had abſolved from his oath at Madrid.

The Pope breaks the agreement with the Colonni. Guicciard. P. Daniel.

Frondſperg marches to Italy.

The duke of Urbino raiſes the blocade of Milan. Guicciard. Du Bellai. Hall.

While this paſſed at Rome, baron de Frondſperg was marching from Germany towards Italy with an army of thirteen or fourteen thouſand men, raiſed for the Emperor's ſervice: whereupon the duke of Urbino, who held the duke of Bourbon as it were beſieged in Milan, quited the neighborhood of that city, under color of oppoſing the paſſage of the Germans. Mean while, his Sanctity's imbaraſſment was not ſmall. The truce was ſoon to expire, Frondſperg was marching to Italy, and the viceroy of Naples was then in the iſland of Corſica, conducting to Naples a ſtrong reinforcement of Spaniards. The King of France made not the leaſt preparation to ſupport his allies, and the King of England ſhewed the ſame remiſſneſs. Mean while, Frondſperg, ſtill continuing his march, entered the Mantouan ſtate, where the Prince of Orange arrived to ſerve under him as a volunteer. Afterwards, about mid-December, he repaired to the Milaneſe borders, the duke of Urbino not being able or willing to oppoſe his march. Here he expected the duke of Bourbon, who was to join him; but was not yet in condition to execute that deſign. The difficulty aroſe from his not having money to pay his men, who poſitively refuſed to move a ſtep before they had received their arrears, and even threatened to ſack the city. There was no other method to prevent their puting in execution theſe menaces than to ſtrip the churches of their plate. This ſerved to pay part of what was due to the troops, who had ſcarce received any thing ſince the battle of Pavia, ſo deſtitute of money was the Emperor. The duke of Bourbon made uſe of another expedient to increaſe his treaſure: and that was, to have ſentence of death paſſed on chancellor Moroni, who, to redeem his life, gave him twenty thouſand ducats. He afterwards became one of his chief counſellors.

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The duke of Bourbon at a loſs for want of money. Guicciard.

Lanoy arrives at Naples. He amuſes the Pope. Guicciard. P. Daniel.

While the duke of Bourbon was imployed in raiſing Money, Lanoy, who was come to Naples with a body of Spaniſh troops, amuſed the Pope with negociations tending only to hinder him from taking ſure meaſures, by feeding him with hopes of a ſpeedy agreement with the Emperor. Theſe hopes however became more and more remote after Frondſperg's arrival. While Milan was in danger, Charles had intimated to the Pope, that if he required Franceſco Sforza to be brought to his trial, it was only to ſave the honor of the Empire, and he would give the judges private orders to declare him innocent: but, after the Germans arrived, he inſiſted on ſuch a pecuniary reparation, that Sforza was by no means able to anſwer his demands: wherefore the Emperor pretended that the Pope, Venetians and Florentines ſhould be his ſecurities.

Francis deceives the Pope and Venetians; Guicciard.

Pope Clement and the Venetians had expected that, immediately after concluſion of the league of Cognac, Francis would ſend a ſtrong army into Italy, and, in conjunction with the King of England, make a powerful diverſion on the borders of Spain and Flanders: but, as we have ſeen, they were very much miſtaken. Francis had concluded the league purely to terrify his adverſary, and in hopes it would induce him to accept the proffered equivalent. He was deſirous to avoid a war, and even thought himſelf ſo ſure of ſucceeding by that means, that he had made with the King of England no treaty to oblige them to arm, except in caſe of their being attacked: thus Henry, knowing how the King of France ſtood affected, took care to go no faſter than he. Couriers and expreſſes from the Pope and Venetians frequently came to the two courts to ſollicit them to war, but all in vain. On the contrary, even after his Holineſs and the Venetians had ſolemnly declared war againſt the Emperor, Francis ſent the archbiſhop of Bourdeaux to make him again the ſame offer of two millions of crowns in lieu of the duchy of Burgundy: but Charles diſdainfully rejected it, and charged the embaſſador to tell his maſter; "He had acted like "a knave and a villain, and ought not to have for-"got their laſt converſation (1)." Very poſſibly, the embaſſador thought not proper to diſcharge ſo ungrateful a commiſſion. This afterwards occaſioned a miſtake not very favorable to the French King.

who ſollicit him to no purpoſe. Herbert.

Charles terms Francis villain.

Francis neglects the affairs of Italy.

While Italy, France and Spain were in agitation, Henry lived peaceably in his kingdom, and the

Wolſey obtains grants for his college. Rym. Fœd. Vol. XIV. p. 155, 184.

(1) It ſeems, before Francis went to Spain, the Emperor ſaid to him one day, "Are you willing to perform all what is capitu-"lated between us?" Francis replied, "Yes; and when you find that I do not keep my word with you, I wiſh and conſent "that you hold me for a knave and a villain." Herbert, p. 75.

cardinal

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cardinal his favorite was wholly buſied about his college at Oxford, for which he inceſſantly obtained freſh grants from Clement and Henry. The Pope durſt not refuſe him any thing at a time when he fancied he ſtood in need of his credit, to incline his royal maſter to war; and Henry was always ready to give him marks of his affection, by confirming whatever was granted by the Pope. This condeſcenſion of the Pontif and King proved fatal to diverſe ſmall monaſteries (1), which were ſuppreſſed by Wolſey, and their revenues applied to his college.

The Pope attempts perſuading Henry into the league of Cognac. Ib. p. 179—185. July. Auguſt. p. 187.

Ever ſince the league of Cognac was publiſhed, the Pope and Venetians had uſed their conſtant indeavors to perſuade Henry not only to accede to it, but declare himſelf protector. It is eaſy to gueſs with what view they paid him this deference. They hoped to find him the ſame as heretofore, ever ready to be inſnared, and to laviſh his treaſures on the concerns of others. There are, in Rymer's collection, ſeveral credentials of the Venetian embaſſadors addreſſed to the King, Queen, and cardinal, very ſeemingly to preſs King Henry's entering into this league: there is likewiſe Clement VII's commiſſion to Hubert Gambara and Gio. Baptiſta Sanga to treat with Henry. In this commiſſion the Pope ſaid, "That the circumſtances of the times "forcing the allies to conclude a league without the "King of England's participation, they had however agreed to declare him protector." Wherefore he imployed his two envoys to treat with that Monarch on his entering into the league, and to change or alter the articles, as ſhould be agreed with him; nay, to annul it intirely, if it was thought neceſſary, and conclude another. Moreover, he gave them powers to ſettle with him the penſion which was to be adjudged to him as protector of the league, if he would pleaſe to accept of the title: but this penſion, as appears elſewhere, was to be raiſed upon the duchy of Milan and the kingdom of Naples, after being conquered. Thus, on the hope of an imaginary penſion, Clement's view was to perſuade Henry to delare war with the Emperor, and conſequently to draw him into very great expenſes: but, for once, Henry would not be his tool: he knew experimentally what it was to join with the Popes in affairs relating to Italy.

Battle of Mohatz in Hungary. Aug. 18. Guicciard. Hall.

This year was fought the famous battle of Mohatz in Hungary between Lewis (2) King of that country, and Sulyman the Turkiſh Emperor. Lewis loſt the day, and was drowned in a moraſs (3). The death of this Prince was a freſh ſourſe of calamities for Hungary. Ferdinand of Auſtria the Emperor's brother, who had married Lewis's ſiſter Ann, pretended to the crown of that kingdom, and had for competitor John de Zapol, wayvod of Tranſilvania. They were both elected by two different parties: but John put himſelf under the protection of Sulyman, who cauſed him to be crowned at Buda, while Ferdinand was taking meaſures to proſecute his right.

Affairs of Scotland. Buchanan.

The affairs of Scotland ſtill remained in the ſame ſituation, except that in the courſe of this year the Queen's and the earl of Arran's or Hamilton's faction attempted to take away the King's perſon from the earl of Angus. But the attempt miſcarrying, the earl took ſevere vengeance on thoſe concerned.

Clement and the Venetians had begun the war in Italy, in the ſole expectation that Francis would ſend thither a powerful army, and the King of England make a diverſion on the Netherland ſide, or at leaſt, according to his cuſtom, furniſh money for maintaining the war. The eaſineſs wherewith he had been amuſed in the former wars, made his money relied on as a certain ſuccor, tho', when a peace or truce was ſtruck up, his intereſts were not even thought on: but the ſcene was changed. Henry, become wiſer by experience, was no longer diſpoſed to find money for other peoples concerns; beſide, the treaſure left him by the King his father being long ſince exhauſted, he could raiſe money only by his parliaments, who always framed difficulties, or made him purchaſe their ſubſidies with ſome extraordinary favors: ſo that Francis, not finding him in the ſame diſpoſitions as formerly, feared to ingage too far, before he was ſecure of his aſſiſtance (4). He was indeed ſenſible of his not being now inclined to favor the Emperor as before: but that did not ſuffice; it was alſo neceſſary to perſuade him to join in the league of Italy, otherwiſe the whole charge of the war muſt have fallen upon France, which was well drained of men, money and generals. For this reaſon, his aim was to induce the Emperor, thro' fear of the league, to accept the equivalent offered him for Burgundy, and to continue the war in Italy only 'till that Prince was reſolved, or the King of England abſolutely ingaged. To that end, he made the Pope and Venetians large promiſes, that they might not grow impatient, but performed them very ill. A ſmall body of troops levied in Italy, under command of the marquis of Saluzzo, was hitherto all he contributed for the league whereof he was himſelf the author and head. Mean while, Clement was exceedingly uneaſy at ſeeing the ſlowneſs or rather coldneſs of the two Monarchs, on whom he relied. Indeed he had no cauſe to complain of Henry, who had made him no promiſe, and yet he ceaſed not earneſtly preſſing him to undertake the defenſe of the church, as if the church could not have ſubſiſted if the Emperor remained maſter of Milan: but he received only general anſwers, Henry being unwilling to ingage in the affairs of Italy, whence he could reap no advantage. Mean while, the great expenſes his Holineſs was at threw him into inſupportable inconveniencies: for which reaſon he privately continued with the viceroy of Naples a negociation, with intent to haſten or retard it, according to the proceedings of the Kings of France and England. Herein he acted agreeably to his real temper, which made him conſider the having always two ſtrings to his bow as the ſureſt maxim of policy: but he was ever ſo unfortunate as to reap from his artifices fruits contrary to his hopes. As his ſole aim was to hinder the Emperor from keeping the duchy of Milan, to that end it was that he would have the Kings of France and England make conſiderable efforts; after which, he would not have ſcrupled forſaking them, provided the Emperor had ſatisfied him on that article. Francis was in no better diſpoſition with regard to his allies. His view was to recover his ſons out of Spain; and, could he have ſucceeded by treating alone with Charles, he would have little regarded

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Francis and Henry deceive the expectations of Pope Clement and the Venetians. Guicciard.

Clement ſets on foot a negociation with the viceroy of Naples. Guicciard.

(1) The following monaſteries are named; Daventre, Raverſton, Tykeford, Sandwell, Eanwell, Lytlemore, Pogley, Thobye, Blackamore, Staneſgate, Typtre, Wykes, Dodneſh, Snape, Lyeſnes, Tonbridge, Begham, and Calicete. See Rymer's Fœd. Vol. XIV. p. 155——184.

(2) The ſecond of that name.

(3) Lewis, with an army of twenty thouſand, ingaged three hundred thouſand Turks. By his defeat and death moſt part of Hungary was loſt, with the lives of two hundred thouſand Hungarians, who were cut off by the Turks in the following rencounters. This Lewis was born without ſkin, had a beard at fifteen years of age, at eighteen his hairs were grey, and he was drowned in his twentieth. Heylin.

(4) In Auguſt 1526. Baron de Vaulx his embaſſador concluded with ſir Thomas More, chancellor of the duchy of Lancaſter, a treaty of reciprocal ingagement between the two Kings their Maſters. See Rymer, Vol. XIV. p. 185——189. Herbert, p. 79.

the

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the concerns of the Pope and Venetians. As for the republic of Venice, it was of great conſequence to her that the Emperor ſhould not remain maſter of the Milaneſe, and her expenſe to prevent it was nothing in compariſon of the prejudice ſhe would have received had Charles peaceably held that duchy: ſo, never ceaſing to ſollicit the Kings of France and England, ſhe continued the war, tho' faintly, in expectation that theſe two Monarchs would bear the greateſt part of the charge. The negociations which the Pope ſtill carried on with the viceroy of Naples afforded the Venetians a plauſible reaſon not to exert themſelves, becauſe they apprehended his inconſtancy would render ineffectual all their indeavors. The Emperor on his part was no leſs imbaraſſed. As he abounded not with treaſure, a vigorous war muſt have incommoded him extremely: and therefore, finding the King of France made no great efforts, he haſtened not ſending freſh ſupplies into Italy, for fear of exciting his enemies attention; beſide, ſince Frondſperg's arrival with the German troops, he thought himſelf ſtrong enough to keep the duchy of Milan, which was then the principal of his views. Such was the diſpoſition of theſe Potentates in the begining of 1527. We muſt now ſee what paſſed in Italy during this year, becauſe it ſerves for foundation to all the events treated of in the ſequel.

Charles's perplexity.

An' 1527. The duke of Bourbon quite moneyleſs, and greatly imbaraſſed. Guicciard.

The duke of Bourbon was under inconceivable difficulties for want of money to pay his forces. After repeated exactions on the inhabitants of Milan, he ſaw no way to maintain his army any longer, without danger of cauſing a general revolt in that great city, already not far from deſpair. On the other hand, the Germans conducted into Italy by Frondſperg had not touched a penny of their pay ſince their being liſted: it was therefore neceſſary, either to pay them their due, or otherwiſe recompenſe them, or elſe determine on being a ſpectator of the diſſipation of that army on which the Emperor wholly relied. To ſatisfy the troops, there was no other way but to lead them into the territories of the Church, of Florence, or of Venice: but the Venetian towns were too well gariſoned for him to entertain any hopes of booty from thence; eſpecially as he had no artillery; beſide, very likely, he was ſure the duke of Urbino would not oppoſe his deſigns, provided he did not moleſt the republic. So, reſolving to ſubſiſt his army on the Pope's territories, he left ſeven or eight thouſand Germans at Milan, under command of Antonio de Leva, and marched to join Frondſperg in the Plaſentin, where he ſtayed ſome time to raiſe contributions.

Has no reſource but to lead his army into the Pope's territories.

The duke of Urbino favors him.

He joins Frondſperg.

War between the Pope and viceroy of Naples.

Before the duke of Bourbon departed Milan, the viceroy of Naples had brought an army upon the borders of the Eccleſiaſtical ſtate, to make a diverſion and force the Pope to recall thoſe troops he had ſent the duke of Urbino, ſince the truce expired. This army's approach had obliged Clement to raiſe forces to defend his dominions, not having thought proper to recall thoſe in Lombardy; whereby he found himſelf ingaged in a vaſt and very unuſual expenſe. Hitherto the Popes had found means to make war at the charge of others, and Clement VII had been in hopes of doing the like. He had granted Francis a tenth upon the clergy of France, which he was to divide with him; beſide which, Francis had promiſed to ſupply monthly forty thouſand crowns for the league, and twenty thouſand for his Sanctity in particular: but of all this, he had thitherto diſburſed only ten thouſand crowns. Thus the Pontif ſaw himſelf greatly loaded, without knowing how to get rid of this incumbrance, ſince it was no leſs difficult to raiſe money, than dangerous to make a ſeparate peace at ſuch a juncture. Mean while Henry VIII, being informed of his neceſſities, and fearing he would relinquiſh the league, ſent him thirty thouſand ducats, which helped to comfort him a little, and keep him in a reſolution of continuing the war.

Pope Clement ingaged in great expenſes. Guicciard.

Francis keeps not his word with him.

Henry ſends him a preſent.

Henry VIII. An' 1527.

It is needleſs to give the particulars of this war between Clement and the viceroy of Naples. It ſuffices to obſerve, that while hoſtilities were carrying on, the Holy Father, having notice of Bourbon's march, concluded a truce with the viceroy; for taking which courſe he had very cogent reaſons. He was not only burdened with the maintenance of two armies, but likewiſe found himſelf daily more remote from his hopes with reſpect to France and England. Francis performed nothing of what he had promiſed, and Henry ſhewed no great inclination to come into the league. Moreover, the procedure of the duke of Urbino, who commanded the confederate army in the Milaneſe, continually grew more ſuſpicious: beſide, Florence was in danger, and his Holineſs not over and above ſafe even in Rome. The conditions of the truce were:

Truce between the Pope and viceroy. Guicciard. P. Daniel. Herbert.

That it ſhould laſt eight months: that the Pope ſhould pay ſixty thouſand ducats to the duke of Bourbon's army; namely, forty thouſand on the twenty-firſt of the preſent month, and the reſt within eight days; and that the Imperial army ſhould quit the Eccleſiaſtical ſtate. The truce being publiſhed, Clement diſbanded all his troops, except two thouſand foot and two hundred horſe, and laid up his gallies before he was appriſed of the intentions of Bourbon, who was on a full march towards Bologna.

Guicciard.

The duke's troops conſiſted of five hundred men at arms, making a corps of about two thouſand cavalry; thirteen or fourteen thouſand Germans; five thouſand Spaniards, two thouſand Italian infantry, and a good number of light horſe of the ſame nation. This army departed from the neighborhood of Plaſenza in February, without money, proviſions, waggons, artillery, and ſubſiſting only by means of the contributions raiſed on their route. The duke not being able to enter Bologna, by reaſon the marquis of Saluzzo had thrown himſelf in with twelve thouſand men, ſtayed ſome time in the Bologneſe, where his army made a prodigious booty. Here he was informed of the truce, to which he would not conſent, becauſe the ſum he was to have ſufficed not to pay what was due to his army. This refuſal brought the viceroy of Naples from Rome to Florence, where the duke ſent an officer to confer with him. As the viceroy's intention was to induce Bourbon to accept the truce, in order to ſend the Imperial army into the ſtate of Venice, he agreed with the meſſenger, that the duke ſhould withdraw in five days; that eighty thouſand ducats ſhould be paid him down, and ſixty thouſand more in May. Clement, underſtanding this new agreement, diſmiſſed the two thouſand men he had retained, in order to be eaſed of the expenſe. But Bourbon, whether he had intended to deceive the viceroy, or could not reſtrain his army, after feigning to attack Florence, ſuddenly took the route to Rome, leaving far behind him the army of the Pope and Venetians, who had thrown themſelves into Florence.

The duke of Bourbon's march.

Guicciard.

The duke refuſes the truce concluded at Rome.

The viceroy makes with him a new agreement. Guicciard.

The duke ſuddenly marches away for Rome. Guicciard.

Great was then the alarm at Rome. Clement, ſeeing himſelf without troops and money, knew not what courſe to take. In this diſtreſs, he commited the defenſe of Rome and himſelf to Renzo di Ceri, who made him hope that, with an army raiſed within the walls, he would ſecure the city from all inſults. The Pontif, confiding in his general's aſſurances, would neither quit Rome himſelf to provide for his ſafety, nor ſuffer any thing to be removed thence.

Clement's great diſtreſs. Guicciard.

Mean while the duke of Bourbon, purſuing his march without meeting any obſtacle, appeared before

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fore Rome on the fifth of May. The ſame day, pretending a deſign to proceed to Naples, he ſent the Pope a trumpet to demand a paſſage, which being refuſed, next morning at break of day he approached the ſuburbs by means of a very thick fog, and ſtormed a breach which the Romans had not had time to repair: but, in the begining of the attack, his thigh-bone was broke with a muſket-ſhot, of which he died inſtantly. The Prince of Orange, who was near him, throwing a cloak over his body, continued the aſſault. At length, after two hours reſiſtance, the breach was forced, and the Imperialiſts entered the ſuburbs: whereupon the Pope withdrew to caſtle St. Angelo, accompanied by thirteen cardinals, all the foreign embaſſadors, and ſome others of diſtinction. Mean while, the Imperialiſts were buſied in poſſeſſing themſelves of the Tyber, which was no difficult matter, conſidering the univerſal conſternation. Clement might ſtill have retired from the caſtle and ſecured his perſon: but, by a ſurpriſing infatuation, on notice of Bourbon's death, he was obſtinately bent, without any juſt reaſon, to continue in a place where he had neither proviſions, nor ammunition, nor a gariſon ſufficient to defend it. So many hiſtorians have deſcribed the ſacking of Rome, that to dwell here on that narrative would be quite needleſs. The reader may eaſily conceive what the thirſt of pillage may induce a diſorderly, ill-diſciplined army, and like this without a general, to perpetrate. Some hiſtorians have been pleaſed to caſt on the Proteſtants among Frondſperg's troops the whole blame of the outrages then commited: but the majority have not made any ſuch diſtinction, agreeing that the Spaniards ſhewed no more regard for the holy city than the Germans (1).

The duke of Bourbon comes before Rome. Guicciard. Du Bellai.

He ſtorms the city.

He is ſlain.

The breach forced.

Clement retires to caſtle St. Angelo. Guicciard.

Sacking of Rome. May 12. Guicciard. Herbert. Hall.

Had the confederates army cloſely followed the Imperialiſts, they might have fallen on them while moſt intent upon the plunder, and probably with ſucceſs. But, if we may believe Guicciardini, the duke of Urbino ſo ordered it, that the army came not before Rome 'till the end of May, and then raiſed ſo many objections againſt attempting the relief of caſtle St. Angelo, that the generals agreed to leave his Holineſs to extricate himſelf as he could. The allies retiring the firſt of June, Clement capitulated the ſixth, having ſent for the viceroy of Naples to treat with him: but the army, having choſen the Prince of Orange for general, repoſed not much confidence in the viceroy, neither would be guided by his counſels: ſo that the Holy Father was obliged to ſign, with Orange, and the principal officers of the army, a capitulation, importing;

Overſight of the allies. Guicciard. Hall.

The Pope capitulates. June 6.

Guicciard. Herbert.

Articles of the capitulation.

That Clement ſhould pay the army four hundred thouſand ducats, namely, one hundred thouſand down, fifty thouſand in twenty days, and two hundred and fifty thouſand within two months, aſſigning for that purpoſe a tax upon the whole Eccleſiaſtical ſtate.

That he ſhould deliver into the Emperor's hands the caſtles of St. Angelo, Civita Vecchia, Oſtia, Citta Caſtellana, Parma, Plaſenza, and Modena.

That the Pope, with the thirteen cardinals, ſhould remain priſoners in caſtle St. Angelo, 'till a hundred and fifty thouſand crowns were paid, and then ſhould be conducted to Naples or Gaeta, there to wait the Emperor's pleaſure.

That the chevalier Gregorio Caſſali the Engliſh embaſſador, Renzo di Ceri, and all the reſt who were retired to that caſtle, his Sanctity and the thirteen cardinals only excepted, ſhould be at liberty to go where they pleaſed.

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That the Colonni ſhould be abſolved from all cenſures.

That when the Pope ſhould quit Rome, he ſhould leave a legate, and the court of the Rota (2).

The capitulation being ſigned, captain Alarcon, the ſame who had the cuſtody of Francis when a priſoner, entering caſtle St. Angelo with three companies of Spaniards, and as many of Germans, ſet a ſtrict guard over Clement and the cardinals. During the confuſion cauſed by the Pontif's impriſonment, the duke of Ferrara poſſeſſed himſelf of Modena, the Venetians took Ravenna and Cervia, Sigiſmund Malateſta ſeized Rimini, and the Florentines, expeling the Pope's legate, recovered their liberty.

The Pope remains priſoner.

Several alterations Guicciard.

Some time after, all the troops which were in the kingdom of Naples repaired to Rome to ſhare in the booty, and glean what the avarice of the Spaniards and Germans had left. The Imperial army then at Rome conſiſted of twelve thouſand Germans, eight thouſand Spaniards, and four thouſand Italians: but the plague which preſently after raged among the troops, ſo diminiſhed them, that it is reported that, when it was time to enter upon action, ſcarce ten thouſand ſerviceable men remained. Mean while, the eager deſire of plunder occaſioned the Emperor's affairs to be ſo neglected, that the army continued utterly uſeleſs 'till the end of the year, whereas Bologna and the towns of La Romagna might have been reduced, which would have rendered that Monarch abſolutely inſuperable in Italy. Moreover this negligence gave Francis time to ſend troops into thoſe parts he would never have thought of, had Charles's generals, from their taking Rome and the Pope's captivity, reaped all the advantages their maſter might have naturally expected. It is time now to ſpeak of the affairs of England, the recital whereof has been interrupted by our introducing a ſummary of this year's events in Italy, which was indeed abſolutely neceſſary for rightly comprehending the ſequel.

The Imperial army becomes uſeleſs. Guicciard.

Guicciard.

Since Francis had refuſed to execute the treaty of Madrid, he never ceaſed preſſing Henry's acceſſion to the league of Cognac: but whether Henry penetrated into that Prince's deſigns, or hoped by managing the Emperor to make himſelf umpire of the peace, he had kept within the bounds of the defenſive league concluded at Moore. At length, finding that, to all appearance, the Pope and Venetians could not long maintain the war, he was apprehenſive Charles would poſſeſs himſelf of all Italy, and with that increaſe of power become too formidable to Europe. In effect, it might readily be comprehended that, in order to diveſt him of the ſuperiority he was acquiring over France, England would one day be obliged to make greater efforts than were neceſſary to prevent his attaining it. Theſe conſiderations were farther corroborated by the inſtances of cardinal Wolſey, whom Francis had taken care to gain to his intereſt, otherwiſe, very probably, all theſe reaſons would have been ineffectual. So about the cloſe of the preceding year, Henry had ſent to Paris ſir William Fitz-Williams, to acquaint the King of France, that he was ready to join with him in a league offenſive, and give him in marriage his daughter Princeſs

Henry determines on making with France a league offenſive and defenſive. Herbert. P. Daniel. Hollingſh.

(1) They ranſacked the city, without diſtinction of places, for the ſpace of ſix or ſeven days (two whole months, ſays P. Daniel, Vol. VII. p. 640) killing above five thouſand men, and commiting all manner of rapine and cruelty. Herbert, p. 82. It was reported, ſays Guicciardini, that the plundering ſoldiers got above a million of ducats, in gold, ſilver and jewels; and a much greater ſum for ranſoms, l. 18.

(2) This court conſiſts of twelve prelates, called Auditors of the Rota, eight of them Italians, two Spaniards, one French, and one German, who judge by appeal of all matters eccleſiaſtical and civil, between clergymen. The court takes its name from the marble pavement of the room where they meet, reſembling a wheel.

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Mary. Francis gladly imbracing the propoſal, the treaty was begun at Paris by the biſhop of Bath and Wells, the Engliſh embaſſador in ordinary, and Fitz-Williams: but, as ſeveral difficulties occurred which depended on the King of England's determination, Francis judged it properer to ſend embaſſadors to London, there to conclude the affair. He made choice for that purpoſe of Gabriel d'Aigremont, or de Gramont biſhop of Tarbe, and viſcount de Turenne, with whom were joined the preſident of Roan, and baron de Vaux, who where already in England. Theſe embaſſadors concluded with cardinal Wolſey, appointed commiſſioners to negociate with them, three treaties, which were ſigned the thirtieth of April 1527, while the duke of Bourbon was marching to Rome.

Hall. Rym. Fœd. Vol. XIV. p. 195.

Several treaties. April 30. Ib. p. 159, &c.

The firſt treaty imported:

" I. That the two Kings ſhould jointly ſend embaſſadors to the Emperor, with offers concerning the ranſom of the two hoſtages, and to demand payment of what was due to the King of England.

" II. That, if he rejected the offers, or gave not his anſwer within twenty days, the two Kings ſhould proclaim war againſt him."

1ſt Treaty. p. 195, &c. Herbert. p. 80. Du Tillet.

Another article of this treaty contained a mutual ingagement for the marriage of Francis, or his ſon the duke of Orleans with Princeſs Mary, at the King of France's option, and upon ſuch terms as ſhould be agreed on at a convenient time (1). Probably, this treaty was to be made public, in order to induce the Emperor to deſiſt from his claim to Burgundy, and be ſatisfied with the proffered equivalent.

By the ſecond treaty it was ſtipulated:

2d Treaty. Herbert. p. 81. Du Tillet.

" I. That, in caſe Charles rejected their propoſals, or defered his anſwer, all commerce with his ſubjects ſhould, by the two Kings, be inhibited; allowing them however forty days to withdraw their effects.

" II. That the two Kings ſhould make war upon the Emperor in the Netherlands, with an army of thirty thouſand foot, and fifteen hundred men at arms, and that two thirds of the infantry, and all the cavalry (2) ſhould be furniſhed by the King of France.

" III. That they ſhould equip a fleet with fifteen thouſand men, whereof the King of France ſhould find ten thouſand.

" IV. That if the King of Portugal, or any other Prince or ſtate, ſhould join with the Emperor, they ſhould be declared enemies to both the Kings.

" V. That the Pope and Venetians ſhould be deemed included in the league, provided they continued the war in Italy.

" VI. That the King of France ſhould indeavor to perſuade the King of Navarre and duke of Gueldres *, to make war upon the Emperor.

* Alſo Robert de la Marc.

" VII. That the two Kings ſhould uſe their joint indeavors to incourage John de Zapol to proſecute his right to the crown of Hungary, in caſe he had not already made alliance with the Turk, in order to keep the Emperor's brother Ferdinand imployed in thoſe parts.

" VIII. That the league ſhould be notified to the Princes of Germany, and the two Kings labor to prevent their aſſiſting the Emperor."

The ſubſtance of the third treaty was:

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" I. That this treaty ſhould not derogate from that of Moore, which remained in its full force.

" II. That there ſhould be perpetual peace between Francis and Henry, and their reſpective ſubjects.

" III. That neither of them ſhould give aid or advice to any perſon whatever who ſhould attack the other's dominions.

" IV. Henry renounced, for himſelf and ſucceſſors, all right and title to the kingdom of France, and in general to whatever Francis then actually poſſeſſed.

" V. In conſideration whereof, Francis bound himſelf and ſucceſſors, for ever, to pay Henry's ſucceſſors a yearly penſion of fifty thouſand crowns, at two payments; namely, on the firſt of May, and the firſt of November, and that the payment of ſuch penſion ſhould commence on the firſt of thoſe two days which ſhould happen after Henry's deceaſe, without deduction of what ſhould remain to be paid at Henry's death, of the two millions ſtipulated by the treaty of Moore.

" VI. Moreover Francis obliged himſelf to give Henry annually, beſide the ſaid fifty-thouſand crowns penſion, fifteen thouſand crowns worth of ſalt of Bruage (3).

" VII. That, to prevent the objection which might hereafter be made, That a King cannot bind his ſucceſſors, the two Kings ſhould cauſe the treaty to be confirmed by the ſtates of their reſpective realms, and held as a law perpetual and inviolable.

" VIII. That the treaty ſhould be approved and confirmed by the archbiſhops, biſhops, Princes, dukes, earls, barons, and other grandees of the two kingdoms, whoſe names were inſerted in this article, under forfeiture of all their goods; and by the parliaments of Paris, Toulouſe, Roan, Bourdeaux, as well as by the courts of judicature in England."

Rym. Fœd. Vol. XIV. p. 218. Guicciard. Herbert.

Alterations in the ſecond treaty on account of the ſacking Rome.

The news of the ſacking Rome and the Pope's captivity arriving preſently after concluſion of theſe treaties, the two Kings thought fit to alter the article of the ſecond, concerning their carrying war into the Netherlands, and to agree on acting only in Italy. But as the Engliſh troops could not, without great difficulties and loſs of time, be tranſported into Italy, they ſtipulated, that Francis alone ſhould undertake the war, for a certain valuable conſideration (4) to be allowed him by Henry monthly, 'till the end of October. This laſt treaty was ſigned the twenty-ninth of May, about three weeks after Rome was taken.

Rym. Fœd. Vol XIV. p. 199, &c. Herbert. Du Tillet.

Henry's demands on Charles. Hall. Stow. Herbert. Pol. Virg. Hollingſh.

In conſequence of the firſt of the three treaties of April the thirtieth, Henry ſent ſir Francis Pointz into Spain, to demand of the Emperor, that as, by their former treaties, the war with France was carried on at a common charge, he would give him half the booty taken at Pavia, and one of the two hoſtages received from King Francis. Pointz was accompanied by Clarenceux king at arms, but incog, that he might be ready to do his office when there ſhould be occaſion. Charles readily comprehended that the King of England ſought only a pretenſe of quarrel: but, as it was his intereſt to prolong the time, he told the embaſſador, " That he

(1) Hall ſays, the people were very much againſt this match, becauſe Princeſs Mary being King Henry's preſumptive heir, if he died without ſons, ſhe ſucceeded of courſe to the throne, and, on account of her marriage, it was feared ſhe would be too much under the influence of France. Hall, fol. 155.

(2) Twenty thouſand foot, and fifteen hundred men at arms. See Herbert, p. 81.

(3) A town in Saintonge, famous for its ſalt-pits, about eight leagues from Rochel. The ſalt in this diſtrict annually brings in the King of France fourteen millions of livres.

(4) Thirty thouſand ducats, or, thirty two thouſand two hundred and twenty two crowns de ſoleil, to be deducted out of what Francis owed him. Herbert, p. 83. Guicciard. l. 18.

" would

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" would ſend his anſwer to the King his maſter by " a courier."

Lautrec marches to Italy. Guicciard.

While Pointz was on his way to Spain, Francis and Henry, hearing what had paſſed in Italy, thought proper that Wolſey ſhould go and confer with Francis at Amiens, in order to concert meaſures agreeable to the ſituation of affairs. Shortly after, Francis ſent Lautrec with the forces deſigned for Italy.

Wolſey confers with the King of France. Guicciard. Herbert. Hall. Stow. P. Daniel. Rym. Fœd. Vol. XIV. p. 202.

Cardinal Wolſey departing from court the third of July, arrived at Calais the eleventh (1), from whence he went to Abbeville, and ſtayed 'till Francis came to Amiens. At his entrance into the French territories, he was received with the ſame reſpect as would have been ſhewn the King of England. We find, in Rymer's collection, Francis's letters patent impowering the cardinal, his deareſt and great friend, to releaſe the priſoners whereever he came, what crimes ſoever they were guilty of, except high-treaſon, rapes, with ſome others *, and to grant them a pardon by his letters patent.

* Viz. Coining and Sacrilege.

The Emperor's memorial to a peace. Ib. p. 200.

While his eminence was at Abbeville, he received a memorial from the Emperor, containing his anſwer to the King of France's offers to the viceroy of Naples. He had at firſt, as was obſerved, diſdainfully rejected theſe offers, nay, even refuſed to hear them mentioned: but, the ſituation of his affairs being altered by the league between France and England, he believed it would be better by a peace, to terminate all diſputes, than run the hazard of maintaining the war alone againſt ſo many powerful enemies. It was therefore in order to a pacification that he ſent Wolſey this anſwer, wherewith he imagined to have reaſon to hope Francis and Henry would be ſatisfied.

As this memorial is extremely proper to illuſtrate the hiſtory of thoſe times, doubtleſs our inſerting its ſubſtance will be not altogether unacceptable.

The Emperor began with proteſting, " That, " by what he offered in this memorial, his mean- " ing was not any way to derogate from the treaty " of Madrid, but only in ſuch points as were there- " to repugnant: that, as to the hoſtages, King " Francis was not ignorant of the reaſon of their " being in Spain, and had it in his power to reco- " ver them." Then he ſet forth the offers made by Francis to the viceroy of Naples, containing theſe four articles, viz.

The King of France's offers to the Emperor.

" I. That he would execute the treaty of Ma- " drid, provided Franceſco Sforza was reſtored to " the duchy of Milan.

" II. That he would give the Emperor, in lieu " of Burgundy, two millions of gold, payable, " thus; a good ſum down when Queen Leonora " ſhould be delivered to him, and the reſt at a day " to be appointed, and then his ſons ſhould be re- " ſtored; except his Imperial Majeſty choſe to " have the whole ſum at once, and deliver at the " ſame time the Queen and the two hoſtages.

" III. That he would pay the King of England " what was owing him by the Emperor.

" IV. He demanded that the Emperor ſhould " augment Queen Leonora's dowry in proportion " to the ſum he was to receive, ſince he could do it " without any charge to himſelf."

To theſe four articles the Emperor replied, by the eight following declarations; viz.

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" I. That what ſhould be ſtipulated, ſhould not " be prejudicial to the treaty of Madrid, except in " ſuch things as ſhould be altered by mutual conſent.

" II. That the Emperor's right to Burgundy ſhould " remain intire, as before the treaty of Madrid.

" III. That all the articles of the treaty of Ma- " drid, except ſuch as were mentioned in theſe of- " fers, ſhould remain intire.

" IV. That his Imperial Majeſty hoped the " King of England, and his eminence the cardinal " legate would cauſe ſome addition to be made to " the two millions of gold, offered by the King of " France: however, if that could not be, it ſhould " be underſtood, that this ſum was over and above " what the Emperor owed the King of England, " as well for monies borrowed of him, as for the " indemnity he had undertaken to diſcharge, which " ſums the King of France had taken on him- " ſelf in the treaty of Madrid: beſide alſo the re- " ſtitution of the late monſieur de Bourbon's " eſtate; it being reaſonable that his heirs ſhould " partake of the benefit of that treaty. Item, " that the King of France ſhould punctually per- " form all the reſt of the articles concluded, on his " part, in the treaty of Madrid, before his ſons " left Spain; the Emperor not being able, after " what had paſſed, to take any ſecurity, if the " hoſtages remained not in his power 'till the treaty " was fully executed.

" V. That, purſuant to the Madrid treaty, " what ſhould be agreed on ſhould be ratified by " the general ſtates of France, and approved by the " parliaments: or, if that could not be done by " the general ſtates, it ſhould at leaſt be ratified by " the ſtates of each province.

" VI. The Emperor declared, that he could not " ſend the Queen his ſiſter to France 'till all was " accompliſhed, and then the Queen and hoſtages " ſhould ſet out together.

" VII. That as for duke Franceſco Sforza, the " Emperor would appoint impartial judges to de- " cide his affair, and if he was not convicted of " any crime for which he really merited to be de- " prived of his duchy, he ſhould be reſtored: but " if he was condemned, the ſtates of Milan ſhould " remain in the Emperor's diſpoſal, according to " juſtice and equity.

" VIII. That the King of England ſhould be " guarantee of the future treaty, and by his letters " patent ingage, at his own charge, to aſſiſt, with " a certain number of troops, him of the two par- " ties who ſhould obſerve the treaty, againſt " him who ſhould do the contrary.

Beſide theſe eight conditions, which the Emperor called declarations, he demanded moreover in his memorial, " That the King of France ſhould " ſatisfy him for the expenſes of the leagues he had " made with him, and of which he was the ſole au- " thor, impowering the King of England to adjuſt " the eſtimate."

Finally, he ſaid, " That he was not at all in " doubt that the King of England, who perfectly " knew what had paſſed between the two parties, " would not procure ſome augmentation to the " King of France's offers, and that the lord legate " (whom his Imperial Majeſty ever reckoned his " good friend) would alſo indeavor the ſame to the " utmoſt of his power: that however, he was ſo " much inclined to peace that, if the King of Eng- " land deſired he ſhould make any farther con-

(1) He was met at Boulogne by monſieur de Byron with a thouſand horſe, and after by John, cardinal of Lorrain, and the chancellor of Alenſon, who accompanied him firſt to Montreuil, and then to Abbeville. He was attended by Cuthbert Tunſtal biſhop of London, the lord Sandes the King's chamberlain, Edward Stanley earl of Derby, ſir Henry Guilford, ſir Thomas More, with many knights and others, to the number of twelve hundred horſe. Hall, fol. 160. Stow, p. 531. Herbert, p. 83. He brought with him thirty thouſand crowns. Guicciard. l. 18. Hall ſays it was two hundred and forty thouſand pounds, fol. 161. Hollingſh. p. 897.

" ceſſions

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" ceſſions than what were contained in the eight " foregoing declarations, he would do more for " his ſake than for that of any Prince in the uni- " verſe: that he would be very glad all the Poten- " tates of Europe knew how much he valued his " friendſhip, and would aſcribe to him the whole " glory of procuring a pacification. This memo- " rial was dated, at Valladolid, in July 1527.

Remark on this memorial.

On a cloſe examination of this the Emperor's anſwer, it will manifeſtly appear, that he ſimply and abſolutely accepted of the French King's offers, under terms denoting that it was he who gave rather than received law, and by his declarations only obviated all cavils. As to what he farther demanded, it was under ſuch reſtrictions, that he ſeemed willing to ſtand to the King of England's determination, which, at ſuch a juncture, was the ſame thing as to depart from his pretenſions while he was making the demand. There was only a ſingle point concerning which he could not reſolve to ſubmit; namely, the duke of Milan's affair: but this was a point newly propoſed by the King of France, and which had no relation to the Madrid treaty, wherein not a tittle was to be met with that way tending; nevertheleſs it is obvious that, had this been the ſole obſtacle to a pacification, he would alſo have granted it, ſince he reſerved a way to come off with honor; namely, by cauſing Sforza to be declared innocent, in the manner he had himſelf propoſed to Pope Clement. Francis would have accepted the peace, on the terms offered in the memorial, had Charles at firſt come to that reſolution: but ſince he had made theſe offers to the viceroy of Naples, the face of affairs was very much altered, as he had intirely gained King Henry to his intereſt, and as, after the taking Rome, it was to be feared the Emperor would render himſelf maſter of all Italy. Mean while, Charles's offers, which were in effect the ſame Francis had made to the viceroy of Naples, were either to be accepted or rejected: but, as it was not Henry's buſineſs to anſwer it, ſince the affair did not directly concern him, he only ſent the memorial to the King of France, who, no longer deſirous of peace, diſingaged himſelf in this manner. Firſt, he demanded that Sforza ſhould be reſtored unconditionally. Secondly, that his ſons ſhould be delivered before he recalled his forces from Italy (where Lautrec was now arrived) offering to depoſit three hundred thouſand ducats in the hands of the king of England for ſecurity of his ingagement. There could not be a more evident demonſtration of his little deſire to execute the Madrid treaty, tho' the ſame terms only were demanded as were offered by himſelf preſently after his deliverance. His meaning was, after having withdrawn his hoſtages, to have the execution of the treaty in his own power, under color of offering to depoſit for ſecurity three hundred thouſand ducats in the hands of a Prince devoted to him, and who, by a private treaty, was ingaged to make his intereſt his own. Charles, not in a diſpoſition to be thus inſnared, offered on his part to depoſite the ſame ſum in the hands of the King of England, for pledge that the hoſtages ſhould be reſtored: but his offer being rejected, a ſtop was there put to the negociation, and only war imployed the parties thoughts. Mean while, Charles, deſirous of convincing the world that it was not his fault a peace was not concluded, gave England's, the Pope's and Venetians embaſſadors the ſame anſwer he had ſent to cardinal Wolſey. They all ſeemed very well ſatisfied, and ſaid their maſters would doubtleſs accept a peace on theſe terms, and ſend orders to conclude it: but they knew not that the Kings of France and England had changed their minds, and taken new reſolutions.

Henry ſends the memorial to the King of France.

King Francis's reply. Du Bellai. p. 1333.

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Francis's conference with Wolſey.

If King Francis and cardinal Wolſey were to confer together at Abbeville, it was not to ſtudy means of accommodation, but rather to concert on ſuppoſition that a war with the Emperor was inevitable. Francis being come to Abbeville the firſt of Auguſt, his eminence repaired thither, where having confered they, on the eighteenth, concluded three treaties, which properly were only ſupplements, explanations and reſtrictions of thoſe three which preceded.

By the firſt it was agreed:

Three new treaties. Rym. Fœd. Vol. XIV. p. 203, &c.

" I. That, as he had left it to the King of " France's option to marry Princeſs Mary, or " leave her for the duke of Orleans his ſecond ſon, " the duke ſhould eſpouſe the Princeſs when they " ſhould both be of age. That then, and not be- " fore, ſhould be ſettled the marriage-articles con- " cerning the dowry, the education of the duke of " Orleans in England, and the like. Moreover, " that, whether the marriage ſhould be conſum- " mated, or the two Kings think fit to diſpoſe of " their children otherwiſe, their friendſhip ſhould " remain firm and inviolable, the marriage being " only to be conſidered as a ſupplement to the " treaties of the thirtieth of April, and not as part " of thoſe treaties.

" II. That the treaty concluded at Moore " ſhould remain in full force.

" III. That the project of the interview of the two " Kings ſhould be laid aſide, on account of the " ſeaſon and circumſtances of affairs.

" IV. As, by the treaty of the twenty-ninth of " May, it was ſtipulated, that the King of Eng- " land ſhould contribute a certain ſum for the war " of Italy, it was by this concluded, that, in " caſe the Emperor accepted the offers the two " Kings ſhould make him by their embaſſadors, " the ſaid contribution ſhould ceaſe without any " prejudice to the treaty of peace: but if he re- " jected them, the treaty of league offenſive and " defenſive ſhould ſubſiſt, on condition that, dur- " this campain, the King of England ſhould be " deemed to have diſcharged his part of the treaty " by his contribution for the war in Italy.

" V. That the King of England ſhould not ever " make any ſort of demand upon the King of " France on pretenſe of his charges towards the " Italian war.

" VI. That, to prevent all diſputes, without " examining the number of troops which the King " of France maintained in Italy, the King of Eng- " land ſhould pay for the month of June laſt twenty " thouſand crowns, for the month of July laſt " thirty thouſand crowns, and thirty two thouſand " two hundred and twenty-two for each of the " three following months: on condition however " that if, in thoſe three latter months, the Engliſh " commiſſaries found in the army of Italy a ſmaller " number of troops than what the King of France " was to maintain, the contribution ſhould be " leſſened in proportion. Moreover, if a peace " was made during thoſe ſaid three months, the " contribution ſhould ceaſe the day the peace was " concluded.

By the ſecond treaty, which concerned only trade, Francis promiſed, " He would grant the Engliſh " merchants ſuch privileges as ſhould be agreed on " hereafter." p. 209.

By a third treaty the two Kings were bound: p. 212. Herbert.

" Firſt, not to conſent to the calling a general " council during Pope Clement's captivity.

" Secondly, to receive no bull, brief or mandate " from the ſaid Pontif (1) 'till he was releaſed.

(1) Any way prejudicial to either of the two Kings, their kingdoms, or to the cardinal of York's legatine juriſdiction. Rymer's Fœd. Vol. XIV. p. 213, 214.

" Thirdly,

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"Thirdly, that 'till his Holineſs ſhould reſume "the eccleſiaſtical government, whatever might "be determined in England by the cardinal legate, "aſſiſted by the principal clergy (1), and in France "by the members of the Gallican church, ſhould "be punctually executed."

Wolſey returns to England. Rym. Fœd. Vol. XIV. p. 216, 218.

Theſe treaties being concluded, King Francis ratified them, and ſwore to the obſervance before he left Abbeville. Cardinal Wolſey did the like in his maſter's name, by virtue of his full powers and title of vicar-general, which he had received on this occaſion: which done, he re-paſſed over to England, to give Henry account of the ſucceſs of his negociation (2).

Henry's freſh demands on the Emperor. Herbert. p. 86.

Henry, being determined on proclaiming war againſt the Emperor, but willing to conceal the real motives, demanded of him, by his embaſſadors, four particulars, which he knew could not then be performed. The firſt was, "That he ſhould diſ-"charge what had been borrowed of him, or of "his father King Henry VII. The ſecond, "That he ſhould pay him five hundred thouſand "crowns, to which he was obliged in caſe he eſ-"pouſed not Princeſs Mary, to whom he was af-"fianced. The third, "That, according to the "tenor of the treaty, he ſhould ſatisfy him for his "penſion from the King of France, whereof there "was now due four years and four months. The fourth, "That he ſhould releaſe the Pope, and "ſatisfy him for all the damages cauſed by his "troops." The anſwer Charles made the embaſ-ſadors was: "That he had never denied his be-"ing debtor to the King of England; but was "ſurpriſed he ſhould, at this juncture, inſiſt ſo "much on payment: that, at leaſt, when the mo-"ney was required, offer ſhould be made of reſtor-"ing the obligations. 2. That he would write to "the King their maſter to acquaint him, why he "did not think himſelf liable to the penalty of "the five hundred thouſand crowns, for not ac-"compliſhing the marriage. 3. That orders were "ſent into Italy to ſet the Pope at liberty." He made no reply, as to making ſatisfaction for the penſion, becauſe he, very probably, conſidered it as included in the article of the debts which he acknowledged himſelf ingaged to diſcharge; as indeed nothing was more reaſonable.

Guicciard.

The Emperor's anſwer. Herbert.

Aſſembly of the grandees of France. Mezerai.

The Emperor's replies were not ſatisfactory to King Henry, who only ſought occaſion of quarrel. On the other hand, Francis having, in September, called together the chief men, which is, properly to ſay, perſons devoted to him, declared to them all the ſteps he had made towards a pacification with the Emperor; and it may be readily preſumed that he took no great pains in the explication of what might be alledged againſt him by that Monarch. Having repreſented the matter as to him ſeemed requiſite, he ſaid, "He was ready to return to his "priſon, if it was judged that, in honor or con-"ſcience, he was obliged ſo to do." The aſſembly unanimouſly replied, "That his perſon belonged "to the realm, and it was not in his power to diſ-"poſe of it according to his pleaſure: that more-"over, he could not alienate the provinces of the "crown; but if the Emperor would accept of a "ranſom for the two Princes in hoſtage, they would "give two millions of gold to redeem them." It muſt have been wilful blindneſs not to perceive what was the deſign of this farce, intirely managed by the court. Mean while, Francis, after this deciſion, imagining that he might, with a ſafe conſcience, go to war with the Emperor, thought only of means to recover his ſons by force of arms: he was however ſtill in hopes that the dread of a war would induce Charles to mitigate the Madrid-treaty. This was not any longer on account of Burgundy, ſince he could not be ignorant of Charles's having accepted the offered equivalent: but he hoped, by means of the war, to procure a new treaty which ſhould annul that of Madrid. Thus many Princes play with their words and oaths, and ſeek to blind themſelves, or at leaſt the public, while none about them dare utter the truth. The Emperor kept his word no better, with regard to the duchy of Milan; and Henry VIII ſcrupled not breaking his league with Charles, as he had done that with Francis. Princes never want excuſes when they are diſpoſed to violate a treaty: but the world is not always blind, tho' people often ſeem ſo. Moſt probably, the Sovereigns themſelves are not ſo hoodwinked, but they ſee the irregularity of their conduct, tho', countenanced by the public's diſſimulation, they affect great ſecurity; but at length a time comes, when poſterity, leſs prepoſſeſſed, does univerſal juſtice and gives things their right names.

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Francis's aim.

Charles, Francis and Henry act with inſincerity.

The aſſembly's opinion.

Francis, deſirous of cultivating the friendſhip newly contracted with Henry, ſent him the order of St. Michael (3) by Ann de Montmorency (4), one of the knights. This noble French peer was impowered to diſpenſe with Henry's oath, in whole or in part, as the new knight ſhould think fit, or even to be contented with his bare word. Henry condeſcended to ſwear obſervance to all the ſtatutes of the order of St. Michael, which were not contrary to thoſe of the Garter, or any order he had already received. Then he ſent the order of the Garter to Francis, by Arthur * viſcount Liſle, natural ſon of Edward IV (5), and Francis took the uſual oath of the order, with like reſtrictions. This French embaſſy, which arrived in England about the end of October, had a reception ſo pompous and magnificent, that Du Bellai, who accompanied the embaſſador, aſſures us he had never beheld any thing comparable. The Engliſh embaſſador was as nobly received in France, there having ever been between Francis and Henry a certain emulation, which frequently drew them to needleſs expenſes: but it was moſt inconvenient for Francis, by reaſon of his continual wars with the Emperor, wherein Henry was no farther ingaged than he pleaſed; nay, he no otherwiſe paid the very contribution for the war of Italy than by deductions from the ſums owed him by Francis (6), as appears in Rymer. Thus Francis was forced to diſburſe all the monies imployed in that war, whereof we muſt now examine the ſequel.

Francis and Henry ſend each other their orders of knights of St. Michael and the Garter. Rym. Fœd. Vol. XIV. p. 227, 233. p. 229. p. 232.

* Sur-named Plantagenet. Hall. Stow. Herbert.

Vol. XIV. p. 233.

Clement VII was ſtill confined in caſtle St. Angelo, 'till he could raiſe the ſums exacted. As money

Affairs of Italy. Guicciard.

(1) Called together by the King's authority, and his conſent firſt obtained to what ſhould be determined. Rym. Fœd. Vol. XIV. p. 213, 214. And here, ſays lord Herbert (p. 85.) began the reliſh our King took of governing the church.

(2) About the end of September. Francis not only richly preſented him, but conducted him thro' the town, and on his way about a mile, being accompanied with the titular King of Navarre, the Pope's legate, and his prime nobility. At his coming to Calais, he ordered the mart to be kept in that town, inſtead of Antwerp, &c. Hall, fol. 159. Herbert, p. 85. ——— About this time, Wolſey diſpatched Gambara to the Pope, to deſire him to make him his vicar-general in England, France, and Germany, during his captivity. Guicciard. l. 18.

(3) The military order of St. Michael was inſtituted by Lewis XII, in 1469. The knights wear a golden collar of ſhell-work, one within another, laid on a golden chain, whereto is pendent a medal of St. Michael the Archangel, the ancient protector of France.

(4) Anne de Montmorency, grand maſter, arrived at London the twentieth of October, with ſix hundred horſe, and after audience, they were, on November the tenth, entertained by our King at Greenwich, with a ſumptuous feaſt, and a comedy, in which his daughter Princeſs Mary acted a part. Herbert, p. 85.

(5) He was accompanied by doctor John Taylor, maſter of the rolls, and archdeacon of Buckingham, ſir Nicolas Carew, ſir Anthony Brown, and ſir Thomas Wriotheſley, garter King at arms. Rym. Fœd. Vol. XIV. p. 232.

(6) Which ſums amounted to ſixty four thouſand five hundred and forty four crowns. Ibid. p. 234.

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was then far from being plenty with him, he could only pay part of what he had promiſed, and therefore his captivity was longer than he at firſt expected; they in whoſe cuſtody he was not being diſpoſed to take his word for payment. It was not ſooner than the begining of June that Charles had notice of the ſacking Rome, and Clement's impriſonment; and upwards of a month more paſſed before he came to any reſolution in that affair. As he doubted not this buſineſs would make great noiſe in the world, he was willing to ſee, before he determined, how the Kings of France and England would take it, in order to proceed accordingly.

Herbert.

The ſecond of Auguſt, he wrote Henry a letter of excuſe, concerning the outrages commited by his troops at Rome, and the violence offered the Pope's perſon, wherein he proteſted he was not any way concerned: and, at the ſame time, he deſired his counſel what was to be done on this occaſion, as if he ſtill deemed him his good friend and ally; but all this was merely to gain time, 'till he received Francis's anſwer to the memorial ſent cardinal Wolſey. On the other hand, the Pope, tho' narrowly watched, had found means to write to Henry (1), and cauſed the thirteen cardinals, who were confined with him, to do the like, requeſting his protection, and intreating him to imploy his indeavors to deliver them from their unhappy ſituation. Henry, on receipt of theſe letters, ſent orders to his embaſſadors in Spain, to demand of Charles the Pope's and cardinals liberty: to which the Emperor anſwered in general terms, that he would do what lay in his power for the King of England's ſatisfaction. Mean while, he was thinking of conveying the Pope into Spain, in expectation of making a better bargain with him than if he left him in Italy. Of this cardinal Wolſey informed Henry by a letter, from Abbeville, dated July twenty-nine.

Letter to Henry from the Pope and impriſoned cardinals. Burnet. Vol. III. Herbert.

Charles attempts to ſet Francis and Henry at variance.

Certain it is that Henry's inſtances in Pope Clement's behalf greatly imbaraſſed the Emperor. He found that Francis and Henry would not fail joining their counſels and forces againſt him, under color of laboring for the Pope, and this union could not but break all his meaſures with regard to his affairs in Italy. He therefore believed that, before all things, he ſhould try to divide thoſe Potentates, by ſowing between them jealouſies and ſuſpicions.

Herbert.

One of his expedients to effect this, was propoſing to Wolſey a match between the duke of Richmond, King Henry's natural ſon, and Iſabella Princeſs of Portugal, with whom he offered in dower the duchy of Milan. The cardinal herewith informed his Sovereign, by a letter of the thirty-firſt of July, telling him withal, that the offer was not much to be relied on; but it was however proper to ſeem to liſten to it, becauſe it was neceſſary ſtill to preſerve ſome correſpondence with the Emperor. This doubtleſs related to the affair of the divorce, whereof I ſhall ſpeak preſently: for, by a letter of the firſt of Auguſt, Wolſey acquainted the King with the then currency of a report in Spain, that he deſigned to divorce his Queen; but that it was requiſite to ſend orders to his embaſſadors at Madrid to ſtifle the rumor as much as poſſible: that to this end, they might ſay, it had no other foundation than the biſhop of Tarbe's ſcruples concerning Princeſs Mary's marriage with the duke of Orleans, as if there was room to queſtion the Princeſs's legitimacy. The Emperor alſo put in practiſe another method to divide Francis and Henry, which was attempting to gain cardinal Wolſey by advantageous offers (2) but, for this once, he could not ſucceed; whether Wolſey was now too far ingaged with Francis, or was bent to be revenged on the Emperor, who had twice deceived him, or whether the buſineſs of the divorce was already determined, in which caſe it was not poſſible for him to undertake eſpouſing the Emperor's intereſts.

A rumor in Spain of Henry's intending to part with his Queen. Herbert.

The Emperor indeavors to corrupt Wolſey.

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When Francis heard of Rome's deſolation, he perceived it was time to lay aſide artifice, and neceſſary to ſend a powerful aid into Italy, otherwiſe the Venetians would infallibly conclude a peace with the Emperor; and, in reality, it was not likely they could or would bear the burden of a war alone: wherefore his firſt care was to make a new treaty with them, to bring each into the field ten thouſand men, and levy ten thouſand Swiſſers at a common charge. The Venetians deſired nothing more than to be ſupported by France, becauſe they juſtly dreaded the army which had ſacked Rome would be imployed againſt them. Indeed, had the duke of Bourbon been ſtill living, or the viceroy of Naples able to influence the army, the Venetians would undoubtedly have been attacked, being the only enemies the Emperor had in Italy: but, happily for them, the Imperial troops being wholly intent on the plunder of Rome, without thinking of any farther exploits, the peſtilence, which broke out among them, carried off two thirds of their army. Finally, the contagion deſtroying them by heaps, they left Rome, and diſperſed themſelves in in the neighboring country. After which, having ſacked Terni and Narni, and put Spoleto to ranſom, the Germans parted from the Spaniards, and returned to Rome. Thus diſcord ariſing in the army, which ill obeyed the Prince of Orange, tho' they had choſen him general, they projected nothing to improve their victory for the Emperor's advantage. On the contrary, by their negligence, they gave Francis time to ſend a force into Italy, under conduct of Lautrec, who was declared general of the league he had newly concluded with the Venetians. As for the duke of Urbino, he remained in the Milaneſe with part of the Venetian army.

Francis joins in a league with the Venetians. Guicciard.

The plague rages among the Imperialiſts. Guicciard.

Lautrec general of the league. Guicciard. Herbert.

Lautrec arrived in Piemont in July, with part of the army he was to command. The marquis of Saluzzo was ordered to join him with his Italians, and the Swiſſers were ſoon to follow. While he was imployed in conqueſts of little moment, waiting the junction of all his forces, Andrea D'Oria, who had quited the Pope's ſervice, and commanded the French gallies, to which he had joined eight others of his own, found means to reduce his native city Genoua under Francis's dominion. This was a good opening of a campain, which ſeemed to promiſe a moſt advantageous ſucceſs in the reſt of the war, eſpecially as Lautrec, after aſſembling his army, twenty-five thouſand ſtrong, became maſter of Vigevano, Aleſſandria, and Pavia. Sforza and the Venetians earneſtly preſſed him to beſiege Milan; but he ſhewed them poſitive orders to march to Naples. The King of France took care not to imploy his army to conquer the duchy of Milan, which by the treaty of league was to be reſtored to Sforza, after which, the Venetians would give themſelves but little trouble to accompliſh his attempt upon Naples: beſide, he ſtill hoped that, by conſenting the Emperor ſhould keep Milan, he might recover his ſons, whereas in reſtoring Sforza he ſhould deprive himſelf of that means. Lautrec therefore began his march for the kingdom of Naples, but with ſuch deliberateneſs and affected delays, that it was evident he had private orders

He arrives in Piemont.

D'Oria reduces Genoua under the dominion of France. Guicciard. Herbert.

Lautrec very deliberately marches to Naples. Guicciard. Hall.

(1) On September 24. By Gregory de Caſſali, the Engliſh agent at Rome, who was now returning to England. Herbert, p. 81, 83. Burnet, Vol. III. p. 34.

(2) He offered him large ſums beſide his penſion: but, becauſe Charles had refuſed Wolſey the archbiſhoprick of Toledo, the richeſt in Spain, to which the cardinal vehemently aſpired, he proved inexorable. Pol. Virg. Herbert, p. 85.

not

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not to make too much haſte: and indeed, it was at the very juncture when Francis expected the Emperor's final anſwer to the offers made him by his and Henry's embaſſadors. Lautrec long halted at Parma and Plaſenza, which had opened their gates to him. Mean while, the duke of Ferrara joined with France, as well on account of the march of Lautrec, who might eaſily have ravaged his country, as of Francis's proffer to give in marriage Renée of France, ſecond daughter of Lewis XII, to his ſon Hercules. The duke of Mantoua preſently after followed his example.

The dukes of Ferrara and Mantoua ſide with France. Sardi.

Mean while, Charles finding the ill effects of the Pontif's captivity, had diſpatched the general of the order of St. Francis to the viceroy of Naples, with injunctions to releaſe his Sanctity. This general, finding the viceroy ſeized with a diſtemper whereof he died in few days, delivered his Imperial Majeſty's orders to Hugo de Moncada, to be by him put in execution. Charles had given general inſtructions, that Clement ſhould ingage to diſcharge all arrears due to the army, and, on recovery of his liberty, give ſecurity for his forſaking the league. But, as that Pontif could not eaſily procure ſureties, or monies requiſite to pay the army, the negociation was tedious. Mean while, by private meſſengers, he was continually preſſing Lautrec to approach Rome, that his deliverance might be facilitated. But that general had expreſs orders which prevented his haſtening; yet his march, tho' ſlow, was of good ſervice to Clement. Moncada, ſeeing the kingdom of Naples on the point of being invaded, and that it was not poſſible to conduct thither the Imperial army which was at Rome, without ſupplying at leaſt ſome of its arrears, at length concluded with the Pontif a treaty to this effect: viz.

Negociation for the Pope's liberty. Guicciard.

I. That his ſaid Holineſs ſhould not oppoſe the Emperor in what related to either Naples or Milan.

II. That he ſhould grant the Emperor a Croiſade in Spain, and a tenth in the reſt of his dominions.

III. That the Emperor ſhould keep Civita Vecchia, Oſtia, Citta Caſtellana, and the caſtle of Furli.

IV. That the Pope ſhould pay down to the German troops ſixty thouſand ducats, and thirty-five thouſand to the Spaniards.

V. That in a fortnight after, he ſhould pay them another certain ſum, and within three months all what remained due to the Emperor, amounting to upwards of three hundred and fifty thouſand ducats.

VI. That 'till the two firſt payments were made, Pope Clement ſhould be conducted to ſome ſafe place out of Rome, and give hoſtages.

Treaty for the Pope's deliverance. Herbert. Guicciard.

The treaty being ſigned, and the cardinals of Ceſis and Orſino delivered in hoſtage, it was agreed that, on the tenth of December, Clement ſhould be removed from caſtle St. Angelo, and conducted to a place appointed: but, as he was apprehenſive of longer confinement, becauſe he was unable to perform the treaty, he eſcaped in diſguiſe the night before, and ſhut himſelf up in Orvieto.

The Pope eſcapes to Orvieto. Guicciard.

When Lautrec underſtood Clement was free, he reſtored to him the city of Parma, and marched to Bologna, where he ſtayed three weeks expecting freſh orders from Francis. Some days after, he received a letter from his Sanctity, acknowledging himſelf indebted to him for his liberty, intimating withal, that having been conſtrained to grant the Imperialiſts whatever they required, he did not think himſelf obliged to keep his word with them.

Guicciard.

It was while the Pope was priſoner in caſtle St. Angelo, that Henry's divorce from Queen Catherine was ſet on foot; a momentous affair, if ever any was ſuch, as well in itſelf, as on account of the parties concerned, and chiefly for its effects. It was not yet thirty years ſince Lewis XII put away his wife without any difficulty, or much noiſe in the world. Henry VIII was diſpoſed to attempt the like; and, tho' ſupported with much more plauſible reaſons, he met with multifarious obſtacles, not to be ſurmounted without ſome extraordinary ſtep, and which made room for introducing the reformation into England. This effect diſtinguiſhed Henry VIII's divorce from ſo many others, which are but ſlightly mentioned by hiſtorians. The writers on this ſubject being either Catholics or Proteſtants, have conſidered it variouſly. The Catholics have thence drawn arguments againſt the reformation in England, and repreſented Henry's divorce as the next and immediate cauſe of the change of religion; whereas the Proteſtants affirm it was only the occaſion. Three Engliſh authors eſpecially have writ the hiſtory of this divorce, beſide many others of the ſame nation, or foreigners. who have touched thereon in their works. Sanderus, or rather Sanders, author of the Origin and Progreſs of the Engliſh Schiſm, makes it his buſineſs to defame Henry VIII, and ſhew that the reformation in England, which he terms ſchiſm, intirely ſprang from Henry's paſſion for Ann Boleyn. He thereby imagined to give a mortal wound to the reformation, and induce the world to think, that a ſuperſtructure raiſed on ſuch a foundation could not be the work of God. Lord Herbert, in his hiſtory of Henry VIII, contents himſelf with a bare recital of the events of this reign, whereof the divorce is one of the principal, without many reaſonings, leaving his readers to draw inferences from the facts he relates. Doctor Burnet, intending to write the hiſtory of the reformation of England, made it his chief aim, in ſpeaking of Henry's divorce, to demonſtrate, that, tho' it occaſioned the reformation, it was only by accident: and for this reaſon, he has indeavored to refute the palpable falſehoods aſſerted by Sanders in his hiſtory. He has ſucceeded ſo well, that no ſincere man can, for the future, acknowledge Sanders for a writer worthy any credit.

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Reaſon why this divorce made ſo much noiſe.

Remarks on Sanders. Herbert, and Burnet.

The ſequel of my hiſtory obliges me to ſpeak, in my turn, of this famous divorce. I ſhould be inclined to refer the reader to the forementioned excellent Hiſtory of the Reformation of England, univerſally known, and to which it is difficult to make any additions; but it would not be reaſonable to oblige the readers to remember what they have there met with, or to reiterate the peruſal. Wherefore I ſhall chuſe, in purſuing the thread of my hiſtory, to inlarge on this event, which is as the hinge whereon do turn numberleſs other matters, which that worthy author had occaſion only to mention, but which I muſt more fully explain, becauſe our ends are different. His aim, in ſpeaking of Henry VIII's affairs with the Pope, Emperor, and King of France, was to illuſtrate the Hiſtory of the Reformation, and mine is not to meddle with religious affairs any farther than they relate to the other occurrences of this reign.

Henry had been married eighteen years to Catherine of Aragon, and by her had three children, whereof one was living, when he formed the deſign of her repudiation. He alledged, as the principal reaſon, his ſcruples for marrying his brother's widow: but, as many pretend that theſe ſcruples troubled him not 'till he was in love with Ann Boleyn, one of his Queen's maids of honor, it is infered, that his doubts concerning the validity of his marriage ſprang from this new paſſion, and without that would not have exiſted (1): accordingly,

Henry determines on divorcing Queen Catherine. Hall. Stow. Hollingſh. Herbert. Burnet.

Begining of Henry's divorce.

(1) It was at firſt reported, that King Henry was to marry Margaret ducheſs dowager of Alenſon, and that Thomas Boleyn viſcount Rochford, had brought over her picture with him, when he returned from his embaſſy to France. Hollingſh. p. 897. Pol. Virg. l. 27.

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It is not poſſible to know whether Henry's love was the cauſe of his divorce.

ingly, ſome labor to ſhew his divorce had no other foundation than his paſſion for that lady. Others again indeavor to prove, that his love and his ſcruples were independent of each other. For my part, I ſhould have thought it needleſs to accuſe or juſtify Henry, with regard to the concerns of religion, if there had not been ſome neceſſity to illuſtrate this matter with reſpect to the hiſtory: by illuſtrating I mean ſhewing the impoſſibility of giving a certain judgment about it. But before all things, it is neceſſary to deſcribe the perſon, who, as is pretended, was the prime cauſe of this King's divorce, and of all the conſequences thereof.

Account of Ann Boleyn. Burnet's Ref. Vol. I. p. 43. Herbert.

* Elizabeth Howard.

Ann Boleyn was of a good, tho' not of a noble family. Sir Thomas Boleyn her father, married a ſiſter of the duke of Norfolk *, and had by her Ann, born, as Camden ſays, in 1507, about two years before Henry's acceſſion to the crown. Her father was twice embaſſador to France, firſt in 1515, and again in 1527. He was made viſcount Rochford in 1525, and afterwards earl of Wiltſhire and Ormond (1). Ann his daughter, being but ſeven years old, was carried into France in 1514, when Mary the King's ſiſter went over to conſummate her marriage, at Abbeville, with Lewis XII. That Queen being ſoon after re-married to the duke of Suffolk, and returning into England, Ann Boleyn was left in France. It is by ſome aſſerted, that ſhe then entered into the ſervice of Francis I's Queen, tho' ſhe was but eight years old; but it is not ſaid in what quality: it is certain, a child of her age was not capable of doing much ſervice; ſo it may be preſumed her beauty, ſprightlineſs, or her lively wit, made Queen Claude deſirous ſhe ſhould be about her. Camden affirms, ſhe retained her in her ſervice to the day of her death, which happened in July 1524, and intimates not her paſſing into England during that whole interval: but Du Tillet and Du Pleix, French writers, pretend ſhe came over in 1522. Lord Herbert ſays the ſame thing, but, without citing any particular author, contents himſelf with ſaying, It appears in hiſtory. Camden aſſures us, Ann remained in France, not only 'till Queen Claude's death, but that, after ſhe had loſt her miſtreſs, ſhe was retained by the ducheſs of Alenſon, Francis's ſiſter; however, he ſays not when ſhe quited that ſervice. Others affirm, ſir Thomas Boleyn brought his daughter to England when he returned from his embaſſy. His embaſſy of 1515 cannot be here underſtood, ſince it is unanimouſly agreed, that Ann was in Queen Claude's ſervice after Queen Mary's departure, and continued ſeveral years in the court of France. It muſt therefore be his embaſſy of 1527. But, according to appearances, Boleyn was not ſent to France 'till September 1527, ſince his ſole commiſſion was to ſee the treaty of the thirtieth of April, of the ſame year, ſworn to, which Francis had not ratified ſooner than the eighteenth of Auguſt, as appears in Rymer's collection. But as, before his departure, the affair of the divorce was already commenced, it may be affirmed, the King's love for his daughter was later than his reſolution concerning the divorce, if it be true that Ann returned to England with her father, about the end of the year 1527. Indeed it may be objected, that two French hiſtorians aſſert, Ann's paſſing over to England in 1522, and that it was then the King fell in love with her. But it may be replied, firſt, that it is very ſtrange, theſe two authors, who wrote long after the fact, ſhould meet with memoirs of the voyage of one of the Queen's maids of honor, and the more as they cite nothing to ſupport their aſſertion. Secondly, ſuppoſing it were ſo, they ſay not that Ann ſtayed in England. Conſequently they deſtroy not Camden's teſtimony, who affirms, Ann ſerved Queen Claude 'till 1524, and afterwards the ducheſs of Alenſon. But if it be true, that Ann took a journey into England in 1522, and the King then fell in love with her, it cannot be ſuppoſed ſhe returned to France, becauſe the rupture between the two crowns happening that year, it is not likely that in war-time this Engliſh gentlewoman ſhould go over to ſerve a Queen of France: beſide, if the King was then inamored of Ann, would he have ſuffered her to leave the kingdom? Camden therefore, or the two French hiſtorians muſt have been miſtaken. This is a difficulty not eaſy to be ſolved.

Uncertainty about Ann Boleyn's return to England. Burnet.

Vol. XIV. p. 218.

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Camden. Burnet.

But there is one thing which paſſes for real fact: namely, that Ann Boleyn, being twenty years old, was taken into Queen Catherine's ſervice, as maid of honor. Now this muſt have been in 1527, ſince ſhe was born in 1507. Accordingly, this is the time to which the origin of the King's love may moſt properly be fixed. But ſtill this is only a conjecture, which, were it well grounded, would be a ſufficient proof, that Henry's divorce was not the effect of his paſſion, ſince it was reſolved before the end of the year 1526. My aim in this inquiry is to ſhew, that the time of Ann Boleyn's return into England is very uncertain, and the begining of the King's affection no leſs ſo. How then can it be ſo boldly affirmed, as it is by ſome, that love for Ann Boleyn inſpired the King with the thoughts of annulling his marriage with Catherine? We muſt now examine, whether it be eaſier to diſcover the time when Henry determined on ſuing for his divorce.

At what time Henry reſolved to ſue for his divorce. Burnet Hiſt. Ref. Vol. I. p. 36. Speed, p. 762.

When Henry VII concluded his ſon's marriage with Catherine, Prince Arthur's widow, archbiſhop Warham frankly told him, "Since it was repugnant to God's law, the Pope's diſpenſation could not be of any validity." The King undoubtedly was touched with this remonſtrance. On the very day when his ſon Prince Henry entered his fourteenth year, he cauſed him to make againſt his marriage a ſecret proteſtation, tho' before truſty witneſſes, declaring, he was conſtrained to give his conſent. After that, the King on his death-bed ſtrictly injoined Prince Henry not to conſummate his marriage with Catherine. Notwithſtanding all this, Henry VIII, acceding to the crown, eſpouſed the Princeſs contrary to Warham's ſentiment, to which he prefered that of the biſhop of Wincheſter. He had by her three children (2), two ſons and a daughter, of whom the ſons died ſoon after their birth. He afterwards affirmed, that he conſidered the immature death of his two ſons as God's curſe on his marriage, eſpecially when he found the Queen had done breeding. It happened afterwards that Charles V, who was affianced to Princeſs Mary, refuſed to marry her, on the Spainiſh council's queſtioning that Princeſs's legitimacy. Afterwards, when a marriage was treating between Mary and King Francis, or the duke of Orleans, the biſhop of Tarbe, Francis's embaſſador, made the ſame objection, maintaining, that the Princeſs could not be deemed born in legal matrimony, notwithſtanding Julius II's diſpenſation.

Hall. Burnet.

All this was more than ſufficient to raiſe ſcruples in the King's mind concerning his marriage: but tho', in a full aſſembly of peers which he afterwards called to inform them of his reaſons for a divorce, he affirmed, the biſhop of Tarbe's objection inſpired him with the firſt thoughts of inquiring into the matter, it nevertheleſs appears, that his ſcruples took

(1) His mother was Margaret, one of the daughters and co-heirs of Thomas Boteler earl of Wiltſhire and Ormond. His father was ſir William, and his grandfather ſir Geoffrey Boleyn, or Bulleyn, lord mayor of London in 1458, who married Ann eldeſt daughter and co-heir of Thomas lord Hoo and Haſtings. Dugd. Bar. Vol. II. p. 306. Camden.

(2) She had beſide ſeveral miſcarriages. Burnet, Vol. I. p. 36.

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rise earlier: for in a letter afterwards to Grynæus, he told him, he had abstained from the Queen ever since the year 1524.

But supposing it could be discovered at what time Henry began, either of himself, or by the suggestion of others, to be troubled with these scruples, it would signify nothing with respect to his resolution concerning the divorce, which, in all appearance, was taken much later. Polydore Virgil says, Longland bishop of Lincoln, the King's confessor, labored to persuade him of the necessity of the divorce by cardinal Wolsey's order, but mentions not the time. All the historians affirm, King Henry had himself recourse to the works of Thomas Aquinas, to clear his doubts, and caused the bishops to be consulted on that head: but none of them say at what time this was done. It is well known, secretary Knight was dispatched to Rome about this affair in July 1527, but then the rumor of the King's meditating a divorce had already reached the court of Spain, as appears by Wolsey's letter to the King from Abbeville (1). It is also very probable, that before Wolsey ingaged in this affair, Henry had consulted him about it some time before. It is scarce to be supposed a resolution of this nature can be taken lightly, or when taken, immediately executed, without thoroughly weighing the difficulties, or waiting a favorable juncture. Henry said himself, that the bishop of Tarbe bred the thought of annulling his marriage: but if it be true, as some affirm, that the bishop spoke only as directed by cardinal Wolsey, it may be presumed, the project of this divorce was formed some time before, and that embassador made to speak, purely to gain a pretext to commence the affair: nay, this is what seems to me extremely probable. Indeed it is not likely the embassador, after thus questioning Mary's legitimacy, would have concluded a marriage for the King his master, or for the duke of Orleans, with that Princess, had he not acted in concert with the court of England. These then are my thoughts, which I submit to the reader's judgment.

Burnet.

Ibid. Herbert.

Conjecture on this subject.

Ever since Francis was restored to his liberty, he had never ceased pressing Henry to join with him in a league offensive against the Emperor: but Henry had constantly excused himself, without even suffering him to entertain the least hopes in that respect. However, lord Herbert says that, about the close of 1526, Henry, of his own accord, sent an embassador to France to propose this league so eagerly desired by Francis, and to offer him his daughter Mary in marriage. This procedure gives room to believe, he had already resolved on the divorce, and foreseeing how much Charles would oppose it, intended so to imbaras him as to oblige him to court his friendship. On this supposition it may naturally be conjectured, that he proposed the marriage of his daughter with the King of France, purely to convince the Emperor, that he really designed to be strictly united with France: but it is at the same time very probable, that he informed Francis of a main obstacle which would occur in the execution of this imaginary project, namely, the divorce of the Princess's mother, which he was meditating: first, this conjecture is confirmed by the coldness wherewith these two Monarchs treated of the marriage; Henry left it to the King of France's choice, to have Mary himself, or to leave her to his second son, as if this alternative were the same thing: secondly, when Francis declared he would leave Mary to the duke of Orleans, the treating more fully concerning the marriage was defered to another time: thirdly, in the treaty Francis and the cardinal concluded at Abbeville, they took care to insert this clause: "that tho' the "marriage should not be effected, the treaty how-"ever should subsist." In fine, tho' Knight was now at Rome, or on his way thither, when the treaty of Abbeville was concluded, it appears not that Francis ever complained to Henry, of his having offered him a Princess whom he was laboring to bastardize, in prosecuting his divorce with the Queen her mother: on the contrary, he assisted him to the utmost of his power to obtain his desires: but he must have looked on the offer as a glaring insult, had they not understood each other. If this conjecture has any foundation, it may be infered, that the resolution concerning this divorce was at least taken about the end of 1526, tho' the execution was defered 'till the middle of the next year: but, in that case, it would therefore be true, that the King had resolved on the divorce before his passion for Ann Boleyn, who, in all probability, returned not into England sooner than October 1527.

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From what has been said it may be gathered that, to affirm, with any probability, that Henry's passion for Ann Boleyn was the cause of his divorce from Catherine, these queries must be decided in favor of that opinion. At what time did Ann Boleyn return into England? When did the King's love for her first begin? When was it that he came to a resolution concerning his divorce? But on all these questions, conjectures only, as I have observed, can properly be formed. Thus much is certain, that between Henry's determination about his divorce, and the commencement of his love, was no great distance of time. There we must stop. But it is going too far to ground, on this proximity of time, that Henry took in hand the prosecution of his divorce from Catherine, purposely to marry Ann Boleyn. I farther say, that even were there no difficulty at all concerning the times, yet, with regard to what passed in the King's breast, it would be only conjecture.

I have somewhat inlarged on this point, because the illustrious author of the history of the reformation seems to leave it in some obscurity. Beside, I thought it requisite to curb the over-confident, by informing the readers of what is true, and what doubtful in the matter. We see it in many histories, and hear it every day positively affirmed, as if not to be contested, that Henry's love for Ann Boleyn was the sole cause of his divorce from Catherine of Aragon, tho', as I have evidenced, it can only be said by conjecture; nor does the very conjecture countenance that notion: not that Henry VIII is to be considered as a Prince incapable of being so far misled by such a passion, as to sacrifice Catherine of Aragon to Ann Boleyn. Why should he be more scrupulous with respect to Catherine, than he was with regard to Ann herself, whom he made no difficulty to sacrifice to a third wife, as will be seen hereafter. He was a Prince of a fiery, impetuous disposition, who could not bear the least contradiction. The flatteries of his subjects, and the extravagant praises continually bestowed on him by the Sovereigns who stood in need of him, had possessed him with such a conceit of his own merit, that he imagined his actions ought to have been the standard of good sense, reason, and justice. When therefore it is said, his love for Ann Boleyn caused him eagerly to push the affair of his divorce, of which otherwise the difficulties would perhaps have discouraged him, nothing is affirmed repugnant to his character: only care must be taken, not to assert for incontestable truth, what is no other than a bare surmise.

(1) Dated August 1, 1527. See Herbert, p. 84.

However this be, without dwelling longer on the King's ſecret motives, or attempting to penetrate into his thoughts, which lye concealed from human eyes, let us content ourſelves with what he himſelf publiſhed. In the firſt place, he ſaid, He was troubled in conſcience for his marriage with Catherine; and, in reality, he had but too much reaſon; the wonder is, that he had not theſe ſcruples ſooner. He had married his brother's widow, and found ſuch matches prohibited by the Levitical law. It is true, he had the Pontif's diſpenſation; but he could not be ignorant, that many learned divines were of opinion, that the Pope could not diſpenſe with the laws divine. This was ſufficient to give him very juſt ſcruples. As ſoon as theſe doubts had poſſeſſed him, he was willing to clear them, and found in Thomas Aquinas what he had perhaps inattentively read many times: firſt, that the Levitical laws are moral and eternal: ſecondly, that the Pope cannot diſpenſe with the laws of God, becauſe to diſpenſe with a law, one muſt be ſuperior * to the legiſlator. This deciſion of a divine, for whom he had the greateſt eſteem, confirming his ſcruples, he deſired archbiſhop Warham, who had formerly declared againſt the marriage, to conſult the biſhops of England on this ſubject. Some affirm, that Longland his confeſſor cheriſhed his doubts, by the private orders of cardinal Wolſey; which is not improbable. The Queen was aunt of the Emperor, with whom Wolſey had no great reaſon to be pleaſed: beſide, the favorite loved not the Queen herſelf, becauſe ſhe could not help ſhewing how much ſhe was offended, that a biſhop, a cardinal, a legate of the Holy See, ſhould lead ſo ſcandalous a life. Howſoever this was, ſoon after the archbiſhop preſented to the King a writing, under the hands and ſeals of all the biſhops, wherein they condemned his marriage as contrary to common decency, and the law of God. Only Fiſher biſhop of Rocheſter refuſing to ſet his hand, it is ſaid the archbiſhop made another write his name unknown to him (1). Nor were the prelates the only perſons of this ſentiment. Since the appearance of Luther's works, many people in England were diſabuſed, and had no longer that high conceit of the Pontifical power. As therefore the validity of the King's marriage was wholly founded on Julius II's diſpenſation, it was publicly canvaſſed, whether the diſpenſation could authoriſe a marriage ſo notoriouſly repugnant to the law of God: nay, many who were, otherwiſe, ſtrongly attached to the Roman court, could not reliſh the doctrine of the Pope's diſpenſing with the divine laws. All which conſpired either to breed or confirm the King's ſcruples.

Motives of the divorce alledged by Henry. Burnet.

He labors to inform himſelf concerning his ſcruples. Burnet.

* Or at leaſt his equal.

Wolſey helps to cheriſh his doubts. Pol. Virg. Burnet. Hall. Stow.

The biſhops condemn his marriage with Catherine. Cavendiſh. Burnet.

The people are of the ſame mind. Herbert.

But it was not only ſcruples of conſcience which Henry alledged to juſtify his deſign. He pretended, "That even were he quite regardleſs of his ſalvation, or able to overcome his ſcruples, the good of his people required his laboring to prevent a moſt pernicious inconvenience, eaſy to be foreſeen. He had but one daughter, and, to all appearance, ſhould not have any more children, if his mariage were not annulled. If therefore, after his deceaſe, the validity of his marriage with Catherine ſhould come to be queſtioned, he foreſaw England would again be involved, on account of the ſucceſſion, in troubles from whence ſhe was but juſt delivered. Mary his daughter, the King of Scotland his nephew, and the dowager Queen of France, could equally pretend to the crown, on very plauſible reaſons. Mary could alledge the Pope's diſpenſation againſt ſuch as ſhould charge her with her being born of a marriage not lawful. The King of Scotland, who was next heir after her, could aſſert the diſpenſation not to be valid. His ſiſter, the dowager of France, could alledge, that the firſt was illegitimate, and the ſecond a foreigner. Theſe different claims might eaſily kindle a civil war in England, where it was but too viſible that each would find adherents, not to mention the foreign aids wherewith they might be ſupported." Henry therefore imagined there was but one method to avert this imminent peril; namely, by annulling his marriage, and taking another wife, by whom, with God's bleſſing, he might have ſons. He to whom the ſecrets of all hearts are open, can only know of a certainty, whether this thought was inſtilled into him by the danger he foreſaw, by his averſion to the Queen, or by his love for Ann Boleyn: but howſoever this might have been, independently of the ſeveral motives aſcribed to him, it is certain, there was great danger of the kingdom's being one day expoſed to a civil war, if the King always continued in his preſent ſtate, and he ſaw no other way to quit it than by diſſolving his marriage. It is true, he foreſaw great oppoſition from the Emperor, Queen Catherine's nephew, who was then very powerful. But on the other hand, as that Monarch had himſelf ſhewn on this occaſion ſcruples which hindered him from eſpouſing Mary, Henry hoped he would not obſtinately maintain what he had himſelf queſtioned: beſide, the juncture ſeemed very favorable for his purpoſe. The Pope, who was priſoner in caſtle St. Angelo, ſeemed to have no other reſſource to be reſtored to his former ſtate, than the aſſiſtance of France and England, and Henry did not queſtion that Francis, who ſtood in need of him, would promote his proceedings to the utmoſt of his power. As to the reſt, he never doubted obtaining the Pope's authority, reckoning that Clement VII could revoke a diſpenſation granted by Julius II. Nay, cardinal Wolſey warranted the ſucceſs of that affair; whether he had already gained his Holineſs, or imagined that Clement, in his then circumſtances, durſt not deny the King any requeſt: ſo it was reſolved the ſuit ſhould be moved in the court of Rome, in order to get the marriage annulled.

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Reaſons of ſtate alledged by the King. Burnet.

Reaſons which gave him hopes of ſucceeding. Burnet.

The beſt reaſon could be alledged was, that Julius's diſpenſation was contrary to divine law, and that alone ought to have been ſufficient. But it would have been imprudent to begin with diſputing the prerogative of the Roman Pontifs, when a favor was to be aſked at the Roman court. Recourſe therefore was to be had to another expedient, which was to find nullities in Julius's bull, and ſhew it was procured by falſe ſurmiſes, and untrue ſuggeſtions, which rendered the bull revocable, even according to all rules of the court of the Rota (2). And this was not very difficult. The bull was grounded on Henry's and Catherine's requeſt, ſetting forth, that their marriage was neceſſary to preſerve peace between England and Spain: and here were found two reaſons for revoking the bull. The firſt, that Henry, being then only twelve years old, could not be deemed to have any political views; whence it was infered, that the requeſt was not his own. The ſecond, that the ſuggeſtion was falſe, ſince, as matters then ſtood between Spain and England, the marriage was not at all neceſſary for the preſervation of peace between the two crowns, and conſequently Julius II had been ſurpriſed. Another nullity was found, as the bull having no other foundation than the maintenance of peace and union between Henry VII and the King and Queen of Spain, this reaſon

Reaſons to be laid before the Pope. Burnet.

Nullities in Julius's bull.

(1) This particular is not very certain. See Burnet's Ref. Vol. III. p. 38. It was ſigned July 1, by Warham, Tunſtal, Fiſher, and the biſhops of Carliſle, Ely, St. Aſaph, Lincoln, and Bath.

(2) It is a maxim in law, that if the Pope be ſurpriſed in any thing, and bulls be procured upon falſe ſuggeſtions and untrue ſurmiſes, they may be annulled afterwards. Burnet, Vol. I. p. 40.

ceaſed

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ceaſed when the marriage was conſummated, ſince Henry VII and Iſabella were now dead. Laſtly, it was alledged, that Henry VIII, having proteſted againſt his marriage before conſummation, thereby renounced the liberty granted him by the bull, and therefore another bull was neceſſary to render the marriage valid; but all theſe reaſons were produced only to afford the Pope a pretenſe to revoke Julius's diſpenſation: for, if the contrariety of the diſpenſation to divine law was not the real foundation of ſuing for the divorce, nothing would have been eaſier for his Holineſs, than to have quieted the King's conſcience by confirming, in a new bull, whatever had been done in this affair by his ſaid predeceſſor.

Knight is ſent to Rome about the divorce. Herbert. Burnet.

Mean while, as the Pontif's then ſituation left no room to doubt of his compliance, the King diſpatched away to Rome doctor Knight, ſecretary of ſtate, to deſire his Sanctity to ſign four inſtruments drawn in England. The firſt was a commiſſion to cardinal Wolſey, to try and decide the affair with ſome Engliſh biſhops. The ſecond was a bull decretal, declaring the King's marriage with Catherine void, becauſe Arthur's with the ſame Princeſs was conſummated. By the third, the Pope granted the King a diſpenſation to marry another wife. By the fourth he promiſed never to repeal any of the three foregoing acts.

He gets a memorial delivered to the Pope. Burnet. Herbert.

Knight departed England in July, about the time when cardinal Wolſey began his Journey to confer with the King of France (1). But as the Pope was priſoner, and guarded by a Spaniſh captain, it was abſolutely impracticable for the Engliſh envoy to obtain audience. He however found means to convey to him a memorial (2), containing the ſum of his commiſſion, to which Clement returned a favorable anſwer. He made believe he would grant whatever the King deſired, tho' the Emperor had already, by the general of the Franciſcans, deſired him not to take any ſtep in that affair, without communicating it to his miniſters. By the way, this ſhews Henry had reſolved long before to ſue for his divorce, ſince the Emperor had time to hear of it, and thus to precaution Pope Clement. As there was not any poſſibility of Knight's treating perſonally with his Sanctity, the buſineſs was then carried no farther. At length, the news of Clement's approaching releaſe having reached England, cardinal Wolſey wrote to ſir Gregory Caſſali (3) the King's ordinary embaſſador at Rome, ordering him to join with Knight, and preſs his Holineſs to grant the King's requeſt. This letter was worded in very ſtrong terms, and evidenced his ſaid eminence's deſire that the divorce ſhould be effected. It was dated the fifth of December 1527, the cardinal not yet informed of Clement's having made his eſcape the ninth of the ſame month (4).

Wolſey's letter to Caſſali. Burnet.

Knight and Caſſali diſcourſe with the Pope; Burnet.

Clement being retired to Orvieto, Knight (5) repaired thither and diſcourſed him on the buſineſs. The Pope owned he had received his memorial, and promiſed again to do whatever lay in his power for the King's ſatisfaction; but intreated him not to be too haſty. Such was his then ſituation, that as yet he knew not whether he ſhould want the King of England, or whether the Emperor would accommodate matters with him: wherefore he deſired to gain time, in order to proceed as ſhould beſt ſuit with his intereſt; but for that very reaſon, and becauſe the King's orders were urgent and poſitive, Knight would not delay his negociation. He earneſtly preſſed his Holineſs, who finally ingaged to ſign the acts, on condition no uſe ſhould be made of them 'till the Germans and Spaniards were departed Italy. Knight willingly accepted of the condition, imagining, when the inſtruments ready ſigned were in the King's hand, he would uſe them when he judged proper: but Clement was not eaſily to be deceived. While he feigned to have no other view than to ſatisfy the King, he was only contriving to gain time, being ready to ſacrifice him if he found it for his advantage; and therefore he put in practiſe his whole fund of artifice to prolong the affair, by means unſuſpected by Henry. To this end, he told Knight that, before the inſtruments were executed, he ſhould be glad to have a conference with cardinal Sanctorum Quatuor.

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He promiſes to do what the King deſires.

But he finds means to delay performance. Herbert. Burnet.

The Pope having thus ingaged, Knight and Caſſali fancied they had no more to do, than to prepoſſeſs in their maſter's favor the cardinal whom his Sanctity intended to conſult. They were at no great pains to ſucceed, ſince, beſide ten thouſand ducats they had in hand, wherewith to reward ſuch as ſhould do them ſervice, they were impowered to make what farther promiſes they ſhould think fit, in King Henry's name. The cardinal examining the inſtruments ſent from England, found very great faults, particularly in the legate's commiſſion, and took upon him to draw one more perfect; which done, Knight and Caſſali waited on the Pope, and preſſed him to ſign. He did not abſolutely refuſe, but ſaid, "The Emperor having required "him not to act in that buſineſs without imparting "it to him, it was neceſſary to find ſome expedi"ent to excuſe ſo haſty a proceeding: that there"fore it would be proper to get Lautrec to march "towards Orvieto, and preſs him in his maſter's "name to give the King of England ſatisfaction." Lautrec being then at Bologna, to get him to march to Orvieto there would have been occaſion for orders from the court of France, which would have taken up much time. Wherefore Henry's agents rejected the expedient, their aim being to finiſh the affair before it came to the Emperor's knowledge. At length Clement, finding himſelf extremely preſſed, delivered to them the commiſſion for cardinal Wolſey, with the bull of diſpenſation for the King (6), and promiſed to ſend into England the bull decretal to null the marriage (7). But the artifice here uſed by that Pontif was what poſſibly the Engliſh agents did not ſufficiently conſider. He dated theſe two inſtruments from the time of his being priſoner in caſtle St. Angelo: ſo, when the King had them in his power, he thought not proper to make uſe of them, leſt it ſhould be objected, that the Pope had granted them only with deſign to obtain his liberty by the aſſiſtance he expected from England: beſide, all acts executed by a priſoner may be deemed void, whereof the treaty of Madrid was a late inſtance. Thus, how urgent ſoever King Henry was to terminate the affair, he found at the cloſe of the year 1527, that he had not yet made the leaſt progreſs.

Burnet, p. 48.

The Pope's artifice to gain time. Burnet.

An' 1528. Clement reſolves to keep fair with the Emperor.

Clement VII had time, during his captivity, ſeriouſly to reflect on his former conduct, which had

(1) Knight had orders to adviſe with the cardinal, by the way. Herbert, p. 99.

(2) By corrupting ſome of his guards. Burnet, Vol. I. p. 47.

(3) The family of the Caſſali being three brothers, were entertained by the King as his agents in Italy, at Rome, Venice, and other places. Ibid. p. 45.

(4) The letter is dated the fifth of December, and not the twenty-fifth as M. Rapin ſays by miſtake; the original is yet extant in the Cotton. Libr. Vitel. B. 9. See Burnet's Collection, N. 31. B. II. Vol. I.

(5) About the end of December. Ibid. p. 47.

(6) But he begged with many ſighs and tears, that the King would not precipitate things, or expoſe him to be undone, by begining any proceſs upon the bull. Burnet, Vol. I. p. 48.

(7) The cardinal Sanctorum quatuor got of the Engliſh embaſſadors four thouſand crowns for a reward for his good ſervice. Ib.

been

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been very unſucceſsful, becauſe he had ſwerved from the maxims of his ableſt predeceſſors. He had unadviſedly involved himſelf in a war with the Emperor, whereas Alexander VI, Julius II, and Leo X, after ſowing diſſenſion among the Potentates, left them for the moſt part to decide their quarrels, and then ſided with the ſtrongeſt, or if they ingaged in war, it was generally at the expenſe of others. But for once Clement VII, after draining his treaſure in maintaining a large army, had loſt Florence, Parma, Reggio, Rome itſelf, with the beſt part of the Eccleſiaſtical ſtate, and ſeen himſelf captive and ranſomed: this was ſufficient to make him wiſer, and take a different courſe. As ſoon as the embaſſadors of France, England and Venice ſaw him ſecure at Orvieto from the outrages of the Imperialiſts, they preſſed him to declare againſt the Emperor. They thought if he could not aſſiſt the league with temporal arms, he might at leaſt, by means of his ſpiritual ones, imbroil the common enemy, whom he ſeemed to have no reaſon to regard: but he himſelf conſidered this affair in quite another light. Having learned by ſad experience, that he had been the dupe of his allies, he reſolved to be no longer guided by their intereſted counſels: wherefore, without diſcovering his thoughts, he only told them, "That his joining in the league "would only draw on him freſh miſchiefs, without "procuring them any advantage: that beſide, it "was neceſſary for the benefit of Chriſtendom, "there ſhould be a mediator to labor to procure "peace, and that was all he could do in the ſtate "to which he was reduced." Nevertheleſs, he intimated to them, that he might take other meaſures, if Lautrec approached to oblige the Emperor's troops to abandon Rome. This indeed was his ſole aim to free the Eccleſiaſtical ſtate from that foreign army, in order to be able to act moſt agreeably to his intereſt.

Guicciard.

He refuſes to join in the league.

Lautrec marches towards Naples. Guicciard. Hall.

Lautrec at length departing Bologna, the ninth of January, took the road to Naples, having firſt ſent the Prince of Vaudemont and La Trimouille to the Pope, to preſs him to declare: but Clement found means to excuſe himſelf, without giving a poſitive denial. He ſaw, as I may ſay, all Europe in motion, and was willing to wait the ſucceſs of the war, in order to take juſter meaſures than before; and therefore it was not by any means poſſible to bring him to a declaration: he only made believe that, if Francis and Henry would cauſe Ravenna and Cervia to be reſtored to him, he would join with them. This advantage he would moſt willingly have reaped from their inſtances, without being debared from finding ſome other evaſion to prevent his declaring after the recovery of theſe two places: mean while, he was ſtudying how to treat ſecretly with the Emperor, from whom he had greater expectations than from the allies. Indeed, his chief aim being to reſtore the Medicis family to the government of Florence, he perceived that he could not accompliſh it without the Emperor's concurrence, ſince the allies were concerned to ſupport the Florentines, who were become parties in the league: but it would have been imprudent in him to declare for the Emperor, when that Monarch was weak in Italy, and ſo powerful a body of forces was marching to invade the kingdom of Naples; wherefore it was requiſite for him to wait 'till the event of the war inabled him to reſolve with ſafety. This was the true reaſon which obliged him to uſe ſo many artifices, in order not to diſpleaſe either the Emperor, the King of France, or the King of England. If, inſtead of ſo prepoſterouſly involving himſelf in a war, he had before taken this courſe, he might have ſold his favors at what price he pleaſed: at leaſt, he would not have had the mortification of being a priſoner, even in Rome itſelf.

Reaſons why Clement would not act againſt the Emperor.

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But tho' his Sanctity refuſed declaring, the Kings of France and England were not the leſs eager in the purſuits of their projects. On the twenty-firſt of January 1528, their embaſſadors in Spain demanded the Emperor's leave to retire, and next day Clarenceux and Guienne, heralds, one of England, the other of France, proclaimed war againſt him. This was done with great ſolemnity, the Emperor being ſeated on his throne, and attended by all his grandees. He anſwered each in particular, but in a ſtile very different. Speaking to the Engliſh herald, he made uſe of civil and honorable terms, denoting, it not to be at all pleaſing to him that the King his maſter ſhould be his enemy. He complained however, that Henry had uſed him ill, in deſigning to give him in marriage a Princeſs whom he propoſed to baſtardize, ſince he was ſuing to be divorced from the Queen her mother: but he threw all the blame on the boundleſs ambition of cardinal Wolſey. He ſaid, the cardinal would have obliged him to imploy his arms in Italy to make him Pope, and thought himſelf injured, becauſe he would not, on his account, diſturb the peace of Chriſtendom. As for the ſums, of which Henry demanded payment, he denied he had ever refuſed diſcharging thoſe debts: but added, that the Engliſh embaſſadors not having brought with them the original obligations, nor even a power to give him a diſcharge, Henry was in the wrong to complain. As to the indemnity he demanded, he knew the King of France had taken it upon him in the treaty of Madrid. As for the penalty of five hundred thouſand crowns, in caſe he refuſed to marry Princeſs Mary, he replied, it was not his fault: that he had demanded her of the King her father, by embaſſadors ſent purpoſely, and that Henry had refuſed to ſend her: that beſide, before that time Henry had offered her to the King of Scotland: and finally, that he could not lawfully claim that ſum, before he had proved that he had himſelf performed all the articles of the treaty of Windſor. Such was Charles's reply to the declaration of war made by Henry's herald. In his anſwer to the French herald, he ſpoke not with ſo much regard and caution. He plainly accuſed Francis of breach of faith, and charged the herald to put him in mind of the meſſage he ſent him by the archbiſhop of Bourdeaux, his embaſſador, that it would be better for them to decide their quarrel by ſingle combat; but that he had not received any anſwer. Seemingly, the embaſſador had not thought fit to deliver that meſſage to Francis, ſince he appeared extremely ſurpriſed when he heard it from the herald's mouth. In a few days, he ſent the ſame herald to the Emperor, with a challenge under his own hand, wherein he gave him the lie in form, and required him to Aſſure him the Field to fight hand to hand: the challenge was dated March 18, 1528. Charles returned his anſwer by one of his heralds, who was charged to tell him by word of mouth very diſagreeable things. The herald coming to Paris, could not obtain leave without great difficulty, to put on (1) his coat of arms when he entered the city. The King expected him on his throne, ſurrounded with a great number of Princes and nobility: but he had ſcarce begun his harangue when the King interrupted him, and demanded whether he had brought the Security of the Field. The herald deſired leave to proceed with what he had to ſay from the Emperor; the

Francis and Henry proclaim war againſt the Emperor. Hall. Guicciard. Hollingſh. Herbert. P. Daniel.

The Emperor's anſwer. Hollingſh.

P. Daniel. Hall.

Hollingſh. Herbert.

P. Daniel. Herbert, Hollingſh.

Herbert.

(1) Or rather to wear it. He put it on as ſoon as he came into the French territories. Herbert, p. 94.

King

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King refuſed to hear him, ſaying, he had required only the Security of the Field, and that all the reſt was to no purpoſe. Thus ended this affair, which had already made great noiſe. The two Monarchs gave public tokens of their courage, by their mutual challenges, and yet no great labor was required to prevent them from deciding their quarrel in a manner ſo little practiſed among ſuch great Princes.

Bold act of Wolſey, which drew on him the King's anger. Herbert. Hall.

Hugo de Mendoza, the Emperor's embaſſador at London, hearing what had paſſed in Spain, would have retired; but cardinal Wolſey (1) ſent him word, that Clarenceux had exceeded his inſtructions in proclaiming war againſt the Emperor, and ſhould be puniſhed at his return: whereupon the embaſſador diſpatched away a courier to inform Charles of what the cardinal had ſaid. Clarenceux, who was ſtill in Spain, ſurpriſed that he ſhould be made accountable for what he had expreſs orders, demanded and obtained a genuine and authentic copy of the embaſſador's letter (2) On his arrival in England, he waited on the King, before he ſpake with Wolſey, and ſhewed him the letter, with three others, writ with the cardinal's own hand, whereby he gave him poſitive orders to declare war againſt the Emperor. Henry, aſtoniſhed at this preſumption of his miniſter, fell into a violent paſſion with him before the whole court: nay, he would perhaps have utterly diſgraced him, had he not been withheld by the conſideration of the divorce-buſineſs, wherein without him he could not proceed. He nevertheleſs cauſed him to undergo a terrible mortification, by having this affair examined in council. This inquiry would doubtleſs have been fatal to that miniſter, had Henry thought fit to purſue it; but he was contented with the cardinal's proteſtation, that he believed to have acted agreeably to his Majeſty's intentions.

Wolſey aſſembles the grandees, and attempts juſtifying the war againſt Charles. Hall.

Charles's anſwer to Clarenceux being, by the Spaniſh embaſſador's means, publiſhed in England, the cardinal was afraid it would create no good effects among the people, conſidering the weakneſs of the motives alledged by King Henry for undertaking the war. For this reaſon he aſſembled, in the Star-chamber (3), all the great lords then at court (4), to whom he made a ſpeech, agravating, as far as poſſible, the injuries his Majeſty had received from the Emperor, and his reaſons to ſeek reparation by dint of ſword: but, ſpite of all his plauſible inſinuations, nay, tho' outwardly all applauded him, what Charles had told the herald, viz. that this war was occaſioned by the cardinal's private diſcontent, made deeper impreſſion than any arguments his eminence could alledge (5). The people openly exclaimed againſt a war which threatened the kingdom's utter ruin, purely to gratify the favorite's paſſions; nay, ſome went farther than murmurs. As the Netherland commerce was quite at a ſtand by the declaration of war, and the merchants would no longer purchaſe cloths which they could not vend, the clothiers roſe in arms (6). Hereupon the cardinal ordered the merchants to buy up cloths as uſual, threatening in caſe of refuſal to make the purchaſe himſelf, and ſell them to foreigners: but they made a jeſt of this menace, and continued obſtinate; being determined againſt expoſing themſelves to inevitable loſſes merely thro' complaiſance to the favorite miniſter. An embaſſy from the governeſs of the Netherlands to King Henry, while theſe matters were in agitation, freed Wolſey from his imbaraſſment. The embaſſadors acquainting him, that if the King pleaſed to conſent to a truce with the Netherlands, for the mutual benefit of trade, the governeſs would readily join in it; and this overture being debated in council, it was reſolved, notwithſtanding the French embaſſador's oppoſition, to agree to a truce for eight months; which was ſigned the eighth of June.

The people murmur. Hall.

Mutiny of the clothiers. Hall.

Wolſey in vain menaces the merchants

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Embaſſy from Flanders. Hall. Herbert.

Truce between England and the Netherlands. Rym. Fœd. Vol. XIV. p. 288. Hall. Hollingſh.

While this paſſed in England, the affairs of Italy were in ſuch a ſituation as gave Francis room to expect Lautrec's expedition in the kingdom of Naples would be crowned with ſucceſs; tho' its concluſion proved quite the reverſe. Lautrec, leaving Bologna the ninth of January, arrived the tenth of February on the confines of Naples, and marching into Abruzzo, poſſeſſed himſelf of that province, and afterwards of part of Apulia. It was not without extreme difficulty that the Prince of Orange prevailed on the Imperialiſts to quit Rome, where, during ten months ſucceſſively, they had exerciſed all imaginable rapine and violence. Nothwithſtanding it was the ſeventeenth of February before their army left Rome, they got the ſtart of Lautrec, who had taken a larger compaſs in order to pick up contributions of money, which he wanted exceedingly, Francis, according to cuſtom, not having ſent him what he promiſed. The Imperialiſts being poſted at Troya, he offered them battle; but, as they thought proper to retreat towards Naples, he purſued his march, and arrived early in May before that capital, which anſwerably to his inſtructions he beſieged. Sixteen French gallies, commanded by Andrea D'Oria, eight others under conduct of Philipino D'Oria his nephew, with twenty-two from Venice, were to block up Naples by ſea, while Lautrec attacked it by land with his army, thirty thouſand ſtrong: but, at his opening the ſiege, he had only Philipino's eight gallies. Thoſe of Venice came very late, and Andrea D'Oria, who was diſſatisfied with King Francis, and had thoughts of entering into the Emperor's ſervice, detained at Genoua the ſixteen gallies under diverſe pretexts. Mean while, a ſea-fight between Philipino and the Imperialiſts (wherein Moncada loſt his life and marquis Del Vaſto his liberty) made Lautrec hope he ſhould reduce Naples by famine, tho' his own camp was deſtitute of all neceſſaries. His hopes were increaſed by the arrival of the twenty-two Venetian gallies, which joined thoſe of Philipino. The buſineſs now was to ſee who could bear famine longeſt, the beſiegers or the beſieged, who were equally in want of proviſions: but the French, beſide ſcarcity, labored under another grievous diſadvantage, a contagious diſtemper making horrible ravage among them, to the inceſſant diminiſhing their number. Finally Andrea D'Oria, having agreed with the Emperor, recalled his nephew Philipino with his eight gallies: and the Venetian gallies being, ſoon after, obliged to depart for the Calabrian coaſts to make proviſion of biſcuit, the beſieged took that opportunity to convey into the city great ſtore of all requiſites, while Lautrec remained in a moſt wretched con-

Hollingſh. Iſſue of the Neapolitan war. Guicciard.

Lautrec beſieges Naples. Guicciard.

Peſtilence in the French army. Guicciard.

(1) Ordered him to be taken into cuſtody, &c. Hall, fol. 171.

(2) As the courier paſſed thro' Bayona, the letter was opened and copied by the governor of that place, who ſhewed it to Clarenceux. Hall, fol. 193. Herbert, p. 90.

(3) February 13. Hall, fol. 171.

(4) All juſtices of the peace and other honeſt perſonages. Ibid.

(5) Hall (fol. 166, 172) ſays that, after the concluſion of his ſpeech, ſome of the hearers knocked one another on the elbow, and ſaid ſoftly, he lieth; others ſaid that, evil will never ſaid well; others ſaid, that the French crowns made him ſpeak evil of the Emperor; but they who knew all ſaid, it was a ſhame to lie in ſuch an audience. The common people were very ſorry that a war ſhould happen with the Emperor, becauſe out of his dominions they had lately been ſupplied with corn, when it was ſo dear in England that it was ſold for twenty-ſix ſhillings and eight-pence a quarter.

(6) Eſpecially in Suffolk. Ibid. fol. 173.

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dition, without either money or other neceſſaries, with a languiſhing army terribly afflicted with the peſtilence. Moſt of his general officers were dead, or ſick, and to compleat the misfortune, he was himſelf ſeized with the plague, which carried him off the ſixteenth of Auguſt (1). The marquis of Saluzzo, who aſſumed the command of that ruinous army, being finally determined on raiſing the ſiege, with great difficulty retired to Averſa, where he was inſtantly inveſted and in few days forced to capitulate, ſurrendering himſelf, with all his chief officers, into the hands of the Imperialiſts. Thus was that fine army wherewith Lautrec ſat down before Naples utterly diſperſed. Moreover, France had lately loſt Genoua, taken by Andrea D'Oria in the Emperor's name, after which, purſuant to his agreement with that Monarch, he reſtored his country to liberty, and eſtabliſhed a government which ſtill ſubſiſts. In this manner, was the countenance of affairs in Italy, which in the begining of this year promiſed ſo fair for Francis, ſo intirely changed, that he had ſcarce any thing left in that country.

Lautrec's death. Guicciard.

The ſiege raiſed and army diſperſed.

D'Oria reſtores Genoua to liberty. Hiſt. de Gen.

The knowledge of what paſſed in Italy this campain will be of no little ſervice to diſcover the motives of Pope Clement's conduct in the buſineſs of King Henry's divorce. That Prince looked on the affair as terminated, when he underſtood his Holineſs had left it to the deciſion of cardinal Wolſey: but when, after much difficulty, he had obtained this commiſſion for the cardinal, with a bull decretal declaring the marriage void, and a diſpenſation to re-marry, he nevertheleſs found juſt nothing at all as yet effected. The commiſſion was dated from caſtle St. Angelo, while the Pope was a priſoner, which rendered it abſolutely null, and conſequently it muſt of neceſſity be renewed. The decretal had no clauſe to prevent the Pope's revoking it if he pleaſed: in ſhort, the diſpenſation was only conditional, in caſe the King's marriage with Catherine ſhould be declared void; beſide, certain reſtrictions were inſerted, leaving the Pope at liberty to repeal it. For inſtance, he granted the diſpenſation, "As far as might be without offending "ing God. Notwithſtanding any prohibitions of "the divine law, or other conſtitutions and ordi-"nances whatever to the contrary, as far as the "authority apoſtolical reached (2)." Henry was not a little concerned at finding he could not uſe theſe bulls, without being liable to be diſturbed: nevertheleſs, in the belief, that all this was owing to inadvertency, he ordered ſir Gregory Caſſali, his embaſſador at Rome, to demand bulls leſs obnoxious to diſpute. Caſſali moved it frequently to his Holineſs, but obtained not any deciſive anſwer: that Pontif, finding himſelf preſſed, told him as a ſecret, that he adviſed the King to proceed and get his marriage annulled, by virtue of the commiſſion given the legate, but with as little noiſe as poſſible, and marry the party he liked. He grounded this advice on its being much eaſier for him to confirm a thing done, than to permit the doing it: he however charged Caſſali, not to let the King know this counſel came from him. Henry looked on this ſuggeſtion as a ſnare laid for him by the Pope. He conſidered, it was not poſſible to have ſuch a cauſe tried without noiſe, ſince it was neceſſary the Queen ſhould be heard, otherwiſe there would be a maniſeſt nullity in the ſentence. In the next place, had he done what he was adviſed to, he muſt have been wholly at the Pope's mercy, who, according to the opinion of the canoniſts, might have refuſed to confirm the legate's ſentence, as well as the conſequent marriage: wherefore, the matter being taken into conſideration, it was judged properer to apply directly to the Pope for new bulls. Purſuant to this reſolution, the King ſent Stephen Gardiner, cardinal Wolſey's ſecretary, and Edward Fox (3), to manage the affair. Their inſtructions were, to demand for the cardinal a new commiſſion, appointing him judge of the cauſe, with powers to null the King's marriage, if he thought convenient, and yet to declare his daughter legitimate, to preſs the Pope to give him a promiſe under his hand, not to revoke the legate's commiſſion; to demand a bull decretal to null the King's marriage, and a diſpenſation to eſpouſe another wife without any reſtriction. In ſhort, the envoys had orders to give his Sanctity to underſtand, that this divorce was not adviſed by the cardinal, and to diſplay the extraordinary merit of the lady whom his Majeſty deſigned to eſpouſe. This was Ann Boleyn, as may eaſily be gueſſed, ſince the King no longer concealed his love for her. It was very requiſite to acquaint his Beatitude, that cardinal Wolſey was not author of that advice whereby King Henry was induced to ſue for a divorce, ſince he was required for judge; and yet the letters he ſent by Gardiner and Fox, and which are in the hiſtory of the reformation, clearly evidence his being paſſionately deſirous the buſineſs ſhould ſucceed. Finally, it appears that the King was ſtill willing to have ſome condeſcenſion for his Queen and her nephew the Emperor, ſince he required that the legate ſhould have powers to declare Mary legitimate: perhaps alſo this was an effect of the affection he bore her.

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Gardiner and Fox ſent to Rome to haſten the bulls. Their inſtructions. Herbert. Burnet. Strype.

Continuation of the divorce buſineſs. Burnet.

Vol. I. p. 52. Collect. p. 28, &c.

The Pope's artifice to amuſe Henry.

When Gardiner and Fox came to Orvieto, Lautrec was advancing towards Naples: but his progreſs was yet ſo inconſiderable, that it was difficult to judge of the ſucceſs of his undertaking, eſpecially as the Imperialiſts were already departed Rome, in order to oppoſe his paſſage; nay, it was likely a battle would inſue; and, as the event was dubious, Clement took care not to incur the Emperor's reſentment, in caſe his arms were victorious. Wherefore, in order to gain time, he wrote Henry a letter in cypher, as if his meaning was to acquaint him with a ſecret, and yet it was not thereby poſſible to diſcover his deſign. This letter not being very welcome, the envoys had orders to inſiſt on their demands: but, at that juncture, the face of affairs was ſomewhat altered. Lautrec had already made conqueſts in the kingdom of Naples, and the Prince of Orange, unable to impede his march, was retired to that metropolis, which, moſt apparently, was on the point of being attacked. It would therefore have been very imprudent to diſoblige Henry, when the King of France his ally was ſo likely to become powerful in Italy. So Clement, being greatly imbaraſſed in ſo nice a juncture, had recourſe to his uſual artifices to gain time. He feigned to deſire nothing ſo ardently as to ſatisfy Henry, tho' he was reſolved in his own mind to do nothing effectual in his favor. His drift was to render himſelf maſter of the divorce affair, and prolong it 'till the events of the war ſhould determine him to content either Charles or Henry. The intereſt of his houſe required that he ſhould manage the Emperor, becauſe it was by his means that he hoped to reſtore the Medici to Florence. That of his See was no leſs important: Henry demanded that he ſhould revoke a diſpenſation granted by a Pope his predeceſſor, on ſuppoſition that the ſaid Pontif had not power to grant it, which is, properly ſpeaking, that he ſhould declare the Roman

The Pope's artful management. Herbert. Guicciard.

His intereſt and projects.

Herbert. under the year 1529.

Henry ſends to demand other bulls. Burnet.

Pope Clement's council to King Henry. Herbert. Burnet.

(1) As the plague raged in Italy, ſo did the ſweating-ſickneſs all this ſummer in England. Hall, fol. 176.
(2) Lord Herbert gives not this bull as authentic, but as very probable. Rapin.
(3) Provoſt of King's college in Cambridge, and the King's Almoner. Gardiner was looked on as the ableſt canoniſt, and Fox as the beſt divine in England. Burnet, Vol. I. p. 52.

Pontifs

Pontifs had hitherto aſſumed a prerogative which belonged not to them. This was a very difficult ſtep to be taken, at a time when great part of Germany had thrown off the Papal domination, and nothing was every where heard but complaints and murmurs againſt the exorbitant power the Pontifs had uſurped: ſo that Clement's real deſign was to amuſe Henry with hopes he would conſent to his divorce, 'till it was in his power to oppoſe it with ſafety: nor is there any occaſion to ſeek for other myſteries in this Pope's conduct, as will be more clearly manifeſted hereafter. As for the arguments and authorities alledged on both ſides, with reſpect to the main point in queſtion, from the holy Scriptures, the fathers, and the canons, they were only ſo many amuſements which were wonderfully ſubſervient to his Sanctity's ſchemes, but which made on him little or no impreſſion.

The Pope gives Wolſey a new commiſſion. Rym. Fœd. Vol. XIV. p. 237, Herbert. Burnet.

Clement VII, being in this diſpoſition, ſcrupled not outwardly to grant King Henry whatever he required. On the thirteenth of April 1528, he ſigned a bull, appointing cardinal Wolſey judge of the cauſe, jointly with the archbiſhop of Canterbury, or any other Engliſh prelate he ſhould think fit to chuſe, and gave him as ample powers as the King deſired. But beſide the above-mentioned inconveniencies in the decretal and diſpenſation, Henry's council found two in Wolſey's new commiſſion. The firſt was, That there was no clauſe to prevent the Pope's revoking it. The ſecond, That to appoint for ſole judge of the cauſe a cardinal devoted to the King, and actually his prime miniſter, would be a manifeſt nullity. Theſe conſiderations obliged Henry to requeſt his Holineſs, that he would join another legate with cardinal Wolſey, and poſitively promiſe not to revoke the commiſſion. As, when this was demanded, Lautrec was already before Naples, and it was not doubted he would become maſter of that city, as well as of the whole kingdom, Clement granted whatever was deſired (1). He appointed therefore, by a bull dated at Orvieto the ſixth of June, Thomas Wolſey cardinal of York, and Lorenzo Campegio, or Campejo, cardinal biſhop of Saliſbury for his legates a latere, giving them the ſame powers he had granted to Wolſey alone, appointing them his vicegerents in this affair of the divorce, and inveſting them with his whole authority (2). He gave likewiſe, the thirteenth of July, the promiſe under his hand deſired by the King: in a word, he delivered to Campejo a decretal, nulling the King's marriage, expreſſed in the very terms which had as it were been dictated to him. It ſeemed Henry could deſire nothing more; but all the artifices of the Roman court were not yet known in England. Clement's ſole deſign was to gain time, in order to ſee the iſſue of the Naples expedition. To that end, he always placed ſome interval between his favors to Henry. Wolſey was appointed ſole judge in the divorce buſineſs the thirteenth of April; Campejo was, in a conſiſtory, declared his aſſociate about the end of that month; but the bull was not drawn 'till the ſixth of June. His promiſe not to revoke the commiſſion was not ſigned before the twenty-third of July. In all appearance, the decretal was not drawn 'till Auguſt, nor did Campejo begin his journey 'till after Lautrec's death, or perhaps after raiſing the ſiege of Naples; that is, when the Pope

Henry deſires the Pope to join another legate with Wolſey.

Another commiſſion for Wolſey and Campejo. Rym. Fœd. Vol XIV. p. 295, 296. Burnet.

The decretal commited to Campejo.

was no longer in dread of France, and it was more neceſſary than ever to manage the Emperor: ſo, it may almoſt be affirmed, that when Campejo departed Rome, the Pope was reſolved not to grant the divorce. It was however requiſite, he ſhould ſtill ſeem willing to ſatisfy Henry, in order not to be delivered to the Emperor's mercy, with whom he was determined to agree, and nothing was more capable to procure him advantageous terms than his ſeeming union with France and England. This was moſt certainly the ſecret of the Pope's policy, and the real motive of all his artifices in this affair. In purſuance therefore of the reſolution he had taken, he gave the following inſtructions to his legate. Firſt, to prolong the affair as much as poſſible. Secondly, not to give ſentence on the divorce before the reception of his commands in writing. Thirdly, he expreſsly injoined him not to ſhew the bull to any perſon but the King and cardinal Wolſey, nor to part with it out of his hands, without his order, on any pretenſe whatſoever.

Inſtructions to Campejo.

Campejo departing with theſe inſtructions, arrived not in England 'till October, ſix or ſeven months after he was appointed legate. While he was on the road, the Emperor's miniſters at Rome raiſed a freſh obſtacle to the divorce, by the pretended diſcovery of a brief of Julius II (3), confirming the bull of diſpenſation for Henry's marriage with Catherine: but there was this difference between the bull and the brief, that the Pope in the bull ſaid, "The marriage was perhaps conſummated;" whereas in the brief, the word "perhaps" was omited. They thence infered, that Pope Julius II had not been ſurpriſed or impoſed on, ſince he took for granted Catherine's firſt nuptials were conſummated. But this brief, whereof they gave only a true copy, without ſhewing Henry's miniſters the original, was to appearance propoſed ſolely that time might be loſt in its examination: for, among many other reaſons, there were two in particular which manifeſtly proved it to be a forgery. The firſt was, That this brief granted at Catherine's requeſt, ſuppoſed that Princeſs's marriage with Arthur to have been conſummated; and yet ſhe had ſworn the contrary: and upon that her agents had grounded the validity of Julius's diſpenſation. The ſecond reaſon was ſtill much ſtronger, viz. That the brief was dated the twenty-ſixth of December 1503. Now, as in the date of the briefs, the court of Rome begins the year the twenty-fifth of December, being Chriſtmas-day, this date anſwered to the twenty-ſixth of December 1502, of the common year, that is, ten months before Julius II was Pope.

He retards his journey as much as poſſible.

The Imperialiſts produce a forged brief to retard the affair. Burnet. Col. Vol. I. p. 39. Herbert.

Proofs of its being a forgery.

Campejo being arrived in England, began his legateſhip with gravely exhorting the King to live in good underſtanding with his Queen, and deſiſt from all farther proſecution of the affair. This was very heinouſly taken from a legate who was thought to be ſent into England to judge the cauſe in the King's favor. After that, he held with Queen Catherine a diſcourſe quite the reverſe, attempting to perſuade her, that ſhe ought to comply with the King's deſire (4), and even intimated, it would be in vain to oppoſe it: but whether the Queen was told beforehand what ſhe was to ſay, or naturally uttered her own real ſentiments, ſhe anſwered, "She was the "King's wife, and would be ſo, 'till parted from

Campejo exhorts Henry to keep Catherine, Burnet.

and Catherine to deſiſt from her marriage. Herbert.

(1) Dr. Fox returned to England in the begining of May; but Gardiner went to Rome to Campejo. Strype's Mem. p. 103, 104.

(2) Campejo was perhaps nominated for legate in the month of April, as doctor Burnet ſays, but his commiſſion bears date the ſixth of June. Rapin.

(3) It was neither in the records of England or Spain, but ſaid to be found among the papers of D. de Puebla, who was Spaniſh embaſſador in England, when the match was concluded. Burnet, Vol. I. p. 57.

(4) He perſuaded her to renounce the world, and to enter into ſome religious life. Herbert, p. 103.

"him

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"him by the Pope's ſentence (1)." Campejo, not being able to prevail with either King or Queen, affirmed, he could not proceed without freſh orders; as if his whole commiſſion was only to make theſe exhortations: but it was ſix months before his inſtructions arrived. Mean while, he kept the King in hopes of obtaining his deſires, and even inſinuated, that he was himſelf ſatisfied of the juſtice of his cauſe. To amuſe him the better, he ſhewed him the bull he had brought, and gave the cardinal his collegue a ſight of it alſo: but when he was preſſed to ſhew it to ſome lords of the council, he replied, "He had very poſitive orders to let no per-"ſon ſee it but the King and Wolſey." Henry ſurpriſed and angry at ſuch procedure, complained of it to the Pope, who, inſtead of blaming his legate, anſwered, "He had done very well to fol-"low his orders: that the decretal was granted on "condition it was ſhewn to none but the King and "cardinal Wolſey, and on purpoſe to prevent "Wolſey's ruin, which otherwiſe, he was told, "would be infallible: and that, in ſhort, the bull "was not to be publiſhed, except the legates gave "ſentence for the King (2)."

He feigns to want freſh orders. Herbert.

He ſhews the decretal to the King and Wolſey. Burnet.

The Pope approves his conduct. Ibid.

While Campejo amuſed Henry in England, the Pope was taking meaſures to conclude his treaty with the Emperor, and ſeeking pretenſes to leave the Kings of France and England, whom he no longer feared, ſince the Naples expedition had miſcarried. He complained, that theſe two Monarchs had diſappointed him, in not cauſing Ravenna and Cervia to be reſtored to him according to their promiſe; thereby inſinuating, that it was not to be thought ſtrange he made no haſte to ſatisfy Henry, ſince that Prince had neglected to do him juſtice by the Venetians (3). He would fain have had it believed, that this affair of the divorce was retarded ſolely on that account, and was very deſirous to have theſe two places in his power before he concluded with the Emperor: but, what caution ſoever he uſed, his negociation in Spain could not be ſo private but Francis and Henry had thereof ſome private intelligence. They complained to him by their embaſſadors; but he conſtantly denied he intended to depart from his neutrality. Mean while, under colour of removing theſe groundleſs ſuſpicions, he diſpatched into England one Campana, to give the King freſh aſſurances of his good intentions; but withal, ſent by him expreſs orders to cardinal Campejo, to burn the bull decretal, and defer the ſentence of divorce as long as poſſible. Campejo immediately obeyed the firſt of theſe orders; and, as for the ſecond, never ceaſed finding ſome freſh pretext to retard the proceedings.

Pope Clement reſolves on agreeing with the Emperor. Guicciard.

The difficulties in the divorce affair increaſe. Burnet. Herbert.

At length Henry, tired to ſee ſo many affected delays, and perceiving they came from the Pope, ſent, about the cloſe of this year, ſir Francis Brian and one Peter Vannes to Rome, to diſcover the true cauſe. They had likewiſe ſeveral other commiſſions: firſt, to ſearch the Pope's records for the pretended brief of Julius II: ſecondly, to propoſe, as of themſelves, ſeveral expedients ſpeedily to terminate the divorce affair, and to conſult, under feigned names, the canoniſts of Rome, whether they were practicable: thirdly, in caſe they ſaw the Pope over-awed by the Emperor's threats, they had orders to offer him a guard of two thouſand men: laſtly, if this had no effect, they were to balance the Emperor's menaces with others from the King. They found the Pope in a real or pretended fright at the Emperor's miniſters threats to have him depoſed for a baſtard. His anſwer therefore to the offer of two thouſand men for a guard was, "That it would not be capable of ſecuring "him, but rather render him more ſuſpected." He took care not to put himſelf in King Henry's power, when he was thinking to break with him intirely. The two envoys finding Clement leaned to the Emperor's ſide, plainly told him at laſt, "That if he continued to deny the King their "maſter the ſatisfaction he demanded, he might "be aſſured England would be loſt to him: that "the Engliſh were already but too much diſpoſed "to withdraw their obedience from the Holy See, "and on the leaſt incouragement from their King, "would openly declare what they yet kept con-"cealed in their hearts: that the King their "maſter, and the King of France, were powerful "and very ſtrictly united, and therefore his Holi-"neſs would run a great hazard, if he ſhould cauſe-"leſsly make theſe two Monarchs his enemies: "that tho' the Naples expedition had miſcarried, "he could not be ſure it would be the ſame with "ſuch others as ſhould be hereafter undertaken; "nay, it was eaſy to ſee, by the dangerous ſtate "of the Emperor's affairs, what might happen "another time: that if, out of exceſſive conde-"ſcenſion for the Emperor, he dealed ſo unjuſtly "by the King of England as to refuſe him what "even equity and the law of God required, he "muſt likewiſe expect no favor or regard when "affairs ſhould be altered: that he ought to con-"ſider the King of England had ingaged in this "war to free him from captivity, and if, inſtead "of making a grateful return, he ſhould join with "his enemy, all Chriſtians would abhor his ingra-"titude." All this was not capable of diverting Clement from his deſign, and yet he would ſtill be thought unreſolved. He replied with a ſigh, "That "he was between the hammer and the anvil, and, "which way ſoever he turned, ſaw nothing before "him but dangers; and therefore he placed all his "hopes in the protection of God, who would not "forſake his church: that as to the reſt, he had "done for the King of England more than could "be reaſonably expected, in commiting the trial "of his cauſe to two legates, who were both de-"voted to him: that, not content with this, he ſtill "preſſed him to do more, and to diſregard the "cuſtomary rules of the church on like occaſions, "and publicly ſacrifice to him the Emperor, the "archduke his brother, Queen Catherine, the ho-"nor, dignity and intereſt of the Holy See: that "this was aſking too much, and the King ſhould "at leaſt ſuffer this affair to be decided by the "legates appointed for that purpoſe: that it was "not his fault if matters were delayed, and in caſe "it was owing to Campejo's negligence, he had "acted contrary to his orders." This anſwer was a plain indication of the Pontif's ſentiments. Accordingly, the envoys acquainted King Henry, that nothing was to be expected from the Pontif, and that the only way was to get the legates to give a ſpeedy ſentence. The truth is, Clement was already determined on agreeing with the Emperor; and if he ſhewed any farther regard for Henry, it was merely to avoid coming openly to a rupture with him, leſt Charles ſhould thereof take advantage in the treaty they were about concluding.

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The Pope's anſwer.

The envoys threaten him. Burnet. Col. Vol. I. p. 48. Strype.

He feigns to be unreſolved. Burnet.

Henry's agents acquaint him that he had nothing to expect from the Pope.

Vannes and Brian ſent to Rome.

Their inſtructions. Burnet. Herbert.

The expedients Brian and Vannes were commiſſioned to propoſe, were, 1. Whether if the Queen vowed religion, the King ſhould have liberty to

Expedients propoſed by Henry. Burnet. Vol. I. p. 60.

(1) Adding, ſhe would not admit ſuch partial judges as they were to give ſentence in her cauſe. Herbert, p. 103.

(2) He wiſhed he had never ſent it, ſaying, he would gladly loſe a finger to recover it again, and expreſſed great grief for granting it. Burnet, Vol. I. p. 59.

(3) The Venetians had taken Cervia and Ravenna from the Pope, and France and England had promiſed to intercede and uſe their intereſt with the Venetians to reſtore them. Ibid.

marry

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marry again? 2. Or if the King ſhould vow religion as well as the Queen, whether Pope Clement would diſpenſe with his vow, and allow him to take another wife while the Queen lived? 3. Or whether the Pope would grant him a diſpenſation to have two wives? But it does not appear how theſe points were decided. As for the brief produced by the Imperial miniſters, there was not the leaſt trace of any ſuch thing among the Pope's records, of which the Engliſh envoys (1) had good certificates. In this manner paſſed the whole year 1528, at the cloſe whereof the King found himſelf no more advanced than at the begining, except that he had ſtill ſome hope from Campejo, who all along pretended to be intirely in his intereſt. It may be affirmed, that Francis, in neglecting to aſſiſt Lautrec, occaſioned the turn which the divorce buſineſs then took, ſince he thereby gave Clement room to join with the Emperor (2).

True cauſe of the Pope's delays. Herbert.

Several monaſteries ſuppreſſed for Wolſey's colleges. Rym. Fœd. Vol. XIV. p. 240, 258.

While King Henry meditated only on his divorce, cardinal Wolſey was very diligently buſied in founding his colleges. As Clement, by his affected delays, gave Henry great uneaſineſs, he indeavored to gratify him otherwiſe, in granting his favorite whatever he deſired for his foundations. Among the public acts of the year 1528, there are ten or twelve bulls, as well for the ſuppreſſion of ſeveral ſmall monaſteries (3), as for other things concerning the two colleges, the indowment whereof his eminence ſo paſſionately deſired. Wherefore, perceiving what a fair opportunity preſented to obtain private favors from the Pontif, he forgot not to improve it. Had he waited another year, he would have run great hazard of leaving the work unfiniſhed.

Affairs of Scotland. Buchanan.

I have for ſome time been ſilent concerning the affairs of Scotland, there not having been any room to introduce them: but as their ſituation was changed during the courſe of this year, it is neceſſary briefly to relate what had paſſed in that country. The earl of Angus, George Douglaſs his brother, and their uncle Archibald, had ſtill the King's perſon in their power, and governed in his name. However Queen Margaret, who had cauſed her marriage with the earl of Angus to be annulled, and was married again to Henry Stewart, had ſtill a powerful party in Scotland: but as her partiſans could not act openly without being liable to be deemed rebels, ſince the King was in the hands of the Douglaſſes, the Queen made uſe of another expedient to accompliſh her deſigns. She perſuaded the King her ſon, by ſome perſons about him, to make his eſcape and retire to Sterling. The contrivance ſucceeded according to her wiſh. James took his opportunity, and eſcaping from the earl of Angus, withdrew to Sterling, where it was publiſhed that the Douglaſſes ſhould be no longer acknowledged for regents, and were withal forbid the court. This order was notified to the earl of Angus, while he was marching to recover the King's perſon. As he had but few troops, and was unable to enter Sterling by force, where ſeveral great men were come to the King's relief, he obeyed and retired.

James aſſumes the reins of the government before he was of age.

Soon after the King called a parliament at Edinburg, the third of September, and came himſelf to hold it. The Douglaſſes, perceiving what was preparing againſt them, attempted to ſurpriſe Edinburg, and become maſters of the King's perſon, with deſign to diſſolve the parliament: but being repulſed, they were forced to retire. Whereupon the parliament confiſcated their eſtates to the King; but they continued in arms, and made incurſions even to the gates of Edinburg.

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Henry being informed of what paſſed in Scotland, and fearing the young King might ſuffer himſelf to be prejudiced againſt him, thought it adviſeable to ſend embaſſadors to make peace, ſince a war with Scotland could not be but very inconvenient in his then ſituation. But it was not poſſible to ſucceed: a truce only for five years was concluded at Berwick, and ſigned the fourteenth of December. It was agreed by a ſeparate article, That the Douglaſſes might take refuge in England, on condition they delivered to their Sovereign the places they held in Scotland; and in caſe they entered the kingdom, and commited any diſorders, Henry ſhould be reſponſible as if done by his own ſubjects (4).

Truce for five years between England and Scotland. Rym. Fœd. Vol. XIV. p. 275, 282, 286.

The Douglaſſes retire into England.

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Since his Sanctity had determined to agree with Charles, his feeding the allies with hopes was only to obtain the better terms from that Monarch. On the other hand, Francis ſuſpecting Clement's intentions, perceived likewiſe that a peace only would procure him his ſons, and therefore continued a ſecret negociation with the Emperor: but, at the ſame inſtant, he made great promiſes to the Venetians, Florentines, duke of Milan, and the Pope himſelf, to let the Emperor ſee, in caſe he did not make haſte and conclude, it would perhaps be too late when he deſired it. About this time, Charles had certain advice, that the Turks were making great preparations to invade Hungary, and penetrate even into Germany: wherefore, very ſenſible that a diverſion in Italy might greatly imbaraſs him at ſuch a juncture, he was the more inclined to peace. Theſe diſpoſitions in the principal parties could not in the end but produce the pacification which was univerſally expected with impatience. Mean while, the war was continued, tho' faintly, in the kingdom of Naples and the duchy of Milan, where the French and Venetians had kept ſome places, but it was eaſy to ſee that nothing deciſive would happen.

How the Pope and Francis ſtood affected to the Emperor. Guicciard.

Mean while Clement was wholly intent on his own particular concerns. His aim was not only to be reſtored to Florence, but alſo to become maſter of Peruſa and Ferrara, and recover Ravenna and Cervia, taken by the Venetians during his captivity. Under color of uſing his intereſt to procure a general peace, he had ſent a nuncio to Spain, to conclude a private treaty with the Emperor. During that negociation, the divorce buſineſs was quite at a ſtand. Clement VII was fully reſolved to ſatisfy the Emperor, and by that Henry daily loſt the hopes of ſucceeding in his purſuit. Mean while, a violent diſtemper, which ſeized the Pope in the begining of the year 1529, had like to have very much changed the face of affairs (5). Cardinal Wolſey having notice of the Pope's dangerous illneſs, had diſpatched away a courier to Gardiner, conjuring him to neglect nothing he thought capable

Pope Clement ſickens. Herbert.

Wolſey takes ſome ſteps to attain to the Papacy. Burnet. Herbert.

(1) Theſe Engliſh envoys were the biſhop of Worceſter and doctor Lee. They gave the Emperor an overture of the divorce, and made ſeveral objections againſt the genuineſs of Julius II's brief, which the reader may ſee in Herbert, p. 104, 105.

(2) About this time, ſome murmurs and ſeditious words being diſperſed among the common people, on account of the divorce, King Henry proteſted publicly in an aſſembly of lords, judges, &c. at his palace at Bridewell, That nothing but deſire of giving ſatisfaction to his conſcience, and care of eſtabliſhing the ſucceſſion to the crown in a right and undoubted line, had firſt procured him to controvert this marriage; being, for the reſt, as happy in the affection and virtues of his Queen as any Prince living. To confirm which alſo, he cauſed Ann Boleyn to depart the court. Herbert, p. 106.

(3) Thoſe of Romboro, Fylſton, Bromhil, Bliborow, and Montjoy. Rymer's Fœd. Vol. XIV. p. 240.

(4) This year, on June 28, the King of France ratified the eight months truce concluded between France, England, and the Netherlands, from June 15, to January 1529. Ibid. p. 258, &c.

(5) His phyſicians ſuſpected that he was poiſoned. Burnet, Vol. I. p. 63.

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of procuring him the Papacy. Henry himſelf had writ to ſeveral cardinals in his behalf, and the King of France, who was not yet ſecure of a peace, had given him all thoſe of his faction. It is pretended, Wolſey would have been ſure of more than a third of the votes, in caſe the Pope had died: indeed that was not ſufficient to make him Pope; but it was enough to hinder any other from being elected. This affair was even carried ſo far, that the King had ordered his embaſſadors at Rome, that if, notwithſtanding the cardinals of Wolſey's faction, another perſon ſhould be deſigned, they ſhould ſo manage, that theſe cardinals ſhould proteſt againſt the proceedings in the conclave, and then withdrawing to ſome ſecure place, ſhould themſelves come to a new election. I know not, whether it would have been eaſy for the embaſſadors to obtain ſo abſolute a reſignation to the King's pleaſure: however, it is not ſtrange that Henry ſhould be ſo very deſirous of procuring the Papacy for his miniſter and favorite: but it is ſurpriſing, that a Prince who ſtiled himſelf Protector of the Church, and Defender of the Faith, ſhould not ſcruple indeavoring thus premeditately to form a ſchiſm in the church, purely to gratify his paſſion. As for cardinal Wolſey, nothing in his conduct ought to be thought ſtrange; ſince it is certain, he was ready to ſacrifice all to his ambition. Clement's recovery put an end to all theſe cabals, which however could not be ſo privately carried on but they came to his knowledge. This made him conſider Wolſey as a dangerous rival, and capable of ſupplanting him if opportunity offered, by uſing for pretext the defect in his birth.

King Henry imploys all his intereſt for him. Burnet. Vol. I. p. 64. Herbert.

When Clement VII was fully recovered, the proceedings for the divorce continued on the ſame foot as before. His ſaid Holineſs gave hopes that the buſineſs ſhould be decided in England in the King's favor, by a ſentence of the legates which he would himſelf confirm, to render it more authentic. His aim was to gain time, and prevent the appearance of any miſunderſtanding between him and the Engliſh court, before he had concluded his treaty with the Emperor, becauſe it was a means to obtain better conditions. To this end, and to prevent Henry's being impatient, he had put into Gardiner's hands a brief, promiſing not to revoke the powers given his legates: but, beſide that the brief was expreſſed in ambiguous terms, he knew ſentence would not be paſſed without his poſitive orders. This management, which Clement continued with many artifices, afforded the King ſome hope of gaining him to his intereſt. The better to ſucceed, he prevailed on King Francis to ſend to his Holineſs the biſhop of Bayona, with orders earneſtly to ſollicit the deciſion of that affair. He could have wiſhed that the Pope of his own accord would have granted a bull to annul his marriage, and diſpenſe with his taking another wife, or at leaſt have given the legates ſuch a commiſſion as it ſhould not be in their choice to judge otherwiſe than in his favor. Clement, delighted to find King Henry ſo intent on his own projects, ſtill fed him with hopes of ſucceſs: but withal, he expreſſed great apprehenſion of what the Emperor might do againſt him, and uſed that pretenſe to delay the favor he ſeemingly reſolved to grant. In all other matters he was ever ready to content the King. The See of Wincheſter being vacant, by the death of Richard Fox, and Henry deſiring him to beſtow it on Wolſey, the bulls for that purpoſe were immediately diſpatched: it is true, they were rated at fifteen thouſand ducats; but Wolſey would give no more than ſix thouſand, alledging, he could do very well without it, ſince the King had already granted him the temporalities of that biſhoprick. This ſhews in what ſpirit he thus heaped upon him the church-preferments. But herein is nothing ſurpriſing, ſince the Pope himſelf made no ſcruple to own in his bull that he confered this biſhoprick on the cardinal, to help him to bear the expenſes to which by his rank he was obliged.

Burnet.

The Pope's management to retard the divorce affair. Herbert. Burnet.

The Pope gives Wolſey the biſhoprick of Wincheſter. Rym. Fœd. Vol. XIV. p. 268, 287, 290. Burnet.

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The Pope's pretenſe to delay the divorce. Burnet.

While this paſſed, the Emperor haſtened, as much as poſſible, the concluſion of his treaty with Pope Clement, being reſolved to grant whatever he required, rather than give him occaſion to join with his enemies. Before the Pope was aſſured of this agreement, policy required he ſhould keep Charles under apprehenſion that the divorce affair would be determined to the King of England's ſatisfaction; conſequently, it was his intereſt that the buſineſs ſhould remain undecided, to convince Charles that it depended on the ſucceſs of the negociation at Barcelona: but when he had juſt brought him to his own terms, he began inſenſibly to ſeek pretenſes to break his ingagements with Henry. To this purpoſe, the reſtitution of Ravenna and Cervia was again moved, his Sanctity feigning a belief that had Henry pleaſed, he ſhould have had theſe two cities before now, and from thence took occaſion of diſſatisfaction. On the other hand, the Emperor, knowing Clement's intention, proteſted in Queen Catherine's name, againſt whatever ſhould be done in England relating to the divorce, declaring, that ſhe excepted againſt the two legates, as one was notoriouſly devoted to the King, and the other biſhop of Saliſbury. The King's miniſters uſed their utmoſt indeavors to perſuade his Holineſs to reject the proteſtation. But he replied, he could not, without ſhewing himſelf too partial to the King, ſince a proteſtation was no prejudice to the cauſe itſelf. That it would be a very ſtrange thing to refuſe a Queen the right of proteſting, which the meaneſt perſon could claim. All this, added to many other circumſtances, and to certain advices, that Pope Clement was treating with the Emperor, took from the Engliſh miniſters all hope of ever doing any good with him: wherefore, they wrote to the King, that they were only amuſed, and if the proceſs was not ſpeedily decided in England, there was danger of its being transfered to Rome. Hereupon, Henry reſolved to proceed before the legates, and not ſuffer himſelf to be any longer impoſed on by deceitful promiſes. Mean while, when the inſtrument whereby Clement had promiſed not to revoke his legates commiſſion, came to be examined, it was found to be worded in general or ambiguous terms, which left him at liberty to proceed as he pleaſed. In order therefore to know whether he had acted with ſincerity, when he ſigned that inſtrument, Gardiner was ordered to repreſent to him, that the paper, whereon it was written being wet thro' the courier's careleſſneſs, and the words in a manner quite defaced, his Majeſty deſired he would ſign another: but his Beatitude deviſed ſome artifice to be excuſed. Thus Henry, ſatisfied nothing was to be expected from the court of Rome, where Charles had but too much intereſt, recalled Gardiner (1) and Brian, and ſent Bennet to Rome, only to hinder, as much as lay in his power, the avocation of his cauſe. This envoy was charged with a letter from the two legates, directed to the Pope and cardinals, wherein they ſaid, that the principal point in the cauſe they were to judge, conſiſted in knowing, whether Julius II could grant a diſpenſation, or had exceeded his power: that ſince the ſole point was to decide concerning the authority of the head of the church, they conceived it to be beyond their commiſſion, and therefore were of opinion, his

Proteſtation in Queen Catherine's name. Burnet.

Henry reſolves to try his cauſe before the legates. Burnet.

He tries in vain to overreach Clement.

Letter from the two legates to Pope Clement. Burnet, Vol. I. p. 68.

(1) He was thought the fitteſt perſon to manage the proceſs in England, being eſteemed the ableſt canoniſt in the kingdom, and was ſo valued by the King, that he would not begin the proceſs 'till he came. Burnet.

Sanctity

Remarks on the letter with reſpect to Wolſey.

Sanctity would do well to avocate the cauſe: that they doubted not, the King would conſent to it, provided he had ſome aſſurance it ſhould be decided in his favor. It is not eaſy to conceive what could induce cardinal Wolſey to ſign ſuch a letter, ſo directly contrary to the King's intereſt: for, tho' the legates ſeemed to preſume his concurrence, it was evident the reaſon of the avocation ſtill ſubſiſted, whether Henry did or did not conſent. Conſequently they furniſhed his Sanctity with a plauſible pretenſe to avocate the cauſe, which the King, of all things, moſt dreaded. Was Wolſey deceived by Campejo, or did he ſacrifice the intereſt of his Sovereign? It is difficult to believe either; and yet hiſtorians affirm, that one of the principal cauſes of his diſgrace was a letter he had writ to the Pope which by Bennet's means, came to King Henry's knowledge, and it might, very poſſibly, be this. In reality, he was inexcuſable if he ſigned it without the King's approbation; and on the other hand, it cannot be conceived that Henry ſhould be ſo blind as not to ſee the conſequence of ſuch counſel.

The legates ſit to hear the cauſe. Burnet. Vol. III. p. 46. Herbert. p. 107, &c. Hall.

Tho' Campejo came to England in October the year preceding, it was now the end of May, and nothing done towards the trial of that cauſe which brought him thither. Henry, having ſuffered himſelf to be amuſed by Clement, whoſe intereſt it was to gain time, had been ever in hope of obtaining a bull to null the marriage, without being obliged to go thro' the uſual forms of a proceſs: but his agents finally convincing him that his expectations were vain, he reſolved to proceed before the legates. To this end, on the thirty-firſt of May, he granted them a licenſe to execute the Pope's commiſſion. They met the ſame day, and appointed aſſiſtants (1) to examine the papers and evidences. From the very firſt ſeſſion, it appeared that Campejo intended to prolong the proceſs, ſince, after the commiſſion was read, he ordered the King and Queen to be cited to appear the eighteenth of June. This was too long a term, if there had been any deſign to diſpatch the affair, eſpecially as the parties were in London itſelf, or in one of their palaces near the city. Tho' Wolſey was the ſenior cardinal, he ſuffered Campejo to preſide, to ſhew he intended to act without partiality: ſo, from the firſt day to the laſt, Campejo did all, without Wolſey's ever appearing to oppoſe the affected delays of his collegue between the ſeſſions. I ſhall not enter any farther into the particulars of this famous proceſs, which may be ſeen at large in the excellent and univerſally known hiſtory of England's reformation, but content myſelf with relating in general the moſt remarkable circumſtances.

Rym. Fœd. Vol. XIV. p. 295.

Artifices of Campejo to ſpin out the affair. Burnet.

Wolſey permits Campejo to preſide.

Proceedings in the proceſs. Burnet. Vol. I. p. 73. and III. p. 46. Hall. Stow.

In the ſecond ſeſſion, the Queen's proctors (2) excepted againſt the two legates: but the exception not being deemed valid, ſhe had a further day given her, to the twenty-firſt (3). On that day, the King and Queen appeared in perſon (4): but the Queen, without ſaying a word to the legates, went and kneeled down before the King, and made a very moving ſpeech, concluding with imploring his juſtice and pity; after which, ſhe withdrew, and would never more appear, nor ſuffer any perſon to defend her cauſe (5). As ſoon as ſhe was retired, the King declared he was very well pleaſed with the Queen, and in ſuing to be divorced from her, acted ſolely from a motive of religion and conſcience (6). Adding, that his ſcruples concerning his marriage ſprang from thoſe of the biſhop of Tarbe, and were confirmed by the opinion of all the biſhops of England. The archbiſhop of Canterbury confirmed what the King ſaid, concerning the Biſhops; but Fiſher biſhop of Rocheſter denied he ever ſet his hand to the writing which was preſented to the King. Mean while, the Queen was cited again for the twenty-fifth of June, but inſtead of appearing, ſhe ſent in her appeal in form *, from whatever had been, or ſhould be done hereafter: nevertheleſs ſhe was declared contumacious. The ſame day, the proceſs was reduced to twelve articles, on which witneſſes were to be examined. The principal article was, Prince Arthur's conſummation of his marriage with Catherine, which the Queen had denied with an oath, and which notwithſtanding was proved by the teſtimony of ſeveral perſons, as far as a thing of that nature can be. Theſe proofs conſiſted in the age, health, and vigorous conſtitution of the Prince, and in his diſcourſes next morning after the nuptials: ſo that either Arthur or Catherine muſt have vouched what was not the truth; the one thro' vanity, or the other thro' intereſt (7).

* To the Pope. Rym. Fœd. Vol. XIV. p. 299, 300.

The Queen appeals from the proceedings of the legates. Burnet. Herbert. p. 113, &c.

While the tryal was proſecuting in England, the Emperor's miniſters were earneſtly preſſing Pope Clement to avocate the cauſe to Rome, and Henry's as vehemently ſolliciting the contrary. What is more, both ſides threatened to depoſe him, on account of his being a baſtard. The Pope feigned to be terrified by theſe menaces, and this ſeeming fear

Clement has notice of the concluſion of his treaty with the Emperor. Herbert, Burnet.

(1) John Longland biſhop of Lincoln; John Clark biſhop of Bath and Wells; John Iſlip abbot of Weſtminſter, and doctor John Taylor maſter of the rolls. Herbert, p. 108.

(2) William Warham archbiſhop of Canterbury, Nicolas Weſt biſhop of Ely, John Fiſher biſhop of Rocheſter, and Henry Standiſh of St. Aſaph. Hall, fol. 181.

(3) On the 18th of June, the citation being returned duly executed, Richard Samſon dean of the chapel, and Mr. John Bell, appeared as the King's proxies. But the Queen appeared in perſon, and excepted againſt the legates as incompetent judges, alledging the cauſe was already avocated by the Pope, and deſired a competent time to prove it. The legates aſſigned her the 21ſt, and adjourned the court till then. Burnet, Vol. I. p. 72.

(4) Biſhop Burnet, from the original regiſter of the proceſs ſays, the King was never in the court. Ref. Vol. III. p. 46. But the contrary is affirmed by the King himſelf, in a letter dated June 23, to his embaſſadors at Rome, in theſe words, Both we and the Queen appeared in perſon. See collect. to Vol. I. p. 78. To reconcile this contradiction the biſhop ſuppoſes, that they were indeed together in the hall where the court ſat; but that it was before the cardinals ſat down, and had formed the court. Pref. to Vol. II. p. 8.

(5) When the King and Queen were called on, the King anſwered, here; but the Queen riſing from her ſeat, kneeled down and ſaid to the King, "She was a poor woman and a ſtranger in his dominions, where ſhe could expect neither good council, "nor indifferent judges; ſhe had long been his wife, and deſired to know wherein ſhe had offended him: ſhe had been his wife "twenty years and more, and had borne him ſeveral children, and ever ſtudied to pleaſe him, and proteſted he had found her "a true maid, about which ſhe appealed to his own conſcience. If ſhe had done any thing amiſs, ſhe was willing to be put away "with ſhame. Their parents were eſteemed very wiſe Princes, and no doubt had good counſellors and learned men about them "when the match was agreed: therefore ſhe would not ſubmit to the court, nor durſt her lawyers, who were his ſubjects, and "aſſigned by him, ſpeak freely for her. So ſhe deſired to be excuſed 'till ſhe heard from Spain." That ſaid, ſhe roſe up, and making the King a low reverence, went out of court. Her council were the biſhops of Rocheſter and St. Aſaph, and Dr. Ridley. Burnet, Vol. I. p. 73.

(6) He cleared likewiſe cardinal Wolſey from being the firſt mover of the matter, as had been ſuſpected. Ibid.

(7) Particularly Robert viſcount Fitz-Water, Thomas duke of Norfolk, and ſir Anthony Willoughby, depoſed; that they heard Prince Arthur ſay publicly, I have been this night in the midſt of Spain. The King's council, it ſeems, inſiſting moſtly on the conſummation of the marriage, it led them to ſay many things which were indecent; of which the biſhop of Rocheſter complained, and ſaid, they were things deteſtable to be heard; but cardinal Wolſey checked him, and there paſſed ſome ſharp words between them. Lord Herbert has given the ſubſtance of all the depoſitions, p. 115. Compl. Hiſt. The place appointed for hearing and determining the cauſe, was a great hall in Black-friers in London, commonly called the Parliament-chamber. Ibid.

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to declare for either afforded him a pretenſe to remain undetermined, 'till he received advice of the concluſion of his treaty with Charles. At length the agreeable news being come, he reſolved to avocate the cauſe, before publication of the treaty, leſt it ſhould be thought to be one of the ſecret articles. Weak precaution to efface or prevent ſuch a ſuſpicion.

Conditions of the treaty. Guicciard.

The ſubſtance of this treaty, which was ſigned at Barcelona the twenty-ninth of June, was, That Charles ſhould reſtore to Florence the Medicis family on the ſame foot as formerly: that he ſhould cauſe Ravenna and Cervia to be delivered to his Holineſs: that he ſhould put him in poſſeſſion of Modena and Reggio, ſaving the rights of the Empire: that he ſhould aid him to become maſter of Ferrara: that Franceſco Sforza ſhould be reſtored to Milan, if innocent; but if guilty, Charles ſhould not diſpoſe of the duchy to any Prince Pope Clement ſhould diſlike: that the Pope and Emperor ſhould imploy their temporal and ſpiritual arms againſt the heretics of Germany: that Aleſſandro di Medicis ſhould eſpouſe Margaret the Emperor's natural daughter: that the Pope ſhould grant the Emperor a fourth of the Eccleſiaſtical revenues in his dominions, to make war upon the Turks: that he ſhould abſolve all who were any way concerned in taking and ſacking Rome. What greater advantages could Clement have expected, ſuppoſing he had been victorious in the late war? But Charles believed he could not purchaſe at too high a price the friendſhip of his Sanctity, who might ſtill have greatly imbaraſſed him, if he had joined with France, England, and the republic of Venice.

Clement avocates the cauſe to Rome. Burnet. Herbert.

Pope Clement having concluded his treaty with the Emperor, did himſelf, on the ninth of July, acquaint the Engliſh embaſſadors with his reſolution of avocating to Rome the cauſe of their maſter's divorce. Thoſe miniſters uſed all poſſible indeavors to diſſuade him from it, repreſenting to him, that the Holy See would thereby irrecoverably loſe England: but all their arguments were fruitleſs. By his late treaty with Charles, the Medici were to be reſtored to the government of Florence: this alone was ſufficient to outweigh in his mind all the dangers to which he expoſed the Holy See; ſo great was his affection for a family from whence he was deſcended, even tho' illegitimately. So, the fifteenth of July, he ſigned the bull of avocation. Next day he notified it to Caſſali the King's embaſſador in ordinary, and to Bennet who had been ſent to him laſt. He alledged, in excuſe of the avocation, ſeveral reaſons which might have been of ſome weight in the begining of the proceſs, on ſuppoſition he had been intirely impartial, but which had loſt all their force ſince his proceedings, and the concluſion of his treaty with the Emperor. Three days after, he diſpatched a meſſenger with the bull of avocation into England, where proceedings were very dilatory by the artifices of cardinal Campejo who preſided in the affair.

He ſends a courier to England.

Continuation of the proceſs. Burnet. Herbert.

The Queen who was cited for the twenty-fifth of June, not appearing that day, ſhe had farther time given her to the twenty-eighth, and was ſummoned again to appear by the biſhop of Bath and Wells, tho' to no purpoſe. On the twenty-eighth, ſome depoſitions were read, after which the ſeſſion was adjourned to the fifth of July, when, by reaſon of certain holidays kept at Rome, it was farther defered 'till the twelfth. The court met again on the twelfth, the fourteenth, the ſeventeenth, the twenty-firſt and the twenty-third.

Campejo's delays. Rym. Fœd. Vol. XIV. p. 300.

As there was nothing more to do but to pronounce the ſentence, it was univerſally preſumed, that all would be over this ſeſſion; but people were ſtrangely ſurpriſed when cardinal Campejo was heard to adjourn the court to the firſt of October. He alledged for reaſon, that it was the time of the great vacation at Rome, and he was indiſpenſibly obliged to comply with that cuſtom (1).

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He adjourns the court to October.

Thus did that legate, who was in the Pope's ſecrets, amuſe Henry, in the ſame manner as the Pope had amuſed him at Rome near two years, ever ſince the affair commenced. That Prince was as much inraged as ſurpriſed at the proceedings of the legates, but diſſembled both his ſurpriſe and reſentment. Shortly after, he plainly perceived to what all theſe affected delays tended, when he came to know that, notwithſtanding his ingagement, the Pope had avocated the cauſe. The bull of avocation being arrived *, he would not ſuffer it to be notified to him, but intimated to the legates, that he was content they ſhould obey the Pope's orders. Nor was it without reaſon that he would not have the bull notified to him: he was therein cited to appear at Rome within forty days; which he could not have done without acting contrary to the national laws, which prohibited obeying ſuch citations, and carrying cauſes to a foreign court. On this foundation it was that he had always inſiſted, that the proceſs ſhould be determined in the kingdom: beſide that, cenſures were denounced againſt him in the bull, as againſt a private perſon, if he obeyed not the citation. Some time after, Clement made him a ſort of reparation, in revoking theſe cenſures by a brief †, wherein he proteſted they were inſerted contrary to his intention: but as to the citation itſelf, he only prolonged the day to Chriſtmas.

The bull of avocation comes to London. Burnet.

* Auguſt 4. King Henry cited to Rome.

The Pope revokes his cenſures.

† Dated Auguſt 29. Rym. Fœd. Vol. XIV. P. 346.

The figure cardinal Wolſey made, during the pretended judgment of the proceſs, was very extraordinary. Of all mankind he was the proudeſt and moſt haughty: he was ſenior cardinal to his collegue, and yet gave place to him in every thing, and ſuffered him to act as he pleaſed, without ever oppoſing his opinion. Had the buſineſs ſucceeded anſwerably to Henry's deſire, Wolſey's conduct would doubtleſs have been applauded: but as every thing turned againſt the King, that miniſter could not poſſibly avoid being ſuſpected of betraying his maſter's intereſts, or at leaſt of having been very remiſs in his ſervice. Henry himſelf thought ſo, tho' he did not ſhew it directly (2). On the other hand, Ann Boleyn, who had ever believed the cardinal in her intereſt, was extremely ſurpriſed when ſhe was informed of what had paſſed. The King had removed her from court (3) while the legates were imployed in the judgment of the proceſs; but ſhe was ſent for the moment the bull of avocation arrived. It is pretended ſhe contributed not a little towards confirming the King's ſuſpicions of Wolſey. She was perſuaded, that had the cardinal ſo pleaſed, this affair would have taken another turn; but that he had altered his reſolution. Whether her opinion was well-grounded, or the vexation to find herſelf ſtill ſo remote from her hopes, exaſperated her againſt Wolſey, ſhe thenceforwards looked on him no otherwiſe than as a profeſſed enemy deſerving her utmoſt vengeance: ſo, finding Henry diſpoſed to give ear to whatever was ſaid againſt his miniſter, ſhe neglected nothing might contribute to his ruin. In this ſhe was aſſiſted by ſeveral perſons of the higheſt rank, who had no reaſon to love that haughty prelate.

Remark on cardinal Wolſey's behavior. Burnet. Herbert.

Burnet.

(1) He pretended that they ſat there as part of the conſiſtory of Rome, and therefore muſt follow the rules of that court, which from that time 'till October was in a vacation, and heard no cauſes. Burnet, Vol. I. p. 77.

(2) King Henry received information of his having juggled in the buſineſs, and that he ſecretly adviſed the Pope to do what was done. Burnet, Vol. I. p. 78.

(3) By Wolſey's advice, as ſhe thought. Ibid.

It

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The King is extremely uneasy. Burnet.

It is easy to guess Henry's concern to see himself on a sudden so distant from his aim. The Pope had joined in league with Charles, who was properly his party. Francis I, from whom he had expected a powerful aid in case of need, had just concluded at Cambray a treaty with the Emperor, whereby he ingaged not to assist that Prince's enemies. Finally, Queen Catherine remained obstinate not to accept any expedient which might occasion her ceasing to be the wife of King Henry. On the other hand, that Monarch's love for Ann Boleyn, which he had pleased himself with the hopes of gratifying by a lawful marriage, helped not a little to increase his concern. He knew not which way to get rid of his Queen, who, by her obstinacy, had very much lessened that esteem and affection he had always borne her (1). His heart replete with these perplexing thoughts, and uncertain what to resolve, he determined on taking a progress into some of his counties, in order to dispel his melancholy.

He takes a progress. Burnet. Hall. Stow.

Dr. Cranmer opens him a way to extricate himself. Burnet. * Named Cressy.

During his journey, he lodged one night at Waltham, where Edward Fox and secretary Gardiner chanced to take up their lodging at the house of a gentleman * who had two sons to whom Thomas Cranmer was tutor. Cranmer was a doctor in divinity, who, having been professor at Cambridge (2), had lost his benefice because married. He had travelled into Germany, where he had read Luther's works, and imbraced his doctrine, but with more moderation than was usually seen in the first disciples of that reformer. At supper, Cranmer being at table with Fox and Gardiner, the conversation ran on the divorce, and as the master of the family had informed the two courtiers of Cranmer's merit and capacity, they desired him to give his opinion on that subject. Cranmer at first modestly declined it, but they pressed him so much that he could not excuse himself: so, after stating the question, he said, He saw no better way to extricate the King from his difficulties, than to procure, in writing, the opinions of all the universities in Europe, and of the most eminent divines and civilians: that one of these two things would follow, either the universities and the learned would judge Julius II's dispensation sufficient, or deem it invalid: that in the first case, the King's conscience would have reason to be easy; and in the second, the Pope would never venture to pass sentence contrary to the opinion of all the learned and able men in Christendom. Fox and Gardiner relishing this advice, imparted it to the King, who, immediately taking the author's meaning, cried out, in extasy of joy, "That he had "got the right sow by the ear"; an expression, which in its coarseness shewed how much the King was pleased with the expedient. At the same time he sent for Cranmer, who explaining more at large what he had just hinted at table, so gained his esteem, that from that moment he was ordered to follow the court. This is the same doctor who will shortly be seen making a considerable figure in England, and laying the first foundations of the reformation in that kingdom.

The King entertains a great esteem for Cranmer.

Campejo returns to Rome. Herbert. Hall.

The King being returned from his progress, cardinal Campejo, whose commission was revoked, took his audience of leave, as having no farther business in England. Henry had so much command of himself as not to take any notice of his procedure, and looked on him pleasantly: but just as the cardinal was going to imbark, the custom-house officers searched all his baggage, under color of looking for contraband goods (3). Probably, the King hoped to find the decretal bull, which he had seen in his hands, not knowing it was burned (4). Campejo loudly complained of this insult, and wrote to King to demand satisfaction, as for a gross affront done to the legate of the Holy See. Henry coldly answered, That his customers had done their duty, in executing orders long since established with regard to persons going out of the kingdom: that he was surprised he should talk of his being legate when recalled, and much more that, being bishop of Salisbury, he should be so ignorant of the laws of the land, as to dare to assume that title without his license. Campejo perceiving, by this answer, that the King intended not to give him satisfaction, thought himself very happy in being suffered to depart.

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They search his baggage.

He complains of it, but to no purpose.

This cardinal had good reason to wish himself out of the kingdom. With what moderation soever King Henry behaved to him, he could not be ignorant how much he was insensed, after seeing, some days before his departure, what course was taking with his collegue cardinal Wolsey. The ninth of October, the attorney-general had prefered a bill of indictment against Wolsey, as guilty of violating the statute of Præmunire. The seventeenth of the same month, Henry sent and demanded the great seal, tho' it was given him for life: for which reason, the cardinal made some scruple to deliver it; but he obeyed the second command (5), and in few days the King gave it to sir Thomas More, a person universally esteemed for his great integrity. No sooner had Wolsey delivered the great seal, but the attorney general prefered against him other articles of impeachment. The King having given him leave to appoint counsel to answer for him, he chose two who appeared, and protested in his name, he knew not that obtaining the bulls whereof he was accused was contrary to the national laws, and prejudicial to the prerogative royal: as for the particulars wherewith he was charged, they said, he confessed them, and cast himself intirely on the King's mercy. He was accused twice, as I said, viz. on the ninth and eighteenth of October, and both times found guilty, and declared to be out of the protection of the laws. Probably, he was indicted first, for obtaining several bulls without the King's express license, and the second time for exercising the office of legate a latere in England, without the King's letters patent to that purpose, contrary to the intent of the law.

Cardinal Wolsey's fall. Herbert. Burnet. Fiddes.

He is impeached.

Henry takes from him the great seal. Rym. Fœd. Vol XIV. p. 343.

p. 348, 350. Hall.

He is excluded the protection of the law. Herbert. Hall.

As soon as the cardinal was out-lawed, the King commanded him to quit York-place, and retire to a country-seat belonging to him as bishop of Winchester. Then he ordered an inventory of all his goods to be taken, which contained immense riches (6), acquired by many acts of injustice. It is affirmed

Inventory of the cardinal's goods. Hollingsh. Herbert. Stow. Cavendish.

(1) Even after Campejo's arrival in England, the King and Queen did eat at one table, and lodged in one bed; there being no visible sign of any breach between them: but after the suit concerning the divorce was commenced, they parted. Stow, p. 546. About December, Ann Boleyn returned to court, and was more waited on than the Queen had been for some years. At this the people appearing uneasy, and seemed inclined to revolt, it was resolved to send all the strangers out of the kingdom. Burnet, Vol. III. p. 42, 44.

(2) M. Rapin by mistake says Oxford. He had nothing to do with Oxford before he was carried thither to be burned. Ibid. Vol. I. p. 79, &c.

(3) It was supposed he was carrying over Wolsey's treasure. Ibid. Vol. III. p. 49.

(4) It is thought they searched also for some love-letters of the King's to Ann Boleyn, which some way or other were conveyed out of the King's cabinet, and sent to Rome. They now are in the Vatican. Burnet saw them in the library, and knowing Henry's hand too well not to be convinced they were writ by him, got Dr. Fall to copy them. They were very ill written, scarce legible, and the French seems faulty. Ibid. Vol. III. p. 42.

(5) The King offered it to archbishop Warham, but he declined accepting it. Ibid. Vol. I. p. 80.

(6) They were valued at five hundred thousand crowns. Ibid. Vol. III. p. 50.

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that, of fine Holland alone, no fewer than a thouſand pieces were found in his houſe: one may judge of the reſt by this pattern. Some time after, he got preſented to the King a very humble petition, praying a protection for his perſon; without which, he ſaid, he was expoſed to the inſults of the meaneſt enemy who would abuſe him. This requeſt Henry granted, November the ſeventeenth, with a power to anſwer for himſelf in all actions which ſhould be entered againſt him for the future: moreover, he left him the archbiſhoprick of York, and the ſee of Wincheſter. It is difficult to account for Henry's behavior with reſpect to this cardinal, ſince, at the very time he ſeemed moſt inſenſed againſt him, he ſent him a certain ring, which was, between them, a token of the continuance of his affection. The cardinal, who was then on the road to his ſeat near Wincheſter (1), was ſo tranſported with joy at ſight of the ring, that he alighted from his horſe, and fell on his knees in the dirt to receive it (2): but his hopes were not long-lived. His enemies, who had Henry's ear, labored ſo ſtrenuouſly to exaſperate the King againſt him, that his affair was finally brought before the parliament.

The King grants him a protection. Rym. Fœd. Vol. XIV. p. 351.

He ſeems inclined to mercy.

Burnet. Fiddes. Stow.

Wolſey's affair brought before the parliament.

Lord Herbert has inſerted in his hiſtory the forty four articles of impeachment preſented to King Henry againſt Wolſey by the houſe of lords, which differ much from thoſe prefered by Hales the attorney general, either in the ſtar-chamber, or elſewhere. Hales had accuſed him of violating the ſtatute of Præmunire, and executing the office of legate a latere without the King's licenſe. Therein, he proceeded according to the tenor of the ſaid ſtatute, which ran, "That no perſon ſhould be "exempt from the penalty, but thoſe to whom the "King ſhould vouchſafe to grant his letters patent." Now, as Wolſey had not the precaution to get a licenſe in due form, he was, according to the rigor of the law, liable to thoſe penalties: but in the houſe of lords articles, there was no ſuch matter; and indeed it would have been contrary to equity to accuſe his ſaid eminence of exerciſing a legatine authority without his Sovereign's permiſſion, ſince the King was known to conſent to it, tho' not in the manner by law preſcribed. The attorney general did well to keep the letter of the law, purſuant to the duty of his office: but it would have been wrong in the peers to take advantage of the want of a formality to deſtroy one of their body: ſo, the articles exhibited by the lords ran upon crimes which had no relation to the ſtatute of Præmunire. The cardinal was chiefly accuſed of abuſing his legatine power, contrary to his oath, when admited to the exerciſe of his legateſhip: of unjuſt proceedings as chancellor: of making himſelf, on ſeveral occaſions, equal to the King (3): of iſſuing out diverſe orders of moment without the King's knowledge: of acting arbitrarily on many accounts, as if he was rather Sovereign than miniſter. The reſt of the articles were all of the ſame nature, and ran upon the ill uſe he had made of his power, as legate, chancellor, prime miniſter, and favorite: but

Difference between the articles of the houſe, and the attorney general's indictment. Herbert. Hall. Hollingſh.

Article VI.

I cannot paſs over in ſilence one article which ſeems very extraordinary, namely, that the cardinal, knowing he had the pox upon him, had the confidence daily to approach the King's perſon, frequently whiſpering in his ear, without fearing to infect him with his breath. Theſe articles being ſent down to the commons, Thomas Cromwell, member of parliament, and Wolſey's domeſtic, undertook his defenſe, and did it in ſuch a manner as redounded much to his own honor, and was one of the main cauſes of his future advancement: it is true, he pretended not to clear him of the crimes wherewith he was charged, but only to ſhew he was not guilty of treaſon, as the houſe of peers aſſerted, wherein he ſucceeded anſwerably to his wiſhes.

Thomas Cromwell defends Wolſey in the houſe of commons.

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It is now requiſite to treat of the peace of Cambray, which before was only tranſiently mentioned. All Europe was ſo nearly intereſted in the differences between Charles V and Francis I, that it is very difficult to underſtand the hiſtories of the other ſtates, without having a clear idea of the affairs of theſe two Monarchs. The whole former part of the year 1529, Francis imployed in laboring to negociate a peace with the Emperor. After his ill ſucceſs in the Neapolitan war, he was convinced he had no other way to recover his two hoſtages. He knew the Pope was carrying on a ſecret negociation in Spain, and that it lay intirely in Charles's breaſt to have peace with all the Italian Potentates, by reſtoring Sforza to Milan: ſo that even had France and England uſed their utmoſt efforts, that, in all probability, would have only ſerved to haſten the peace of Italy. But the King of France was not even ſure he could prevail on Henry to act, that Prince being ſtill deſirous to keep meaſures with Clement and Charles, in hopes of obtaining their conſent to his divorce rather by fair means than by arms: beſide, tho' he was bound to contribute large ſums for the war, he payed them only in paper, by acquitances of what was due to him from Francis; ſo, properly ſpeaking, this was no aſſiſtance to France, drained by the former wars of men and money. Francis had therefore no buſineſs to ſtand in ſuſpenſe: it was neceſſary for him to make peace at any rate; however, to obtain as good terms as poſſible, he amuſed the Venetians, the duke of Ferrara, and the Florentines, with great promiſes, leſt they ſhould prevent him, and, after they had made peace with the Emperor, his condition become ſtill more deſperate. He told them, he was reſolved perſonally to lead into Italy a powerful army. This management he purſued 'till he had concluded the treaty of Cambray, wherein he left them all to the Emperor's mercy. Probably, Henry was the only ally who was privy to his intentions. The Emperor was not ignorant of the ſituation of the French King's affairs, and doubtleſs, would have made it turn more to his advantage, had not the invaſion the Turks were preparing againſt Hungary and Auſtria, and the commotions raiſed by the proteſtants in Germany, made him deſirous to leave Italy in quiet: beſide, he ſaw that a peace was the only way to break the ſtrict union of France with England. If theſe two Monarchs had joined in the league which the proteſtants of Germany were projecting for their common defenſe, they would have created him troubles which might have broke all his meaſures. Theſe were the real motives which made Charles inclinable to a pacification, which however he obliged France to purchaſe at no cheap rate. Charles and Francis being in the ſame diſpoſition, agreed together by ſecret negociations on the chief articles of the peace, the whole honor whereof they were however pleaſed to leave in appearance to the ladies. In July, Margaret of Auſtria, the Emperor's aunt and governeſs of the Netherlands, and Louiſa of Savoy, ducheſs of Angoulême, Francis's mother, repaired to Cambray, and, the fifth of Auguſt, ſigned a treaty, the ſubſtance whereof was as follows:

Remarks on the peace of Cambray. Guicciard. P. Daniel. Herbert.

(1) It was not near Wincheſter, but at Eſher or Aſhur near Hampton court, that he was ordered to withdraw.
(2) And having no other preſent to make the King, he ſent him his fool Patch. Stow, p. 548.
(3) He uſed to write in his letters and inſtructions, The King and I. And, I would ye ſhould do thus. The King and I give unto you our hearty thanks, &c. Herbert, p. 126. Strype's Mem. Vol. I. p. 119.

That

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That the Emperor ſhould renounce his demand concerning Burgundy, his right to that duchy remaining however intire.

That the King of France ſhould pay him two millions of gold crowns de ſoleil, for the ranſom of his ſons, and withdraw all his forces from Italy.

That he ſhould reſign to him the ſovereignty of Flanders and Artois.

That he ſhould reſtore to him the territory of Aſti, with whatever he held in the duchy of Milan.

That he ſhould renounce all his pretenſions to the kingdom of Naples.

That he ſhould marry Queen Leonora, with whom the Emperor her brother ſhould give in dower two hundred thouſand crowns.

Finally, beſide, ſeveral other private articles, he promiſed to reſtore the heirs of the late duke of Bourbon to all that Prince's forfeited eſtates.

Chief articles of the peace of Cambray. Guicciard. Mezerai. Rym. Fœd. Vol. XIV. p. 326, &c. Herbert. Hall. Hollingſh.

This treaty being ratified, it was ſome time before Francis durſt give audience to the embaſſadors of Venice and Florence, becauſe he could not without confuſion hear their juſt reproaches. At length, he put them off with ſome trifling excuſes, and freſh promiſes, which he performed no better than thoſe before the peace. What was ſuperlatively ridiculous, even after the peace was concluded, the biſhop of Tarbe, his embaſſador at Venice, not having timely notice, ſtrenuouſly ſollicited the ſenate to ſupport the war on the hopes he gave them of a powerful aſſiſtance.

Francis deceives his allies.

It was likewiſe ſomewhat ſtrange that, Henry having proclaimed war with the Emperor by a herald, there ſhould be however no particular treaty between them. Henry was ſatisfied with a ſingle article inſerted in that of Cambray, whereby the King of France was bound to pay him the two hundred and ninety thouſand crowns, due from the Emperor, and redeem the rich flower-de-lys, pawned by the Emperor Maximilian to Henry VII, for fifty thouſand crowns. He did more; for he generouſly forgave Francis the firſt ſum, and made a preſent of the ſecond to the duke of Orleans, his god-ſon (1). This evidences that, in making peace, Francis had not dealed with Henry as with the Princes of Italy, but had convinced him of the neceſſity he was under to conclude it.

Henry's generoſity to Francis. Herbert. Rym. Fœd. Vol. XIV. p. 328.

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Charles, being agreed with Francis on the principal articles of the peace, departed Barcelona before he received advice of the concluſion, and, with nine thouſand men, on the twelfth of Auguſt, arrived at Genoua. The peace of Cambray being publiſhed ſoon after, the Venetians, the duke of Milan, the duke of Ferrara, and the Florentines, whom Francis had abandoned, ſaw no other refuge than to caſt themſelves on the clemency of Charles, who had it in his power to make them pay dear for their attachment to France. The diſcuſſion of their affairs being refered to a conference, which the Emperor was to have with his Holineſs at Bologna, each ſent embaſſadors to take care of their concerns. Here it was that Charles injoined the Venetians to reſtore Ravenna and Cervia to the Pontif, and to himſelf ſome places they ſtill held in the kingdom of Naples. Franceſco Sforza was reſtored to the duchy of Milan, on condition of paying to the Emperor four hundred thouſand crowns in hand, and five hundred thouſand in the ſpace of ten years, at ten payments. The duke of Ferrara having offered to make Charles arbiter and judge of his differences with the Pontif, his offer was accepted, Clement thinking nothing could be more for his advantage than to ſubmit to the deciſion of his Imperial Majeſty, who was already bound by the treaty of Barcelona to procure him Modena and Reggio, and aſſiſt him to take poſſeſſion of Ferrara. As to the Florentines, it was not poſſible to reconcile them with the Pontif: they would not hearken to any agreement, except they were aſſured of preſerving their liberty, being reſolved to defend it to the laſt drop of their blood. They however offered to purchaſe it with a ſum of money: but the Pope, on his part, tendered them all kinds of advantages, provided the Medicis family was reſtored to Florence on the ſame footing as before the legate's expulſion. The parties not agreeing, Charles ordered the Prince of Orange to beſiege Florence, and re-eſtabliſh the Medici.

Charles goes to Genoua. Guicciard. Herbert. Hall.

and afterwards to Bologna, where he ſettles the affairs of Italy. Guicciard.

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Charles, having ended his affairs in Italy, was impatient to return into Germany, where the affairs of religion began to make him uneaſy. For ſome time, the Proteſtants had conſtantly inſiſted on a free council in Germany, which was poſitively promiſed tho' never deſigned. During the late war, the Emperor had all along amuſed them with the hopes of granting this council: but no ſooner was the peace concluded than, in his conference with Clement at Bologna, he promiſed him to imploy his utmoſt efforts to effect their reduction without a council. Mean while, the Proteſtants, comprehending his intention by his menacing anſwer to their envoys after concluſion of the peace, were meditating to join in a league for their common defenſe; and this gave his Imperial Majeſty great uneaſineſs, and obliged him ſpeedily to finiſh his affairs in Italy, in order to ſettle thoſe of Germany. Before his departure from Bologna, he received the Imperial crown at the Pontif's hands, February 24. 1530, the feſtival of St. Matthias, being his own birth-day, and which, on ſeveral occaſions, had been to him very fortunate (2). He finally ſet out from Bologna, on the twenty-ſecond of March 1530, for Germany, being attended by cardinal Campejo, who, on Clement's behalf, was to aſſiſt at the diet of Augſburg.

Charles promiſes to attempt the Proteſtants extirpation. Sleidan.

He receives the Imperial crown from his Sanctity. Guicciard.

Purſuant to Charles's orders, the Prince of Orange inveſted Florence, and was ſlain at the ſiege, which the Florentines deſperately maintained. At length, on the tenth of Auguſt, they were forced to capitulate, but yet on expreſs condition, that they ſhould injoy their liberty, leaving it to his Imperial Majeſty to ſettle the form of their government. But ſome days after, the Medici's adherents raiſing a tumult in the city, and finding themſelves ſupported by a great number of Spaniſh officers, who had entered on diverſe pretexts, Pope Clement was re-poſſeſſed of the government. Then the Emperor, without regarding articles of capitulation, eſtabliſhed Aleſſandro di Medicis, his ſon-in-law, at Florence, on the ſame footing his progenitors had been before, and moreover made the Sovereignty hereditary in his family.

Siege of Florence.

Capitulation.

The Medici take poſſeſſion of the government.

Aleſſandro di Medicis firſt actual Sovereign of Florence.

The firſt of June this year, Francis received his two ſons, who were hoſtages in Spain, on paying the Emperor twelve hundred thouſand crowns in hand, and giving ſecurity for the reſidue of the ſum ſtipulated. He then eſpouſed Leonora, purſuant to the treaty of Cambray. Had he been obliged to find ready-money to pay Henry what the Emperor owed him, according to the tenor of their treaty, very probably he would not ſo ſoon have recovered his ſons: but Henry proved a moſt generous friend, who, to facilitate his redeeming them, frankly gave him up Charles's bonds, to reſtore them to him, as well as the above-mentioned pledged jewel (3). Moreover, he renounced all demands

King Francis's two ſons releaſed. Guicciard. Mezerai.

Henry's generoſity to Francis. Rym. Fœd. Vol. XIV. p. 360, 362, 378, 280. Ibid. p. 361.

(1) And alſo remited ſome of the payments of the penſion he yearly received from France.
(2) Since 1442, no Emperor had been publicly crowned. Herbert, p. 136.
(3) This jewel in the form of a flower-de-lys, is ſaid to have a piece of wood of the true croſs in it. Ibid. p. 134.

of

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of his charges in aſſiſting him, which, according to Francis's confeſſion, extant in Rymer, amounted to the ſum of five hundred twelve thouſand two hundred twenty-two crowns de ſoleil (1), in ready-money and acquitances on the two millions owed him by Francis. This exceſſive munificence he charged with only a ſingle condition, viz. "That, "in caſe Francis violated the peace and alliance "they had made together, he ſhould ſtill be ac-"countable for all theſe ſums," to which Francis bound himſelf by letters-patent.

By the execution of the Cambray-treaty, King Francis ſaw himſelf at length in profound tranquillity, tho' the late war had coſt him immenſe ſums, the loſs of Genoua and Milan, the ſovereignty of Flanders and Artois, a year's captivity, numberleſs vexations, and perhaps ſomething of his honor and reputation: but it was not ſo with Henry. After a vaſt charge to ſupport the intereſts of his ally, he was ſtill imbaraſſed with the affair of his divorce, and in danger of a ſpeedy quarrel with the Emperor. However, as he was naturally ſteady in his projects, all theſe obſtacles ſufficed not to diſcourage him, and he reſolved to bring this buſineſs to a concluſion, let what would inſue. Thomas Cranmer being then highly in his favor and eſteem, he injoined him to imploy his pen on the divorce; and the doctor did it with univerſal approbation. After that, he was ordered to accompany the embaſſadors ſent by King Henry to the Pope and Emperor, to try for the laſt time to find ſome expedient to terminate this matter which gave him ſuch perplexity. Theſe embaſſadors found Clement and Charles at Bologna, and had audience of both. The Pope expreſſed ſome inclination to give Henry ſatisfaction, but durſt not act without concurrence of the Emperor, who loudly proteſted, he would never abandon his aunt Queen Catherine. Cranmer maintained his maſter's cauſe with great warmth, which hindered not Clement from nominating him his plenipotentiary in England, to pleaſe King Henry, whom he ſtrove to oblige in trifles, while he did nothing for him in the grand affair.

Henry purſues at Rome the divorce affair. Herbert. Burnet. Hall.

Mean while Henry, purſuant to Cranmer's counſel, had ſent able and learned men into France, Italy, Germany, Swiſſerland, &c. to conſult univerſities concerning the divorce. We find, in Rymer's collection, the opinions of the univerſities of Angers, Paris, Bourges, Orleans, Thouloufe, Bologna, Ferrara and Padoua all uniform, declaring, that Julius II's diſpenſation for Henry's marriage with Catherine, being contrary to the divine law, could not be deemed valid. It might be objected, that the determinations of the French univerſities were ſuſpicious, by reaſon of the ſtrict union at that time between Francis and Henry: but the ſame cannot be ſaid of thoſe of Padoua and Ferrara, and ſtill leſs of that of Bologna, a city appertaining to the See of Rome. Dr. Burnet having largely handled this ſubject, thoſe who are diſpoſed more amply to examine the matter, may conſult his hiſtory of the reformation. It will ſuffice to obſerve here, that the queſtion was: whether Henry's marriage with his brother's widow was repugnant to God's law, and on that ſuppoſition, whether the Pope had power to grant a diſpenſation. The above-named univerſities maintained; that ſuch a marriage was contrary to the law of God, with which the Pope had not power to diſpenſe. Oxford and Cambridge being likewiſe conſulted, decreed the ſame, tho' not without great oppoſition from ſome of the members. It ſeems at firſt ſomewhat unaccountable that the two Engliſh univerſities ſhould herein be more ſcrupulous than the foreign: but the wonder ceaſes, when it is conſidered that theſe ſcruples aroſe not from the queſtion itſelf, but from the conſequence their determination might occaſion. Moſt of thoſe univerſities members were furiouſly averſe to Luther's doctrine, which began to ſpread in England, and were afraid of countenancing it, by deciding againſt the Pope: beſide, they plainly foreſaw that the King's marriage with Ann Boleyn would ſucceed his divorce from Queen Catherine, and this ſecond marriage they would have gladly prevented, becauſe Ann Boleyn much inclined to the reformation, and expreſſed a very particular eſteem for Cranmer, whoſe preferment, for the ſame reaſon, they greatly dreaded.

Moſt of the univerſities decide in Henry's favor. Burnet. Vol. XIV. p. 390, &c.

Vol. I. p. 85, &c. III. p. 54, &c.

Oxford and Cambridge make the greateſt ſcruple. Burnet. Fiddes.

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The reaſon of it. Burnet.

The embaſſadors who had been ſent into Italy (2), returning re infectâ, Henry, who 'till then had expreſſed a ſingular regard for the Pontif, reſolved to alter his behavior towards him: he by experience might have known that Clement was to be gained only by his intereſt. It is certain if, at firſt, he had proceeded with more vigor, and powerfully ſupported the war in Italy, his ſaid Beatitude would never have thought of joining with the Emperor. A good Engliſh fleet in the Mediterranean would have made Francis maſter of Naples, and ſaved the city of Genoua. His Holineſs would thereby have been ſo bridled, that he would moſt gladly have cultivated a laſting friendſhip with the King of England. Inſtead of acting thus, Henry remained quiet during the whole campain of 1528, ſuffering himſelf to be amuſed by the deceitful hopes wherewith he was conſtantly fed by Clement: ſo, the French were expeled the kingdom of Naples, and his Sanctity was at liberty to negociate with Charles concerning the recovery of Florence, of which he would never have even dreamed, had the French been ſuperior in Italy. Henry perceived his error when it was too late to repair it, that is, after Clement was united with the Emperor, and Francis bound by the treaty of Cambray. He was left alone to ſupport himſelf againſt both Pope and Emperor, and it was very happy for him that the Turks and Proteſtants of Germany ſo imbaraſſed the latter, as to hinder him from turning his thoughts towards England. Thus all means failing to accompliſh his deſign but what could be found in his own kingdom, he began, tho' ſomewhat of the lateſt, to make uſe of the inclinations of his ſubjects who, for the generality, were not over and above inamored of the Romiſh Pontifs.

Henry's falſe ſteps in relation to the divorce. Burnet.

He is ſtrangely imbaraſſed.

In ſeveral parts of this hiſtory, we have obſerved how frequently the Engliſh complained of Romiſh tyranny, and mentioned likewiſe the remedies by parliament applied to this grievance. It is true, the private intereſt of the Kings rendered theſe remedies in ſome meaſure ineffectual, becauſe, as they often ſtood in need of the Popes for their temporal concerns, the laws were not duely put in execution: but that altered not the inclinations of the Engliſh: the Lollards principles were ſtill deeply imprinted in the minds of great numbers; beſide, Luther's books, whereof many were brought into England, had opened the eyes of multitudes: ſo that it may be affirmed, at the time I am ſpeaking of, the Engliſh in general had, in matters of religion, ideas very different from thoſe of their anceſtors, eſpecially concerning the Pontifical authority. The three laſt Popes, Alexander VI, Julius II, and Leo X, had ſhewn ſo little piety and religion in their conduct, and Clement VII ſo cloſely followed their ſteps, that it was naturally infered to be impoſſible that Jeſus Chriſt ſhould have given the go-

Diſpoſition of the Engliſh to the Popes, contrary to the intereſt of their Kings.

(1) And twenty-two ſols ſix deniers.

(2) The head of this embaſſy was Ann Boleyn's father, who refuſed to kiſs his Sanctity's toe, tho' he graciouſly ſtretched it out to him. Burnet, Vol. I. p. 87, 94.

vernment

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vernment of his church to ſuch vicars. Thus the Engliſh were very ready to ſhake off the Pope's yoke, had not their Sovereign, for the ſake of his own private intereſt, ſupported the exorbitant power ſo long complained of: but Clement VII had no ſooner joined with the Emperor than the King's intereſt became the ſame with the peoples. To this chiefly are to be aſcribed all the changes mentioned in the ſequel.

The King's and peoples intereſt becomes the ſame.

Letters from the Engliſh grandees to PopeClement. Rym. Fœd. Vol. XIV. p. 405. Herbert, p. 141. Burnet.

Henry, determined on making his Holineſs ſenſible of the danger of loſing England if he continued any longer to favor the Emperor, cauſed a letter, worded in ſtrong terms, to be ſent him by the grandees of the realm, according to the example of their progenitors in the reign of Henry III (1). They plainly told him, "That the King's cauſe "being their own, if he continued to deny them "what was abſolutely neceſſary for their quiet, they "were themſelves reſolved to apply the remedy "which was vainly expected from him." This was ſufficient to ſatisfy him, that the patience of the Engliſh was almoſt worn out, and they would not ſuffer themſelves to be curbed, or even amuſed any longer by the court of Rome. Indeed, the letter had not the deſired effect; nevertheleſs it failed not acquainting his Holineſs with the diſpoſition of the Engliſh, and how neceſſary it was to uſe them gently. Wherefore he returned the grandees a very moderate anſwer, vindicating his conduct with reſpect to the King, in the beſt manner poſſible. Mean while, he ſent for ſir Gregory Caſſali, King Henry's embaſſador in ordinary, and hinted to him, that the affair might be adjuſted by means of a diſpenſation for his maſter's having two wives. This we learn from the embaſſador's letter of the eighteenth of September, wherein, after informing his Majeſty of what the Pope had intimated, he added, that the Emperor's miniſters were alſo deſirous that the affair ſhould be terminated by this expedient. But Henry was ſo aware of all Clement's artifices, that he took no notice of this overture. His reſolution was, either to have a bull to null the marriage, or at any rate to procure himſelf the ſatisfaction he required: and therefore apprehenſive that, when leaſt expected, the Pope might ſend to England a bull of excommunication or interdict, he iſſued out a proclamation forbiding, under ſevere penalties, to receive any bull from Rome, contrary to the prerogatives of the crown. His deſign was to bring the affair before the parliament and clergy, and after gaining theſe two bodies to his intereſt, to cauſe it to be determined in England, without regarding the Pope's proceedings againſt him. The difficulty was, to prepoſſeſs the people in his favor. To this end, he ordered to be printed and publiſhed a ſort of abſtract of his reaſons for the divorce, that theſe reaſons being publicly known, he might meet with leſs oppoſition in parliament. This abſtract contained two principal points. The firſt was, that the King's marriage with Catherine was contrary to the law of God. The ſecond, that Julius II had not power to grant a diſpenſation for that marriage, and conſequently the diſpenſation could not render it lawful. As this affair was the ſpring of the great events which will hereafter occur, it will not be perhaps unacceptable to the reader to ſee here the ſubſtance of the arguments alledged on both ſides.

The Pope's anſwer. Herbert. p. 143.

Expedient propoſed by Clement. Ibid. p. 141.

Henry rejects it.

Proclamation to forbid the receiving any bulls, &c. Sept. 19. Hall. Stow.

Henry publiſhes his reaſons for ſuing a divorce.

Allegations in Henry's behalf.

For the King it was ſaid, I. That the Levitical law, forbiding a man to marry his brother's wife, was not a poſitive precept which bound only thoſe to whom it was given, but obliged all mankind without exception: that this evidently appeared, in its being found among many others which prohibited the crimes wherewith the Canaanites were polluted. Now the Canaanites could not be polluted with crimes forbiden only by a poſitive law given to another nation.

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II. Another argument was taken from what John the Baptiſt ſaid to Herod in the New Teſtament, "It is not lawful for thee to take thy brother's "wife," becauſe St. John could allude only to the laws of Moſes, and conſequently owned them to be divine.

III. It was ſhewn from ſeveral paſſages of Tertullian, and writings of the Popes, that the church always deemed the Levitical laws as parts of the univerſal law of nature and all mankind. To this was added the authority of diverſe provincial ſynods, of the Conſtantinopolitan general council, of the council of Conſtance in the condemnation of Wickliff, of many Greek and Latin fathers, and of ſeveral ſchoolmen.

IV. It was, by the authority of Popes and councils, proved, that a marriage is completed by the mutual contract of the parties, tho' it be never conſummated. For that reaſon it was ſaid, Adonijah could not marry Abiſhag, who had been his father David's wife, tho' David never knew her. That, on the ſame account, Joſeph could not put away Mary, without a bill of divorce; a clear evidence that their marriage was complete, tho' not conſummated. Hence it was infered, that even tho' Prince Arthur had not conſummated his marriage, it was not the leſs valid, it being maintained, that it was as certain as a thing of that nature could be, that the marriage was conſummated. It was proved; firſt, by violent preſumptions: ſecondly, becauſe after Arthur's death the Princeſs his widow was ſuppoſed pregnant, and ſhe never ſaid any thing to the contrary. Indeed, it might be objected that Catherine had ſince ſworn ſhe was never known by that Prince: but it was replied, the canon law forbids taking oaths when there are ſtrong preſumptions to the contrary; beſide, the Queen's oath could not be reckoned deciſive, ſince it was deſtroyed by the brief produced by her own advocates.

V. Julius's diſpenſation being the ſole foundation whereon the validity of Henry's marriage was eſtabliſhed, it was ſhewn by a croud of witneſſes, both ancient and modern, that the Pope has not power to diſpenſe with the laws of God: nay, it was affirmed that, if he diſpenſed with the decrees of the church, it was uſurpation, and that ſeveral biſhops in England itſelf had reſiſted the Popes when they would have aſſumed ſuch liberty.

On the other ſide, the Queen's advocates replied to theſe reaſons:

Arguments for the Queen;

I. That the prohibitions in Leviticus were not parts of the moral law, ſince God himſelf had diſpenſed with them, in commanding the brother to marry his brother's widow: but of what nature ſoever the law was, if it were diſpenſed with by Moſes to the Jews, why might it not be as well done by Popes to the Chriſtians?

II. It was ſaid, the law in Leviticus againſt marrying the brother's wife, muſt be underſtood of not taking her while the brother lived; for after his death a man, by another law, was injoined by God himſelf to take his brother's relict.

III. The crime, wherewith St. John Baptiſt re-

(1) Lord Herbert ſays, it was done by the parliament: but that is a miſtake; the letter being dated the 13th of July, it appears by the records there could be no ſeſſion at that time, the houſes being prorogued from the 21ſt of June to the 1ſt of October. The letter it ſeems was ſent about to the chief members for their hands; and Cavendiſh tells us with what chearfulneſs Wolſey ſigned it. It was ſubſcribed by the two archbiſhops, four biſhops, two dukes, two marquiſes, thirteen earls, two viſcounts, twenty-three barons, twenty-two abbots, eleven commoners, moſt of them the King's ſervants. Herbert, p. 142.

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proached Herod, might be adultery as well as inceſt, ſince, according to Joſephus and Euſebius, Herod's brother Philip was living when St. John ſpake.

IV. The Popes, contrary to God's laws, daily diſpenſed with vows and oaths, without being cenſured: beſide, it was maintained, the Pope was the only judge, whether the prohibition was moral or not.

V. It was alledged, the Pope had very weighty reaſons for granting the diſpenſation, particularly to preſerve amity between the two crowns of Spain and England.

VI. It was urged, that the marriage had ſubſiſted near twenty years, and never been by any deemed invalid.

VII. It was finally aſſerted, that if there were any nullities in the bull of diſpenſation, the Pope was therein the ſole competent judge.

The King's advocates replied to theſe allegations, and were again anſwered by the writers on the Queen's ſide, both practiſing what is very common on ſuch occaſions: that is, they evaded the force of the oppoſite party's arguments by keeping to generals. I ſhall not dwell any longer on the matter: ſuch as have the curioſity to peruſe the reaſons urged on both ſides, may be ſatisfied in Burnet's hiſtory of the reformation, where they are ſet forth at large. It will ſuffice to remark, that the whole year 1530 paſſed in ſuch diſcuſſions, King Henry being very well pleaſed his ſubjects ſhould be thoroughly informed of the affair before it was brought to the parliament.

Vol. I. p. 97, &c.

Cardinal Wolſey's uncertain ſtate.

During theſe tranſactions, cardinal Wolſey remained, at his country ſeat, between hope and fear, without being able to form any certain judgment of the King's deportment towards him. Tho' all his goods were ſeized, and that ſeemed to denote he intended to ſhew him no favor, yet he, from time to time, beheld ſhining on him ſome rays of benevolence, which made him hope that his maſter, who had loved him ſo well, would not be for ever inexorable. In effect, the twelfth of February, the King granted him a general pardon of all his offenſes, of what nature ſoever. Among the multitude of pardons in Rymer, none are ſo full and particular as this. Then the King made with Wolſey a ſort of agreement, by which he left him the archbiſhoprick of York (1), with all its revenues and dependencies: as to the See of Wincheſter and abbey of St. Albans, Henry reſerved to himſelf their revenues, tho' he left him the titles; but the cardinal was bound to reſign both when required, in conſideration whereof the King aſſigned him yearly a thouſand marks ſterling (2), from the See of Wincheſter, with a promiſe to grant him the like penſion on ſome other benefice, in caſe he was deprived of this. Moreover, he returned him out of his own confiſcations (3) to the value of ſix thouſand three hundred and ſeventy-four pounds: all the reſt remained to the King, with Wolſey's conſent, who acknowledged it as a particular favor that his Majeſty vouchſafed to leave him any thing. This was all he preſerved of the immenſe riches acquired during his credit: but what afflicted him moſt ſenſibly, was that his two colleges, founded with ſo much pains, and called by his own name to be a perpetual monument of his glory, were likewiſe confiſcated. He wrote on that topic to the King, and in terms which perfectly expreſſed his deep concern for that loſs: nay, he even intreated Cromwell to imploy his utmoſt indeavors towards preventing his two colleges from being involved in his ruin. But in vain: the King took poſſeſſion of all the lands thereto belonging, and indowed them anew, in his own name inſtead of that of their founder.

The King grants him a very full pardon. Vol. XIV. p. 366, 371.

Agreement made between them. Ibid. p. 365.

p. 375.

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Wolſey tries in vain to ſave his colleges. Burnet. Herbert. Strype's Mem. p. 118.

Nothwithſtanding all this, Wolſey had ſtill hopes, by reaſon of ſome marks of friendſhip given him by the King on certain occaſions. He had permited his removal to Richmond, where he was nearer his perſon: moreover, hearing he was indiſpoſed, he ſent a nobleman to viſit him in his name, and even cauſed Ann Boleyn to write to him (4): but at the ſame time the compaſſion which Henry expreſſed for him cheriſhed his hopes, it made his enemies apprehenſive of his return to court, and therefore they never ceaſed to exaſperate the King againſt him. In a word, as they could not ſee him ſo near the court without apprehending a revival of the King's affection for a miniſter he had ſo paſſionately loved, they cauſed orders to be ſent him to withdraw to his dioceſe of York. In all probability, Ann Boleyn, contributed moſt to his diſgrace, ſince none but a miſtreſs could have made the King forget ſuch a favorite. However this be, the cardinal being forced to ſubmit, began his journey (5) to the north with a train, tho' not ſo numerous as uſual during his proſperity, conſiſting ſtill of a hundred and ſixty followers (6). He arrived about the end of September at Cawood (7), where he made a ſtop, according to the cuſtom of the archbiſhops of York, 'till things were ready for the ceremony of his inſtallment, which was to be performed in a month, with a magnificence little ſuiting his preſent condition. But while he was preparing to injoy in his archbiſhoprick the ſmall remains of authority which he imagined would be ſtill left him, he was, by the earl of Northumberland, arreſted for high treaſon. He would at firſt have inſiſted on his privilege as cardinal: but the earl told him, that ſhould not hinder him from executing the King's orders. At the ſame time his phyſician was ſeized, and ſent to London with his legs tied to his horſe. It is not known to this day, whether Henry had been prepoſſeſſed that the cardinal had a deſign upon his life, which however is not very probable (8). However this may have

He is ſtill in ſome hope. Herbert. Fiddes. p. 512.

He is ordered away to York. Fiddes. Herbert. Stow. Hall.

Pol. Virg. Stow.

and arreſted for high treaſon. Nov. 4. Herbert. Hall. Stow.

(1) Except York-palace, ſince White-hall.

(2) Not livres (or pounds) as in the French.

(3) In money and goods. ——— That the curious reader may thence form ſome eſtimate of the real proportion the value of Money bears now to what it did then, here is a liſt of the money and goods, as we find it in the original grant. Firſt, in ready money three thouſand pounds. Item, in plate nine thouſand five hundred ſixty-five ounces and one eighth, at three ſhillings eight-pence the ounce, amounts to one thouſand ſeven hundred fifty-two pounds thirteen ſhillings and ſeven-pence half-penny. Item, in diverſe apparel of houſhold, as hangings, &c. amounting to eight hundred pounds. Item, eighty horſes and geldings with their furniture, valued at one hundred and fifty pounds. Item, in mules for the ſaddle, four, with their furniture, valued at ſixty pounds. Item, in mules for carriage ſix, with their furniture, valued at forty pounds. In ling one thouſand, valued at fifty pounds. In cod and haberden eight hundred, valued at forty pounds. In ſalt eight waye, valued at ten pounds. In implements of the kitchen, as pots, &c. at eighty pounds. In mutton (ſheep) ſeventy, valued at twelve pounds. In fifty-two oxen, valued at eighty pounds. In wearing apparel, to the value of three hundred pounds. Rym. Fœd. Vol. XIV. p. 375.

(4) The King ſent him a ring ſet with a ruby, whereon was his own picture, by Dr. Butts, aſſuring him he was not offended with him in his heart. And in his letter to Ann Boleyn, he ſays, Good ſweet-heart, as you love me, ſend the cardinal a token at my requeſt, and in ſo doing you ſhall deſerve our thanks. Whereupon ſhe ſent him a tablet of gold which hung at her ſide. The King ſent him alſo four loads of rich furniture. Fiddes's Life of Wolſey, p. 513, 514.

(5) But before he ſet out, he received from the King the ſum of ten thouſand pounds. Cavendiſh.

(6) And ſeventy two carts with his houſhold-ſtuff. Burnet, Vol. I. p. 81.

(7) A caſtle about twelve miles from York, belonging to the archbiſhop.

(8) Hall (fol. 194) ſays, that he had writ to the Pope, and ſeveral Princes, letters reflecting on the King, and ſtired them to revenge his cauſe.

been,

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While he is conducting to London he dies.

His laſt words. Herbert. Cavend. Stow. Hollingſh.

been, he ſet out by eaſy journies, for London, extremely mortified at the thoughts of his going to appear as a criminal in a city where he had before commanded with almoſt ſovereign authority: but, very probably, his affliction turned to his advantage, as it threw him into a fit of illneſs which conſtrained him to ſtop at Leiceſter abbey, where he ended his days the thirtieth of November (1). Before he expired, he ſaid to the King's officer who ſtood near his bed: "If I had ſerved God as dili- "gently as I have done the King, he would not "have given me over in my grey hairs." But I know not whether he had reaſon to boaſt of his zeal and diſintereſtedneſs in the ſervices he had done King Henry. He added, ſpeaking to the ſame officer, that if, as he thought him worthy, he ſhould ever be admited to the King's council, he ſhould take care what he put in his head; for he would never be able to put it out again. This ſeems to intimate, he had counſeled the King to undertake the divorce, from which afterwards he would have diſſuaded him: and indeed, he deſired the ſame perſon to tell the King, that he prayed him to call to remembrance what had paſſed between them about the divorce, and hoped that, when he ſhould be leſs prejudiced, he would do him more juſtice. This ſhews that he looked on that affair as the ſole cauſe of his diſgrace. Thus died this famous cardinal, the proudeſt and moſt haughty of men; and we may add, the moſt ambitious and moſt greedy of eſtates and honors. It is affirmed that, while he governed the King, he never gave him advice without a view of his own intereſt. This alone would be ſufficient to obſcure all the fine qualities he might otherwiſe have, but which, in the main, amounted only to a great penetration, whereof he made very bad uſe. The King ſhewed a concern for his death (2): and yet, ſince he had ordered him to be arreſted for high-treaſon, very probably, his ruin was determined. Henry was of a diſpoſition to accompliſh whatever he undertook (3): this will plainly appear hereafter, in his extraordinary ſeverity to perſons who, certainly, were much leſs criminal than this favorite.

The King expreſſes concern for his death. Herbert.

As the divorce buſineſs (4), and its conſequences, imployed Henry during the reſidue of his life, it will, to the concluſion of this reign, be the main topic of my diſcourſe: but as, by the alterations this Prince introduced into his realm, his affairs led him to concern himſelf with the troubles of Germany, it is, for better comprehending the ſequel, requiſite we juſt touch on the tranſactions of thoſe quarters.

Affairs of Germany as to religion. Sleidan.

The Emperor's aim in convoking the diet of Augſburg, was rather to inflame than appeaſe the commotions concerning religion. Since he made peace with France, and Italy was as it were ſubject to his yoke, he was forming vaſt projects. He beheld himſelf maſter of Spain, Italy, and the Netherlands; his brother Ferdinand was actually King of Bohemia, and had newly been elected King of Hungary. With theſe advantages, he hoped to be able to ſubdue the reſt of Europe. It was neceſſary to begin with Germany, where he had great power, as Emperor and archduke of Auſtria, becauſe if he once became abſolute in the Empire, and could diſpoſe of the forces of the German Princes, he imagined France and England would not be able to reſiſt him. The troubles cauſed by religion in Germany, ſeemed to him a very ſpecious pretenſe to arm againſt the Proteſtants, judging that, after ruining them by the help of the Catholics, theſe laſt would, in their turn, be eaſily ſubdued. I cannot be accuſed here of aſcribing to this Monarch deſigns he never really had, ſince it is notorious that himſelf and ſucceſſors purſued gradually, and I may ſay openly, the execution of that very project. The wars which, for upwards of a century, afflicted Europe, were ſolely excited by the boundleſs ambition of thoſe of the Auſtrian family, whom the other Potentates were concerned to oppoſe.

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Since Luther's preaching in Germany, the reformation had made ſuch progreſs, that ſeveral Princes of the Empire, and many Hanſe Towns, had openly imbraced it. As they were accuſed of introducing abundance of innovations in religion, in anſwer to that charge, they proteſted, their intent was no other than adherence to Evangelic doctrines and the primitive church's tenets; and therefore, they demanded that a free council might be held in ſome city of Germany, where the religious differences might be calmly examined by God's word; but this was a method which could not be allowed by their adverſaries. They ſuppoſed, as a thing certain, that the religion profeſſed before Luther's appearance was the true religion, and, being without the leaſt ſpot or wrinkle, had no need of reformation. According to that principle, they thought the point was not to examine it at all, but to compel the recuſants or heretics to conform. This was the conſtant maxim long ſince followed by the Romiſh clergy, and which induced them to uſe faggot and ſword to extirpate thoſe they were pleaſed to term heretics: but in the ſituation of Germany, at the time I am ſpeaking of, it was not eaſy to practiſe that maxim. It was not private perſons only who declared againſt the Roman church, but cities, whole nations, and Sovereigns: ſo the zealots for the ancient creed were not in condition to compel them by violence; and therefore choſe to feed them with expectation of the required free council, 'till the affairs of Europe were ſo diſpoſed that it might be hoped to reduce them by way of authority. On that ſubject ſeveral diets were held in Germany, whereat, contrary to the Roman court's deſire, the Emperor and Catholic Princes had been obliged to conceal their ſentiments, and conſent to a toleration, which however left them at liberty to

Progreſs of the reformation. Sleidan.

(1) In his way, he ſtayed a fortnight at the earl of Shrewſbury's at Sheffield park, where he was taken ill one day at dinner. Cavendiſh ſays, ſpeaking of the effects of his diſtemper, it was apparent he had poiſoned himſelf. By the mediation of that earl, ſir William Kingſton conſtable of the tower (the perſon to whom he ſpake his laſt words) was ſent by the King to convey him to London. With much ado, being ſcarcely able to ſit his horſe, he got to Leiceſter abbey, where upon their coming out to receive him, he ſaid, Father abbot, I am come to lay my bones among you. He was buried in the abbey-chapel, of which even the ruins are not at preſent to be diſcovered. He died the 28th of November, according to Burnet; and according to Fiddes the 29th, of a dyſentry, p. 529. He had begun a monument for himſelf with his own image, which one Benedetto a ſtatuary of Florence took in hand 1524, and continued till 1529, receiving for ſo much as was already done four thouſand two hundred and fifty ducats. The deſign thereof was ſo glorious, that it exceeded far that of Henry VII. But upon his death the King ſeized what was finiſhed and called it his. Thus the cardinal's tomb had the ſame fate with his college. He is ſaid to behave mighty well during the time he was in the north, after his diſgrace, and to become very popular. As no man, ſays Polydore, did ever riſe with fewer virtues, ſo, ſays lord Herbert, few who ever fell from ſo high a place had leſſer crimes objected againſt him. He is ſaid, according to one of the articles of his impeachment, to leave two natural ſons behind him, whereof one named Winter, was loaded with church preferments. Herbert, Burnet, Stow, Fiddes, &c.

(2) He ſaid, he would have given twenty thouſand pounds he had but lived. Herbert, p. 148.

(3) Biſhop Burnet, Vol. I. p. 9. juſtly obſerves, that King Henry loved to raiſe mean perſons, and on the leaſt diſ'aſte to throw them down, and ſacrifice them to public diſcontents.

(4) Stiled, The King's weighty affair. Ibid.

act

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act another time according to their real principles.

At Luther's firſt appearance, the religious diſputes turned only on the exceſſive abuſes of the Papal power, and a few other points: then the doctor had on his ſide almoſt all the lay-Princes of Germany, and many Hanſe towns, each of which was a republic. From that time, he made new diſcoveries, and publiſhed them to the world; but he had not on all the articles the ſame number of followers, as on that of the Pontifical authority; beſide, the Emperor and zealous Catholics did, with all their might, oppoſe the reformation. Care was taken to intimidate ſuch as inclined that way, or to continue them in the old religion by promiſes, poſts, and other advantages, which not a little contributed to confirm them in their firſt ſentiments: ſo, for ſome years, the reformers uſed all poſſible indeavors to gain proſelytes; and the Romiſh clergy were as diligent to hinder their progreſs. Mean time, while they ſtrove only in this manner, the reformation daily took root; which obliged the adverſaries to ſeek other means to prevent its growth, thoſe hitherto uſed not proving very effectual.

In 1524 Charles V, coming to the diet of Worms, ſent for Luther, and after a hearing, baniſhed him the Empire, with all his adherents, by a formal decree in the name of the diet; but ſome pretend, the diet was not concerned in the decree: however, the Emperor perſiſted to maintain it; but it ſeems the Germans conſidered it not as obligatory. Next year, the diet held at Nuremberg, produced againſt the court of Rome a hundred grievances, of which they demanded the redreſs by means of a free council.

Another diet, convened at the ſame place, paſſed a decree, whereby it was reſolved to demand a free council in Germany: but, on their diſſolution, the Catholics aſſembled by themſelves at Ratiſbon, and ordered the decree of Worms to be put in execution.

In another diet at Spires in 1526, Charles declared, that his meaning was not that any reſolution ſhould be taken concerning the affairs of religion, but only concerning the method of executing the decree of Worms, 'till there ſhould be a general council: but as this council was yet very remote, the diet decreed, that his Imperial Majeſty ſhould be requeſted to procure a general council in Germany within a year, and in the interim all perſons ſhould, in point of religion, ſo deport themſelves as to be able to render account of their conduct to God and Cæſar.

During theſe tranſactions, the war which the Turks had carried into Hungary, ſuſpended, for ſome time, the execution of Charles V's projects againſt thoſe who had imbraced the new religion, becauſe he wanted the aſſiſtance of all the German Princes, as well Proteſtants as Catholics: beſide, the war he then had with Francis ſuffered him not to think much on the affairs of Germany. But in 1529, being on the point of making peace with France, he thought he might talk in a higher ſtrain. He called a diet at Spires, where it was ordered, that ſuch as had thitherto obeyed the decree of Worms, ſhould continue to obſerve it, and the reſt who had not ſubmited, ſhould make no innovations in religion, nor hinder their ſubjects from going to maſs. Againſt this decree the electors of Saxony and Brandenburg, the landgrave of Heſſe, and the Princes of Lunenburg, made a ſolemn proteſtation, whence all their party were ſtiled Proteſtants. Charles, then in Italy, gave a rough reception to the deputies who brought him this proteſtation, and thereby obliged the Proteſtants to unite for their common defenſe, that Monarch's words giving them to underſtand that he had no very good intentions towards them. In the diet which was to meet at Augſburg in April 1530, but did not however aſſemble 'till June, he was reſolved to lay the foundation of his projected war againſt the Proteſtants.

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At opening the diet, the Emperor's chancellor made a long ſpeech, complaining, in his maſter's name, of thoſe who had hitherto attempted to alter the ancient faith, and cardinal Campejo exhorted the Germans to extirpate the errors which had been introduced into Germany. The Proteſtants then required liberty to make declaration of their creed in the diet: but this was refuſed them; and the Catholics would have them take as a favor the permiſſion granted to deliver their confeſſion of faith in writing. The landgrave of Heſſe, ſeeing ſo great partiality in the diet, withdrew without taking leave; whereupon the Emperor commanded the gates of Augſburg to be ſhut, ſhewing, he intended to uſe violence towards thoſe who remained in the city: but, on the elector of Saxony's remonſtrances, he ordered them to be opened. In ſhort, after many debates (1), he cauſed to be publiſhed in the diet's name, a decree intirely againſt the Proteſtants, and which, on the hopes he gave them of a general council, obliged them to deſtroy whatever had been thitherto done in matters of religion.

The diet ending in this manner, Charles injoined the archbiſhop of Mentz to aſſemble the electors, and proceed to chuſe a King of the Romans, intending to get his brother Ferdinand elected. The Proteſtants ſtrenuouſly oppoſed this meeting, affirming there was no occaſion to elect a King of the Romans, and demonſtrating the inconveniencies which would ariſe from his deſign to render the Imperial crown as it were hereditary in the Auſtrian family. At length finding that, notwithſtanding their remonſtrances, they would proceed to this election, the Proteſtants met at Smalcald the twenty-ſecond of December 1530, and concluded a defenſive league againſt all who ſhould attack them on account of religion: then they made a formal proteſtation againſt the intended election of a King of the Romans without their conſent. In this ſituation were the affairs of religion in Germany about the cloſe of 1530.

League of Smalcald.

An' 1531. The Emperor diſobliges the Pope in the affair of Ferrara. Guicciard.

After Charles had quited Italy, the Pope's nuncio continually preſſed him to pronounce judgment on the duke of Ferrara's buſineſs. Clement could not imagine but the judgment would be in his favor, conſidering the Emperor's ingagements with him by the treaty of Barcelona: but whether Charles had more fully examined the matter, or for ſome other reaſon, he gave ſentence, that Modena and Reggio appertained rightfully to the duke of Ferrara; but, to ſatisfy his Holineſs, he ſhould pay one hundred thouſand ducats, for which Clement ſhould be obliged to give him the inveſtiture of Ferrara, as granted to his predeceſſors; and to commence puting this ſentence in execution, he delivered Modena to the duke. The Pope, extremely diſpleaſed with a judgment ſo different from what he expected, refuſed to ſubmit to it, and, in hopes of ſeizing Ferrara, would not receive the hundred thouſand ducats offered him by the duke.

Francis I tries to gain the Pope.

Clement VII being thus inſenſed againſt the Emperor, had great inclination to be reconciled with the Kings of France and England, imagining he ſhould be received with open arms. Indeed, Francis had unwillingly agreed to the treaty of Cam-

(1) In one of which, on the Proteſtants affirming theirs was the ancient religion, the Emperor would needs diſpute himſelf, which the Spaniſh writers ſay he did with that eagerneſs that he drew his dagger. Herbert, p. 150.

bray,

HENRY VIII. AN' 1531.

bray, and ſolely becauſe there was no other means to obtain the liberty of his ſons: but ſince he had recovered them, he had been meditating how to retrieve what he had loſt by that treaty. To this end, he privately labored to ſow jealouſies among the Princes, by making them apprehenſive of the Emperor's ambition, and promiſing them aſſiſtance. As ſoon as he was informed of the Pontif's diſcontent, he thought nothing ſhould be neglected to gain him to his intereſt at ſo favorable a juncture: wherefore he propoſed a marriage between Catherine di Medicis, daughter of the late duke Lorenzo, and the duke of Orleans his ſecond ſon; an honor to which the family of the Medici durſt never aſpire, had not Francis himſelf made the offer. On the other hand Henry, ſenſible that the union between Clement and Charles ſolely occaſioned what obſtacles occurred in the divorce affair, queſtioned not he ſhould eaſily effect his deſigns, could he but ſet them at variance: but two things prevented his applying himſelf to that means. The firſt was, he could not truſt Clement. The ſecond, that he began to find his ſubjects much more inclined to ſhake off the Papal yoke than he had imagined, and therefore did not think himſelf under any neceſſity of building much on his Sanctity. If he had at firſt humbly addreſſed the Pontif, it was partly becauſe he ſtood in awe of the peoples prepoſſeſſion in favor of Chriſt's vicar: but when he found this prejudice was not ſo ſtrong as he had believed, he never troubled himſelf about the Pope's oppoſition. His kingdom being ſafe from invaſions by land, he had nothing to fear from any Prince in Europe, provided his ſubjects were not terrified with the Vatican thunders: but the Engliſh were not in this reſpect the ſame as formerly. Wickliff had begun to inlighten them; the conduct of the late Pontifs had increaſed their light; and Luther's books and followers had quite opened their eyes. Since the ſpreading of the new doctrine in England, the Pontifical authority was ſo diſcredited, that the generality of the Engliſh wiſhed for a favorable opportunity to throw off a yoke under which they had ſo long groaned. This made the King reſolve to have his cauſe tried by the parliament and convocation.

He offers to marry his ſon the duke of Orleans with Catherine di Medicis.

Henry dares not truſt the Pope.

He deems himſelf no longer obliged to rely on him.

The parliament meeting the ſixth of January, the chancellor opened the ſeſſion with a ſpeech, declaring, that the King earneſtly wiſhed to annul his marriage, not from diſhoneſt motives, as ſome labored to make his people believe, but for the peace of his conſcience, and the welfare of his realm, being unwilling to leave the ſucceſſion of the crown in danger of being diſputed. Then he cauſed a great number of books and treatiſes, written on that ſubject, with abſtracts of ſeveral authors both ancient and modern, to be brought, with the determinations of the univerſities of France, Italy, and England, which were all left upon the table to be examined at leiſure. The King's deſign was alſo brought before the convocation, who declared, they were ſatisfied the King's marriage was contrary to the law of God. Henry required no more at this time: he had another important affair to debate with the clergy, which was to be decided before this was farther examined. In all appearance, the convocation being informed of Henry's intent, the more readily gave their opinion for him, as they perfectly knew how much they ſhould want his favor in the buſineſs in hand, which was of the utmoſt conſequence.

He imparts the divorce affair to the parliament. Herbert. Burnet.

Rym. Fœd. Vol. XIV. p. 390, &c. Hall. Stow. Hollingſh.

The clergy decide in the King's favor. Burnet.

Cardinal Wolſey had been accuſed by the attorney general, of exerciſing in England his legatine authority without the King's ſpecial licenſe, and of diſpoſing as legate of ſeveral benefices, contrary to the ſtatutes of Proviſors and Præmunire. Hence it naturally followed, that thoſe who had owned his authority, and appeared in his courts, were equally liable to be indicted. By this means, all the eccleſiaſtics were in a like caſe, ſince there was ſcarce one who had not occaſion to apply to him during the courſe of his legateſhip: ſo, after Henry had procured of the convocation a concurrence with his proceedings concerning the divorce, he ordered an indictment to be brought into the King's bench againſt all the clergy, for violating the national laws (1). He had in this a double view; the firſt to draw from the eccleſiaſtics a good ſum; the ſecond, to humble that powerful body, and ſo leſſen their great credit with the people, who before had always ſeen them ſupported by royal authority. He knew it was from the clergy he ſhould meet with the greateſt oppoſition in the divorce affair: for that reaſon, he was very glad to put it out of their power to hurt him, by keeping them as it were in dependence, and by ſowing a kind of diviſion between the clergy and people, by the ſatisfaction theſe laſt would probably expreſs at the diſgrace of the eccleſiaſtics, who had ever treated them with exceſſive haughtineſs. He thereby put the clergy under a neceſſity of recurring to the royal protection, and conſequently of ſhewing leſs zeal for the Roman court's intereſt. This ſucceeded according to his expectation. In vain did the clergy plead, that the King himſelf had connived at Wolſey's proceedings. What had not been ſerviceable to his eminence, was not capable of excuſing thoſe who had owned his authority: ſo the court proceeded to a ſentence, that all clerks were out of the King's protection, and liable to the pains in the ſtatute of Præmunire. The people were extremely pleaſed, and particularly the favorers of the new religion, to ſee the clergy thus humbled. On the other hand, the eccleſiaſtics comprehended that, as the laity ſtood affected, offering to reſiſt the King would be to no purpoſe. They could not look for any farther aſſiſtance from Rome: ſince the Pope had quarreled with King Henry, his Sanctity had loſt all credit in England; and as that Prince declared that he would no longer regard him, the thunders of the Vatican were there heard with contempt. The clergy, in this their bad ſituation, reſolved to purchaſe the King's favor at any rate, finding they could no longer depend on the people, who were extremely changed from what they were formerly: wherefore the convocation of Canterbury having debated on the affair, reſolved (2), to offer the King a hundred thouſand pounds for a pardon. Purſuant to this reſolution, ſome of their members were ordered to draw an act for that purpoſe. Very probably, thoſe charged with this commiſſion held good intelligence with the court, and willingly laid hold on this opportunity of inveſting Henry with a prerogative which had not ever been injoyed by any of his predeceſſors. Lord Herbert and doctor Burnet ſay, the convocation determined on preſenting a petition to the King, to intreat his acceptance of a hundred thouſand pounds: but as this inſtrument is extant in Rymer's collection of public acts, it may now be ſpoken of with greater exactneſs. It was not a petition but a public act of the clergy, in form of letters patent, whereby they gave that ſum to the King. It was ſaid in the inſtrument, that it was, firſt, in conſideration of his great merit: ſecondly, in teſtimony of the clergy's gratitude for the great benefits he had procured the

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All the clergy are accuſed of breaking the ſtatutes of Præmunire. Herbert. Burnet.

They are condemned. Hall. Stow. Hollingſh.

They offer the King 100,000 l. An act is drawn up, wherein the clergy ſtile him head of the church of England.

Vol. XIV. p. 413. March 22.

(1) The ſtatutes againſt Proviſions and Proviſors. Burnet, Vol. I. p. 106.
(2) To be levied in five years. Rym. Fœd. Vol. XIV. p. 414.

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Catholic church as well by his pen as his ſword: thirdly, for his zeal againſt the Lutherans, who were laboring to deſtroy the church of England, "of which the clergy acknowledged the King ſole "Protector, and ſupreme Head:" laſtly, in hopes he would be pleaſed to grant the clergy, and all their members, a pardon for whatever offenſes they might have commited againſt the ſtatutes of Proviſors and Præmunire.

Oppoſition to that title. Burnet. Herbert.

When this inſtrument was read in the convocation, many diſliked that the clergy ſhould be made to ſay, that they acknowledged the King for "Protector and ſupreme Head of the Church of Eng-"land." Some imagined, it was inſerted thro' inadvertency and exceſſive flattery, whereof thoſe who drew up this inſtrument had not conſidered the conſequence. Others ſaid, it was intended to ſurpriſe the convocation, by inſerting theſe words in the body of an inſtrument which was only to grant the King a ſum of money. They added, that thoſe very words, which ſeemed to be put in without deſign and by mere accident, were yet very conſequential; and, as the convocation had not taken any reſolution on that point, they were for having them eraſed. But on the other hand, thoſe who were in the ſecret, pretended the words could not be put out by a formal reſolve, without diſpleaſing the King, and giving him occaſion to refuſe the offered compenſation. This cauſed ſuch debates, that they were obliged to poſtpone the deciſion of this matter to the next day. It was not without reaſon that ſeveral dreaded the conſequence which might very naturally be drawn from theſe words, ſince it was evident, the clergy were thereby ingaged to acknowledge the Pope no longer head of the church of England, which could not have two ſupreme heads at once. This was in effect the King's intention, as well as theirs who had penned the inſtrument, as evidently appeared on the morrow. Thomas Cromwell, with others of the King's council, repairing to the convocation, there gave very intelligible intimations; "That the point "in debate yeſterday was very agreeable to the "King, and he could not but conſider the oppo-"ſers as very diſaffected perſons." After ſuch a declaration, not one durſt directly oppoſe it, eſpecially as the archbiſhop and ſeveral other prelates openly maintained, that the King was actually and really ſupreme head of the church of England. So the act paſſed as it was drawn; only ſome moved to add this reſtriction, "as far as is conſiſtent "with the law of Chriſt." But it was not Henry's meaning to leave a door for thoſe to eſcape who ſhould hereafter diſpute his ſupremacy (1). The inſtrument being ſealed the twenty-ſecond of March, was preſented to the King, who very graciouſly accepted both the clergy's preſent, and his new title, of which he afterwards made great uſe. The convocation of the province of York reſolved likewiſe to give the King eighteen thouſand eight hundred and forty pounds: but as they omited in the grant to acknowledge the King ſupreme head of the church of England, they were told, that their preſent would not be accepted, if they ſpoke not like the convocation of Canterbury; ſo the clergy of York province were forced to inſert the ſame acknowledgment in their inſtrument. In this manner King Henry procured, or rather extorted from the clergy, the title of "Supreme Head of the Church "of England." Certain it is that, tho' ſome freely gave it him, yet the major part were not of that opinion (2); which is evident from the methods uſed to obtain it. This acknowledgment was procured in the manner we have ſeen, by Warham archbiſhop of Canterbury, Thomas Cromwell, and ſome others, who were really of opinion that England might do extremely well without the Pope. Thoſe who flattered themſelves at firſt, that the words were inſerted without deſign in the inſtrument brought into the convocation of Canterbury, might have ſeen their error, had they given good attention to another article in the ſame inſtrument, and which was alſo inſerted in that of the province of York, namely, that the clergy did promiſe for the future neither to make nor execute any conſtitution without the King's licenſe: which was, in other words, acknowledging the King for ſupreme head of the church of England. We ſhall ſee hereafter what uſe Henry made of this new title.

The King extorts the clergy's conſent. Herbert. Burnet.

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The clergy of York province are forced to follow the example of thoſe of Canterbury.

Pardon granted to the clergy.

The King being ſatisfied with the clergy, granted them a pardon in ample form: but when the pardon was brought into the houſe of commons, they refuſed to paſs it, except the laity, who might have been guilty of the ſame offenſes, were alſo included (3). Henry offended at their oppoſition, ſent them word, he would be maſter of his own favors, and not ſuffer them to be forced from him. The King's reſolution terrified the commons, who to avoid his indignation, paſſed the pardon as it was, throwing themſelves on his mercy as to what concerned the laity: whereupon, pleaſed with their ſubmiſſion, he granted to his temporal ſubjects a pardon like that to his ſpiritual. It ſeems however, that the colleges and monaſteries were excepted, who not being included in the pardons, were forced to compound with the King, as may be ſeen in Rymer.

The commons want the laity to be included in it.

The King offended at it.

The pardon paſſes.

The laity pardoned. See ſtatut. Herbert. Burnet. Stow.

Monaſteries compound with the King.

So far were the people from moving in this affair, as would infallibly have been the caſe had they been under the ſame prepoſſeſſion as were their anceſtors in the reigns of Henry II, and King John, that, on the contrary, ſatisfaction was viſibly painted on every countenance, being highly delighted to ſee the eccleſiaſtics humbled. Thus that body, ſo formidable heretofore, inſtead of daring to reſiſt the King, were conſtrained to fly to his protection, becauſe they ſaw plainly, the people ſhewed no concern at their diſgrace, and they had no remedy elſewhere (4).

The people rejoice at the clergy's diſgrace.

Pope Clement, underſtanding what had paſſed in England, was terribly imbaraſſed. He ſaw Henry purſuing ſuch meaſures as would probably be attended with ill conſequences; nevertheleſs he durſt not venture to proceed magiſterially in the affair, for fear of ingaging in a quarrel which he foreſaw would not turn to his advantage. Beſide his not

The Pope diſſembles his ſentiments. Herbert. Burnet.

(1) Tho' archbiſhop Parker and our author ſay, the act paſſed without the reſtriction, yet it appears in ſeveral paſſages in Henry's letter to biſhop Tunſtal, who in the convocation at York had proteſted againſt it, that the words "quantum per Chriſti "legem licet" were inſerted, and the act ſo paſſed, by nine biſhops, the biſhop of Rocheſter being one, and fifty-two abbots and priors, and the major part of the lower-houſe of convocation, and particularly Stephen Gardiner. Burnet, Vol. I. p. 112. Herbert, p. 151.

(2) When archbiſhop Warham, on ſome not ſpeaking for or againſt it, ſaid, "That ſilence was to be taken for conſent;" they cried out, "We are all ſilent then." Herbert, p. 851.

(3) They apprehended, that, either they might be brought into trouble, or at leaſt their having tranſgreſſed the ſtatutes might be made uſe of to draw from them a ſubſidy. Burnet, Vol. I. p. 113.

(4) During this ſeſſion of parliament, one Richard Rouſe a cook, poiſoned ſome ſoop in the biſhop of Rocheſter's kitchen, with which ſeventeen perſons were mortally infected; one of the gentlemen died of it, and ſome poor people who were charitably fed with the remainder, were alſo infected, one woman dying. Rouſe was apprehended, attainted and ſentenced to be boiled to death, which, for the future, was to be the puniſhment of poiſoning; but was repealed 1 Edw. VI. and 1 Mariæ I. The ſentence was executed in Smithfield ſoon after. Burnet. Stow, p. 560. Hall, fol. 199.

being

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being very well pleaſed with the Emperor, he ſaw him on the point of being fully imployed by the Turks and German Proteſtants, at a juncture when France and England were in ſtrict union: ſo, perceiving no aſſiſtance ſpeedy enough, in caſe he ſhould attempt to exert his authority, he choſe to be ſilent, in expectation of a proper ſeaſon to act, or at leaſt to be reconciled with Henry.

Henry tries in vain to bring the Queen to conſent to the divorce. Herbert. Burnet. Strype's Mem. Hall. Hollingſh.

This affair being ended, Henry prorogued the parliament. Then, he ordered the univerſities deciſions to be printed, with the opinions of the learned concerning his marriage, that againſt the next ſeſſion every one might be informed of the ſtate of the caſe and of his motives to proſecute the divorce. Mean while, as in repudiating his Queen, his intent was to marry Ann Boleyn, he paſſionately wiſhed, Catherine would be perſuaded to conſent to the divorce, in order to avoid the inconveniencies which might ariſe from her obſtinacy. To that purpoſe, he ſent ſome biſhops and lay lords, earneſtly to preſs her, either to conſent to the divorce, or refer the deciſion of the affair to four prelates and four ſeculars: but as ſhe could not be prevailed on to deſiſt from her appeal to the Pope (1), he gave her to underſtand, that ſhe ſhould retire and take up her abode at ſome one of his manſions, which ſhe pleaſed to chuſe, naming diverſe; and, July fourteen, 1531, took his leave of her, intending never to ſee her more (2).

Hall. Hollingſh.

Three perſons burned for religion. Herbert. Fox.

What had lately paſſed in the parliament and convocation, incouraged the well-wiſhers to a reformation in the church, to which they already ſaw ſome preparatives. For this reaſon, religious diſputes became more frequent and public than formerly: but the King, perceiving what inferences would be drawn from his firſt proceedings, was pleaſed to ſhew that, in throwing off the Papal yoke, he deſigned not to ſtrike at the fundamental truths of religion. So, to diſabuſe thoſe who had any ſuch thought, he commanded the laws againſt heretics to be rigorouſly executed. This occaſioned the death of three Proteſtants, namely, Bilney, Bayfield, and Baynam, of whom the two firſt were burned this year, and the other in the inſuing April (3).

Affairs of Germany. Sleidan. Herbert.

While this paſſed in England, the affairs of Germany were more imbroiled. In the begining of the year, Ferdinand of Auſtria King of Bohemia and Hungary, was elected King of the Romans, notwithſtanding the proteſtation of the confederates of Smalcald, and a few days after crowned at Aix la Chapelle. This was in conſequence of a league concluded between the Catholic Princes of Germany in the foregoing November: but this league was offenſive, whereas that of Smalcald was only defenſive. Never had the Proteſtants any deſign to force the conſciences of ſuch as differed from them in opinion: but the intent of the Catholic league was to compel the Proteſtants to return to the church they had forſaken. Theſe laſt proteſted againſt Ferdinand's election as unneceſſary, and contrary to the uſual form: but their proteſtation had no effect.

The remnant of this year was imployed in ſundry negociations, wherein Charles ſeemed to have no other aim than to adjuſt the religious differences, tho' in effect his deſign was only to amuſe the Proteſtants, and hinder them from taking meaſures for their defenſe, when they ſhould be attacked. As they were not ignorant of his artifices, they wrote on that ſubject to the Kings of France and England, who returned them favorable anſwers, with a promiſe of aſſiſtance in caſe any attempts were made to oppreſs them: not that theſe two monarchs deſired to countenance the reformation, but it was their intereſt to protect the German Proteſtants, becauſe their deſtruction could not but exceedingly increaſe the Emperor's power. Indeed, this was one of the chief means whereby that Prince intended to execute his vaſt deſigns.

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AN' 1532. Francis indeavors to excite commotions to perplex Charles. Guicciard. Mezerai.

While the Emperor was forming projects to become maſter of Germany, under color of ſupporting the intereſts of religion and the Empire, Francis left no ſtone unturned, in order to create him troubles capable of producing ſome change which he might improve. His vexation at having been conſtrained to ſign the Cambray treaty, ſet him moſt earneſtly on ſeeking means to repair his loſſes, and eſpecially to recover Genoua and Milan. To this end, he careſſed or menaced his Holineſs according as he ſaw it proper to uſe one or other of theſe methods, and put the Proteſtants of Germany in hopes of a powerful aſſiſtance, in caſe they were attacked by the Emperor (4). But chiefly he labored to ſecure the King of England, becauſe he could be moſt ſerviceable to him. He confirmed him, as much as poſſible, in his reſolution to puſh the divorce buſineſs, in order to keep him always at variance with the Emperor and Pontif. Sometimes he intimated to him, that if the juſtice due to him was obſtinately refuſed, he would join in a league with him, to withdraw their dominions from the tyrannical domination of the Roman court. Then, fearing he would agree with Charles, he adviſed him ſpeedily to marry Ann Boleyn; well knowing it would be a certain means to widen their breach: nay, he ſent a letter to Clement, wherein he appeared no leſs concerned than Henry himſelf in the affair of the divorce. Among other things he told him, that if, thro' complaiſance or fear, he continued to be governed by the Emperor, he muſt not think it ſtrange, that the King of England ſhould indeavor to procure by extraordinary means the juſt ſatisfaction he had ſo long expected in vain; adding, that his intereſts were ſo ſtrictly united with Henry's, that he was indiſpenſibly obliged to aſſiſt, with his utmoſt power, a Prince of whom he gloried to be the perpetual ally. Finally, he prayed him to conſider, whether it was prudent to give thoſe who could not be compeled to obey, the opportunity and will to withdraw their obedience. But Clement, ſeeing only the Emperor's forces in Italy, took care not to follow ſuch dangerous counſels.

Herbert.

Francis and Henry try to frighten the Emperor and Pope; Burnet.

The two Kings at length finding it was impoſſible to gain the Pope, reſolved on an interview, to contrive means to break Charles's meaſures: but they thought proper firſt to ſpread a report, they deſigned to make a new league, in order to intimidate Clement, and hinder him from again cloſing with the Emperor, from whom he was ſomewhat alienated by the buſineſs of Ferrara. Accordingly, they concluded a league at London, ſigned the twenty-third of June: but it is manifeſt this treaty was made only with the above-hinted view, ſince it contained only two articles which could have reaſonably alarmed the Pope or the Emperor, had they been known to them. The firſt was, that in caſe Charles ſeized the Engliſh merchants effects in the Netherlands, the King of France would do the like with reſpect to the Emperor's ſubjects, the Germans

and in order thereto conclude two treaties.

Rym. Fœd. Vol. XIV. p. 435. June 23. Herbert.

(1) Her anſwer to the lords was, That ſhe prayed God to ſend the King a quiet conſcience; but that ſhe was his lawful wife, and would abide by it, 'till the court of Rome declared the contrary. Burnet, Vol. I. p. 114. Hall, fol. 200.

(2) He parted with her at Windſor. She removed firſt to Moor, then to Eaſthamſtead, and at laſt to Ampthill, where ſhe ſtayed longer. Burnet, Vol. I. p. 114.

(3) A bachelor of both laws; a monk of Bury; and a lawyer.

(4) And likewiſe egged on the Turks to invade the German dominions. Herbert, p. 154.

excepted:

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excepted: nay, this article was guarded by ſo many reſtrictions on Francis's part, that it plainly appeared to be merely a pretext to make a treaty. By the ſecond, if King Henry was attacked by the Emperor, Francis was to aid him with five hundred lances, and if the King of France was invaded, Henry was to aſſiſt him with a body of foot, not exceeding five thouſand (1). As the public was not acquainted with the particulars of this treaty, ſeveral reports were ſpread. Some ſaid, the two Kings had agreed to join in the league of Smalcald, or at leaſt to ſend a powerful aid to the German Proteſtants. Others fancied that, as the Turks threatened Auſtria, and the Emperor would be unavoidably obliged to lead his forces into that country, Francis would invade at the ſame time the duchy of Milan, and Henry carry war into the Netherlands. Theſe reports, tho' uncertain, made the Emperor very uneaſy, becauſe they were grounded on conjectures not improbable.

Various reports concerning the treaty.

The interview of the two Kings, between Calais and Boulogne, was not 'till October. They had in view chiefly two particulars. The firſt, to divert the blame thrown on them by the Emperor, in ſpreading over all Europe, that while Chriſtendom was going to be invaded by the Infidels, they remained idle ſpectators of the danger, without offering the leaſt aſſiſtance to thoſe who were preparing for her defenſe. Their other view was, to keep the Italians and Germans in expectation of a freſh war, leſt they ſhould become too compliant to the Emperor's will. To effect their deſign, they mutually gave each other letters patent, whereby they ingaged jointly to raiſe an army eighty thouſand ſtrong, to ſtop the progreſs of the Turks, and to lead the ſame either into Germany or Italy, as there ſhould be occaſion: but this pretended agreement was never put into the form of a treaty. Du Tillet ſpeaks of it in his inventory of the treaties between France and England, by the name of Letters of Agreement*: but there is not any ſuch matter in Rymer: wherefore it is not probable, theſe two Monarchs deſired to execute this pretended project, the ſole aim whereof was to juſtify them to the world, and inſpire the Emperor and Pope with terror: doubtleſs that was the reaſon of their affecting to make it public.

Henry's interview with Francis. Hall. Stow. Hollingſh: Herbert.

* Lettres d'Accord.

During the interview, Henry complained much of the Pope, and Francis even improved upon him, in a long enumeration of the complaints he had received from the Gallican church, on account of the Roman court's exactions: but this was only to amuſe Henry, ſince he was at that very time in ſecret negociation with the Pope, concerning the duke of Orleans his ſecond ſon's marriage with Catherine di Medicis. It manifeſtly appears by that Prince's whole conduct, that his ſole aim was to make the King of England's friendſhip ſubſervient to gain Clement, in order to recover Genoua and Milan, which he had always in view: wherefore he outwardly expreſſed a ſtrong attachment to Henry's Intereſt. He even preſſed him not to ſtay for the Pope's diſpenſation to marry his miſtreſs, who was preſent at the interview, having been lately created marchioneſs of Pembroke (2). While the two Kings were together, they feaſted each other ſeveral times, a minute account whereof is needleſs in this place. Henry came to ſee Francis at Boulogne, and Francis returned his viſit at Calais (3). They parted the thirtieth of October to return, the one to Paris, the other to London: but, by reaſon of the bad weather, Henry continued ſome days at Calais, where it is ſaid he privately married Ann Boleyn (4). It is more probable however, as ſome affirm, that it was not 'till the January following (5).

Francis's deſigns.

He adviſes Henry to marry Ann Boleyn.

HENRY VIII. AN' 1532.

The Kings viſit each other.

Henry marries Ann Boleyn. Burnet. Vol. III. p. 70. Hall.

During this whole year, the Emperor was greatly imbaraſſed. Sulyman Emperor of the Turks threatened to invade Hungary with a powerful army; nor was he worſe than his word. Germany was in trouble, becauſe the Proteſtants, who had been already menaced, were taking effectual meaſures for their defenſe, and refuſed to acknowledge Ferdinand of Auſtria for King of the Romans. On the other hand, Charles was not ignorant of his Sanctity's diſcontent on account of the duke of Ferrara's affair, and that the Kings of France and England were uſing their utmoſt indeavors to draw him off from his party, in order to diſturb Italy. Moreover, the Italians were quiet only becauſe a conſiderable body of Imperialiſts was ſtill in Italy, and no preparation in France to ſupport them, in caſe they were for making attempts. Mean while, in the midſt of this ſeeming tranquillity, they eagerly wiſhed to ſee ſome revolution to free them from their apprehenſions of Charles's too exorbitant power. Finally, the late interview between Francis and Henry extremely troubled the Emperor, apprehenſive as he was that, if Sulyman proſpered in Hungary, they would imbrace that opportunity to invade Milan and the Netherlands. It was neceſſary therefore to think, without loſs of time, of preventing the dangers which might proceed from all thoſe quarters, and to begin with the moſt urgent affair, viz. ſatisfying the Proteſtants, in order to have their aſſiſtance againſt the Ottomans. To that purpoſe, early this year he came to the diet at Ratiſbon, where he found means to negociate with the Proteſtants a ſort of accommodation, whereby no perſon was to be diſturbed on account of religion, 'till a council was called; nor that he deſigned any punctual performance of this agreement, extorted from him by neceſſity. He however received this benefit by it, that all the Princes and ſtates of Germany, as well Proteſtants as Papiſts, furniſhed him with a powerful aid, which inabled him to aſſemble an army of eighty thouſand foot, and thirty thouſand horſe.

The Turks threaten Hungary.

Charles's perplexity. Sleidan.

Some grants in favor of the Proteſtants at the diet of Ratiſbon.

Charles obtains aſſiſtance

While this army was forming, the Emperor, willing to ſound the King of France's intentions, deſired his aſſiſtance againſt the Turks; but received not a very ſatisfactory anſwer, which, added to the interview of the two Kings, confirmed his ſuſpicion that they were meditating ſome project not to his

He ſuſpects the King of France. P. Daniel.

(1) When the French embaſſador in England returned to France, King Henry ſent by him fifty thouſand crowns, to be imployed in the defenſe of the rights and privileges of the Empire. Herbert, p. 154.

(2) September 1, with a yearly penſion of a thouſand pounds. Hall, fol. 206.

(3) Francis went back from Boulogne with Henry, in this order, that while Francis was on French ground, he gave place, but when he came to the Engliſh pale, Henry gave him the precedence. Being come near Calais, the duke of Richmond, Henry's natural ſon, a goodly young gentleman, bravely attended, met them. The lodging which Francis was brought to, was moſt richly furniſhed with cloth of gold and tiſſue, imbroidered in ſome places with pearls and precious ſtones. There ſeveral ſervices were brought in a hundred and ſeventy diſhes, all of maſſy gold. The marchioneſs of Pembroke made them a curious and rich maſk, in which both Kings danced. The dukes of Norfolk and Suffolk were made knights of St. Michael. See Hall, fol, 207, &c.

(4) Rowland Lee, afterwards biſhop of Litchfield and Coventry, celebrated the marriage in the preſenſe of archbiſhop Cranmer, the duke of Norfolk, her father, mother and brothers. Herbert, p. 161.

(5) The news of this marriage was ſoon carried to Rome. The Pope publiſhed a brief againſt King Henry, in which he exhorted him to bring back the Queen, and to put Ann away, within a month after receipt of the brief; otherwiſe he excommunicated both him and Ann. Burnet, Vol. III. p. 17.

advantage:

Henry VIII. An' 1531.

His campain againſt the Turks. Guicciard. Herbert.

advantage: but Sulyman haſtening his campain in Hungary, hindered him from thinking of means to prevent the miſchief he feared from the two confederate Kings. In effect, the Turks not only advanced into Hungary, but even into Auſtria, with deſign to give him battle: but he wiſely avoided it, ſince in loſing it he would have been without refuge, and Auſtria, with part of Germany, would inevitably have fallen under the Ottoman dominion; whereas by ſtanding, as he did, on the defenſive, with an army more than one hundred thouſand ſtrong, he prevented them from making any conſiderable progreſs, and obliged them to retreat into their own territory. When he had certain advice that Sulyman was on his march to Conſtantinople, he departed for Italy, whence he deſigned to return into Spain.

He paſſes into Italy.

He confers with the Pope at Bologna. Guicciard.

About the middle of November he came to Bologna, where his Sanctity waited to confer with him. As their deſigns were very oppoſite, there was not that harmony between them as at their interview in the year 1529. Charles thought only of ſecuring Italy, and preventing the King of France's return. Clement, on the contrary, wiſhed to keep him always uneaſy on that account, as well to render himſelf neceſſary, as to be freed from a ſtate of dependance. The Emperor required his Holineſs to convene a council in Germany, otherwiſe he ſaw no poſſibility of finding a legal pretenſe to ruin the Proteſtants: but after what had paſſed at Conſtance and Baſil, the very name of a council was become ſo odious to the court of Rome, that Clement could not reſolve to call one. He recollected what had occurred to John XXII and Eugenius IV, and therefore had not the leaſt inclination to have his authority called in queſtion. The Emperor moreover demanded his Sanctity's conſent to a league he intended to form between all the ſtates of Italy, to which each ſhould contribute in proportion to their forces, in order to ſecure the country from all invaſion: that is to ſay, he would have in Italy an army maintained at the expenſe of others, and always ready to defend the Milaneſe, in caſe the French ſhould think of invading that duchy. Clement approved of this project, not with deſign to keep Italy in its preſent ſituation, ſince it was greatly to his detriment that the Emperor ſhould remain ſo powerful there, but to have a pretext to be rid of the German and Spaniſh troops, who were a terror to the Italians. He foreſaw that a league of ſo many parties, whoſe intereſts were different, could not long ſubſiſt, and that, after it was broken, he ſhould himſelf become more neceſſary and conſiderable: he deſired only that the Venetians ſhould come into the league, and bear their part of the charge. Finally, Charles farther required of the Pope, that he ſhould give his niece Catherine di Medicis to the duke of Milan; his aim being to ingage him, for his niece's ſake, in the defenſe of the Milaneſe, for fear, in the end, the King of France ſhould find a favorable opportunity to gain him to his intereſt. But againſt this propoſal Clement alledged, his ingagement with King Francis, who had done him the honor to demand Catherine for the duke his ſecond ſon. He repreſented to the Emperor, that he could not prefer the duke of Milan to the duke of Orleans, without making the King of France his irreconcileable enemy. So their whole negociation ended only in the projected league, in which the Venetians refuſed to be included; contenting themſelves with promiſing Charles a punctual performance of their ingagement with reſpect to the duchy of Milan. In fine, the Emperor having cauſed embaſſadors to come from Milan, Ferrara, and Mantoua, ſome time was imployed in indeavoring to ſettle the terms of the league: but the diſpute between Clement and the duke of Ferrara very much retarded the concluſion,

He demands a council. P. Daniel.

He propoſes a league for the ſafety of Italy. Guicciard.

because the duke would not accede to the league before he was ſecure of peace at home: however, after great pains, the Emperor prevailed on his Sanctity to allow the duke a year and half reſpite. This affair retarded ſigning the league 'till February in the year following.

Henry VIII. An' 1531.

Henry's late deportment towards the clergy, and his diſpoſition with regard to the Pope greatly incouraged thoſe who longed to ſee a reformation in the church. To conceive a right notion how the Engliſh ſtood affected in this reſpect, it is neceſſary to know the peoples ſentiments concerning religion. It may be undeniably affirmed, that as to the reformation of the Pope's exorbitant power, and the clergy's immunities, there was ſcarce one Engliſhman, if we except all or moſt of the eccleſiaſtics, who did not wiſh it moſt cordially. It was now three hundred years ſince parliaments firſt began to indeavor it, but without any effectual ſucceſs, becauſe it was contrary to the intereſt of the Kings: but as for a reformation of doctrine, thoſe who deſired it were very far from being a majority. Its well-wiſhers were not ſufficiently numerous to venture propoſing it openly, eſpecially as they were not countenanced by the King: but when the Pope's exceſſive authority, or the pride and riches of the clergy were exclaimed againſt, they boldly joined with the reſt of the people, without fear of being diſcovered, becauſe that was the general ſentiment, or at leaſt that of almoſt all the laity; yet really, in expreſſing their zeal againſt the clergy, their aim was to promote the reformation of doctrine, becauſe they knew the chief obſtacle would always proceed from the church's rulers. Here therefore they believed they ought to begin, in order to arrive at a thorough reformation: ſo, among thoſe who wiſhed to reduce within due bounds the Pontifical power, and the clergy's immunities, there were doubtleſs many who had no farther views, and imagined the reformation would there terminate. Others, on the contrary, hoped that, after making this advance, it would be impoſſible to ſtop, wherein they had for warrant what had happened in Germany: but they took care not to undeceive the reſt, for fear of cooling their zeal, by ſhewing them too ſoon the conſequences of this firſt ſtep taken towards a reformation.

How the Engliſh ſtood affected as to religion.

An' 1532.

The commons are inclined to reduce the clergy's power Herbert. Hall.

The parliament meeting the fifteenth of January 1532, the commons were in a manner unanimouſly diſpoſed to redreſs the grievances ſo long in vain complained of, with reſpect to the Papal power, and the eccleſiaſtical privileges. No occaſion ſo very favorable had ever offered. When formerly the parliaments were inclined to make any attempt of this nature, the Kings were unwilling to concur with them, becauſe the ſtate of their affairs permited them not abſolutely to break with Rome: but the divorce buſineſs had ſet matters on another footing. Henry was diſſatisfied with his Holineſs, and conſidered the clergy, both ſecular and regular, as ſecret enemies, by reaſon of their attachment to the Roman court: ſo, his intereſt required, that the Pope and clergy ſhould be humbled, and diviſion ſown between them and the people; being ſenſible, that the former could hurt him only in proportion to their credit with the latter. As for what foreigners might do, he thought himſelf in no danger, ſo long as he maintained a ſtrict union with France, and the more, as Charles was then imployed by his war with the Turks, and the troubles of Germany.

Addreſs preſented to the King.

The King's anſwer. Hall. Stow. Herbert. Hollingſh.

All this being artfully inſinuated to the houſe of commons, they addreſſed the King, praying him to conſent to a reformation of ſundry grievances, occaſioned by the clergy's immunities. Henry replied, that before he gave his conſent to their requeſt, which ſeemed to him of great moment, he wiſhed to hear what the eccleſiaſtics had to ſay for themſelves;

HENRY VIII. AN' 1532.

themſelves: but, under this ſhew of equity, his intent was to intimate to the clergy, how much they wanted his protection, ſince he could either promote or reſtrain the proceedings of the commons as he pleaſed. Some time after, the parliament paſſed certain acts, which only glanced at ſome of the clergy's privileges, againſt which the people had moſt reaſon to exclaim: but for that time the reformation was carried no farther: nay, care was taken to make the eccleſiaſtics amends, by paſſing an act to releaſe them from the payment of Annates (1), which was become a heavy burden. This act ran, that the kingdom was daily impoveriſhed by the great ſums paid to the See of Rome, for firſt-fruits, palls, bulls, &c.: that ſince Henry VII's time, * one hundred and ſixty thouſand pounds had been ſo imployed, and that more was ſoon like to be exported, by reaſon diverſe of the prelates were very aged: that beſide, the Annates were firſt introduced only as a contribution for the war againſt Infidels, to which however they were never applied; and therefore it was inacted, that all payments of Annates ſhould ceaſe for the future: that as for the bulls, there ſhould only be paid five pounds in the hundred, according to the clear annual value of the biſhoprics: that if, on account of this regulation, the Roman court ſhould refuſe granting bulls, the biſhop elect ſhould be preſented by the King to the archbiſhop of the province for his conſecration: that in caſe the archbiſhop ſhould deny doing it on pretenſe of wanting palls, bulls, and the like, any two biſhops appointed by the King ſhould perform this office, and the biſhop ſo conſecrated acknowledged for legal; nevertheleſs the parliament declared, that it ſhould be in the King's power to null or confirm the act within ſuch a time: and if in this interval he ſhould make any amicable compoſition with the court of Rome, it ſhould have the force and authority of a law: but, if, on this act, the Pontif ſhould pretend to vex the realm by excommunications or interdicts, ſuch cenſures ſhould neither be regarded nor publiſhed, and, all interdicts notwithſtanding, the prieſts might lawfully, without any ſcruples of conſcience, celebrate divine ſervice as before.

Statutes againſt the clergy.

Act concerning Annates, or firſt-fruits.

* Since his ſecond year.

Mean while, among the great number of repreſentatives in the houſe of commons, ſeveral of them were utterly averſe to a rupture with his Holineſs. They however foreſaw it would infallibly follow on the King's divorce; wherefore they uſed all poſſible indeavors to prevent it. One Temſe, a member of parliament, was ſo preſumptuous as to move, that the houſe ſhould go in a body and addreſs the King to take his Queen again. Henry hearing of this, ſent for the ſpeaker, and in his perſon ſeverely reprimanded the commons for ſuffering motions to be made concerning a matter which fell not under their cognizance (2).

Boldneſs of a commoner. Herbert. Hall. Burnet.

King Henry reprimands the commons.

Some days after Henry ſent again for the ſpeaker, and told him that, having compared the oath taken by the biſhops to the Pope with that they took to the King, it ſeemed to him they were but half ſubjects; and therefore he deſired the commons to examine this affair, and be mindful of the royal prerogative. But the peſtilence, which then raged at London, conſtrained the parliament to break up preſently after, and for that time prevented the commons from debating on this buſineſs.

He wills them to conſider the biſhops oaths. Burnet. Hall.

This power given Henry by his parliament to aboliſh the Annates, or make ſome amicable compoſition with his Sanctity, was a clear evidence that this act had been procured by intrigues of the court. Clement was thereat extremely offended: but when he complained to King Henry's agents, he was told, "That he might have ſaved himſelf that "vexation; and that there was ſtill a remedy, "ſince his Majeſty had power to repeal the act." This was a plain hint, for him to reſt aſſured that Henry would behave according as he had reaſon to be ſatisfied with his Beatitude's procedure.

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Clements complains of the acts aboliſhing the Annates. Burnet.

The King's agents anſwer.

Thomas More, who was lord chancellor, and a perſon of excellent judgment, already foreſaw that Henry's proceedings would in the end produce a total rupture with Rome. He would willingly have conſented that ſome abuſes ſhould be reformed: but he found, as matters were managed, the reformation would go much farther than he deſired. He made great difference between withdrawing intirely from the Pope's obedience, and retrenching ſome of his uſurpations: wherefore, being unwilling to be inſtrumental to ſuch rupture, he reſigned the great-ſeal on the ſixteenth of May. Some days after, the King made ſir Thomas Audley *, lord keeper of the great-ſeal, 'till the twenty-fifth of January 1533, when he was made lord-chancellor.

Thomas More reſigns the great-ſeal, Burnet. Hall. which is given to ſir Thomas Audley. Rym. Fœd. Vol. XIV. p. 433, 439. p. 446.

* Late ſpeaker.

While Henry imployed various means to convince Pope Clement of the danger whereto he expoſed himſelf by his obſtinate refuſal of what he required, the Emperor was no leſs earneſtly indeavoring to obtain a ſentence in Queen Catherine's favor. The way theſe two Monarchs applied to his Sanctity, was not by reſpectful ſollicitations, but by menaces, which had the greater effect, as he was naturally timorous, and ſlow in determining on matters which required a ſpeedy reſolution. By theſe two ſo very oppoſite demands he in reality found himſelf between hammer and anvil, as he ſaid when the affair was firſt in agitation. On the other hand, by Henry's late proceedings, he evidently ſaw that England was in the direct road of being loſt to him and his ſucceſſors. This conſideration was very ſufficient to induce him to ſeek expedients to content that Monarch, without prejudice to the honor of the Holy See. He would thereby have preſerved a kingdom which had ever been devoted to the Popes, and from whence they had drawn large revenues: but, on the other hand, Charles had ſtill an army in Italy, and was able to revenge his refuſal. Clement, of all things, dreaded the loſs of Florence, which the Emperor could take from him with even more facility than he had procured him the poſſeſſion: it is therefore no wonder, if this apprehenſion, being the moſt imminent, prevailed: and as to the reſt, it would be ſtumbling into a notorious error were we to aſcribe to this Pope any motives of juſtice, equity, benefit of the church, or religion: all that, for ſome time, had ſerved only for preambles to bulls. His own and his family's intereſt was the ſole rule of his conduct: ſo, finding himſelf extraordinarily preſſed by the Emperor to paſs ſentence on Queen Catherine's appeal, he could no longer be excuſed from giving ſome ſatisfaction. He declared therefore to the Engliſh agents, that having long, tho' in vain, expected that their maſter would of himſelf return to the right way, he was obliged to cite him to Rome. Henry having thereof notice, ſent with all ſpeed Edward Karne, doctor of law, with the new character of Excuſator, to alledge the reaſons againſt a citation to which the King of England could not be liable.

Both Charles and Henry threaten the Pope; who is ſtrangely perplexed.

His own intereſt prevails.

Herbert. Burnet.

Karne ſent to Rome as the King's Excuſator. Herbert. Burnet.

(1) Or the firſt-fruits of the biſhopricks.

(2) He told the ſpeaker moreover, it touched his ſoul; he wiſhed his marriage were good, but the learned had determined it to be null and deteſtable, and therefore he was obliged in conſcience to abſtain from her, which he aſſured him flowed from no luſt, or fooliſh appetite. He then was forty one years old, and at that age thoſe heats abate. But, except in Spain or Portugal, it had not been heard of, that a man married two ſiſters; and he never heard that any Chriſtian, before himſelf, had married his brother's wife. Therefore he aſſured him his conſcience was troubled, which he deſired him to report to the houſe. Burnet, Vol. I. p. 122. Hall, fol. 205.

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liable. Karne arriving at Rome in March, Clement ſcrupled receiving him as excuſator, a character whereof there was no precedent to be found in the chancery: however, he commited the examination of this title to a congregation, which made no haſte to give their opinion, that the excuſator might not have power, before he was acknowledged, to oppoſe the reſolutions already taken.

A new delay granted the King. Burnet.

At length, in a conſiſtory the eighth of July, it was reſolved, that, without examining the King of England's reaſons for not appearing perſonally, he ſhould be intreated to ſend to Rome a proxy to defend his cauſe. Mean while, as the vacation, which was to laſt 'till the firſt of October, was then juſt commenced, a delay 'till that time was tacitly granted to King Henry. During this interval, his Holineſs ſent him a brief, requiring him to diſpatch away to Rome a proxy. At the ſame time he cauſed the following overtures to be made him:

The Pope's offers. Herbert. Burnet.

"Firſt, that the affair of the divorce ſhould be "examined in any indifferent place, by a legate "and two auditors of the Rota; which done, the "Pope himſelf ſhould paſs ſentence. Secondly, "that all the ſovereign Princes of Chriſtendom "ſhould agree to a truce of three or four years, "within which time his Sanctity ingaged to call a "general council." The King, by ſir Thomas Elliot, who was ſent purpoſely, replied; "Firſt, "That he could not agree to a truce without the "King of France's concurrence. Secondly, that it "was not a proper juncture to call a council. "Laſtly, as for the divorce affair, being King of "England, he was to take care of the prerogatives of his crown, and the laws of his realm, "which allowed not that any proceſs ſhould be "tried in a foreign court; that beſide the canons "of the church expreſly decreed, that all matri "monial cauſes ſhould be judged in the countries "where the parties reſided."

Henry's anſwer. Burnet. Vol. I. p. 125.

The King proteſts againſt the citation. Rym. Fœd. Vol. XIV. p. 416, 422. Burnet. Herbert.

To theſe reaſons, he added, a proteſtation in form, declaring, that he was not obliged to appear at Rome, either in perſon or by proxy, and tacked to this proteſtation the determinations of ſome univerſities (1) he had conſulted: however, he propoſed to the Pope three things. Firſt, he required, that the cauſe ſhould be decided by the archbiſhop of Canterbury, and two other biſhops, or elſe, by the whole clergy of the kingdom: but it muſt be obſerved, that the See of Canterbury had been vacant ſince Auguſt, by Warham's death, and if Clement had cloſed with this propoſal, Henry would not have failed to fill the See with a prelate devoted to him. His ſecond offer was, that the cauſe ſhould be judged by four arbitrators, one to be named by the King, another by the Queen, a third by the King of France, and that the archbiſhop of Canterbury ſhould be the fourth. Thirdly, he propoſed, that the cauſe, being judged by the archbiſhop, or by umpires, if the Queen ſhould think fit to appeal from the ſentence, her ſaid appeal ſhould be brought before three judges, whereof he would name one, the Pope another, and the King of France a third. To theſe propoſals Clement anſwered, That he perceived the King would not recede from his pretended rights, and therefore it muſt not be wondered at if he reſolved to preſerve his own.

He makes the Pope three offers, which are rejected.

All the obſtacles to the divorce come from the Emperor.

It is however certain, if the Pope durſt have ſatisfied Henry, he would gladly have done it, by reaſon of his apprehenſion of loſing England abſolutely. It was not the difficulties in the divorce buſineſs which obſtructed his proceeding. Had they been abundantly greater than they really were, he would have willingly overlooked them all: for, ſuppoſing the unlimited power aſſumed by the Popes, it was as eaſy for Clement VII to null Henry's marriage, as it was for Julius II to grant a diſpenſation; but he had to manage the honor of his See, and the intereſt of his Imperial Majeſty, who menaced him, and was able to execute his menaces. Had not Charles been concerned in the affair, his Holineſs had at hand a very eaſy expedient to ſatisfy Henry, without prejudice to the Pontifical authority. It depended only on his aſſuring this Prince, that the cauſe ſhould be decided in his favor, and he would willingly have agreed that his ſaid Sanctity ſhould have been the ſole judge: but Clement could not give him any ſuch aſſurance by reaſon of the Emperor's oppoſition; and therefore Henry could not reſolve to put the affair into his hands, at the hazard of being caſt. On this account it was that he propoſed infallible expedients to gain his cauſe: but on the other hand, the Pope could not accept of theſe expedients, without injuring his dignity; thus the affair was ſolely retarded by the Emperor's interpoſition. Had it not been for him, the Pope would have contented Henry, and that Monarch have ſubmited to his Holineſs, and remained, as before, a moſt obedient ſon of the Holy See. Hence therefore it may be infered, that King Henry's proceedings, as well in the late parliament as afterwards, flowed not ſo much from his real opinion that the Papal authority was uſurped, as from his ſeeing no other way to be delivered from his preſent difficulties, than by denying it to be in the power of any Pope to do what had been done by Pope Julius II. There is however much appearance that he was afterwards fully convinced of the truth of what he at firſt aſſerted thro' mere neceſſity. On the other hand, if the Pope paſſed ſentence againſt Henry, as we ſhall ſee preſently, it was not from a belief that his marriage with Catherine was legal, but ſolely to ſave the honor of the Holy See, and thro' fear of, and complaiſance for, the Emperor. And here who can forbear admiring the ſecret ways of Providence, which rendered utterly impoſſible a reconciliation between the Pope and King Henry, in order to produce what was to be attended with ſo momentous conſequences for England?

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Henry is cited to Rome. Herbert. Burnet.

At length the vacation being over, Henry was cited the fourth of October to appear at Rome, either in perſon or by proxy, and Karne ſolemnly proteſted againſt the citation. What I have been reciting occurred before the Emperor's arrival at Bologna. Clement VII, who immediately after the citation prepared to go thither to confer with that Monarch, promiſed Karne, that all proceedings ſhould be ſuſpended ſo long as the Emperor was in Italy. This was the ſole favor Karne could obtain (2).

AN' 1533.

Affairs between England and Scotland. Buchanan. Herbert. Hall. Hollingſh.

While Henry ſeemed wholly imployed in the affair of the divorce, a quarrel aroſe between England and Scotland. Buchanan pretends that Henry, willing to take advantage of his union with France, and imagining that Francis would ſuffer him to oppreſs King James, made in-roads into Scotland (3),

(1) Thoſe of Orleans and Paris.

(2) King Henry having obtained from cardinal Wolſey, a grant of the archbiſhop of York's palace at Weſtminſter, then called York-place, now Whitehall; and got a confirmation of the cardinal's grant from the chapter of the cathedral of York; did alſo this year purchaſe the hoſpital of St. James, founded by the citizens of London, before the time of any man's memory, for fourteen leprous maidens; and erected in its room the palace now called St. James's, to which he annexed the park, and incloſed it with a brick-wall. Hall, fol 203. Stow's Survey, B. VI. p. 4.——About June this year, the Pope granted King Henry, by a bull, a commiſſion to erect ſix new biſhopricks, to be indowed by monaſteries which were to be ſuppreſſed. Burnet, Vol. I. p. 121. This deſign was at firſt formed by cardinal Wolſey, as appears from Rymer's Fœd. Vol. XIV. p. 273, 291.

(3) He ordered ſir Arthur Darcey to make thoſe inroads, pretending for cauſe thereof the reſtitution of the Douglaſſes. Herbert, p. 166.

as

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as if he intended to renew the war. He adds, that the only pretenſe of this rupture was, that the Scots had ſpoken ſome injurious words againſt the Engliſh. Howſoever this be, the Scotiſh King being prepared for his defenſe, Henry thought not fit to purſue his deſign: he choſe rather to agree, that the difference ſhould be decided by mediation of the King of France who, for that purpoſe, ſent an embaſſador to Newcaſtle. King James was ſo offended with Francis for eſpouſing his cauſe with ſuch luke-warmneſs, that he was on the point of leaguing with the Emperor: but matters were at length happily adjuſted, and the Kings of England and Scotland remained friends as before.

League concluded at Rome for the ſecurity of Italy. Guicciard.

It was not for Henry's intereſt to undertake a war againſt Scotland, when he was to prepare for his defenſe againſt the Emperor. Very ſeemingly, Pope Clement had not promiſed to judge Queen Catherine's appeal without being firſt aſſured that the Emperor, her nephew, would execute the ſentence. This was indeed that Monarch's real deſign; but the intervening diſturbances hindered his ingaging in that enterpriſe. He reckoned that the above-mentioned Italian league would be a ſure defenſe for the duchy of Milan: but he ſoon perceived himſelf made a mere tool by the politic Pontif. This league was at length ſigned at Bologna the twenty-fourth of February 1533, according to his deſires. Every Sovereign who had dominions in Italy, the Venetians excepted, ingaged to find a certain ſum monthly, to ſubſiſt the army which Antonio de Leva was to command as general of the league. Charles's intention was, that the ſaid army ſhould conſiſt of his own troops, and be conſtantly maintained: but the deſign of the confederates was very different. They had acceded to the league purely that Charles, having nothing to fear for Italy, might thence withdraw all his forces: but it was never their meaning, that thoſe maintained at their charge ſhould ſerve to keep them in ſubjection, which would neceſſarily be the caſe if the army on foot was continued under command of the Emperor's general. They therefore repreſented to him, that the league being only defenſive, it was not proper to continue an army without neceſſity, to ruin them in expenſes; but on the firſt motion of the French, they would not fail to perform their agreements. What arguments ſoever the Emperor alledged, it was not poſſible to bring them to what he deſired: he was therefore conſtrained to be ſatisfied with their promiſes, becauſe he was not in condition to maintain in Italy ſuch a body of forces at his own charge; wherefore he diſbanded part of his troops, and ſent the reſt to Naples and Spain. He departed from Bologna about the end of February, and came to Genoua, where he remained ſome time; after which, on the eighth of April, he imbarked for Spain, exceedingly diſguſted with his Holineſs, who with all his diſguiſes could not conceal his growing inclination to France: and, in effect, he was already agreed with the cardinals of Tournon and Grammont on an interview with Francis, and the marriage of Catherine di Medicis with the duke of Orleans.

Different views of the Emperor and allies.

The Emperor withdraws his army from Italy, on the allies refuſing to pay troops in time of peace.

He returns to Spain.

Marriage of the duke of Orleans with Catherine di Medicis agreed on.

Affairs of Germany. Sleidan. Herbert.

It was not on the affairs of Italy only that Charles was imployed. He had, as was obſerved, promiſed the Proteſtants a free council in Germany: but tho' the word Free was alike uſed by thoſe who demanded a council, and by him who promiſed it, the parties were far from having the ſame meaning. The Proteſtants, by that word, underſtood that a council ſhould be held in Germany where not only they might have free acceſs and full liberty to produce their reaſons, but alſo that the points in diſpute ſhould be decided ſolely by the word of God. On the contrary, Charles's deſign was, nominally to retain the word, and, by rendering his party ſuperior in council, to cauſe matters to be ſo decided that the Proteſtants ſhould be forced, either to revoke all their innovations, or reject the council's deciſions. In the latter caſe, which was moſt likely to happen, the Emperor plainly perceived, they would give him a pretenſe to attack them, which was the very thing he intended. But, in the execution of this deſign, one main obſtacle occurred: viz. a council, of what kind ſoever, was to his Holineſs a great terror. Tho' he was perfectly ſatisfied that Charles demanded not a council with intent to alter religion, yet he was afraid of being ſacrificed to the Proteſtants, if that Monarch's intereſt required it: beſide, the ſtrict alliance between Francis and Henry made him uneaſy. In ſhort, he could not reſolve to call a council, without being ſure of managing it as he would; and that could ſcarce be expected, as matters then ſtood in Chriſtendom. Since his being on the Pontifical throne, he had pleaſed neither the Emperor, the King of France, the King of England, nor the Potentates of Italy; nevertheleſs the council was chiefly to conſiſt of the ſubjects of all theſe Sovereigns. He was conſcious of his ſpurious birth, and that alone was ſufficient to depoſe him, in caſe his enemies were ſuperior in the council. What had paſſed at Conſtance and Baſil gave him juſt reaſon to dread that a council, held in a free city of Germany, might form the ſame deſigns. On all theſe conſiderations, when the Emperor deſired him, at the conference of Bologna, to call a council, he forbore to give a poſitive anſwer: he contented himſelf with commiting the examination of his requeſt to certain cardinals, under color of being informed of the reaſons pro and con. The Popes have a character to ſuſtain, which often throws them into great perplexity. In public, they muſt make ſhew of a great zeal for God's glory, for religion, and for the good of the church, and withal of a great diſintereſtedneſs for every thing which perſonally concerns them: but, for fear what they thus profeſs outwardly ſhould be taken literally, they muſt in private undeceive thoſe who treat with them, and diſcover to them that their own intereſt is the principal ſubject of the negociation; ſo, what they ſay publicly, is always juſt and right, and ſeems to tend only to the greater glory of God; but in the end it is too frequently perceived, that religion ſerves only for a cloak to their temporal concerns. On the preſent occaſion, a general council ſeemed abſolutely neceſſary to terminate the troubles raiſed thro' differences in points of religion in diverſe parts, and more particularly in Germany. The Pope not only agreed upon a council with the Emperor, but even feigned to wiſh it moſt cordially: nevertheleſs, as a council was contrary to his intereſts reaſons drawn from the good and advantage of religion were to be found, either wholly to reject it, or at leaſt defer the convening. This was put in practiſe by the commiſſioners, appointed to examine the Emperor's requeſt. They drew a memorial, wherein, after having ſet forth the great neceſſity of a council, they withal urged the inconveniences of admiting the Proteſtants to diſpute on matters already ſettled, and the uſeleſſneſs of the ſame council if they were not admited. This memorial being communicated to King Francis, he replied to it by another, demonſtrating, that the ſaid inconveniences ought not to obſtruct the calling a council. Moreover, he particularly pointed out the proper methods to baniſh all partiality. But this remonſtrance was not at all reliſhed by Charles, ſince it was not a free council he deſired, but a council which would afford him opportunity and pretenſe to attack the Proteſtants of Germany; after which, he deſpaired not of bringing alſo the Catholics under his yoke. Francis replied to the Emperor's

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Clement averſe to a council. Sleidan.

Reaſons of a congregation of cardinals againſt the council.

Francis anſwers their reaſons. Herbert.

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Emperor's objections againſt his remonſtrance; but ineffectually: it was in a manner utterly impoſſible that two Princes whoſe intereſts were ſo oppoſite, and who were ſo jealous of each other, ſhould ever agree in any one point. Thus Pope Clement had his deſire, ſince the council's convention was defered to a properer ſeaſon. I muſt now relate what paſſed in England during the year 1533.

The council is put off. Herbert.

Parliament in England. Herbert. Burnet. Hall.

While Clement and Charles were confering at Bologna, the King of England aſſembled his parliament the fourth of February. As thitherto his Sanctity had not any way relaxed, except in delaying the excommunication wherewith he had menaced Henry, it was judged convenient not to proceed a ſtep farther, and ſhew him he was not in the leaſt dreaded. To begin, the parliament paſſed an act, expreſsly forbiding all appeals to Rome, on pain of incurring a Præmunire. This was to convince his Beatitude, that the Engliſh could do without him; ſince, at the very juncture the point in queſtion between him and the King was, to know whether his divorce affair ſhould be judged in England, that Prince's ſubjects were forbid to carry their cauſes to Rome. But there was another reaſon which induced King Henry to procure this act; namely, having intelligence King Francis was about allying himſelf with Clement, he imagined that for the future his ſaid friend would act but faintly in his behalf; and therefore he was now determined to have his cauſe tried at home, without giving himſelf any farther concern with regard to the Pope's proceedings againſt him. The archbiſhoprick of Canterbury being vacant by Warham's death, it was requiſite to fill that See, to have the ſentence given by the primate of England. To execute this function, Henry had caſt his eyes on doctor Thomas Cranmer, then in Germany (1): but, contrary to his expectation, he had found the doctor more averſe to accept, than others would have been eager to ſollicit for that high dignity. Six whole months paſſed before he could be prevailed on to load himſelf with that burden. His reluctance being finally conquered by Henry's perſeverance, he ſet out for London, tho' he journied very ſlowly, in hopes the King might alter his mind. However, as a farther delay was directly contrary to the meaſures King Henry had already reſolved to take, Cranmer could not any longer defer ſubmiting to his will. The King himſelf undertook to demand his bulls, which, tho' eleven in all, were rated at only nine hundred ducats. Pope Clement, of his own accord, forbore requiring the Annates, foreſeeing they would be refuſed. To inable Cranmer to be at this charge, Henry made him a preſent of the revenues of the archbiſhoprick, from the ninth of September laſt year. Theſe obſtacles being removed, there aroſe another much more conſiderable. Cranmer refuſed to take the uſual oath to the Pope, believing he could not do it with a ſafe conſcience. In his firſt voyage into Germany he had read Luther's books, which fully convinced him of the truth of many of the Proteſtant tenets, and particularly of the ſmall foundation, to be met with in Sacred Writ, for that ſpiritual power which the Pontifs aſſumed over the univerſal church: and conſequently, he could not reſolve to ſwear an obedience which, in his opinion, was not due to him. Mean while Henry, conſidering Cranmer as a perſon who, by his principles and reſolution, could effectually ſerve him in the deciſion of his divorce affair, whereof he would fain ſee the end, preſſed him ſo earneſtly to ſwear the cuſtomary oath, that, at length, by a certain expedient propoſed to him, he was perſuaded to do what the King deſired.

Statute againſt all appeals to Rome.

Cranmer made archbiſhop of Canterbury. Burnet. Hall. Herbert.

He refuſes to take the oath to the Pope. Burnet.

This was, by making a formal proteſtation againſt the oath he was to take: not that this was by any means the moſt commendable action of his life. However, he was conſecrated the thirteenth of March, according to Burnet; but Henry put him not in poſſeſſion of the temporalities 'till the twenty-ninth of April, which gives occaſion to ſuſpect ſome miſtake in the former of theſe dates.

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He yields at laſt, but makes a proteſtation. Rym. Fœd. Vol XIV. p. 456, 457. Burnet. p. 128.

This affair being ended, King Henry required the convocation of the province of Canterbury to give their opinion on theſe two points. Firſt, whether Pope Julius's diſpenſation for the King's eſpouſing Catherine was ſufficient, and could render valid ſuch a marriage? Secondly, whether it was ſufficiently proved that Arthur had conſummated his nuptials with Catherine? Whereupon, the convocation declared, on the fifth of April, that the Pope had not power to diſpenſe contrary to the law of God, and that the conſummation of Arthur's marriage was proved, as far as a thing of that nature could be. The convocation of York made a like deciſion the thirteenth of May following.

The convocations of Canterbury and York decide the points concerning the divorce in Henry's favor. Rym. Fœd. Vol. XIV. p. 454, 472. Burnet.

While the eccleſiaſtics were buſied in debating theſe points, Henry wrote to Francis, deſiring him to ſend a truſty perſon to whom he might impart certain matters which he would not have known publicly. Hereupon Francis diſpatched over Guillaume du Bellay baron de Langeais, ordering him to acquaint King Henry, that he had concluded a match between his ſecond ſon the duke of Orleans, and Catherine di Medicis, and that the Pope and himſelf were to meet at Marſeilles, to celebrate the nuptials: that, in ſuch a juncture, he believed his preſenſe would be very neceſſary, perſonally to negociate his affairs with the Pontif; but in caſe he did not think proper to be at the interview, he would do well to ſend ſome perſon on his part. Langeais being come to London, the King told him, that Clement VII having obſtinately refuſed to appoint him judges in England, he had determined at length to proceed; and therefore had already eſpouſed Ann Boleyn, with a reſolution to have his former marriage nulled by the archbiſhop of Canterbury: that he would nevertheleſs keep his ſecond eſpouſals private 'till May, to ſee what the King of France could do with the biſhop of Rome; for ſo he ſtiled the Pope: but if he could not obtain any thing, his deſign was to withdraw himſelf abſolutely from the Papal authority. He then imagined, the Pope and Francis would meet in May, but it was not 'till October. He farther acquainted Langeais, that he had compoſed a treatiſe on the incroachments of the biſhops of Rome, and the prerogatives of Sovereigns; but would not publiſh it 'till he ſaw no hope of a reconciliation.

Francis ſends Du Bellay to London. Du Bellay. Mezerai. Herbert.

Henry imparts his marriage to Du Bellay. Herbert,

Herbert. p. 168. Strype's Mem. p. 149.

Not long after, King Henry's marriage with Ann Boleyn was publiſhed; which certainly was a moſt irregular procedure. As that Monarch had determined on having his firſt marriage nulled by the archbiſhop of Canterbury, he ſhould have poſtponed publication of his ſecond eſpouſals 'till ſentence was pronounced. All can be alledged in excuſe of this conduct, is, that the new Queen was four months gone with child, and her pregnancy could not eaſily be any longer concealed. But notwithſtanding this, the King might have got his firſt matrimonials nulled ſooner, or the ſecond to be publiſhed ſomewhat later, ſince there was only a month between the publication and ſentence. However this be, Henry, deſpairing to prevail with the Pope, and not much fearing him, reſolved to have no farther regard either for him or the public, being in a manner ſure of ſucceſs in whatever he undertook, conſidering how his people ſtood affected.

He makes it public.

Remark on that ſubject.

(1) Negociating the buſineſs of the divorce among the learned men of Germany. Burnet, Vol. I. p. 127.

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In ſhort, being abſolutely fixed on terminating this affair, he ſo ordered that the archbiſhop of Canterbury demanded leave to ſummon Queen Catherine. Before he came to this extremity, he more than once attempted obtaining that Princeſs's conſent to the divorce: but all his indeavors proving ineffectual, he granted archbiſhop Cranmer the required licenſe. The Queen was therefore, May 20, cited to appear at Dunſtable, not far from the place where ſhe reſided (1): but, as ſhe refuſed to appear, that prelate, on the twenty-third of the ſame month, paſſed ſentence, declaring the King's marriage with Catherine null, as being repugnant to God's law. On the twenty-eighth, by another ſentence, he confirmed Henry's marriage with Ann Boleyn, and, on June the firſt, the new Queen was crowned.

Cranmer cites the Queen, and on her not appearing pronounces ſentence. Herbert. Burnet. Hall. Rym. Fœd. Vol. XIV. p. 462, 467. and confirms the King's ſecond marriage.

Thus ended this famous proceſs, the iſſue whereof afforded no leſs matter for diverſe reflections than the begining, every one reaſoning as ſwayed by prejudice or intereſt. Thoſe who were againſt the King, took notice of his error in marrying a ſecond wife, before his firſt eſpouſals were legally diſſolved: they moreover ſaid that, of all the prelates in England, Cranmer was the laſt who ſhould have been choſen for judge, ſince he had ſo openly declared againſt the firſt marriage: that his partiality was apparent, not only in his haſte to give ſentence, but alſo in confirming the King's ſecond nuptials, which had been conſummated while the firſt ſtill ſubſiſted.

Reflections on Henry's conduct. Burnet.

Thoſe who were for the King, affirmed, the ſentence was but a mere formality, which rendered not the marriage void, but only declared it ſo: that it ſufficed, the ſentence was conformable to the determinations of the Engliſh clergy, and all the univerſities in Europe, and to the ſentiments of the Pope himſelf, who would have nulled the marriage had he not been biaſſed by mundane conſiderations. They juſtified Cranmer, by alledging that, having changed his character ſince his declaring for the divorce, that declaration ought not to obſtruct his being a judge, any more than a lawyer, when he comes to ſit on the bench, is debared trying cauſes wherein he formerly gave counſel: that tho' there were ſome defaults in the form, it could not be denied the ſentence was juſt in itſelf which was ſufficient to quiet the conſcience of the King, who alone was concerned in that affair. As for the new Queen, no fault could be found with her conduct, ſince ſhe proved not with child 'till after her marriage, whether the King eſpouſed her in November laſt year, or in the January following. As for Queen Catherine, her maintaining the validity of her ſecond marriage ought not to be wondered at; but it was juſtly thought ſtrange that ſhe ſhould ſo obſtinately deny the conſummation of the firſt, which was proved by all poſſible evidence. But as moſt people were then biaſſed on one ſide or other (2), we are not to judge of this affair by what was publiſhed in thoſe days, but by reaſon and equity. Let us therefore briefly conſider it in that view, independently of all prejudices cauſed by the conſequences. It will not perhaps be unacceptable to the reader, to ſee here a ſhort recapitulation of the conduct of the chief actors in this ſcene. I ſhall confine my ſelf to this, without fully examining the proceſs, which is not ſo much the buſineſs of a hiſtorian as of a divine, or civilian.

Reaſons alledged for the King.

It is almoſt impoſſible to know poſitively, whether Henry, when he undertook the affair of his divorce, was convinced that his marriage was contrary to the law of God, or was, at leaſt, really diſturbed in conſcience on that account. All can be ſaid in his favor is, that he himſelf affirmed as much, and none but the ſearcher of all hearts can know whether he thought as he ſpake. It cannot be denied, that the ſole conſideration of ſuch a marriage is of itſelf capable of breeding thoſe ſcruples, eſpecially as the King's might be confirmed by the archbiſhop of Canterbury's and the biſhop of Lincoln, his confeſſor. But, on the other hand, it may be conjectured from ſeveral circumſtances, that it was only a pretext to put away Catherine, and marry Ann Boleyn. In the firſt place, he had cohabited with his Queen eighteen years, without ſhewing any ſcruple. In the ſecond place, if he was not inamored of Ann Boleyn when his ſcruples firſt ſeized him, it cannot be denied, he was very much ſo when with the utmoſt ardor he preſſed the affair of his divorce. So, it may be conjectured, that his paſſion might turn into a firm belief what at firſt was only a doubt. In the third place, there is abundance of probability that it was cardinal Wolſey who, either by himſelf or ſome other, firſt inſpired the King with theſe ſcruples, to be revenged on the Emperor and his aunt Queen Catherine. This bold and daring miniſter imagined, either the affair would eaſily ſucceed, conſidering his great credit at the Roman court, or, in caſe of oppoſition, it would not, more on this than on ſeveral other occaſions, be very difficult for him to induce the King to alter his mind: but Henry's love unexpectedly intervening, Wolſey found he had taken wrong meaſures; beſide, the univerſities determinations doubtleſs contributed not a little towards confirming Henry in his ſentiments. However, without farther inquiry, whether Henry was ſatiſfied of the equity of his cauſe, let us briefly examine how he behaved in a matter of ſuch nicety. He preſumed that Julius II could not grant a diſpenſation for his former eſpouſals, and conſequently the marriage was of itſelf null; and yet was of opinion he ſtood in need of Clement VII's bull to declare it ſo: herein was a contradiction which could not but greatly imbaraſs him. If, by divine law, Julius's diſpenſation was null, it was needleſs to revoke it; and if a revocation was neceſſary, it conſequently 'till then ſtood valid. Thus, Henry was bound, 'till it ſhould pleaſe his Sanctity to decide the point: wherefore, when Cranmer had inſpired him with a different idea of this affair, by intimating that, independently of the Pontif's aſſumed prerogative, the main article was to be aſſured of the right by conſulting the learned, he cried out in a tranſport of joy, "He had got at laſt "the right ſow by the ear;" that is, he found in Cranmer's advice a ſolution of thoſe difficulties he could not get clear of in following the doubtful principle of Papal power, ſince its extent was yet unſettled. He therefore determined on having recourſe to the univerſities for their reſpective opinions: but finally, weighing the conſequences of a rupture with Rome, he reſumed the original method, and again applied to his Holineſs. By this he greatly prejudiced his cauſe; for, in taking

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Remarks on the proceſs of this divorce, and the conduct of the principal parties. The King.

(1) The archbiſhop went to Dunſtable (about ſix miles from Ampthill where the Queen was) accompanied with Stephen Gardiner biſhop of Wincheſter, and the biſhops of London, Bath, and Lincoln, and ſat in court on the 10th of May, the King appearing by proxy, but the Queen not at all: whereupon ſhe was declared contumacious, and a ſecond and third citation were iſſued out. Then the evidences, which had been brought before the legates of the conſummation of the marriage with Prince Arthur, were read. After that, the determinations of the univerſities, divines, and canoniſts, with the judgments of the convocations of both provinces were produced, and the whole merit of the cauſe was opened. And then, on the 23d, with the advice of all who were preſent, it was declared, that the marriage had been only de facto, and not de jure, and conſequently null from the begining. One thing is to be obſerved, that the archbiſhop is ſtiled in the ſentence, Legate of the Apoſtolical See. Whether this went of courſe as one of his titles, or was put in to make the ſentence firmer, the reader may judge. Burnet, Vol. I. p. 131. Hall, fol. 210.

(2) The men generally ſpake in behalf of the King, and the women took the Queen's part. Hall, fol. 199.

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the Pope for judge, it was no longer in his power to limit the authority he conſented to acknowledge: but he was excuſable, ſince it was ſcarcely poſſible to throw off at once his prepoſſeſſion with regard to the Pontifical authority, whereof he had not at firſt ſuch clear ideas as afterwards. Then, finding the Pope acted only from worldly conſiderations, which prevented his giving him the ſatisfaction he required, he returned to the road he had quited: ſo building on ſelf-conſciouſneſs and the univerſities deciſions, he got his marriage declared void, without regarding Papal authority, which he was reſolved to renounce. I dwell not on the reaſons he alledged to urge the neceſſity of his divorce: that of conſcience was doubtleſs the beſt, if ſincere: that relating to the uncertainty of the ſucceſſion was proper to demand a ſentence, but not to ground the divorce upon, becauſe the divorce ſuppoſed the marriage void; which was the matter to be judged.

The Pope.

Let us now look into the conduct of his Holineſs, wherein we find nothing ſavoring of Chriſt's vicar. Clement VII never ſcrutiniſed the queſtion propounded to him by the maxims of religion, juſtice, or equity, but always with reſpect to his own or his family's intereſt. Had his attention turned only towards what religion required, he would have examined, whether Henry's marriage was contrary to the law of God, and whether, in that caſe, a Pontif had power to grant a diſpenſation. Had he been convinced that Julius II aſſumed a right not appertaining to him, he ſhould have readily granted Henry the bull he demanded: but if, on the contrary, he was perſuaded, the marriage was agreeable to divine law, or not being ſo it was in a Pope's power to diſpenſe with it, he ſhould have confirmed it, and, without ſeeking ſo many evaſions, have indeavored to remove the King's ſcruples. Such would have been the duty of a ſovereign Pontif: but inſtead of acting in this manner, he conſidered only what good or hurt might accrue to him from Henry's demand, independently of the juſtice or injuſtice of that demand. While he was priſoner in caſtle St. Angelo, or fugitive at Orvieto, and thought he ſtood in need of this Prince, he poſitively promiſed to content him: afterwards, he only amuſed him, 'till, by the Emperor's means, he had recovered Florence. No ſooner was he in poſſeſſion of that ſovereignty, which he had ſo ardently deſired, he avocated the proceſs to Rome, but, in all appearance, with intent never to decide it, if poſſibly to be avoided; becauſe, while the two parties remained uncertain of the deciſion, he rendered himſelf neceſſary to both. Can it therefore be ſaid, there was even the leaſt tincture of either juſtice or religion in his whole procedure? Moſt certainly, if Henry was blameable, as is pretended, in feigning ſcruples purpoſely to gratify his paſſions, Clement was no leſs ſo, in not attempting to reclaim him before the affair commenced, or contenting him in caſe his ſcruples were well-grounded. Even admiting Henry to have acted only thro' paſſion, which is however very uncertain, he would have been abundantly more excuſable than Clement, who, in his Pontifical ſtation, ought to have proceeded on very different principles.

With regard to the Emperor, he undoubtedly acted in this affair from motives of honor, intereſt, and policy, without juſtice or religion being at all concerned in his proceedings. He conſidered as a diſhonor to himſelf the repudiation of his aunt the Queen of England; which, added to the intereſt he had to imbaraſs Henry, then in ſtrict alliance with France, was but too capable of inducing him, to the utmoſt extent of his power, to obſtruct this divorce.

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The Emperor.

Queen Catherine.

As for Queen Catherine, there is great appearance of her having acted with ſincerity. As ſhe ſtrongly believed the Pope's authority unlimited, ſhe thought herſelf the King's lawful wife, and in that belief deemed not herſelf obliged to reſign her right to another on pretenſe of her royal conſort's ſcruples, which were in her opinion groundleſs: beſide, ſhe could not own her marriage null, without greatly injuring Princeſs Mary her daughter. Tho' ſhe had been convinced her marriage was in itſelf illegal, ſhe was firmly perſuaded his Holineſs had power to render it valid, being however readily diſpoſed to ſubmit to the ſame authority, when it ſhould be declared: nevertheleſs ſhe may be juſtly ſuſpected of having forſworn herſelf to make her cauſe better.

Ann Boleyn.

Abundance has been ſaid againſt Ann Boleyn: but without inſiſting on Sanders's baſe invectives, which have been ſufficiently refuted (1), ſhe can, before marriage, be juſtly charged with only a ſingle fault; viz. her liſtening to the King before his marriage with Catherine was nulled; but it was no eaſy matter for a youthful perſon of her degree to have reſolution enough to reſiſt the temptation of being a Queen, if ſhe could be ſo lawfully, as, very probably, ſhe was by Henry made believe. It cannot however be ſaid that ſhe yielded up her perſon to the King's imbraces before matrimony. He eſpouſed her, at the very lateſt, in January, and ſhe was not delivered before September (2): ſo there is nothing in that which can give room for any ſuſpicion.

Clement's, Henry's, and Charles's agents.

As for the reſt who were concerned in this affair, as the cardinals, with Henry's and Charles's miniſters, it may be affirmed, they acted only from worldly views, without the leaſt regard to religion.

The univerſities.

It cannot be ſaid, that the univerſities of France and England decided the queſtions propoſed with intire freedom, ſince it is known what influence Sovereigns, in their own near concerns, have over the actions of their ſubjects. With reſpect to the univerſities of Italy, both parties accuſed each other of having corrupted them, the one by bribes, and the other by menaces. As for the Engliſh clergy, they had lately received ſuch a check, that they had reaſon to dread giving the King any freſh occaſion of diſpleaſure: but it may not be thence infered, that they decided contrary to their ſentiments, ſince it often happens that the truth is not oppoſite to our intereſt. The ſame may be ſaid of Cranmer, who being already tinctured with Luther's doctrine, could not look on Julius's diſpenſation as capable of rendering valid a marriage which, in itſelf, was null, being repugnant to God's laws: indeed, he might have eagerly imbraced this opportunity to give a mortal wound to the Papal authority, in order to promote the reformation: but it cannot be affirmed,

Cranmer.

(1) Sanders has not ſcrupled to aſſert, that the King liking her mother, ſent her huſband ſir Thomas Boleyn embaſſador to France, and in his abſenſe begot Ann Boleyn on his wife. At his return, he ſued a divorce againſt her in the archbiſhop's court, but the King acquainting him ſhe was with child by him, he was, on the King's deſire, reconciled to his wife. Thus Ann Boleyn, tho' ſhe went under the name of ſir Thomas's daughter, yet was of the King's begeting. As he deſcribes her, ſhe was ill-ſhaped and ugly, had ſix fingers, a gag-tooth, and a tumor under her chin. At fifteen years of age, he ſays, both her father's butler and chaplain lay with her; and when in France ſhe led ſuch a diſſolute life, that ſhe was called the Engliſh Hackney. That the French King liking her, ſhe was called the King's Mule. But returning to England, ſhe gained the King's affection by the appearance of a ſevere virtue with which ſhe diſguiſed herſelf. The ſame author adds, that the King had likewiſe injoyed her ſiſter; with a great deal more to the diſgrace of this lady and her family. Hence we may ſee to what a height of rancor and malice, bigotry and blind zeal in religious matters are capable of carrying a man! Burnet, Vol. I. p. 41.

(2) September 7, of Princeſs Elizabeth, who afterwards mounted the throne. Hall, fol. 217. Stow, &c.

that

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that he acted againſt his knowledge in pronouncing the ſentence of divorce: at leaſt, his whole future deportment was directly oppoſite to ſuch obliquities.

By what has been advanced, it may be eaſily perceived that, in this affair, which was properly a caſe of conſcience, very few of the actors had other than political views, without any great attention to the precepts of religion: nevertheleſs the Almighty, who directs all human actions, while the very actors, generally ſpeaking, are utterly ignorant of the tendency, drew from theſe proceedings of Henry, Clement and Charles, the end he deſigned, that is, the Engliſh church's reformation, as will be ſeen in the ſequel (1). If any one deſires fully to examine the caſe of Henry VIII's divorce, he would do well to caſt off all prejudice, and take care not to be miſled by the authors who have writ on this ſubject: but ſuch as will be ſatisfied with examining it hiſtorically, are to conſider only the political views of the principal actors.

Catherine remains inflexible. Burnet. Hall. Herbert.

The ſentence of divorce being publiſhed, Henry omited not ſending thereof notice to Catherine by lord Mountjoy, who tried to perſuade her to a ſubmiſſion; but in vain. She ſtill remained inflexible, affirming, ſhe would be the King's wife 'till the Pope had nulled the marriage. This anſwer being brought to the King, he ordered her to be ſtiled only Princeſs Dowager of Wales: but ſhe poſitively refuſed being ſerved by any who would not treat her as Queen, and the King thought not fit to remove ſuch as would ſhew her that reſpect (2).

She is to be ſtiled Princeſs Dowager. Rym. Fœd. Vol. XIV. p. 482.

Shortly after, he notified his divorce and new marriage to all the Sovereigns, and particularly to the Emperor, who coldly told the Engliſh embaſſador (3), he would conſider what he was to do in the caſe.

Henry notifies his marriage to the Emperor. Herbert. Burnet.

The news of King Henry's marriage, and the archbiſhop of Canterbury's ſentence having reached Rome, his Beatitude was highly inſenſed at Henry, and the more, as a copy of his book againſt the Papal authority had now appeared in Rome itſelf. The cardinals of the Imperial faction improving this occaſion, moſt importunately urged his pronouncing ſentence againſt that Monarch; remonſtrating to him, that the authority of the Holy See was arrived at its period, if he ſuffered ſuch inſults without due reſentment. Clement nulled the archbiſhop's ſentence, and declared, That the King himſelf was liable to excommunication, except he reſtored the cauſe to its former ſtate (4), before the inſuing September expired. He contented himſelf for this time with only threatening, becauſe he did not yet deſpair of reclaiming him by means of the King of France, with whom he was going to confer at Marſeilles.

The Pope nulls the archbiſhop's ſentence. Herbert. Burnet. Hollingſh.

The Pope gives a comminatory ſentence againſt King Henry.

Clement's deſign in the interview of Marſeilles.

The Pope's aim in this interview was, firſt, to celebrate the nuptials between his niece Catherine, and the duke of Orleans; ſecondly, to deviſe with Francis ſome expedient to adjuſt his differences with the King of England, or, if that could not be effected, to diſingage Francis from Henry's intereſt. Francis moſt cordially wiſhed that ſome method might be found to reconcile them, becauſe he hoped to join in a league with both, the more eaſily to recover the duchy of Milan. Henry had uſed his utmoſt indeavors to diſſuade him from this interview, being apprehenſive it would produce between Francis and Clement a union which could not but be to his prejudice (5). He had conſtantly depended, that Francis would act in concert with him to frighten the Pope, and that their menaces would finally induce him to give him the ſatisfaction he required: but, finding he could not prevail, he had publiſhed his marriage. He was thenceforwards abſolutely determined to widen the breach with Rome, except the Pope and King of France ſhould, during their interview, pitch on ſome ſatisfactory expedient, for which he was very willing to wait. Mean while he ſent the duke of Norfolk in embaſſy to Francis, with orders to accompany him to Marſeilles and ſee whether there was yet any hope of accommodation.

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Henry's deſign.

He ſends the duke of Norfolk to Marſeilles. Hall. Herbert. Burnet. Hollingſh.

Norfolk, arriving at the French court, July the firſt, waited on the King who was then on his journey to Marſeilles (6), intending however to make ſome ſtay in Languedoc before he went to the congreſs. He attended him ſome time; but having, early in Auguſt, learned what was done at Rome againſt the King his maſter, would have returned, imagining his preſenſe would be of little ſervice at Marſeilles; nevertheleſs, at the King of France's ſollicitation, he contented himſelf with ſending lord Rochford for freſh inſtructions from King Henry, who inſtantly recalled him. However, Francis ſo artfully managed Henry, that he perſuaded him to ſend ſome perſon to Marſeilles, to be a witneſs of what ſhould paſs at the interview. Henry made choice of Stephen Gardiner, ſir Francis Brian, and Edmund Bonner (7); this latter a moſt proper perſon to execute the orders he gave him.

He recalls him.

Gardiner, Brian, Bonner, &c. ſent to Marſeilles.

The Pope and Francis met at Marſeilles the begining of October, and within a few days the duke of Orleans conſummated his marriage with Catherine di Medicis (8). This affair ended, Francis ſollicited the Pope in behalf of the King of England, and at length obtained from him a promiſe to give Henry intire ſatisfaction; but, to ſave the honor of the Holy See, he would judge the cauſe himſelf in a conſiſtory, from which the cardinals of Charles's faction ſhould be excluded. Thus far all went very well. But Bonner, to whom doubtleſs it was not thought fit to diſcover this ſecret, demanding audience of the Pope, acquainted him with the King his maſter's appeal to the next general council from the ſentence given, or to be given againſt him. The Pope told him, that, before he declared himſelf, he would adviſe with the cardinals there preſent. Some days after, having ſent for Bonner, he gave him for anſwer, that, according to the opinion of the cardinals, the appeal was unlawful. Bonner, without being ſurpriſed at this reply, acquainted him in the ſame manner with the like appeal of the archbiſhop of Canterbury from the ſentence which nulled his judgment for the divorce. This put the Pope into ſuch a rage, that he talked of throwing Bonner into a cauldron of boiling oil (9). Guicciardini ſays Francis was ſo offended with Bonner's inſolence,

The duke of Orlean's marriage.

His Holineſs promiſes Francis to content Henry. Herbert. Burnet.

Bonner acquaints the Pope with the King's appeal. Rym. Fœd. Vol. XIV. p. 476. Burnet.

Clement rejects it. Bonner notifies Cranmer's appeal.

The Pope threatens him. Burnet.

(1) This is not the only inſtance, by many, of our author's (otherwiſe a good hiſtorian) arguing like a Predeſtinarian.

(2) William Blount, lord Mountjoy, was to mix promiſes with threats, particularly concerning Catherine's daughter's being put next Queen Ann's iſſue in the ſucceſſion. But all would not do. She ſaid, ſhe would not damn her ſoul, nor ſubmit to ſuch infamy: that ſhe was his wife, and would never call herſelf by any other name, ſince the proceſs ſtill depended at Rome. Mountjoy, having written a relation of what had paſſed between him and her, ſhewed it her; but ſhe daſhed with a pen all thoſe places in which ſhe was called Princeſs Dowager. Burnet, Vol. I. p. 132.

(3) Sir Thomas Wyat. (4) The ſentence was affixed ſoon after at Dunkirk. Ibid. p. 133. Herbert, p. 172.

(5) Francis acquainted King Henry, that his chief deſign in this interview, was to ſerve him; but Henry replied, He was ſo ſure of his nobility and commons, that he had no apprehenſion of any thing the Pope could do. Burnet, Vol. III. p. 72.

(6) And indeavored to diſſuade him from the interview and marriage propoſed, or, at leaſt, to ſuſpend it 'till the Pope had given our King ſatisfaction; offering alſo aid for a war in Piedmont, if he would ſuffer no more money to go out of his realm to Rome, and inſtead of the Pope to erect a Patriarch. Herbert, p. 169.

(7) Alſo ſir John Wallop. (8) The Pope himſelf married them. Ibid. p. 170.

(9) Of melted lead, or burning him alive. Burnet, Vol. I. p. 134.

that

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that he offered the Pope to do whatever lay in his power to procure him ſatisfaction for this affront: but, if this be true, it was only a mere compliment.

The biſhop of Paris ſent to Henry with freſh expedients. Herbert.

Clement departed Marſeilles the twelfth of November, as much pleaſed with the King of France as he was diſſatisfied with Henry. Mean while, Francis not deſpairing yet to adjuſt this affair, ſent into England M. du Bellay, biſhop of Paris, to propound to King Henry ſome new expedients. This prelate, who had before reſided ſome time at the court of England as embaſſador, wrought ſo with Henry, that he at length obtained his concurrence to one of the expedients he propoſed (1). So, pleaſed with having prevailed even farther than he durſt have expected, he very readily undertook to carry this good news to his Holineſs, tho' it was then very late in December. He found Clement inclined to do all he could to terminate the affair amicably, and drew from him a poſitive promiſe, that the cauſe ſhould be judged at Cambray by perſons whom the King of England ſhould have no reaſon to ſuſpect. But his Sanctity, not truſting intirely to a verbal aſſurance, deſired to have it under the King's own hand, that he approved of what was concerted: moreover, to avoid all delays and evaſions, he fixed a day for the return of the courier who was to be ſent into England.

Henry accepts one. Burnet.

The biſhop goes to Rome. Herbert. Burnet.

Clement requires the King's approbation in writing; and fixes a day for his anſwer.

This weighty affair being thus on the point of concluſion, the Emperor's agents were very urgent with Clement to revoke his ingagement; but he told them he had given his word. However, they repeated their inſtances with ſuch earneſtneſs, that finally they got him to promiſe, that if Henry's anſwer came not by the time prefixed, he ſhould deem himſelf diſingaged. The courier not returning on the day appointed, the Imperialiſts preſſed his Holineſs to pronounce ſentence againſt Henry, repreſenting to him, that he was amuſed, and menacing him with the Emperor's reſentment: in ſhort, they ſo ardently ſollicited him that, tho' the biſhop of Paris only deſired a delay of ſix days, he could not obtain it. Clement, terrified by the Imperialiſts threats, was ſo intirely at their devotion, that what, according to the uſual forms, ſhould have been done in three conſiſtories, was done in one: in a word, the Pope, without ſtaying for a reply from England, publiſhed a ſentence, declaring Henry's marriage with Catherine legal and valid, and requiring him to take his wife again, with denunciation of cenſures in caſe of diſobedience. Two days after came the courier with ſuch powers for the biſhop of Paris as Clement had required. Several cardinals moved his Holineſs to revoke what had been done; but the Emperor's party preſſed him ſo cloſely, that the motion was rejected. Thus Pope Clement who had, for ſix ſucceſſive years, amuſed the King by affected delays, could not be perſuaded to grant him ſix days, and by this precipitation occaſioned the Roman church utterly to loſe the kingdom of England.

Charles's agents preſs the Pope to retract. Burnet.

The Pope refuſes a ſix days delay. Herbert. Burnet.

He publiſhes a ſentence againſt Henry.

The courier returns with full powers.

The Pope refuſes to revoke the ſentence. Herbert. Burnet.

Remark on Henry's conduct.

It muſt however be confeſſed, that it is very difficult to conceive what might be King Henry's view in the agreement he pretended to make with his Beatitude. Can it be ſuppoſed he deſigned to relinquiſh his newly-acquired title of Supreme Head of the Church of England? No, he appeared ſo exceſſively jealous, during the reſidue of his days, of this ſupremacy, which greatly awed the eccleſiaſtics, whereas before, the clergy depended more on the Pope than on him, that there is no likelihood he would think of parting with this prerogative. And yet, how could the King's ſupremacy ſubſiſt in caſe he agreed with the Pope? Or how could the Pope reſolve to content him with reſpect to his divorce, without requiring him to reſign his ſupremacy? Certainly it is impoſſible to reconcile theſe two oppoſites; which leaves room to ſuſpect that Henry acted not with ſincerity in his pretended accommodation with Clement, and after having juſtified his divorce by the ſentence he would have obtained from him, intended there to drop him and withdraw from his obedience. This ſuſpicion is confirmed by what paſſed in England, at the very inſtant when Henry diſpatched his courier to Rome with the ingagement his Holineſs had required. I have obſerved that the biſhop of Paris went poſt from London towards the cloſe of December; that on his arrival at Rome he ſent a courier to acquaint King Henry with what he had obtained of Clement; and that the King ſent back the ſame courier with his approbation. Now what ſpeed ſoever the biſhop and courier could make, it is impoſſible the courier could return to Rome before the middle of January: but at the very time Henry diſpatched this courier, he held at Weſtminſter a parliament, where acts were paſſed directly contrary to the agreement he ſeemed to deſire (2).

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Burnet, Vol. I. p. 92.

The parliament meeting the fifteenth of January 1534, opened the ſeſſion with repealing the ſtatute of Henry IV againſt heretics. This was not with deſign to exempt them from the penalties in that ſtatute, ſince it was in this inacted that they ſhould be burned, but only to hinder the clergy from being ſole judges in cauſes of this nature. This was the real intent of the new act, whereby, for the future, heretics were to be proſecuted and tried according to the national laws, without any regard to the canon law (3).

An' 1534. Parliament. Herbert. Hall. Burnet.

Act to take from the clergy the cognizance of hereſy.

By another ſtatute, which the parliament likewiſe then paſſed, it was inacted: firſt, that all ſubſequent convocations ſhould convene by the King's writ: ſecondly, that the King ſhould name thirty-two perſons, ſixteen of both houſes of parliament, and a like number of eccleſiaſtics, to examine the canons and conſtitutions of the church, with power to abrogate or confirm ſuch as they judged requiſite. As it is certain the parliament acted by directions from court, it may eaſily be conceived King Henry had no very ſtrong inclination to agree with the Pope, tho' by the ingagement he ſent to Rome he ſeemed reſolved.

Another ſtatute, whereby the King is impowered to name thirty-two commiſſioners to reform the canons.

Here is another argument of the ſmall regard this Prince had for his Beatitude, even when he was on the very point of obtaining all his deſires. Before news came to England of the ſentence againſt King Henry, the parliament paſſed an act of attainder againſt Elizabeth Barton, generally ſtiled The Holy Maid of Kent, who pretending to be inſpired foretold, that if the King married Ann Boleyn he

Act of attainder againſt Elizabeth Barton. Hall. Burnet.

(1) Namely; that if the Pope would put off the execution of his ſentence, 'till he had indifferent judges ſent who might hear the buſineſs, he would alſo defer the execution of what he was inclined to do in withdrawing his obedience from the Roman See. Herbert, p. 173.

(2) This year, on June 24, died Mary Queen dowager of France, and wife of Charles Brandon duke of Suffolk. Hall, fol. 217.

(3) By the ſtatute of Henry IV, biſhops might, on ſuſpicion of hereſy, commit any perſon to priſon, without preſentment or accuſation, contrary to what was practiſed in all other caſes. Therefore the ſtatute of Henry IV was repealed, but thoſe of Richard II, and Henry V, were left ſtill in force, with the following regulation: that heretics ſhould be proceeded againſt upon preſentments, by two witneſſes at leaſt, and then commited, but brought to anſwer to their indictments in open court; and if found guilty, and would not abjure, or were relapſe, to be adjudged to death; the King's writ De hæretico comburendo being firſt had. It may eaſily be imagined how acceptable this act was to the whole nation, ſince it was a very effectual limitation of the eccleſiaſtical power, in one of the moſt uneaſy parts of it. And this regulation of the arbitrary proceedings of the ſpiritual courts was a particular bleſſing to the favorers of the reformation. Burnet, Vol. I. p. 147.

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should not be King a month longer. This nun having been wrought upon and instructed by a certain curate, counterfeited the propheteſs, and mixed with her predictions invectives againſt the King's proceedings in the affair of his divorce, and threats againſt his chief counſellors. Diverſe Franciſcans countenanced her pretended revelations, ſo that ſhe was in great repute with the people; nay, archbiſhop Warham, ſir Thomas More, and John Fiſher biſhop of Rocheſter, were in the number of thoſe who ſuffered themſelves to be deceived. But at length, this nun and her accomplices being apprehended by Henry's order, the affair was ſo carefully examined, that the whole contrivance was diſcovered, and the counterfeit propheteſs ſentenced to death, together with her corrupters: however, as this buſineſs had made great noiſe, the King was pleaſed it ſhould be brought before the parliament, to render their condemnation more authentic. Sanders would fain reckon this nun and her accomplices for martyrs, tho' their own confeſſions ſufficiently juſtified their condemnation. Had Henry really deſigned to be reconciled to the court of Rome, nothing could be more unſeaſonable than to paſs this act, when the divorce affair ſeemed to be on the point of being adjuſted to his ſatisfaction.

Some account of her. Hall. Stow. Hollingſh. Burnet. Strype's Mem.

She is adjudged to die.

Burnet.

While the parliament was imployed in theſe matters, Henry received news of the ſentence given and publiſhed againſt him at Rome, with all the circumſtances, demonſtrating the little regard the Pope had for his perſon and dignity. Theſe haſty proceedings convincing him there was nothing more to be expected from Rome, he no longer delayed executing his reſolution to break off all correſpondence with the Roman court: nor was the parliament leſs offended than King Henry with his Sanctity's conduct; ſo, the whole legiſlature being in the ſame mind, it was reſolved utterly to aboliſh the Papal authority in England. After what Clement had done, there was no other way; it was neceſſary either to withſtand him vigorouſly, or prepare to indure all the ſeverities and indignities to which England lay expoſed in the reigns of Henry II, and John Lack-land: but the times were altered. The Engliſh were no longer diſpoſed to ſubmit to ſuch ſervilities as the Roman Pontifs required of their anceſtors, neither was the King's intereſt different from that of his ſubjects: thus all being alike tired of the Pontifical yoke, it was deemed more honorable to demoliſh at once that formidable power, under which the kingdom had ſo long groaned, than vainly to expect it would of itſelf be reduced within due bounds. It may be eaſily judged, the favorers of the new religion were not ſparing of their pains to reduce matters to this ſtate; nor was it long before what had been determined on was put in execution. In a few days an act was paſſed containing ſundry articles, all tending to the ſame point.

The King and parliament offended at the Pope's ſentence. Herbert.

Statute c. 20.

Act aboliſhing the Papal authority.

The firſt confirmed the ſtatute for aboliſhing annates, or firſt-fruits.

By the ſecond it was inacted, that thenceforwards the Pope ſhall have no hand in nominating or preſenting biſhops; but that, when any epiſcopal See ſhall become vacant, the King ſhall ſend the chapter a Congé d'elire, and in caſe the election ſhall not be over within twelve days after the licenſe, it ſhall belong to the King; that the biſhop elect ſhall ſwear fealty to the King, and then be recommended by his Majeſty to the archbiſhop to be conſecrated: that if the biſhop elect or archbiſhop refuſe to obey the contents of this act, they ſhall be liable to the penalty of Præmunire. Moreover, all perſons were expreſly forbid applying to the biſhop of Rome for bulls, palls, or any other thing whatever relating to religion.

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By another act, were aboliſhed Peter-pence, all procurations, delegations, expeditions of bulls, and diſpenſations coming from the Roman court; and the archbiſhop of Canterbury was appointed to grant all ſuch diſpenſations, &c. as ſhould not be contrary to divine ordinance, on condition that part of the money thence ariſing ſhould be paid into the King's exchequer (1). Moreover, all religious houſes, exempt and not exempt, ſhould be ſubject to the archbiſhop's viſitation (2).

Statute c. 21.

By another act, it was inacted, that the King's marriage with Catherine, relict of his brother Prince Arthur, ſhould be held null and void, and that ſhe ſhould be reputed only Princeſs Dowager of Wales. On the contrary, the King's marriage with Ann Boleyn is declared valid, and the ſucceſſion to the crown ſettled upon their iſſue. Moreover, it is ſaid, that any perſon of what quality ſoever, who ſhall ſpeak or write againſt the King's marriage, ſhall be adjudged a traitor to King and ſtate, and that all the King's ſubjects, without diſtinction, ſhall be obliged to ſwear, they will obſerve and maintain the contents of this act. After this, follows a liſt of the marriages prohibited by God's law, among which is that of a man with his brother's widow; and it was inacted that, for the future, no ſuch marriages ſhould be allowed, and that ſuch as were then in being ſhould be diſſolved.

Statute c. 22.

Thus was the Papal authority aboliſhed in England by act of parliament; indeed, few biſhops and abbots were preſent when the act paſſed. However, only a ſingle biſhop refuſed to ſet his name to it, becauſe they made great difference between ſubmiting to a ſtatute paſſed by lawful authority, and giving their vote for it. The generality of the people expreſſed great joy to ſee themſelves freed from a yoke which neither they nor their forefathers could patiently indure. None but the monks exclaimed againſt it, which they did very clamorouſly, and drew on themſelves the King's indignation, the effects whereof they afterwards taſted. Thoſe who wiſhed for reformation, were highly pleaſed to ſee the main obſtacle removed, believing the reſt would quickly follow: but this ſo impatiently expected reformation made not, in this reign, all the progreſs they imagined might reaſonably have been hoped.

The people expreſs their joy.

The parliament breaking up the thirtieth of March (3), after all the members had ſworn to obſerve what was injoined in the ſaid act, the King ſent commiſſioners throughout the kingdom, to adminiſter the ſame oath to all his ſubjects. Rymer's collection of public acts contains the oaths of ſeveral

Oath taken by the ſubjects according to the act.

Vol. XIV. p. 487, &c. 527. Burnet, Vol. I. p. 146.

(1) All diſpenſations taxed heretofore at, or above four pounds, ſhould be likewiſe confirmed under the great ſeal.

(2) All monaſteries, &c. formerly exempt from the archbiſhop's viſitation, were ſtill to be ſo; and thoſe abbies whoſe elections were wont to be confirmed by the Pope, were thenceforwards to be confirmed by the King.

(3) Beſide the above acts, others of ſome importance alſo paſſed, viz. 1. That perſons indicted of petit-treaſon, wilful murder, robbery, or other felony, and on their arraignment ſtanding mute, or peremptorily challenging above twenty of the jury, or elſe refuſing to anſwer directly to their indictments, ſhall not have the benefit of the clergy. 2. By another, the deteſtable vice of buggery were adjudged felony. 3. Whereas ſome people had gathered into few hands ſeveral farms, and great plenty of cattle, particularly ſheep, ſome to the number of twenty thouſand, whereby the rents of lands were not only increaſed, but alſo tillage very much decayed, ſome churches and towns had been pulled down, and the price of corn, cattle, &c. exceſſively inhanced; it was therefore inacted, that no man ſhould keep above two thouſand ſheep at one time: and not hold above two farms at once, and thoſe to be in the pariſh where he lives. 4. That no man ſhould buy bound books brought from beyond ſea, nor buy any ſuch by retail. See Statute 25 Hen. VIII.

abbots

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abbots and fryers of all orders to this effect: "That "they would be faithful to the King, the Queen, "their heirs and ſucceſſors: that they acknow- "ledged the King for ſupreme head of the church "of England: that the biſhop of Rome has no "more juriſdiction than any other biſhop: that "they renounced his obedience: that they would "ſincerely preach doctrines agreeable to the holy "Scriptures: that in their prayers, they would "pray firſt for the King, as ſupreme head of the "church of England, then for the Queen*, and "laſtly for the archbiſhop of Canterbury (1)." Some time after, Lee archbiſhop of York certified, by a writing dated the fifth of May, that in the convocation of his province it was declared, "That "the Pope had no more power in England than "any other biſhop." Only John Fiſher biſhop of Rocheſter, and ſir Thomas More late chancellor, refuſed to ſign the act of parliament, which, as has been ſeen, contained three principal articles, viz. the ſucceſſion of the crown: the nullity of the King's firſt marriage, with the validity of his ſecond; and the aboliſhment of the Papal authority. They offered to ſign the firſt article; but for the other two, they ſaid, their conſcience would not ſuffer them to conſent to them: whereupon they were commited to the Tower (2).

* And her iſſue. Rym. Fœd. Vol. XIV. p. 492.

Fiſher and More refuſe to take the oath, and are ſent to the Tower. Herbert. Strype.

While theſe oaths were adminiſtering throughout the whole realm, Henry ſent the archbiſhop of York and biſhop of Durham to tell Catherine, ſhe muſt forbear aſſuming the title of Queen, and lay before her the reaſons which moved the parliament to deprive her of it: but ſhe replied, She believed her marriage with the King good and lawful, and ſhould hold it as ſuch to her dying day: that ſhe had never conſummated her marriage with Prince Arthur; and they who affirmed it, ſpoke not the truth: that ſhe was not bound to ſubmit to the archbiſhop of Canterbury's ſentence, ſince his Holineſs had nulled it, and decreed the contrary (3): that the King's marriage with Ann was not valid, as being made during the appeal: that ſhe was not obliged to ſubmit to the parliament's ordinances, not being King Henry's ſubject, but his wife: that beſide, theſe acts were made by the King's ſubjects on a matter wherein himſelf was party.

Henry acquaints Catherine with the act of parliament. Herbert. p. 175. Her anſwer.

Negociation between Francis and Henry fruitleſs. Herbert.

Tho' Henry would have been extremely glad of Catherine's ſubmiſſion to what the parliament had inacted, it was not her obſtinacy which gave him the greateſt uneaſineſs. The Emperor having undertaken to execute Pope Clement's ſentence, Henry was naturally to expect being attacked by that potent adverſary. In order therefore to prevent him, or to put himſelf in a defenſible condition, he deſired to make a league with the King of France, by a new treaty, which ſhould render their union more effectual for their common defenſe. Francis ſeemed very ready to comply, but deſigned that all the terms ſhould be to his advantage, and to make Henry ſubſervient to his views elſewhere. He had ſtill his eye fixed on the duchy of Milan, as on what appertained rightfully to him, and had been unjuſtly taken from him, and deſigned to recover it, tho' he had expreſly renounced it by the treaty of Cambray. To this end he had ſacrificed the honor of his houſe, in matching his ſecond ſon to a baſtard-branch of the Medicis family, by reaſon he believed he could not proceed without Clement. But, on the contrary, he was apprehenſive of loſing the fruit of that alliance, by uniting too cloſely with the King of England, whom that Pontif could now conſider no otherwiſe than as a profeſſed enemy. In this perplexity, he indeavored to perſuade Henry to act only privately, by ſending large ſums to the German Proteſtants, to foment the diſſenſion between them and the Emperor, and imbroil him ſo as to hinder him from thinking of Italy. This propoſal Henry did not abſolutely reject. He was very willing to aſſiſt the Proteſtants with a good ſum of money; but pretended withal, that Francis ſhould attack Navarre with a powerful army, while on his part he carried war into Flanders: but Francis could not reſolve to join ſo openly with England, for fear of offending the Pope; beſide, he turned all his thoughts to the Milaneſe, whither, towards the end of laſt year, a certain accident afforded him opportunity to carry his arms. As this ſaid event was the occaſion or pretenſe of a new war between Charles and Francis, it is requiſite we make ſome brief mention thereof.

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The duke of Milan beheads Merveilli the King of France's envoy. Du Bellay. Mezerai. P. Daniel.

Franceſco Sforza was no ſooner reſtored to Milan, on very hard conditions, but he impatiently longed to be freed from Charles's yoke, and the obligation of paying him the ſums exacted. Francis having ſome knowledge of Sforza's diſpoſition, was of opinion he ought to cheriſh it, in hopes of one day reaping ſome advantage: but, as Sforza greatly dreaded giving the Emperor any umbrage, and conſequently the affair was to be managed very privately, Francis found means to keep a miniſter at Milan who could not be ſuſpected. He choſe for that ſervice a Milaneſe gentleman, named Merveilli, who having been formerly baniſhed Milan by Ludovico Il Moro, had reſided ever ſince in France. The troubles of the Milaneſe having intirely ceaſed by the peace of Cambray, Merveilli

(1) Gardiner wrote to Cromwell, from Wincheſter, the ſixth of May, that lord Audley and others, with all the abbots, priors, wardens, and curates within the ſhire had taken the oath. The forms in which they did it are not known, for tho' they were inrolled, yet in Queen Mary's days Bonner and others were commiſſioned to examine the records, and raze out all things done either in contempt of the See of Rome, or the defamation of religious houſes. However, two of the ſubſcriptions of religious orders, dated May 4, 1534, eſcaped their diligence. One is by ſix abbies, and others by the prioreſs and convent of the Dominican nuns at Deptford. See Burnet's Coll. Vol. I. No. 50.

(2) At a meeting of the privy-council at Lambeth, many were cited to take the oath. More was firſt called, and the oath being tendered him, he replied, "After having conſidered the act, he would neither blame thoſe who made, nor thoſe who "ſwore the oath, but for his part, tho' he was willing to ſwear to the ſucceſſion, if he might be ſuffered to draw up the oath "himſelf, yet for the oath offered him, his conſcience ſo moved him, that he could not, without hazarding his ſoul, take it." Upon which, being deſired to withdraw, others were called on, and did all take the oath except Fiſher, who anſwered in almoſt the ſame manner as More had done. Then More was again brought in, and they ſhewed him how many had taken it; he ſaid, "He judged no man for doing it, only he could not do it himſelf." Being aſked the reaſon, he replied, "He feared it "might provoke the King the more againſt him if he ſhould offer reaſons, which would be called diſputing againſt law: "but however, if the King would command him to do it, he would put them in writing." Cranmer urged him with this argument, "That ſince he blamed not others for taking it, it ſeemed he was not perſuaded it was a ſin, but was doubtful in the "matter: but he did know certainly he ought to obey the King and the law; therefore he was obliged to do that about which "he was certain, notwithſtanding his doubtings." He anſwered, "Tho' he had examined the matter very carefully, yet his "conſcience leaned poſitively to the other ſide, and offered to purge himſelf by oath, that it was purely out of conſcience that "he refuſed it." The abbot of Weſtminſter preſſed him, with an argument too often uſed in the like caſes, "That he might "ſee his conſcience was erroneous, ſince the great council of the realm was of another mind." Cranmer in a letter to Cromwell, earneſtly preſſed to accept the oath as More and Fiſher offered; for if they once ſwore to the ſucceſſion, it would quiet the kingdom, ſince all others would acquieſce and ſubmit to the judgments of ſo great men. But this ſage advice was not followed. Burnet, Vol. I. p. 156. Strype's Mem. Vol. I. p. 174.

(3) Adding, "That ſhe would never leave the name of a Queen, but always take herſelf for King Henry's wife." Herbert, p. 175.

returned

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returned home with a letter of credence for Sforza, which credentials that Prince anſwered, receiving the gentleman as envoy of France, tho' in public he treated him not as ſuch. However ſecret Merveilli's negociation might be, the Emperor had thereof ſome intelligence, and made great complaints to the duke, who, to remove all ſuſpicion, reſolved to ſacrifice to him this envoy. Accordingly he ſuborned a perſon to quarrel with Merveilli, which ended in the murder of the party imployed, who was killed by Merveilli's ſervants, without however their maſter's being preſent. Hereupon Merveilli was hurried to priſon, none ſuffered to ſpeak with him, and within two days after beheaded. Francis underſtanding this, wrote a menacing letter to the duke, and informed all his allies of the affront he had received. Sforza would have excuſed himſelf, by denying that Merveilli was at Milan as envoy. What he alledged was true in reſpect to the public: but he could not diſavow his own letter to the King, in anſwer to that agent's credentials. When the French embaſſador acquainted Charles with the outrage commited at Milan on Merveilli, that Monarch coldly replied, "He "could not well conceive, how the King of France "ſhould be affected with the death of one of the "duke of Milan's ſubjects, whom his Sovereign "had chaſtiſed anſwerably to his demerits." This anſwer created in Francis a belief that the Emperor was concerned in Merveilli's death, which was a freſh cauſe of diſguſt, and inflamed his deſire of revenge. But on the other hand, he was not ſorry the ſatisfaction he demanded was refuſed, becauſe he thence deſigned to take occaſion of entering the Milaneſe ſword in hand. To that purpoſe, he ordered a levy of Landſquenets in Germany, and requeſted the duke of Savoy to grant him paſſage thro' his ſtate, that he might chaſtiſe the duke of Milan: but that Prince fearing to diſpleaſe the Emperor, thought fit to decline complying with his demand. On this refuſal, Francis, who could not enter the Milaneſe but by paſſing thro' the Savoyard territories, reſolved to make war upon that duke, uſing for pretenſe certain claims he had, in right of Louiſa his mother, to the duke of Savoy's inheritance. While preparations were making to commence this war, he imployed this whole year in diverſe negociations, tending to create the Emperor troubles, and diſable him from aſſiſting the duke of Savoy.

Francis takes occaſion to carry war into the Milaneſe. He demands a paſſage of the duke of Savoy; and on his refuſal declares war againſt him.

Clement VII's death. Paul III ſucceeds him. Guicciard.

While Francis was thus buſied, the ſituation of the affairs of Italy was ſomewhat changed by the death of Clement VII, who was carried off by a fit of ſickneſs the twenty-ſixth of September. The twelfth of October following, cardinal Farneſe was elected Pontif, and aſſumed the name of Paul III.

Affairs of Germany. Sleidan.

This year produced alſo in Germany certain alterations, which put the affairs of the Proteſtants in a tolerable ſituation. The landgrave of Heſſe defeated King Ferdinand's army, commanded by the count Palatine, and reſtored the duke of Wirtemberg to his dominions. Ferdinand, no longer able to make head againſt the landgrave, was obliged to agree to that duke's reſtoration; but withal obtained, that both the duke and landgrave ſhould own him for King of the Romans. Soon after, the elector of Saxony likewiſe acknowledged him, having firſt got from Ferdinand a promiſe, that he would not ſuffer any perſon to be moleſted in the Empire on account of religion.

HENRY VIII. AN' 1534.

Clement VII's deceaſe occaſioned not any change in the meaſures taken by the Engliſh court abſolutely to ſhake off the Papal yoke. Matters had been carried too far ever to recede: beſide, the King, having not much to fear from abroad, by reaſon of the troubles Charles was like to be involved in, and his ſubjects being inclined to ſupport him, it would have been imprudent to neglect ſo favorable a juncture, and leave his work unfiniſhed. Wherefore the parliament meeting the third of November, paſſed ſundry material acts, whereof it will ſuffice to relate the ſubſtance, in order to ſhew they wholly tended to one and the ſame point, namely, to break all the bonds which had ſerved to hold the Engliſh in ſubjection to the Roman Pontifs.

Henry determined on abiding by the rupture with Rome. Herbert. Burnet. Hall. Hollingſh.

Diverſe acts paſſed on that ſubject.

The firſt act confirmed the King's title of ſupreme head of the Engliſh church, already given him by the clergy (1). Tho' Henry had very willingly accepted from the eccleſiaſtics this title, nay, had not left them the liberty to deny it him, he ſeemed however dubious whether he ſhould or ſhould not receive it when offered by the parliament. He would firſt adviſe with his council, and conſult ſome of the prelates, whether he did ſo thro' ſcruple, or to ſhew it had not been extorted. They whom he conſulted having aſſured him, that the authority aſſumed by the biſhop of Rome over the whole church had no foundation in Scripture, he baniſhed all his ſcruples (if it be true he had any) and from thenceforwards took all occaſions to improve the prerogatives which flowed from this new title.

I. act confirms Henry's title of Head of the Church.

By a ſecond act, it was declared treaſon to ſpeak, write, or imagine any thing againſt the King or Queen (2).

II. Treaſon to ſpeak evil of the King.

The third debared perſons accuſed of treaſon, of the benefit of ſanctuary.

III. Concerning ſanctuaries.

By a fourth, the parliament preſcribed a form of oath concerning the ſucceſſion, to be taken by all the King's ſubjects, and annulled all former oaths on that head.

IV. Form of oath.

The fifth was exceſſively grievous to the clergy, as it gave the King all annates and firſt-fruits of benefices; whereas by the act already paſſed, the eccleſiaſtics were in hopes of being ever freed from that burden. This act moreover intitled King Henry to the annual product of the tenth of all livings (3).

V. Grants the firſt-fruits and tenths to the King.

By a ſixth ſtatute, proviſion was made for twenty-five ſuffragan biſhops, each to depend on his dioceſan, who muſt preſent to his Majeſty two, for him to chuſe one. Thus was revived in the church of England the uſe of Chorepiſcopi, introduced into the primitive church, but afterwards diſcontinued for ſeveral centuries.

VI. Suffragan biſhops.

Laſtly, the parliament condemned Fiſher, biſhop of Rocheſter, and ſir Thomas More, to perpetual impriſonment, and confiſcated their whole ſubſtance,

Fiſher and More condemned by parliament. Burnet.

(1) And declared, That the King, his heirs and ſucceſſors, ſhall have full power and authority to viſit, reform, and reſtrain all ſuch errors, hereſies, abuſes, and offenſes, which by any manner of ſpiritual juriſdiction ought to be reformed. See Statut.

(2) Or to call the King heretic, ſchiſmatic, tyrant, infidel, or uſurper, of which opprobrious names ſome inſolent fryers were very liberal.

(3) To be paid between Chriſtmas and the firſt of April. It was ordered in this act, That the chancellor of England ſhould direct into every dioceſe in the realm commiſſions in the King's name, under his great ſeal, as well to the archbiſhop and biſhop of every dioceſe, as to ſuch other perſons as the King ſhould appoint; to examine, ſearch, and require, by all ways and means, the true, juſt, and whole yearly value of all the manors, lands, tenements, hereditaments, rents, tithes, offerings, emoluments, and all other profits, as well ſpiritual as temporal, belonging to any archbiſhoprick, biſhoprick, archdeaconry, deanery, hoſpital, college, prebend, cathedral, or collegiate church, parſonage, vicarage, free chapel, or any other benefice or promotion ſpiritual. Accordingly, ſeveral commiſſioners were appointed for each county, with whom were joined the biſhops of the reſpective dioceſes, and a certain number of auditors. The valuations which were thus taken by theſe commiſſioners, were all returned to Cromwell, maſter of the rolls; and according to them have the firſt-fruits been paid ever ſince. Strype's Mem. Vol. I. p. 211.

for

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for refuſing to take the oath ordained in the preceding ſeſſion. This ſentence was conſidered by ſome as very unjuſt, while others therein admired the effects of God's juſtice on perſons who had been violent perſecutors of the Lutherans.

General pardon. Burnet.

Before the parliament broke up, Henry granted a general amneſty, from which however Fiſher and More were excluded.

Proclamation againſt the appellation of Pope. Stow. Herbert.

Not long after, the King iſſued a proclamation, inhibiting the name of Pope to be given the biſhop of Rome, and commanding that appellation to be eraſed in all books, to deſtroy the very remembrance thereof, if poſſible. Then the biſhops voluntarily ſwore to renounce expreſly all obedience to the biſhop of Rome. Gardiner, already biſhop of Wincheſter, was not the laſt to take this oath, tho' in his ſoul he abhorred it as moſt ſacrilegious; but a blind condeſcenſion for the King in this reſpect was then the only means to preſerve his favor: beſide this prelate was thereby inabled, on other points, to thwart the reformers, who daily gained ground (1).

The biſhops oath of renunciation. Gardiner's diſſimulation. Herbert.

Progreſs of the reformation in England. Burnet.

It was not only in Germany that the reformation had made ſome progreſs, but alſo in many other places. In England it had been in ſome meaſure countenanced by cardinal Wolſey, as, during his miniſtry, no perſon was proſecuted for hereſy, tho' the clergy wanted not occaſions to exerciſe their wonted rigor, had they been ſuffered to do as they pleaſed. After Wolſey's diſgrace, ſir Thomas More being made chancellor, perſuaded the King, that what did him moſt injury at the court of Rome, was the report of his being a favorer of the innovators, and to remove this falſe imputation, the moſt infallible way was to ſhew a zeal for religion. Henry, following this advice, ordered the laws againſt heretics to be rigorouſly executed, and very ſtrictly prohibited the importing any of their books: but this prohibition ſufficed not to prevent diverſe of Luther's performances from being brought into England, with the Engliſh tranſlation of the New Teſtament by Tindal, who was retired into Flanders. The biſhop of London having thereof notice, cauſed ſome copies to be ſeized, and publicly burned by the hangman: but this was ſo far from injuring the reformation, that it rather turned to its advantage. Many perſons, full of indignation at this impious act, infered that Sacred Writ was repugnant to the religion generally profeſſed, ſince the eccleſiaſtics were ſo ſedulous to hinder the Bible from being read; and that alone raiſed their deſire to read it: alſo the diſlike Henry's ſubjects had taken to the Pope greatly increaſed by their reading Luther's writings.

Perſecutions raiſed by More. Burnet. Fox.

Engliſh Bible burned at London. Hall. Burnet.

Perſecution in England. Burnet. Fox.

As the reformation gained ground, its adverſaries zeal flamed more and more againſt ſuch as imbraced it. While More was chancellor, he ſpared no pains to effect their utter extirpation. Many ſuffered martyrdom with wonderful conſtancy, which greatly contributed to animate and fortify their brethren. At length, the King having to manage the German Proteſtants, becauſe he might afterwards want them, ſuſpended the perſecution which More had excited. On the other hand, Ann Boleyn very much mollified the King in that reſpect; archbiſhop Cranmer contributed to it likewiſe to the utmoſt of his power, and Thomas Cromwell, now in great eſteem with Henry, ſeconded their indeavors as far as he was able. But they had a ſtrong party againſt them, conſiſting of the duke of Norfolk, Gardiner biſhop of Wincheſter, Longland biſhop of Lincoln, almoſt all the eccleſiaſtics who had any acceſs at court, and thoſe who, when they preached before the King, ſtuffed their ſermons with invectives againſt the reformation. All theſe had gained Henry's confidence by their compliance in the affairs of his divorce and ſupremacy; tho' in the latter they acted contrary to their ſentiments. By this condeſcenſion, they were inabled effectually to oppoſe the reformers in all ſuch articles as concerned not the Pope, and eſpecially in that of tranſubſtantiation, or the real preſenſe, which Henry then and always believed unqueſtionable. In ſpite of all this, the chiefs of the reformed deſpaired not of inclining him by degrees to a farther reformation, becauſe of the connection the articles of religion have with each other: beſide, their party grew daily ſtronger by the junction of ſuch as read the holy Scriptures and the religious books which were handed about, notwithſtanding the King's prohibition. Nothing better evidences the number and ſtrength of that party, than the readineſs wherewith the parliament paſſed the acts which tended to leſſen the clergy's power, and ſhake off the Papal yoke.

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Cranmer and Cromwell ſupport the reformation. Strong party againſt them. Burnet.

Put a ſtop to.

The reformation made likewiſe ſome progreſs in France: the King himſelf expreſſed not any diſinclination for the Proteſtants doctrine, which was privately countenanced by his ſiſter Margaret Queen of Navarre: but the cardinals of Tournon and Lorrain, who were in great credit with him, diſſuaded him from it ſo earneſtly, that they finally gained him, nay, made him a violent perſecutor.

Francis I ſeems to favor the reformation.

Before I cloſe what relates to the events of the year 1534, I muſt not omit mentioning, that a twelve-month's truce concluded the laſt year between England and Scotland, was improved to a formal pacification, the eleventh of May this year. By this treaty, the peace was to laſt 'till the death of one of the two Kings, and Henry might, without breaking it, retain the Douglaſſes in England.

Peace between England and Scotland. Rym. Fœd. Vol. XIV. p. 480, 529, 542. Herbert. Hall.

An' 1535.

Early in 1535, King Francis ſent embaſſadors to Henry, under color of diſcharging the duty of a good friend and ally, but in reality to attempt deceiving him, by feigning to acquaint him with his ſecrets, and aſk his counſel. What occaſioned the ſaid embaſſy was this. The Emperor having reſolved to carry his arms into Africa, was deſirous of amuſing Francis, leſt, in his abſenſe, he ſhould attack the duke of Savoy, and ſo open a way to the duchy of Milan, as was ſeemingly his deſign. With this view, he had diſpatched to him embaſſadors, with orders to propoſe a match between his third daughter and Philip Prince of Spain; and another between the Dauphin and Mary, daughter of Henry and Catherine of Aragon: moreover, he had offered him a penſion of one hundred thouſand crowns for the duke of Orleans, on the duchy of Milan, and the duchy itſelf after the deceaſe of Franceſco Sforza, who had no iſſue. It was evident, theſe overtures were intended merely to amuſe Francis, who alſo conſidered them not in any other light: nevertheleſs, he imagined they would ſerve to procure him ſome advantage from Henry, if he let him know he was courted by the Emperor. To this end, he diſpatched over to England admiral Chabot, baron de Brion, on pretenſe of conſulting King Henry on theſe offers: but his chief aim was to give him uneaſineſs, and induce him to make ſome advantageous propoſitions, and it afterwards appeared that he would have ingaged him in affairs extremely remote from his intentions. The admiral having diſcharged his commiſſion, Henry anſwered, "He much wondered that the Emperor ſhould "pretend to marry his daughter, over whom he

An' 1535. Embaſſy from France to ſound Henry. Du Bellai. Herbert.

Henry's anſwer to Francis's propoſal. Herbert.

(1) This year, on the eleventh of Auguſt, the monaſteries of the Obſervant fryers at Canterbury, Greenwich and Richmond, Newark and Newcaſtle, were ſuppreſſed, and Auguſtine fryers, according to ſome, put in their room; tho' others mention not this exchange. See Stow, p. 571. Herbert, p. 178.

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" neither had nor ever ſhould have any right or " power: that it was manifeſt, he only ſought to " break the union between France and England, " and therefore he hoped the King of France would " not be ſo much his own enemy, as to liſten to " ſuch overtures." Shortly after, he ſent orders to his embaſſadors at Paris, to tell Francis, he would give Elizabeth his daughter and heir to the duke of Angoulême, his third ſon, on the following conditions: That Francis himſelf, his three ſons, the Princes of the blood, the principal nobility of France, the parliaments and univerſities ſhould ſolemnly promiſe to cauſe to be revoked the ſentence given againſt him by the biſhop of Rome: that the duke of Angoulême ſhould be ſent into England to be educated: that, in caſe by his marriage he ſhould accede to the crown of England, the duchy of Angoulême ſhould be independent of the crown of France. Theſe conditions were afterwards mitigated, and Francis ſeemed to agree thereto: but he required, in his turn, that Henry ſhould aſſiſt him in the war of Savoy, and forgive him the perpetual annuity of one hundred thouſand crowns, which he was bound to pay by a treaty. Henry, perceiving Francis's inſincerity, told the admiral, that, inſtead of forgiving the penſion, he expected the King his maſter ſhould pay the arrears, and clear by the time appointed all his other debts. This anſwer put a period to the negociation which, very ſeemingly, was undertaken purely to ſound Henry concerning the penſion.

Henry's offer. Herbert. Hall. Hollingſh.

Francis's demand.

Henry demands payment of what was owed him by Francis.

Francis's grand deſign was to recover the Milaneſe, under pretext of revenging the affront done him by Sforza: but to execute this project, it was neceſſary to raiſe the Emperor troubles which ſhould obſtruct his aſſiſting that duchy. From four different quarters he hoped to imbroil the Emperor. Firſt, from the Pope and other Italian Princes. Secondly, in Germany, by means of the league of Smalcald. Thirdly, by fomenting diſcord between Charles and the King of England. Laſtly, by drawing the Turks into Germany. In order to all this, he had married his ſon the duke of Orleans to Catherine di Medicis; lodged in the duke of Bavaria's hands a hundred thouſand crowns to be ready on occaſion; perſuaded Henry to terminate the affair of his divorce in the manner we have ſeen; and had at Conſtantinople ſecret agents, to treat of an alliance with Sulyman the Ottoman Emperor. But moſt of theſe expedients, which he thought infallible, had proved unſucceſsful. The firſt had miſcarried by the death of Clement VII, and by the election of a new Pontif who would not eaſily be prevailed on to eſpouſe his intereſt. The King of the Romans had fruſtrated the ſecond, by agreeing with the elector of Saxony, the landgrave of Heſſe, and the duke of Wirtemberg. As for the third, he could not thence hope much, becauſe the King of England's intention was not to make war upon the Emperor, but only to ſtand on the defenſive: conſequently it was in the Emperor's power to keep him quiet, by not attacking him firſt. The Turks therefore alone could properly be ſubſervient to his deſigns: but, to rely on them, it was neceſſary to commence the war in Italy, otherwiſe it was not likely Sulyman would be perſuaded to begin it in Hungary. On this account, he continued at Conſtantinople a negociation, which was diſcovered by a letter intercepted by the duke of Urbino, who inſtantly ſent it to the Emperor. Mean while, Francis ſtill perſiſted in his reſolution to attack the duke of Savoy, and open a paſſage to the Milaneſe. He reckoned, the peace of Germany could not long ſubſiſt; that the Emperor and Henry would never agree; and that, when once a war was commenced, not only the Pope, and other Italian Potentates, but alſo the King of England, would readily aſſiſt to reduce within due bounds the Auſtrian power: above all, he depended on the Princes of the league of Smalcald, fancying they would imbrace this opportunity to free themſelves from their uneaſineſs, occaſioned by that family's advancement. To this end, he continued his intrigues with them, and pretended to be ſo far inclined to their religion that he deſigned to invite Melancthon into France, to confer with him: but withal, he plainly ſhewed he acted only on political views, ſince in France he ſentenced to the flames ſuch as ſeparated from the church of Rome. Mean while, as there was ſome differences between Luther and Calvin about religion, and as thoſe burned in France were Calviniſts, the rigid Lutherans, not conſidering them as their brethren, imagined Francis might treat them with the utmoſt ſeverity without loſing his regard for the Lutheran religion. Francis being determined on imploying his indeavors to re-conquer the duchy of Milan, attacked the duke of Savoy, and in the firſt campain took from him Savoy and La Breſſe.

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P. Daniel.

While Francis was laboring to accompliſh his deſigns, Charles V was forming vaſt projects, which tended to no leſs than eſtabliſhing his dominion over all Europe. Indeed, France and England, being cloſely united, might ſtrongly have oppoſed his ambition: but he deſpaired not of diſuniting them in the end; that was his chief care, while on one hand he excited the Iriſh to a rebellion, and the King of Scotland to a rupture with England: but while he was attempting to imbroil his adverſaries, wherein he hoped to find his account, he was himſelf not free from uneaſineſs with regard to Sultan Sulyman, who menaced Germany, under color of ſupporting the intereſts of John Zapol, whom he cauſed to be crowned King of Hungary. On the other hand, he beheld with extreme concern the great progreſs of Heyradin Barba-roſſa, the famous corſair, who, after expeling Mulei Haſſan, had made himſelf King of Tunis. Such a neighbor could not but diſquiet him, becauſe, to hinder him from ravaging the coaſts of Spain, Naples, and Sicily, it would have been neceſſary conſtantly to maintain a fleet in the Mediterranean, which could not be done without a vaſt expenſe, and this would have diſconcerted his other projects. So conſidering the war he had reſolved to undertake againſt Heyradin as his moſt urgent affair, he made this ſummer an expedition into Africa, where he took the fort Goletta, after which he poſſeſſed himſelf of Tunis, and reſtored Mulei Haſſan.

Deſigns of Charles V.

Herbert. Hall.

The Emperor's expedition to Africa. Mariana. Herbert. Hiſt. of Alg.

Henry gladly ſaw the Emperor ingaging in wars which would, very probably, keep him long imployed: wherefore he reſolved to improve this interval, to complete the regulation of his domeſtic affairs, which were yet in a very doubtful ſituation. He had aboliſhed the Papal authority, and been by acts of parliament declared ſupreme head of the church of England: but tho', by the conſtitution of that government, theſe acts ſeemed to ſurpaſs all contradiction, it was however but too true this was not ſufficient. As religion was concerned and conſciences are not to be forced, thoſe very ſtatutes wanted to be ſupported by authority to make them obeyed at leaſt externally. That uniformity which appeared in the determinations of the parliament and clergy was, moſt certainly, in many rather the effect of fear than of any internal conviction: nay ſome, as Fiſher and More, were ſo daring as publicly to diſapprove theſe ordinances, and notwithſtanding the ſeverity exerciſed on them, ſtill perſiſted in the ſame opinion. It is true, theſe inſtances of rigor to perſons of ſuch diſtinction made people ſilent, but ſufficed not to convince them of the reaſonableneſs of the ſtatutes. Thus, tho' King Henry found not any open oppoſition, he might readily

Henry's diſpoſition as to religion.

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readily judge that obedience proceeding from fear could laſt no longer than compulſion ſubſiſted. On the other hand, he beheld with concern the triumph of the Proteſtants, who imagined that, after aboliſhing the Pontifical authority, he was going to renounce all the errors they combated, tho' nothing was farther from his thoughts. Mean while, it was every where publiſhed, that he was on the point of forſaking the ancient religion; ſome aſſerting it out of malice, to render him odious; and others, becauſe they wiſhed it. To clear himſelf therefore from theſe imputations, at the very time he refuſed to recognize the Pope's authority, he ordered thoſe who were called Sacramentarians to be burned. By this conduct, he made himſelf hateful to both Catholics and Proteſtants. As for the Proteſtants, he bore their ill-will without much concern: beſide that, he feared them not, he approved in their doctrine only thoſe articles which oppoſed the Papal authority, and their ſentiments of the fryers, againſt whom he was extremely inſenſed becauſe they labored with all their power to alienate from him the affections of his people. It is true, he valued and loved Cranmer and Cromwell, with ſome others who countenanced the reformation; but he looked not on them as Proteſtants. He believed them men of ſolid virtue and piety, who, preſerving the eſſential doctrines of religion, were deſirous of reforming the abuſes introduced into the church: but as, among theſe abuſes, he himſelf acknowledged only what concerned the Pope and the fryers, he imagined the reformers kept within the ſame bounds. They who perfectly knew him, took care not to diſcover all their ſentiments; but, by conforming themſelves to his opinion with regard to theſe two articles, they hoped to induce him by degrees to advance the reformation, when by their aſſiduous indeavors he ſhould become more inlightened; for which reaſon the reformation began in England with theſe two points: as to the others, which had no relation to theſe, they were not meddled with during this reign, or at leaſt, but ſlightly. The reaſon is, becauſe Henry would never ſuffer his ſubjects to go greater lengths than himſelf: but, to ſpeak the truth, his underſtanding was always directed by his intereſt. If all the changes made in religion in his reign be examined, they will be found to concur directly to eſtabliſh a deſpotic authority over his ſubjects: that was ever the principal, and perhaps the ſole motive of his proceedings immediately on his perceiving the rupture with Rome to be ſo admirable a method to attain ſuch power. Hence the enemies of the reformation take occaſion to ſay, it was eſtabliſhed in England on political views: this may be true, if the perſon of Henry VIII be only conſidered; but it follows not that they who promoted and imbraced it acted on the like motive. Beſide, what was the reformation in Henry VIII's days? Only a bare renouncing the Pontifical power, while thoſe were burned who would have carried it farther: ſo, let what will be ſaid of Henry's perſon, and his motives to throw off the Papal yoke, I cannot perceive that the Proteſtants are abundantly obligated to undertake his defenſe.

Henry, finding that many of his ſubjects approved not his conduct, would have been very glad to take from them the pretenſe they uſed, of the ſentence publiſhed againſt him by the Pope. To this purpoſe, he would have ingaged all France to join with him in procuring a revocation: but that method was impracticable, and a reconciliation with the court of Rome no leſs ſo. He could never have reſolved to part with the title of Head of the Church of England, and the Pope would never have conſented to any accommodation except matters were reſtored to their ancient ſtate; ſo Henry, ſeeing himſelf conſtrained to purſue his point, reſolved by violence to overcome the obſtinacy of ſuch of his ſubjects as refuſed to ſubmit to the laws lately inacted. But on the other hand, deſiring to purge himſelf of the imputation of Hereſy, wherewith he was charged, he affected to puniſh with extreme ſeverity thoſe who imbraced the new opinion: in this ſort of medium, which pleaſed neither party, he paſſed the reſidue of his days. But this is ſaying too little: it muſt be farther added, that, conſidering himſelf as a pattern for his ſubjects, he conſtrained them to keep within the ſame bounds, and would not ſuffer them to believe more or leſs than himſelf.

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It was impoſſible that, after ſuch a reſolution, Henry ſhould not live in a continual miſtruſt of his ſubjects, which obliged him to have always his eye on what paſſed in the kingdom. Moreover, he had likewiſe to guard againſt attacks from the Emperor, by whom he was loudly menaced. He was very ſenſible, that were he once ingaged in a war, thoſe who dared not look him in the face during his proſperity, would not ſcruple declaring againſt him, if his arms were unſucceſsful. The King of Scotland his nephew was the perſon moſt to be feared. As for the King of France, who profeſſed himſelf his friend, and indeed owed him many obligations, he had ſo evidently manifeſted the ſelfiſhneſs of his friendſhip, that he could not on him repoſe much confidence. They both intended to imbroil the Emperor, but with different views. Each deſigned to make his ally ſubſervient to his own particular ends, and to improve the advantages which ſhould flow from this union. Thus Henry ſaw no reſourſe but in his own ſubjects, among whom however there were many malecontents: but as he had long deported himſelf moſt magiſterially, he found if he relaxed on this occaſion, it would certainly be aſcribed either to his ſcruples, or to a ſenſe of his weakneſs, than which nothing could be more to his detriment. This conſideration, joined to his ſtern and haughty diſpoſition, rendered him altogether untractable: he thenceforward became fierce, cruel, inſenſible of his peoples calamities, and executing without mercy the laws dictated by himſelf to his parliament. In ſhort, he may in ſome manner be ſaid to be no longer the ſame Prince who had hitherto ſwayed the Engliſh ſcepter. All can be alledged in his juſtification is, that he was often provoked by perſons who, indeavoring to alienate the hearts of his ſubjects, attacked him in the moſt ſenſible part, becauſe his whole reliance was on the aſſiſtance of his people.

Reaſon of the great ſubmiſſion of the Engliſh to Henry.

It will doubtleſs, be ſurpriſing to ſee in this reign the Engliſh ſo patient and ſubmiſſive to their Sovereign's pleaſure, that we ſcarce find, from the begining of the divorce affair, that the parliament refuſed him any one thing, tho' ſome of his demands were very extraordinary: but the reaſon is eaſily to be comprehended. Religion was the ſole cauſe. Henry, as was obſerved, kept a ſort of medium with reſpect to religion: but as none could believe it poſſible for him to remain long in that ſituation, thoſe who deſired a reformation, imagined they could not do better than comply with him in all things, to induce him to advance it by degrees. In like manner, the friends of the old creed, ſeeing ſuch beginings, were apprehenſive he would advance, and their oppoſition but make him finiſh his work the ſooner: and ſo the reſult of both parties thus ſtriving to gain him to their intereſt was, the procuring him a far more extenſive authority than any of his predeceſſors had ever injoyed, and which he could not have uſurped in any other circumſtances, without hazarding his ruin: but the two parties were alike deceived. Henry kept in the

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ſume medium the whole remainder of his life, and made them both feel the effects of that abſolute power they had ſo eaſily ſuffered him to aſſume. It is true, he was always ſo circumſpect as not to act contrary to law: but he imployed his authority to procure ſuch laws as he pleaſed, and then executed them moſt unmercifully, as will too frequently be ſeen in the ſequel: but, having thus laid open King Henry's character, and the motives which induced him to act, we muſt alſo recite his actions, which will confirm what has been advanced.

The monks become odious to the King.

Tho' the act concerning the King's marriage, and the Papal power bore the ſeal of public authority, they were very far from being univerſally approved. As they were not aſcribed ſo much to the two houſes as to the King, on him it was the whole blame was caſt. Of all the male-contents, the monks were thoſe who took moſt care to diſtinguiſh themſelves by their open attempts to blacken him in the eyes of his people. They could not digeſt his having ſet himſelf up in the room of his Holineſs, whom they had always conſidered, and ſtill did conſider as their true Sovereign, notwithſtanding the ſtatutes made againſt him. Theſe were the perſons who induced the pretended Kentiſh propheteſs to affirm, "That if the King put away Queen "Catherine, and re-married, he ſhould not ſurvive "it a month; and his end ſhould be tragical." A Franciſcan, named Peto (1), preaching before the King (2), was ſo audacious as to tell him to his face, "That God's judgments were ready to fall "upon his head: that he was always ſurrounded "with a croud of lying prophets, who foretold "him good ſucceſs. But for himſelf, like another "Micaiah, he warned him that the dogs ſhould "lick his blood, as they had done Ahab's." The fryer's inſolence, and the daily reports of the invectives which were every where ſpread againſt him, provoked him extremely againſt them, as well as againſt thoſe who had the boldneſs to ſpeak opprobriouſly of the acts of parliament. He was however very patient for ſome time, imagining theſe turbulent ſpirits would at length be calmed: but when he found they ceaſed not aſperſing him with the groſſeſt of calumnies, he called a council to conſider how he ſhould behave towards thoſe who affected to contradict his laws, and calumniate himſelf. Some of the council were for his winking at all offenſes of this kind, leſt any exceſs of rigor ſhould have a quite contrary effect to what he deſired (3): but others repreſented to him the ill conſequence of ſuch connivance. They ſhewed him, that the driſt of theſe men was to ſtir up the people againſt him, to give the biſhop of Rome opportunity to aſſert his pretended authority, and therefore they were for puting the laws in execution with the utmoſt ſeverity. Of this opinion was alſo Henry himſelf, as moſt agreeable to his fierce and ſtern temper, which could not bear contradiction: beſide, he foreſaw the event, if his enemies ſucceeded in their deſign to render him odious to his people; it is not therefore much to be wondered at, conſidering his provocations, that he reſolved to treat with rigor perſons who, to the utmoſt extent of their ability, labored to effect his ruin.

Inſolence of a Cordelier. Stow. Burnet.

Debate of the council how the King was to behave. Herbert.

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It is reſolved to put the laws in execution.

Priors and monks executed with ſome Proteſtants. Hall. Stow. Burnet. Strype. Hollingſh. Fox.

The reſolution being taken of executing the laws without mercy, certain priors, monks, and others, who had been too free with the new ſtatutes, were apprehended, tried, convicted and executed, according to the utmoſt rigor of the ſame laws (4): but at the ſame time Henry, apprehenſive leſt this ſeverity ſhould be aſcribed to the inclination he was charged with for the new religion, affected to uſe the ſame rigor to thoſe who had openly imbraced the reformation, and put them to death with the others. Next, to keep all people in awe by an example which ſhould make the boldeſt tremble, he reſolved to deliver up to the rigor of the law, Fiſher and More, then priſoners in the Tower (5). To this end, Fiſher was required to take the oath of ſupremacy, it being ſuppoſed he would refuſe it, as was indeed the caſe. About the ſame time, Paul III actually confered a cardinalate on this prelate, tho' he had declared, that were a cardinal's hat laid at his feet, he would not ſtoop to take it up. But his Sanctity, whoſe aim was to incourage ſuch as oppoſed King Henry, failed not exalting him to that dignity, with this pompous elogy; "That he conſidered him as the cardinal of car-"dinals." This unſeaſonable honor did, very probably, accelerate the fate of this biſhop, who, being condemned, was executed the twenty-ſecond of June, a month after his being created cardinal, and ſome days before the hat, ſent him by his Holineſs, reached London (6). After that, ſir Thomas More, being required to take the ſame oath, refuſed to anſwer, ſaying, "The act of parliament "is like a ſword with two edges, for if a man an-"ſwer one way, it will deſtroy the ſoul, and if he "anſwer another, it will deſtroy the body." On his refuſal he was condemned and executed. He was a man of great learning, and excellent parts, but ſo addicted to jeſting, that even the preſenſe of death could not make him lay aſide his uſual facetiouſneſs (7). When, on the point of being executed, having laid his head on the block to receive the mortal blow, he perceived his beard was got under his chin: whereupon, haſtily riſing up, he bid

Fiſher executed. Burnet. Col. Vol. I. p. 155, 353. Stow. Herbert. The Pope had made him a cardinal.

Sir Thomas More executed. Hall. Burnet. Herbert. Strype.

Hall.

(1) Not Payton, as he is erroneouſly named in the original.

(2) At Greenwich, where Henry reſided moſt in ſummer. The King bore Peto's inſolence patiently; but, to undeceive the people, procured doctor Curwin to preach the next Sunday, who juſtified the King's proceedings, and condemned Peto, as a rebel, a ſlanderer, a dog, and a traitor. Peto was gone to Canterbury, but Elſton, another fryer of the ſame houſe, interrupted him, and ſaid, "He was one of the lying Prophets, who ſought by adultery to eſtabliſh the ſucceſſion to the crown." And yet, nothing more was done to theſe two fryers, than that they were convened before the council, and rebuked for their inſolence. Stow, p. 562. Burnet, Vol. I. p. 151.

(3) They thought impriſonment, baniſhment, or the like was puniſhment enough for thoſe who, confeſſing the King's ſupreme authority in all temporal matters, did, out of ſcrupuloſity rather than malice, oppoſe the reſt. Herbert, p. 182.

(4) Namely, the prior of the Charter-houſe in London, the priors of Exham, and Benall, a monk of Sion, and John Haile vicar of Thiſtleworth, on May 4; and three monks of the Charter-houſe, on July 18, 1535. They were all drawn and quartered at Tyburn. The Proteſtants put to death, were, John Frith, a man of great learning, and Andrew Hewet, on July 22, 1534. As alſo nineteen men, and ſix women, born in Holland. Theſe were burned. Hall, fol. 225, 226. Stow, p. 571. Burnet, Vol. I. p. 166, &c. 352.

(5) Fiſher was hardly uſed; his goods being ſeized, he had only ſome old rags left to cover him, and was neither well ſupplied with diet nor other neceſſaries. Ibid.

(6) Burnet ſays, the hat came no nearer him than Picardy. He was beheaded in the eightieth year of his age, on Tower-Hill, and his head was ſet up on London-Bridge. His body was firſt buried in Barking church-yard, and afterwards taken up and interred with More's in the Tower. He was many years confeſſor to the King's grandmother, the counteſs of Richmond. He uſed to ſay his church was his wife, and he would never part with her becauſe ſhe was poor. Ibid. p. 354.

(7) When he was going up the ſtairs of the ſcaffold, obſerving they were weak, he deſired one of the ſheriff's officers to give him his hand to help him up, and ſaid, "When I come down again, let me ſhift for my ſelf, as well as I can." Alſo, when he was firſt commited to the Tower, one of the officers, demanding his upper garment (meaning his gown) for his fee, ſir Thomas taking off his cap, gave it him, ſaying, "That was the uppermoſt garment he had." Hall, fol. 226. Abundance more of his jeſts are extant.

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the executioner ſtay a little 'till he had put his beard aſide, ſince, not having commited any treaſon, it was not juſt it ſhould be cut off (1).

Paul III excommunicates Henry without publiſhing the bull. Herbert. Burnet.

While theſe things paſſed in England, Pope Paul III ſtill kept ſome correſpondence with ſir Gregory Caſſali, who was at Rome, tho' without character. That Pontif paſſionately wiſhed, that ſome expedient might be found to heal the breach made by Clement VII's too great precipitation, and confered from time to time with Caſſali: but when he underſtood that thoſe monks, Fiſher and More had been executed for denying the King's ſupremacy, he deſpaired of ſucceeding. He perceived no farther ceremony was requiſite on his part, ſince all regard for him was thrown off in England, and a ſettled deſign ſhewn of maintaining what had been done: ſo, in order to ſupport the honor of his See, he drew up a thundering bull, excommunicating Henry, and abſolving his ſubjects from their oath of allegiance: moreover, he injoined all the eccleſiaſtics to depart his dominions, and the nobility to take arms againſt him. He put the kingdom under interdict, and prohibited all Chriſtians to have any commerce with the Engliſh. He annulled all the treaties made by foreign Princes with Henry before his marriage with Ann Boleyn, declaring their iſſue already born, or to be born, illegitimate. Mean while, as he was ſenſible theſe ſpiritual thunders would not produce any great effect if not ſupported by temporal arms, which were not yet ready, he defered the publication of this bull to a more convenient ſeaſon.

Embaſſy to the Proteſtants of Germany. Herbert. Burnet. Vol. III. p. 111. Strype.

But tho' the bull was not publiſhed, as no great care was taken to conceal it, it ſoon reached the ears of King Henry, who thereupon reſolved to join with the Proteſtants of Germany (2), and find Charles imployment in thoſe quarters. He therefore diſpatched Edward Fox to the league of Smalcald, while King Francis ſent on a like errand Guillaume du Bellay baron de Langeais: but it was very difficult for a good and hearty union to be formed between theſe two Monarchs and the German Proteſtants. The views of thoſe Proteſtants tended only to preſerve the liberty of profeſſing their religion unmoleſted, whereas the ſole aim of Francis and Henry was to excite them againſt the Emperor, without any regard to the reformed religion, which in their reſpective realms they were perſecuting. It is true, to gain the Proteſtants, they feigned ſome inclination for their creed, and a deſire to eſtabliſh it in their dominions: nay Henry very much improved the conformity of his ſentiments with theirs concerning the Papal authority; but the rigor wherewith theſe two Monarchs treated ſuch of their ſubjects as had imbraced the new religion, deſtroyed whatever their embaſſadors could ſay, and for this reaſon the Proteſtants conſtantly inſiſted on ſettling the points which concerned religion, and continued to require that Henry ſhould openly declare for the Augſburg confeſſion, that their union might be grounded on a ſolid foundation. Henry feigned to approve of what they propoſed, and, to gain with them the greater credit, wiſhed them to ſend ſome of their divines to confer with thoſe of England: but he never really intended to conform himſelf to their notions; he rather wanted the Germans as well as the Engliſh to learn of him what they were to believe, and for this cauſe the project of the propoſed union was never put in execution. However, this negociation failed not giving great uneaſineſs to the Pope and Charles, who plainly ſaw that, in attacking Henry there was danger of ingaging him actually to join the league of Smalcald.

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But Henry depended not ſo much on foreign aſſiſtance as on his own ſtrength. Mean while, as his ſubjects were daily corrupted by the monks, who inſinuated to them, that he was haſtening utterly to ſubvert the Catholic religion, he reſolved to take all poſſible precautions to fruſtrate the pernicious deſigns of theſe dangerous adverſaries. To this end, he had it moved in council, whether it would not be proper to ſuppreſs at once all the monaſteries. This queſtion was debated with great warmth, by reaſon of the two contrary parties in the council. Cranmer and Cromwell looked on the ſuppreſſion of all monaſteries as a grand ſtep towards a reformation. But, on the other hand, the duke of Norfolk, the biſhops of Wincheſter, Lincoln and others, who had with reluctance ſubſcribed to what had been done againſt the Pope, could not reſolve on conſenting to this ſuppreſſion. They were very ſenſible, after that, the kingdom would be irrecoverably loſt to the Pope, without reckoning that the diſſolution of monaſteries might produce yet greater effects with regard to religion. Henry, having heard the arguments on both ſides, found he ſhould not be able to ſuppreſs the monaſteries all at once, without giving offenſe to the majority of his ſubjects; and ſo reſolved with himſelf to do it gradually, and therefore to begin with a thing abſolutely neceſſary, namely, to remove peoples prepoſſeſſion in favor of the monks. To this end, he ordered a general viſitation of the monaſteries, to know perfectly the titles of their revenues, the behavior of the fryers and nuns, how the rules of each order were obſerved, and other matters of a like nature. He queſtioned not this viſitation would diſcover ſeveral conſiderable abuſes which, being made public, would ſenſibly diminiſh peoples veneration for the religious, and pave a way to his deſign. He was highly exaſperated againſt the monks, whom he conſidered as the greateſt diſturbers of his repoſe. On the other hand, undoubtedly the hope of profiting by their eſtates did not a little contribute towards his puſhing this affair with great earneſtneſs (3). Thomas Cromwell was choſen to manage this inquiry, by the name of viſitor-general. This choice was a plain indication of Henry's intent, ſince he imployed a perſon who was utterly averſe to the monks. Cromwell, having appointed ſubſtitutes or commiſſioners, gave them very particular inſtructions under eighty-ſix articles; and the viſitation began in October. It

Henry lays before the council the ſuppreſſion of the monaſteries. Herbert. Burnet.

Sundry opinions upon that account.

He orders the monaſteries to be viſited, Burnet, Vol. I. p. 182. Herbert. Strype.

and leaves the management to Cromwell. Burnet. Herbert, Stow. Hollingſh.

(1) On the firſt of July, ſir Thomas More was brought to his tryal, and beheaded on the ſixth, in the fifty-third year of his age. Tho' he was afterwards ſuperſtitiouſly devoted to the intereſt and paſſions of the Popiſh clergy, and even aſſiſted them in all their cruelties, yet in his youth he had freer thoughts of things, as appears by his Utopia, where he ſeems to borrow the diſguiſe of a romance, only to declare his mind with greater freedom: he tells us, the Utopians allow liberty of conſcience, and force not their religion on any; that they hinder none from a ſober inquiry into truth, nor uſe any violence on the account of a different belief. His peculiar excellency in writing was, that he had a natural eaſy expreſſion, and preſented all the opinions of Popery, with their fair ſide to the reader, diſguiſing the black ſide of them with neat art; and had on all occaſions great ſtore of pleaſant tales, which he applied wittily enough. But for juſtice, contempt of riches, humility, and a true generoſity of mind, he was an example to the age in which he lived. He is ſaid to have but one hundred pounds per annum when he reſigned the chancellorſhip. Burnet, Vol. I. p. 355. and Vol. III. p. 29. Herbert, p. 184.

(2) And the rather becauſe the Pope declared, he would give away England to ſome of the German Catholic Princes, being unwilling to increaſe therewith the power of France or Spain. Herbert, p. 184.

(3) He wanted money on ſeveral accounts; chiefly, as he apprehended a war from the Emperor, the moſt powerful Prince then in the world, and who had large fleets of his own; therefore, to ſecure himſelf againſt theſe attacks, he judged it neceſſary to fortify his ports, and to build new harbors. Burnet, Vol. I. p. 189.

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may be eaſily judged that, among ſo great a number of monaſteries as were in the kingdom, moſt of which had never been viſited but very negligently, many were found abounding with irregularities, as well in reſpect of the fryers and nuns behavior, as in obſervance of rules and management of the temporalities. The viſitors, who were not their friends, and doubtleſs had orders to frighten them, failed not giving out, that they were on the brink of being expoſed to his Majeſty's utmoſt ſeverity, and the rigor of the law. Then, they ſuggeſted to them, that to ſave themſelves harmleſs, and withal to hide their diſorders, the beſt way was to reſign their houſes to the King (1), who on that conſideration, would take care to provide for each in particular. A good number of priors, being terrified by the viſitors, choſe to follow their advice, their monks agreeing to it, ſome to avoid puniſhment, others to injoy their liberty, and ſome for want of reſolution to reſiſt (2). The reports of the commiſſioners were publiſhed, that all might be ſatisfied the King had not without reaſon and neceſſity ordered this general viſitation. The truth is, in ſome monaſteries were diſcovered monſtrous diſorders and horrible crimes, not only with reſpect to the debaucheries of the fryers and nuns, but chiefly on account of images and relicts, for which a ſhameful trade was driven to inrich the monaſteries, by cheriſhing peoples ſuperſtition (3). This occaſioned an ordinance of the King, who, as ſupreme head of the church of England, diſcharged from their vows ſuch as were profeſſed under the age of twenty-four years, and allowed all the reſt to quit their houſes, and live like ſeculars, if they pleaſed (4): but as the majority of them had been inured to a life of idleneſs, and perceived, when they forſook their monaſteries, they ſhould be forced to work for their livelihood, the liberty given them by the King produced no great effect; beſide, there were doubtleſs many who, out of conſcience, thought not proper to uſe it: ſo Henry was obliged to take other meaſures.

Several abbots and priors ſurrender their houſes to the King. Burnet. Report of the viſitation publiſhed.

Henry permits the monks leave to quit their monaſteries. Stow. Hollingſh.

Change of ſome biſhops. Rym. Fœd. Vol. XIV. p. 550, 552. 553. Burnet. Vol. I. p. 171. Stow.

It was not 'till this year cardinal Campejo loſt the biſhoprick of Saliſbury, which was given to Nicolas Shaxton a friend to the reformers. Not long after, the See of Worceſter was taken from Ghinucci an Italian, and confered on Hugh Latimer, Cranmer's great friend. John Hilſey was promoted to the See of Rocheſter, vacant by the death of Fiſher, and and Edward Fox to that of Hereford.

Henry tries to perſuade the King of Scotland to renounce the Pope. Buchanan. Herbert.

Among all the King's enemies, or enviers, none gave him more uneaſineſs than his nephew the King of Scotland, and not without reaſon. During the whole time of that Prince's minority, Henry had fomented the troubles of Scotland, and even ſhewn that his deſigns tended towards poſſeſſing himſelf of that kingdom. James was thereof fully informed; and tho' he expreſſed a very great regard for the King his uncle, he however let him ſee he did not conſider him as a friend. Henry was therefore in danger that, if the innovations in religion cauſed diſturbances in the kingdom, the King of Scotland would take occaſion to be revenged, by aſſiſting the male-contents. This apprehenſion was by ſo much the juſter, as the Emperor, no ſtranger to the Scotiſh King's diſpoſition, had already labored to inſpire him with ſuſpicions and jealouſies of France and England: nay, as has been obſerved, he would have concluded with him a league, had not Francis broken his meaſures, by procuring a peace between England and Scotland; yet, notwithſtanding this peace, Henry was always in diſtruſt of that quarter, wherefore, to make himſelf eaſy, he formed the project of inſpiring his nephew with the reſolution to follow his example, and renounce the Pontifical obedience. He conſidered this as a ſure means to preſerve between the two kingdoms a ſtrict union, which would be to Henry extremely advantageous in his then ſituation. He wrote therefore a long letter, declaring the reaſons of his conduct with regard to the Pope; and afterwards he diſpatched an embaſſador to propoſe an interview: fancying that a conference with him would produce a greater effect than whatever he ſhould ſay to him by letter or embaſſy. Nevertheleſs, tho' the reformation had already made its way into Scotland, James had no inclination to imbrace it; ſo the eccleſiaſtics about his perſon eaſily diſſuaded him from accepting the interview, whereat they apprehended ſome matters might occur not very advantageous to their religion. Mean while, James, not being willing openly to refuſe the conference deſired by the King his uncle, gave him hope of his conſent, after the removal of certain difficulties, which were purpoſely ſtarted: but, at the ſame time, demanded of the Pope a brief, to forbid his having any interview with the King of England. When the brief came, he thereof gave notice to the King his uncle, who having prepared for his journey was highly offended at his refuſal. Hence aroſe between them a quarrel, which I ſhall have occaſion to mention hereafter.

HENRY VIII. AN' 1535.

He demands an interview.

James excuſes himſelf on account of the Pope's prohibition.

Before I conclude the year 1535, I muſt not omit relating a certain event which extremely altered the countenance of affairs in Europe: I mean the death of Franceſco Sforza, duke of Milan, which happened in the month of October. As this Prince left no iſſue by Catherine of Denmark the Emperor's niece, whom he had eſpouſed not long before, the duchy of Milan, as fief of the Empire, devolved to Charles, to be diſpoſed of as he pleaſed: ſo the fears and jealouſies of the Pope, King of France, and Venetians were revived on this occaſion; each of theſe Potentates having cauſe to fear the Emperor would keep Milan for himſelf, or give it to his brother the King of the Romans. In that caſe, Italy would of courſe fall again into ſlavery, and the King of France loſe his hopes of recovering that duchy. To make them eaſy, Charles declared he had no deſign to keep Milan,

Death of the duke of Milan. Herbert.

(1) Before this, namely, on February 24, 1533, the priory of the Trinity, or Chriſt-Church, near Aldgate, in London, was ſuppreſſed, and the lands and church-plate thereto belonging, given to ſir Thomas Audley, the high-chancellor. Stow, p. 560.

(2) The firſt ſurrender was by the abbot of Langden, in Kent, on November 13. (Rym. Fœd. Vol. XIV. p. 555.) who on doctor Leighton's breaking open the door on a ſudden, was found in bed with a whore, who went in the habit of a lay brother. This ſurrender was followed by that of the priory of Folkſton, November 15; on the 16th, of that of Dover; and on February 21, 1536, of that of Bilſingtoun, all three in Kent. As alſo of Merton in Yorkſhire, February 9; of Tilty in Eſſex, and of Hornby in Yorkſhire, March 23. The original of theſe and the other ſurrenders are in the Augmentation-Office. Burnet, Vol. I. p. 191.

(3) They found great factions in the houſes, and barbarous cruelties exerciſed by one faction againſt another, as either of them prevailed. They were all extremely addicted to idolatry and ſuperſtition. In ſome they found the inſtruments and other tools for multiplying and coining. But for the lewdneſs of the confeſſors of nunneries, and the great corruption of that ſtate, whole houſes being found almoſt all with child; for the diſſoluteneſs of abbots, and the other monks and fryers, not only with harlots but married women; and for their unnatural luſts and other brutiſh practiſes: Theſe (ſays Burnet, Vol. I. p. 191.) are not fit to be ſpoken of, much leſs inlarged on in a work of this nature. The full report of this viſitation is loſt; yet Burnet ſaw an extract of a part of it concerning one hundred forty-four houſes, which contains abominations in it equal to any in Sodom.

(4) The men, if in orders, were to have a prieſts habit given them, and forty ſhillings in money; the nuns were to have only a gown, ſuch as ſecular women wore. Some however for ſurrendering their houſes got ſmall penſions. Herbert. Stow, p. 572.

but

Henry VIII. An' 1535.

but intended to preſent it to ſome Prince, who ſhould cauſe no ſuſpicion to thoſe whom it concerned to preſerve the peace of Italy. He had afterwards the addreſs to uſe this as a lure to amuſe the King of France: but in reality he never deſired to diſpoſſeſs himſelf of it (1).

An' 1536. Death of Queen Catherine. Herbert. Stow. Burnet.

Queen Catherine ended her days the begining of the year 1536 (2). Tho' her virtue had gained her univerſal eſteem, ſhe died however little lamented by the public, becauſe ſhe equally imbaraſſed her friends and enemies. Before ſhe expired, ſhe dictated a very tender letter to the King, who ſeemed to be extremely moved with it (3): but, in all appearance, his grief was of no long continuance. He was very fond of her when firſt married, her mild and modeſt deportment having a greater influence on him than ſhe could expect from her beauty, which was far from being extraordinary. In time, his affection abating, he treated her with indifference, tho' ever with much civility. At length, after he had reſolved to put her away, her obſtinate refuſal to comply with his will made him conſider her as his enemy. Accordingly he uſed her rigorouſly when the ſentence of divorce was pronounced, even to the not ſuffering her to keep ſervants who treated her as Queen: at leaſt, he forbid her aſſuming that title publicly, tho' he found himſelf obliged to connive at her diſobedience.

Parliament meets.

The parliament meeting the fourth of February, finiſhed the work begun, by aboliſhing whatever related to the Pontifical power, not to leave the leaſt pretenſe to acknowledge his Sanctity's authority. But Henry had a farther view, namely, to ſuppreſs the monaſteries, as well to be revenged on the monks and prevent their evil deſigns, as to poſſeſs himſelf of their eſtates. In all appearance, the late viſitation of monaſteries had convinced him that the monks were as unſerviceable to religion as prejudicial to his affairs in his preſent circumſtances.

Reaſons of altering the eccleſiaſtical conſtitutions.

As among the conſtitutions obſerved in the church of England, there were not a few which had a manifeſt relation to the Papal authority, it was abſolutely neceſſary to annull them and make others which ſhould have for foundation the King's ſupremacy. The parliament had already paſſed an act, impowering King Henry to nominate thirty-two commiſſioners to examine ſuch as were to be aboliſhed: but the King had not haſtened this nomination, becauſe by this confuſion his authority was conſiderably more extenſive. Indeed, the Pontifical power was aboliſhed by act of parliament, and yet it ſtill ſubſiſted in the conſtitutions, which, not being abrogated, threw the clergy into great perplexities, becauſe they knew not how to proceed. But this was what Henry deſired, that the eccleſiaſtics might be more at his devotion, ſince he could equally proſecute them as guilty, whether they did or did not obſerve them. The parliament taking this contrariety into conſideration, would have cured it by confirming the power formerly given the King to appoint commiſſioners to alter theſe conſtitutions. This was a ſort of reproach for his negligence in that reſpect: but he feigned not to mind it, and left the affair in the ſame ſtate it was (4).

Henry VIII. An' 1536.

Act for ſuppreſſing the leſſer monaſteries. Rym. Fœd. Vol. XIV. p. 575.

He had another thing in his thoughts which affected him much more, namely, to execute his deſign upon the monks. In this ſeſſion, he repreſented to the parliament, that the great number of monaſteries in the kingdom were a burden to the ſtate, and earneſtly deſired them to remedy the evil by ſuch means as they ſhould judge proper. Whereupon it was inacted, That all religious houſes of two hundred pounds per annum and under, ſhould be ſuppreſſed, and their effects given to the King (5). Of this ſort there were three hundred ſeventy-ſix, and a yearly revenue of thirty-two thouſand pounds fell to the crown, with more than a hundred thouſand pounds worth of plate, furniture, church-ornaments, and the like. A new court was erected, named the Court of the Augmentations of the King's Revenue, which was to take cognizance of all matters concerning this new acquiſition. The erecting a court for ſo ſmall a revenue, was a clear evidence the King had no deſign to ſtop there, but intended to ſeize the revenues of every monaſtery in the Kingdom.

Herbert. Stow. Hollingſh.

Court of Augmentations erected. Burnet.

Reſolution to let the people have the Bible in Engliſh. Burnet.

The convocation ſiting, as uſual, at the ſame time with the parliament, it was there moved, that there ſhould be a tranſlation of the Bible in Engliſh *, and the motion was approved. It muſt be obſerved, the King's intent was only to ſhew his people, there was nothing repugnant to Scripture in what was done againſt the Pope. But Cranmer, Cromwell, and others of the reformers had much farther views. They hoped, when the Bible was in every hand, people would ſee their error in many other matters which hitherto had been deemed eſſential to religion: but they took care to hide their deſigns from the King, knowing how contrary they were to his. Henry was abſolutely againſt all reformation of doctrine, and conſequently they were to bring him inſenſibly and by degrees to what they deſired. They partly ſucceeded, but they fell extremely ſhort of what they had at firſt expected. However, they thought it very conſiderable to obtain his conſent that it ſhould be moved in the convocation to give the people the Bible in Engliſh, and to have cauſed the motion to be approved. As there was then no other Engliſh verſion of the Bible but Tindal's, made at Antwerp without

* To be ſet up in all churches

The King takes it on himſelf.

(1) This year, Wales, which had hitherto been only a province to the Engliſh nation, was incorporated, united, and annexed for ever to the realm of England. Statute 27 Hen. VIII. c. 26.—— John Owen began this year to make braſs cannons, being the firſt who made this kind of artillery in England.——The 8th of May, King Henry commanded all perſons about his court to cut their hair ſhort, and to ſet them an example, he cauſed his own to be cut; and likewiſe began to wear his beard knotted, and was no more ſhaved. Hall, fol. 225. Stow, p. 571.

(2) On the 8th of January at Kimbolton, in the fiftieth year of her age, thirty three years after ſhe came into England. In her will, ſhe appointed her body to be buried in a convent of Obſervants, who had done and ſuffered moſt for her, but the King ordered it to be laid in the abby-church of Peterborough, which he afterwards converted to a cathedral. Stow, p. 572. Queen Ann Boleyn wore yellow for the mourning. Hall, fol. 227.

(3) In the title ſhe ſtiled him, My moſt dear Lord, King, and Huſband, and concluded with ſaying, I make this vow, that mine eyes deſire you above all things. She adviſed him to look to the health of his ſoul. She forgave him all the troubles he had caſt her into. She recommended their daughter Mary to him, deſiring he would be a loving father to her. She alſo deſired he would provide matches for her maids, who were but three; and that he would give her ſervants one year's wages more than was due to them. She was a devout and pious Princeſs, and led a ſevere life. In her greatneſs ſhe wrought much with her own hand, and kept her women well imployed about her, as appeared when the two legates came once to ſpeak with her; ſhe came out to them with a ſkein of ſilk about her neck, and told them, ſhe had been within at work with her maids. Few ſuch Queens now-a-days! Burnet, Vol. I. p. 192.

(4) About this time, King Henry appointed an office for all eccleſiaſtical matters, and ordered a ſeal to be cut. The archbiſhop of Canterbury's title was alſo, in convocation, ordered to be altered: inſtead of legate of the apoſtolic See, he was to be called, Metropolitan and Primate. Ibid. Vol. III. p. 104.

(5) A commiſſion was alſo directed (June 16, 1535) to the biſhops of Meath and Kildare, to John Allen, maſter of the rolls, Gerard Ailmer chief baron of the Exchequer, and ſome others, impowering them to ſuppreſs the monaſteries in Ireland. Rym. Fœd. Vol. XIV. p. 551.

public

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public authority, the convocation petitioned the King for a good tranſlation, which he was pleaſed to take on himſelf (1).

The parliament diſſolved Burnet.

Henry having obtained of the parliament all he deſired, thought it time to diſſolve it, which he did the fourteenth of April, after having continued it ſix years. Never had parliament held ſo long ſince the monarchy began.

The care Henry took to ſecure himſelf from the cabals of the monks, and his other domeſtic enemies, prevented him not from being attentive to his foreign affairs, and ſtudying means to avoid the

P. Daniel.

Emperor's attacks. Francis was invading Savoy, and it was but too manifeſt that his intent was to open a paſſage into the Milaneſe: but as this was a very grand enterpriſe, conſidering the then ſituation of France, the Emperor could not believe he had ingaged in it without being firſt ſure of Henry's aſſiſtance; wherefore he reſolved to imploy his beſt indeavors to break their union. From

He promiſes Milan to a ſon of Francis,

the death of Sforza, he had continued a private negociation with Francis, to reſign the duchy of Milan to one of his ſons, and acted therein with ſuch addreſs that the treaty ſeemed to be very near a concluſion. This could not but inſpire Henry with jealouſy. He was ſenſible that, if the negociation ended to the ſatisfaction of Francis, that Prince would not abundantly regard his intereſts.

and ſeeks alliance with Henry. Herbert.

On the other hand, Charles no ſooner heard of the death of his aunt Queen Catherine, but he offered Henry to renew their alliance, with a mutual oblivion of whatever had paſſed between them: but leſt he ſhould be taken at his word, he required three conditions, which left him the liberty to prolong the affair as much as he pleaſed, his aim being only to ſow diviſion between Francis and Henry, by making them ſuſpicious of each other. The firſt of theſe conditions was; that Henry ſhould be reconciled to the Pope, to which end he offered his mediation. By the ſecond, he demanded a powerful aſſiſtance againſt the Turks. By the third, that, purſuant to their treaty in 1518, he ſhould join with him in the defenſe of Milan, againſt

Henry's anſwer. Herbert.

the attacks of the French King. Henry replied; that with regard to what had been done againſt the Pope, there was no revocation: that as ſoon as Chriſtendom ſhould be in peace, he would act againſt the Infidels as became a Chriſtian Prince: that he was ready to renew his alliance with the Emperor, provided it was done without prejudice to the King of France his ally; that being friend of both, he might be better inabled to labor their reconciliation, or if he could not ſucceed, to aſſiſt him who ſhould be unjuſtly attacked: that as to the reſt, he refuſed not to agree with his Imperial Majeſty, provided he would own the rupture came from him. The Emperor perceiving Henry was on his guard, thought not fit to puſh this affair any farther. Indeed Henry could eaſily ſee his aim was to ſet him at variance with France, ſince in this very interim, Francis imparted to him the private negociation concerning the duchy of Milan: moreover he warned him, that Charles deſigned to force him to return to the Pope's obedience, and it was only on that condition he offered to reſign the Milaneſe.

Henry is for ſiding with the league of Smalcald. Sleidan. Herbert. Burnet.

All theſe proceedings of the Emperor convincing Henry that he ſought occaſion to attack him, he reſolved to purſue his negociation with the Proteſtants of Germany, to make in that country a diverſion, which ſhould break his meaſures with regard to England. To this end, he had ſent Edward Fox to them laſt year: but they would not be his dupes, not imagining, as he would fain have made them believe, that he was inclined to their creed, while he cauſed their brethren to be burned in England. So, to prevent their being, merely by faint hopes, ingaged to be ſubſervient to his deſigns at their expenſe, they delivered to his embaſſador the terms on which they were willing to enter with him into a ſtrict union. The terms were; that he ſhould imbrace the Augſburg confeſſion, and defend it with all his power in a free council: that he ſhould approve of no place for holding the council without their conſent: that if the Pope called a council at his own pleaſure, Henry ſhould join with them in proteſting againſt it: that he ſhould accept the title of Protector of the league: that he ſhould never return to the Pope's obedience: that he ſhould not aſſiſt their enemies: that he ſhould find a hundred thouſand crowns for the occaſions of the league, and two hundred thouſand if the war laſted any time. Laſtly, they added, that when he ſhould have declared himſelf on theſe articles, they would ſend embaſſadors and agree with him upon the reſt.

Henry VIII. An' 1536.

The league propoſes terms. Sleidan. Herbert.

He is imbaraſſed on that account.

Theſe propoſals threw Henry into ſome perplexity. He ſaw, the ſole aim of the Proteſtants was to ſupport their religion; yet this was what gave him the leaſt diſquiet. He was by no means ſatisfied with the Augſburg confeſſion, and yet he perceived, in caſe he openly rejected it, there was no likelihood of his being able to join with the league of Smalcald. On the other hand, it was his intereſt to continue this negociation, as well becauſe the Proteſtants might be ſerviceable to him, as to keep the Emperor in awe by that conſideration; ſo his intereſt required that he ſhould favorably hear theſe propoſitions: but withal he reſolved to inſert in his anſwer ſomething which ſhould afford him occaſion to break, if he thought proper. He replied therefore; that he was willing to

His anſwer. March 12. Sleidan. Herbert.

furniſh the ſums required, in caſe a league, of which he would treat with their embaſſadors, ſhould be concluded between him and the Proteſtants: that tho' he was ſenſible to what the title of Protector of the league would expoſe him, he was content to accept it, provided there were between him and them a conformity of doctrine, otherwiſe he could not ingage to defend a faith of whoſe truth he was not convinced; that therefore he deſired them to ſend commiſſioners, with powers to mitigate ſome articles of the Augſburg confeſſion, which he could not approve. Moreover as to the ſupplies, he required that the ingagement ſhould be mutual, whether he or they were attacked: finally, he demanded their formal and authentic approbation of his divorce, and their promiſe to juſtify its validity in a council. The propoſals on both ſides were of

The Proteſtants ſend doctors to him.

a nature to keep a treaty long on foot: but, tho' the members of the Smalcald league ſaw no great likelihood of a ſtrict union, they however appointed Sturminus, Draco, Bucer, and Melanćthon to go and confer with Henry and his divines. It was eſpecially provided in their inſtructions, that nothing ſhould be concluded to the prejudice of the Emperor or Empire. This negociation was interrupted by the death of Ann Boleyn, which happened ſhortly after, and which very much altered the face of affairs, as well as the King's mind in reſpect to the reformation which ſhe openly countenanced.

King Henry was at once poſſeſſed with two paſſi-

(1) It is not known to whom that work was commited, or how they proceeded in it. For the account of theſe things has not been preſerved, nor conveyed to us with that care the importance of the thing required. Yet it appears that the work was carried on at a good rate: for three years after this it was printed at Paris, which ſhews they made all convenient haſte, in a matter which required ſo much deliberation. Burnet, Vol. I. p. 196.

ons;

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ons; a violent love for Jane Seymour, maid of honor to the Queen, and a moſt exceſſive jealouſy of his wife. Very likely, the latter was a conſequence of the former. When Ann Boleyn's enemies found ſhe had loſt that place which ſhe once poſſeſſed in the King's heart, far from being afraid to accuſe her of unfaithfulneſs to her royal conſort, they believed they ſhould rather do a pleaſure to her ſaid conſort (who began to be himſelf unfaithful) if they furniſhed him with ſuch pretext as might authoriſe his change. It is certain Henry no longer bore his Queen that affection which made him ſurmount ſo many obſtacles to poſſeſs her; whether injoyment had quenched this firſt flame, or her indiſcretions given him room for ſuſpicion, he ſo gave himſelf over to jealouſy, that it was not in his power to overcome it; or perhaps he never much indeavored it. However this may have been, the fact ſtands thus: Queen Ann held a very friendly correſpondence with lord Rochford her brother, but could not indure his wife, who lived very ill with her huſband, and had a moſt ſcandalous character, as in the ſequel will evidently appear. It was this lady who whiſpered in Henry's ear the firſt report of Queen Ann's being unfaithful to him, and particularly of her holding a criminal converſation with her own brother lord Rochford. Theſe ſeeds fell on a ſoil not unprepared to receive them. Henry, already prejudiced by his paſſion for Jane Seymour, was overjoyed to find, in the Queen's pretended unfaithfulneſs, a means to attain poſſeſſion of her he loved. As ſoon as Queen Ann's enemies ſaw how the King ſtood affected towards her, they took care to ruin her quite in his favor, by accuſing her of ſundry intrigues with her domeſtics. Theſe enemies were the ſame with thoſe of the reformation. They imagined, ſhe had put King Henry upon all his proceedings againſt the Pope, on purpoſe to favor the new religion: but, even had ſhe not done this, it was ſufficient to make them hate her that ſhe had been the cauſe, by inſpiring the King with love, ſince that had occaſioned Catherine's divorce, and conſequently all the innovations in religion. Policy might alſo bear ſome part in their ſcheme. They were very ſenſible that, while Queen Ann lived, ſhe would be an invincible obſtacle to a reconciliation with Rome, whereas if ſhe no longer exiſted, they were in hopes that all obſtructions would be remedied without much difficulty. The duke of Norfolk inwardly burned with a deſire to ſee religion re-eſtabliſhed on the ſame footing it was before theſe alterations, tho' like a good courtier, he took great care not to diſcover it to his maſter. His quality, zeal and credit had made him head of the old religion's partiſans; and, as he had the King's ear, he could eaſily do ill offices to the adverſe party. The King's jealouſy of his Queen was a too fair occaſion to be neglected, ſince he could at once ſerve the faction he would favor, and make his court to his Sovereign; ſo the common opinion is, that this nobleman contributed moſt to Queen Ann's ruin becauſe, of all her adverſaries, he had moſt acceſs to the King: but, be it by him or by others, King Henry was ſome how inſpired with a jealouſy which threw him into a ſort of fury; neither is this much to be wondered at, conſidering his temper, the moſt impetuous and moſt impatient ever known in any. In ſhort, Ann was charged with holding a criminal correſpondence not only with lord Rochford her brother, but alſo with Norris, Weſton, Brereton, and Smeton, her domeſtics (1). It muſt be acknowledged, ſhe had ſome indiſcrete ways, which the King never regarded while he was not prejudiced, but which, ſince his prepoſſeſſion, were but too ſufficient to confirm his ſuſpicions: beſide, as ſoon as he gave ear to what was ſaid againſt her, there is very great appearance that her adverſaries became extremely diligent in giving ſiniſter turns to even the moſt innocent of her words and actions. Henry was undoubtedly tormented with jealouſy ſome time before he divulged it: but finally the flame took vent at a turnament ſolemniſed at Greenwich, whence he ſuddenly withdrew with tokens of exceſſive anger, whereof none could divine the occaſion. Seemingly, he had obſerved ſomething which confirmed his ſuſpicions, of which none but himſelf took notice. Sanders ſays, the Queen droping her handkerchief, one of her gallants took it up and wiped his face with it: but that writer is the only perſon who mentions this circumſtance. However this be, no ſooner had Henry left the juſts, but he ordered lord Rochford, Norris, Weſton, Brereton and Smeton to be arreſted; and at the ſame time Queen Ann was put under confinement in her chamber, and next day conveyed to the Tower: but what demonſtrably evidenced the deſign of her enemies to deſtroy her, was their procuring orders for the archbiſhop of Canterbury to retire to his palace at Lambeth, for fear, if he could ſpeak with the King, he would find occaſion to ſay ſomewhat effectual in her juſtification.

Henry inamored of Jane Seymour, and jealous of his Queen. Burnet. Herbert.

Burnet.

Motives of the Queen's enemies to ſacrifice her. Burnet.

She is accuſed of adultery and inceſt. Burnet.

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Hall. Stow. Hollingſh. Herbert.

Burnet. Herbert.

She is apprehended. Hall. Stow. Hollingſh. Burnet. Herbert.

It is not ſurpriſing that this Princeſs, under ſuch circumſtances, ſhould be confuſed, and, having none to adviſe with, fall into the ſnares laid by her enemies. Her uncle's wife, lady Boleyn, with whom ſhe was greatly at variance, was appointed to lie in her chamber: and from this lady, who was placed there to watch her, it came to be known that, during her confinement, ſhe uttered certain expreſſions which helped to confirm Henry's ſuſpicions. However, on her examination, ſhe poſitively denied her ever having been falſe to her royal conſort: only, when ſhe was told that Norris, Weſton, Brereton and Smeton had accuſed her, tho' ſhe might have eaſily ſeen it was purely to draw from her ſome confeſſion; ſhe believed ſhe ought not to conceal certain things which had paſſed between her and them. She ſaid concerning Norris, that aſking him one day, why he did not go on with his marriage; he replied, there was no haſte: whereupon ſhe ſaid, ſhe plainly ſaw he was in hopes of having her, in caſe the King died. This ſeems to argue there was ſome familiarity between her and Norris: otherwiſe, admiting the fact to be true, it is hard to conceive that a Queen ſhould think of talking thus to one of her domeſtics.

Snares laid for her. Burnet.

She confeſſes ſome paſſages. Burnet. Strype's Mem. Vol. I. 280, &c.

With regard to Smeton the muſician, ſhe ſaid; he was never in her chamber but twice: that the laſt time ſhe ſaw him there, ſhe aſked him, why he was ſo ſad; and that, in her converſation with him, he had the boldneſs to ſay to her; No, no, Madam, a look ſuffices me (2).

Ibid.

As for Weſton, ſhe owned he had taken the

Ibid.

(1) Henry Norris, groom of the ſtole; Francis Weſton and William Brereton, of the King's privy-chamber; Mark Smeton, a muſician.

(2) She ſaid, "Smeton was never in her chamber but when the King was laſt at Wincheſter; and then he came to play on "the virginals: ſhe alſo ſaid, ſhe never ſpoke to him after that but on Saturday before May-day, when ſhe ſaw him ſtanding in "the window; and then ſhe aſked him, why he was ſo ſad? He ſaid it was no matter. She anſwered, you muſt not expect I "ſhould ſpeak to you as if you were a nobleman, ſince you are an inferior perſon. No, no, madam, ſaid he, a look ſuffices me." Burnet, Vol. I. p. 199.

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liberty to tell her, he loved her, and that ſhe thereupon bid him defiance (1).

But, after all, the queſtion is to know, whether the regiſters whence this examination is taken are authentic, or whether the examination was impartially written. Indeed, this doubt alone is not ſufficient to clear the Queen: but then, when it is conſidered ſhe had for adverſary a huſband who was Sovereign, and jealous even to madneſs, very likely, they who were imployed to examine her gave her words ſuch a turn and ſenſe as favored the King's deſigns, by pretending to ſet down the ſubſtance of her anſwers inſtead of her genuine words.

Burnet.

Touching lord Rochford, all the evidence for his pretended familiarity with the Queen his ſiſter amounted to no more than, that he was once ſeen leaning on her bed.

Depoſition of the complices. Idem. and Vol. III. 118.

When the other four perſons were examined, Norris ſwore, he believed the Queen innocent, and perſiſted in his aſſeveration to his lateſt breath. Smeton confeſſed, he had thrice known the Queen carnally; but he was never confronted with her: nay, he was condemned before her trial, that he might not be a witneſs. This makes very much for the Queen, ſince it is not likely ſuch evidence would have been voluntarily neglected, had it been deemed as good as it appears to be: but, very ſeemingly, it was feared Smeton would retract, or the Queen confound him if brought face to face with her. The reſt pleaded not guilty; but were however condemned and executed.

She is condemned with lord Rochford. Hall. Stow. Hollingſh. Burnet. Herbert.

Three days after, the Queen and lord Rochford, her brother, were tried by their peers, the duke of Norfolk being lord high-ſteward for that occaſion. The Queen was accuſed of proſtituting herſelf to her brother and four other men, and conſpiring the King's death: but this laſt charge being without any foundation, it was not thought proper to inſiſt on it. The Queen and lord Rochford pleaded not guilty, and yet were condemned without its being ever known on what evidence the ſentence was grounded. Judgment was given, that lord Rochford ſhould be beheaded and quartered. As for the Queen, ſhe was condemned to be burned alive, or beheaded, at the King's pleaſure.

Remarks on the ſentence.

There is abundance of probability that King Henry believed the Queen guilty, and, under his then prepoſſeſſion, ſigns and tokens were to him as good proofs. But can the ſame be ſaid of the peers who condemned her? Did their conſcience permit them to condemn a Queen to death on bare ſurmiſes? I ſay ſurmiſes, ſince had there been ſolid proofs, they would very likely have been publiſhed, in order to juſtify a ſentence of this nature, which was unprecedented in England. Such reſerve was not afterwards uſed with reſpect to another of Henry's Queens, who was really guilty of the like crime. All can be urged in favor of thoſe who paſſed ſentence on Ann Boleyn is, that their dread of turning againſt themſelves the King's fury, if they complied not with his humor, led them to conſider appearances as real proofs. It is obſervable, only twenty-ſix peers were preſent at the trial, tho' there were then fifty-three in England, as appears by the ſummons to parliament directed to them very ſoon after. This gives occaſion to conjecture that, according to the method introduced by Wolſey in the duke of Buckingham's condemnation, care was taken to remove thoſe who were ſuſpected not to have ſo much complaiſance as to gratify the King's paſſion at the expenſe of their conſcience. As for Dr. Burnet's ſaying, in his hiſtory, that Ann Boleyn's father was among her judges, it is well known he retracted it afterwards.

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Stow. Burnet. Vol. I. p. 363. Rym. Fœd. Vol. XIV. p. 564.

Vol. I. p. 202, 363.

The ſentence was executed the nineteenth of May. Ann ſuffered death with great conſtancy, after a ſhort ſpeech to thoſe preſent, wherein ſhe neither confeſſed nor denied the crime for which ſhe was condemned. She contented herſelf with acknowledging her obligations to the King, with praying for him, and deſiring the peoples prayers for herſelf (2). It is generally believed, that her dread of drawing King Henry's anger on her daughter Elizabeth, prevented her from inſiſting on her own innocence. As ſhe was perfectly well acquainted with that Prince's diſpoſition, and could not vindicate herſelf without charging him with injuſtice, ſhe feared Elizabeth would become the ſacrifice of her royal father's reſentment. However, this was the tragical cataſtrophe of Ann Boleyn, whom ſome have vehemently defamed, and whoſe conduct others have as carefully juſtified, without any poſſibility of hitherto knowing for certain whether ſhe was guilty or innocent. The enemies to her daughter Elizabeth and the reformation have blackened her character as far as they were poſſibly able, imagining thereby to give a mortal wound to the Proteſtant religion. For a contrary reaſon, the Proteſtants have forgot nothing might conduce to give of her a quite different idea. But both have reaſoned on a falſe principle, ſince the goodneſs of a religion depends not on the life and converſation of the profeſſors. For my part, if I may deliver my own private opinion, I can never believe the peers her judges had ſufficient evi

Queen Ann beheaded. Hall. Stow. Burnet. Herbert. Hollingſh.

Different ſentiments concerning this Queen. Burnet.

(1) She ſeemed more apprehenſive of Weſton than of any. For on Whitſun Monday laſt he ſaid to her, "That Norris came "more to her chamber upon her account, than for any other perſon there. She had obſerved, that he loved a kinſwoman "of hers, and challenged him for it, and for not loving his wife. But he anſwered her, that there were women in the houſe "whom he loved better than them both: ſhe aſked, who is that? Your ſelf, ſaid he; upon which, ſhe ſaid, ſhe defied him." Ibid.

(2) Her behavior the day ſhe died will beſt appear from the following original letter of ſir William Kingſton, conſtable of the Tower, to Cromwell.

SIR,

"THIS ſhall be to advertiſe you, that I have received your letter, wherein you would have ſtrangers conveyed out of the "Tower; and ſo they be, by the means of Richard Greſham, and William Loke, and Withepole. But the number of "ſtrangers paſt not thirty, and not many hothe [other.] And the embaſſador of the Emperor had a ſervant there, and honeſtly "put out: ſir, if we have not an hour certain, as it may be known in London, I think here will be but few, and I think a "reaſonable number were beſt, for I ſuppoſe ſhe will declare herſelf to be a good woman for all men but for the King, at the "hour of her death. For this morning ſhe ſent for me, that I might be with her at ſuch time as ſhe received the good Lord, "to the intent I ſhould hear her ſpeak as touching her innocency always to be clear. And in the writing of this ſhe ſent for "me, and at my coming ſhe ſaid; Mr. Kingſton, I hear I ſhall not die afore noon, and I am very ſorry therefore, for I thought "to be dead by this time, and paſt my pain. I told her, it ſhould be no pain, it was ſo little. And then ſhe ſaid, I heard "ſay the executioner was very good, and I have a little neck, and put her hands about it, laughing heartily. I have ſeen many "men and alſo women executed, and that they have been in great ſorrow, and to my knowledge this lady has much joy and "pleaſure in death. Sir, her Almoner is continually with her, and had been ſince two o'clock after midnight. This is the "effect of any thing that is here at this time, and thus fare you well."

She was beheaded a little before noon, on the green within the Tower. There were preſent the dukes of Suffolk and Richmond, the lord chancellor Audley, and ſecretary Cromwell, with the lord mayor, the ſheriffs and aldermen of London. Her head was cut off by the hangman of Calais, as being more expert at his buſineſs than any in England: her eyes and lips were obſerved to move, after her head was cut off, as Spelman writes. Her body was thrown into a common cheſt of elm made to put arrows in, and was buried in the chapel within the Tower before twelve. Burnet, Vol. I. p. 203. Hall, fol. 227. Stow. Strype.

dence

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dence to condemn her as guilty of defiling the bed of her royal conſort: nevertheleſs, it cannot be denied that, by certain familiarities little becoming a Queen, ſhe gave her adverſaries too much advantage over her. As ſhe was young and beautiful, ſhe doubtleſs was not diſpleaſed at ſeeing the effect of her charms on all ſorts of men, imagining that the love wherewith ſhe inſpired them greatly inhanced her merit: we ſee too many females obnoxious to this infirmity. However this may be, certain it is that the ſpirit of party has not a little contributed to the diverſity of ſentiments concerning this Queen: had ſhe not countenanced the reformation, ſhe would have undoubtedly fewer calumniators among the Catholics; and had ſhe led the King to perſecute the reformed, not many of theſe would undertake her juſtification. Thus goes the world: people are innocent or culpable according to the party they are of. But beſide this general cauſe, a particular reaſon may alſo be found in the carriage of Ann Boleyn: ſhe was of a very gay temper, which had charmed the King, but which, after ſome years of injoyment, ſerved only to raiſe his jealouſy. On the other hand, it cannot be denied, ſhe had very good qualities, and was in particular exceedingly charitable to the poor, among whom, a few days before her diſgrace, ſhe had diſtributed two thouſand pounds (1). A circumſtance in the ſtory of her death evidences her being likewiſe very tender-conſcienced: after her condemnation, ſhe fell on her knees to lady Boleyn, her ſiſter-in-law (2), and conjured her, for God's ſake, to tell Princeſs Mary, ſhe begged pardon for the rigors ſhe had ſhewed her. This charity, and this tenderneſs of conſcience would little become a woman who ſhould have had a ſhameful and criminal commerce with four men and her own brother; but they would not be very inconſiſtent with great indiſcretion and a little coquetry.

Henry nulls his marriage with Ann Boleyn. Hall. Herbert. p. 195, Burnet. Strype.

Notwithſtanding Henry had got his Queen condemned, he was not yet ſatisfied. He thought fit, before her death, to give her a freſh mortification, by annulling their marriage. To this end, he cauſed her to be ſifted ſo many different ways, that ſhe finally acknowledged a previous contract between her and Percy, newly become earl of Northumberland, tho' that noble peer proteſted, on his ſalvation, there never had been between them any formal promiſe of marriage. This confeſſion was ſuppoſed drawn from her, by intimations that the King would on no other condition be prevailed with to mitigate that cruel part of her ſentence of being burned alive, into that milder one of being beheaded. However this be, on her ſaid confeſſion, the archbiſhop of Canterbury was conſtrained to paſs a ſentence of divorce between the King and her, and declare their daughter Elizabeth illegitimate. What is moſt ſtrange in King Henry's procedure, is the artifice he uſed in cauſing the Queen to be condemned before her marriage was nulled. Had the ſentence of divorce been paſſed before the trial, ſhe could not have been condemned for adultery, ſince her marriage with the King muſt have been conſidered only as a concubinage: but Henry had acquired over his ſubjects a ſway ſo deſpotic, that juſtice and law were no longer meaſured out but according to his will and pleaſure: nay, he ſo little regarded the public and his own reputation, that he eſpouſed Jane Seymour the very day after Ann Boleyn's execution, wherein he expreſſed a paſſion which ſerved greatly to juſtify the deceaſed Queen.

The King marries Jane Seymour. Hall. Stow. Burnet.

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The death of Ann Boleyn revived the hopes of Mary, the King's daughter by his firſt wife Catherine. Her attachment to the Queen her mother, and her obſtinate refuſal to ſubmit to the late acts of parliament, had quite thrown her out of favor with the King, who could not bear contradiction: but the late event inducing the friends of Rome to imagine Henry might be reconciled to his Holineſs, they adviſed Mary to temporiſe, for fear of their loſing the fruit this change might produce. As nothing now obſtructed King Henry's union with the Emperor, it was hoped the act which declared her illegitimate might be repealed, in caſe ſhe ſubmited to her royal father. To this end, ſhe reſolved to write a very humble and reſpectful letter to the King, proteſting for the future ſhe would have no other ſentiments but his: but Henry, not ſatisfied with a ſubmiſſion expreſſed in ſuch general terms, inſiſted, before he reſtored her to favor, on her ſigning certain articles which ſhe had hitherto rejected; namely, the ſupremacy, the renunciation of the biſhop of Rome, and the unlawfulneſs of her mother's marriage. Mary tried all poſſible means to be excuſed: but at length, finding the King remained inflexible, ſhe ſigned them, tho' contrary to her opinion, in hopes that the evil ſhe commited in acting againſt her conſcience, might be productive of much good (3). As for Princeſs Elizabeth, then about three years old, ſhe was diveſted of the title of Princeſs of Wales, which ſhe had injoyed from her birth: nevertheleſs Henry ſtill continued to educate her at court with a paternal care, not failing on all occaſions to expreſs for her a ſingular regard and tenderneſs.

Princeſs Mary reconciled to the King. Herbert. Burnet. Burnet. Herbert. Strype.

A new parliament meeting the eighth of June, an act paſſed to ſettle the ſucceſſion, that made after the marriage being void by the ſentence of divorce between the King and Ann Boleyn. By this new act the other was repealed, and the iſſue of the King's two firſt marriages declared illegitimate, and diſabled from ever inheriting the crown: moreover the act confirmed Ann Boleyn's ſentence as being grounded on moſt juſt and equitable cauſes and ſettled the crown, after King Henry's deceaſe, on the iſſue of Queen Jane, or of any other Queen whom he might afterwards eſpouſe. Finally, they inveſted his Majeſty with full power to declare the ſucceſſion to the crown, either by his letters patent under the great ſeal, or by his laſt will ſigned with his hand, and declared traytors thoſe who ſhould maintain the lawfulneſs of his former marriages. Hence it may be eaſily gueſſed with what abſolute ſway Henry then ruled, ſince, without any examination, the parliament approved all his actions, and granted him even more than he deſired, by giving him power to ſettle the order of his ſucceſſors. It was thereby in the King's power to replace Mary and Elizabeth in ſuch order as he pleaſed, or exclude them intirely. This is clear evidence, that the parliament had not juſtice and equity ſo much in view as pleaſing this King.

Parliament. A new act of ſucceſſion. Hall. Herbert. Stow. Burnet.

The Pope attempts to accommodate matters with Henry. Burnet. Herbert.

When Paul III heard of Ann Boleyn's death, he entertained hopes of a revocation of what had been done in England. To this effect, he opened his mind to ſir Gregory Caſſali, formerly King Henry's embaſſador, and after ſome excuſes concerning the ſentence of excommunication which he had given, but was not yet publiſhed, told him, he would

(1) She had diſtributed in the laſt nine months of her life, between fourteen and fifteen thouſand pounds to the poor: and, in all appearance, if ſhe had lived, the money raiſed by ſuppreſſion of religious houſes had been better imployed than it was. Burnet, Vol. I. p. 196.

(2) Burnet ſays, it was to the lady Kingſton, the conſtable of the Tower's lady. Ibid. p. 204.

(3) One circumſtance ſhews the frugality of that time, or rather how far money went then, on account of its ſcarcity. In the eſtabliſhment made for her family, only forty pounds a quarter were aſſigned for her privy-purſe. Ibid. p. 208.

cloſe

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close with any expedients which should be judged convenient to procure a good agreement between the King and him. But Henry, who some few years before would have done much to obtain the Pontif's favor, was no longer in that sentiment. Nothing was capable of inducing him to dispossess himself of the authority acquired over the ecclesiastics, as well as over the rest of his subjects, and which rendered his power more extensive than he at first expected. On the contrary, intirely to destroy his Beatitude's hopes, he caused the parliament, by two new acts, to confirm whatever had been done against the Papal power. By the first, all persons were to incur the penalties of a Præmunire who attempted restoring in England the bishop of Rome's authority; and all magistrates were strictly injoined, under severe penalties, to punish those who should dare to violate this statute. The second nulled and abolished all dispensations, immunities and privileges flowing from the court of Rome, saving to the archbishop of Canterbury the power of confirming what should not be contrary to the law of God, or common decency (1).

who rejects his proposals.

Statute against the Pope. Burnet. Statut. c. 10.

c. 16.

In this session two considerable acts were also passed, but which related not to religion. By the first, it was forbid, under rigorous penalties, to marry in the next degrees of the blood-royal, without the King's license first had: this was made on account of Thomas Howard, the duke of Norfolk's brother, to whom Margaret Douglass, the King's niece, had plighted her faith, without acquainting the King her uncle: Henry, offended at their boldness, sent them both to the Tower, and to prevent the like for the future, procured this act. By the second it was provided, that all parliamentary usurpations on the prerogative royal, before the King was twenty-four years of age, might be repealed by letters patent under the great seal. Thus both houses of parliament imployed their whole authority to give the Sovereign a power which his predecessors had never injoyed, as if for that purpose only they had been assembled.

Another about the marriage of the King's relations.

Occasion of it. Hall. Stow. Hollingsh.

Another statute in favor of the King. Statut. c. 18,

The clergy approve of the King's late divorce. Burnet.

But it was not solely with regard to civil government, that the bounds of the royal authority were inlarged. The clergy, unwilling to yield to the parliament in that point, used the like indeavors to become agreeable to his Majesty, by approving all his proceedings.

The convocation being met at the same time, confirmed the sentence of the invalidity of King Henry's marriage with Ann Boleyn, on the same ground which had served to procure it, namely, a pre-contract with lord Percy, tho' it was upon oath denied by that nobleman.

Complaints against the reformers. Burnet.

Some few days after, the lower house of convocation sent to the upper house sixty-seven opinions, which they judged worthy to be condemned; and at the same time the deputies made great complaints against those who were for making innovations in religion. These complaints were leveled at Cranmer, Cromwell, Shaxton, Latimer, and some others who were noted as heads or promoters of the reformation, tho' they were not named (2). Care was taken to mix with these sixty-seven opinions, mostly drawn from the doctrine of the Lutherans, several tenets of the old Lollards and the Anabaptists, to insinuate, that those who were complained of imbraced them all alike. The enemies of the reformers hoped to make them forfeit the favor of King Henry, who affected a great rigor against such as were termed heretics. Since Ann Boleyn's execution, they scarce doubted that all whom she had loved or protected would share in her ruin: but they were disappointed in their expectations. Cranmer and Cromwell were never more in the King's favor; and presently after Henry gave Cromwell a fresh mark of his esteem, by constituting him his vicegerent in all ecclesiastical matters: so, the convocation's complaints, instead of being prejudicial to the reformation, or reformers, seem rather to have increased the credit of those two chiefs of the party. Of this their adversaries were speedily convinced, when it appeared that they had persuaded the King to advance the reformation, by retrenching, in the public-worship, such ceremonies as were not founded on the word of God. This resolution taken, Henry told the convocation, he wished them to examine those ceremonies, that such as were useless might be retrenched.

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Cromwell made vicegerent. Herbert. Stow. Hollingsh.

But those who were against the reformation had a much greater cause to be alarmed when, some days after, Cromwell brought into the upper house of convocation articles drawn by himself, containing sundry alterations in the doctrines, with orders to examine them, and report the result of their debates to his Majesty. Then it was that the two parties openly divided, one to promote, and the other to oppose, the reformation. Cranmer was at the head of the first, being supported by Goodrich bishop of Ely, Shaxton of Sarum, Latimer of Worcester, Fox of Hereford, Hilsey of Rochester, Barlow of St. David's. Lee archbishop of York, was chief of the second; and with him were Stokesly bishop of London, Tonstal of Durham, Gardiner of Winchester, Longland of Lincoln, Sherburn of Chichester, Nix of Norwich (3), Kite of Carlisle. These, who were private favorers of the Pontif's interest, still hoping a reconciliation with Rome, strenuously opposed all innovations, for fear the breach should become wider: but this party lay under a great disadvantage, as Cromwell and Cranmer, who had the King's ear, suggested to him, that most of the abuses which they desired to be abolished, directly tended to support the Pope's usurpations. Finally, after many debates, the convocation agreed on certain articles which were digested in form of constitutions, whereof this is the substance.

Articles proposed by Henry to the clergy. Hall. Hollingsh.

Grand debates between the two parties. Burnet.

Constitutions made by the clergy. Fuller. Burnet, Vol. I. p. 215. Herbert.

I. The holy Scriptures are laid down as the foundation of faith, jointly with the three creeds, the Apostles, the Nicene, and the Athanasian, and the four first general councils.

II. In the second is established the necessity of baptism, which likewise forbids its being repeated.

III. In the third, the necessity of penance was owned, consisting of contrition, auricular confession, and amendment of life.

IV. The fourth establishes, as a fundamental doctrine, the real presence of Christ's body in the eucharist (4).

V. In the fifth it is said, that justification is attained by regeneration, which consists of contrition, faith, and charity.

VI. It is appointed in the sixth, that images should stand in the churches, but that in incensing, kneeling, and offering to them people should not do it to the image, but to God and his honor.

VII. In the seventh, saints are to be honored,

(1) Which confirmation was to pass under the great seal.

(2) Burnet observes, that Cranmer promoted the reformation prudently and solidly: Latimer, zealously and simply: Shaxton, with much indiscrete pride and vanity. Vol. I. p. 214.

(3) Nix, having offended the King signally, by some correspondence with Rome, was long kept in the Marshalsea, convicted and found in a Præmunire: but the King, considering his age, on his submission, pardoned him. Burnet, Vol. I. p. 214. Rym. Fœd. Vol. XIV. p. 573.

(4) It is observable, That only three Sacraments are mentioned in these articles. Hall, fol. 228.

but

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but without believing at their hands are to be obtained ſuch things as belong only to God to beſtow.

VIII. In the eighth, ſaints are to be prayed to, provided it be done without ſuperſtition: the days ſet apart for their memories are to be obſerved, except his Majeſty pleaſes to retrench their number; which if he does, it muſt be obeyed.

IX. The ceremonies uſed in the church are to be retained, as the veſtments of prieſts, holy-water, holy-bread, bearing candles on Candlemas-day, giving aſhes on Aſh-Wedneſday, bearing palms on Palm-Sunday, creeping to the croſs on Good-Friday, and kiſſing it, hallowing the font, and other exorciſms and benedictions.

X. The tenth declares it good to pray for the dead, but that it is neceſſary to correct the abuſes advanced under the pretenſe of purgatory, the Pope's pardons, maſſes ſaid in certain places, or before certain images: in fine, that ſince the ſtate and place of ſouls after death are unknown, they ought to be recommended, in general terms only, to God's mercy.

The King approves them.

Theſe conſtitutions, being preſented to the King, who corrected them in ſeveral places (1), were ſigned by Cromwell, Cranmer, ſeventeen biſhops, forty abbots and priors, and fifty archdeacons and proctors of the lower houſe of convocation, among whom was Polydore Virgil, author of a hiſtory of England, publiſhed afterwards by the King's order. Their publication occaſioned great variety of cenſures. Thoſe who wiſhed a reformation had gained ſome ground, with reſpect to images and purgatory, but chiefly in that Scripture was made the ſtandard of faith, becauſe they hoped from that principle to draw one day very great conſequences: but the determinations concerning auricular confeſſion, and the real preſenſe of Chriſt's body in the euchariſt, troubled them extremely. Not only were theſe articles directly contrary to their ſentiments, but they ſaw how difficult it would be to meddle with them again, by reaſon of the prepoſſeſſion of Henry who believed them inconteſtable. The adverſe party were in a terrible conſternation, at finding tenets ſo long ſince determined brought under examination, the Papal authority aboliſhed, and the exiſtence of purgatory called in queſtion. Thus theſe conſtitutions pleaſed neither party: the one thought the reformers had acted too faintly, in not advancing the reformation, and could not forbear blaming their compliance, in ſuffering doctrines ſo repugnant to truth to be eſtabliſhed: but it was replied, that all could not be effected at once, and that it would have been imprudent obſtinately to require that errors whereof the people were not yet ſenſible ſhould be retrenched ſuddenly. Their adverſaries were very angry alſo with the biſhops, for ſo baſely abandoning truths imbraced for ſo many ages by the Catholic church: but, in reality, it was not in the power of either party to act otherwiſe. The King himſelf managed the whole, having ſettled in his cabinet-council what he thought fit to alter, reject or retain: but there was not any in this council who durſt directly contradict his opinion, or who judged it adviſeable to be any way obſtinate in diſagreeing from him in ſentiment, for fear a too ſtrenuous oppoſition ſhould produce a quite contrary effect; all could be done was, gently and inſenſibly, to indeavor illuminating the mind of their Sovereign, without attempting peremptorily to bring him, by a ſort of compulſion, to what was deemed reaſonable.

Opinions of the two parties on theſe articles. Burnet.

Before the convocation diſſolved, Henry communicated to both houſes a ſummons he had received to a council, which was to aſſemble at Mantoua. His Holineſs, without conſulting him, had called this council in concert with the Emperor, and was to preſide by his legates: ſo Henry might well expect to loſe his cauſe before ſuch a council, had he been ſo unwiſe as to ſubmit to its deciſions. Indeed, he had appealed from the Pope to a general council; but there were many queries to be reſolved, in order to know whether this called at Mantoua was legitimate and corroborated by ſufficient authority. Mean while, before he anſwered the ſummons, he thought fit to adviſe with his eccleſiaſtics, who, after mature deliberation, preſented him a writing to this effect, viz. That a true and legal general council was a very excellent method to preſerve the peace and union of the church; but, before a council was called, it was neceſſary to conſider; firſt, who had authority to call it: ſecondly, whether the reaſons for calling it were weighty: thirdly, who ſhould aſſiſt as judges: fourthly, what ſhould be the order of proceeding: fifthly, what doctrines were to be diſcuſſed. Then, it was declared that neither the Pope nor any Prince in the world had power to call a general council, without conſent of all the Sovereigns in Chriſtendom. Purſuant to this declaration, Henry publiſhed a proteſtation againſt the council which was to meet at Mantoua, ſpeaking very plainly and freely of his Sanctity's deſigns and conduct. He concluded with ſaying, that he could not conſider as free and general a council, where the biſhop of Rome ſhould preſide, which ſhould aſſemble in a ſuſpected place, and which muſt be compoſed only of a ſmall number of prelates, 'till the war between the Emperor and France was concluded.

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King Henry being cited to a council, conſults the convocation. Herbert. Burnet.

The clergy's anſwer. Burnet. Vol. I. p. 219. Herbert. p. 203.

The King proteſts againſt the council of Mantoua. Burnet.

The eighteenth of July, the parliament was prorogued, after a ſeſſion of only forty days, wherein however ſeveral important acts were paſſed.

The parliament prorogued.

At this time, cardinal Pole was in high repute for his learning and eloquence. His name was De la Pole, but every where except in England he is ſo well known by that of Polus, that he cannot, without danger of confounding readers, be named otherwiſe *. He was deſcended of Michael de la Pole, earl of Suffolk, and favorite of Richard II. From that time, this family had been continually advanced, ſo that in the reign of Henry VI, the earl of Suffolk was honored with the title of duke. After that, a lord of this ſame family married a daughter of the duke of Clarence, brother of Edward IV. Of this marriage was born, among other children, Reginald de la Pole, or Polus, the cardinal I am ſpeaking of, who conſequently was the King's couſin (2). Being a younger brother, he was deſigned for the church, for which alſo his natural indowments and qualifications rendered him extremely proper. In his younger years, he made ſuch extraordinary progreſs in all the ſciences, that Henry intending to raiſe him to the higheſt dignities of the church, confered on him the deanery of Exeter, with ſeveral other benefices, that he might go abroad and finiſh his ſtudies. He went firſt to Paris, where he continued ſeveral years, and forfeited, in ſome meaſure, the King's favor, for refuſing to concur with his agents in procuring the determina-

Reginald Pole at variance with the King. Herbert. Burnet. Strype.

* He means not Engliſh readers.

(1) The King did not correct the ingroſſed and ſigned articles, as M. Rapin, and others have been led to imagine, by miſunderſtanding Burnet's words, in his Vol. I. p. 217. For his meaning was, (as he explains it in Vol. III. p. 123.) that there are ſeveral draughts of theſe articles which are in many places corrected by the King's own hand, ſome of which corrections are long and very material. Of theſe he ſpake, and not of the ingroſſed articles ſigned by the convocation.

(2) This is one of the greateſt miſtakes, concerning families, M. Rapin has made. Cardinal Pole was no way related to De la Pole duke of Suffolk. The cardinal's father, ſir Richard Pole, knight of the garter, was a native of Wales, and married Margaret daughter of the duke of Clarence.

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tions of the French univerſities in the divorce affair. He nevertheleſs returned to England, where he aſſiſted, as dean of Exeter, at the convocation which acknowledged the King ſupreme head of the church of England (1) : there is even reaſon to preſume he was not of the number of thoſe who oppoſed this new title, becauſe he held his ſaid deanery ſeven years after. At length he traveled into Italy, and reſided ſome time at Padoua, where he contracted a friendſhip with Bembo, Sadoletti, and other celebrated wits. The reputation he acquired in that country made Henry deſirous to recall him, intending to reward his univerſally-acknowledged merit : but Pole ſtill found ſome pretext to decline complying with the King's deſire. Finally, perceiving delays could prevail no longer, he was forced to write to the King the true reaſon of his refuſal, which was, he could not approve either of this divorce or ſeparatioa from the apoſtolic See. Henry, who was extremely deſirous to gain him, ſent him a writing, containing his apology, and the reaſons of his proceedings againſt the Pope. Pole thereupon wrote his book De Unitate Eccleſiaſticâ, in which he takes the liberty to ſpeak of the King in very offenſive terms, comparing him to Nebuchadnezzar, and exhorting the Emperor and other Potentates to turn their arms againſt him : neither was he ſatisfied with ſending him his book in manuſcript, but he even cauſed it to be printed and publiſhed (2). Henry inſenſed, as may be eaſily ſuppoſed, at ſuch a violent and diſreſpectful behavior, tried to decoy him over to England, by writing to him, how much he eſteemed his book, deſiring him withal to come and explain verbally certain difficult paſſages, Pole took care not to be thus inſnared : ſo Henry, finding this artifice took not effect, diveſted him of all his dignities, the loſs whereof was amply repaired by the Pope and Emperor. Some time after, he was rewarded with a cardinal's hat. He thereby became ſtill more attached to the Pope's intereſt, and a greater enemy to the King, who, not being able to reach his perſon, made his family and kindred feel the effects of his indignation.

Burnet, Vol. III. 403. Herbert.

Suppreſſion of the leſſer monaſteries. Burnet. Vol. I. Coll. p. 143.

The ſuppreſſion of the leſſer monaſteries, inacted in the laſt ſeſſion of parliament, was not executed 'till Auguſt, tho' the commiſſioners appointed for that purpoſe had received their inſtructions in April: very probably, Henry deſired to ſee the iſſue of the next ſeſſion, before they proceeded. As their report was ſuppreſſed in the reign of Queen Mary, it cannot poſitively be ſaid what it contained. Thus much is certain, the adherents of the Pope and the old religion accuſed them of commiting numberleſs extortions and robberies, and of making falſe reports of what they diſcovered in this viſitation, in order to extenuate the horror conceived of their violent oppreſſions. This may be partly true: nay, it is not unlikely that theſe men, either from a deſire to make their court to the King, or from a greedineſs to inrich themſelves, exceeded their inſtructions. On the other hand, it is alſo probable, their accuſers highly agravated the crimes laid to their charge. However this be, vaſt numbers of people were extremely diſpleaſed at the ſuppreſſion of ſo many religious houſes, which were held in high veneration. All the fryers of theſe ſuppreſſed houſes who wiſhed to become ſeculars, had a diſpenſation from the King, and the reſt were removed to the larger monaſteries, which were untouched. The churches and cloiſters were demoliſhed, and the materials ſold to the King's profit.

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Abundance of people diſcontented. Burnet.

It may be eaſily judged the monks ſpared no pains to excite the people to rebel. They found it the more eaſy, as great diſcontents reigned every where. The nobility and gentry took it extremely ill, that the King ſhould have the lands of the ſuppreſſed monaſteries, moſt part whereof were founded by their anceſtors : beſide, they were deprived of the conveniency of providing for their younger children, when they had too many, and of lodging, as they traveled, in theſe houſes, where they were always well entertained. The poor murmured ſtill louder, becauſe multitudes lived by the alms which were daily diſtributed in theſe houſes. In ſhort, the devout bigots thought the ſouls of their anceſtors muſt now lie in purgatory, ſince ſo many maſſes which were ſaid for their deliverance were aboliſhed by ſuppreſſing the monaſteries.

The diſorders of the ſuppreſſed houſes publiſhed, Burnet.

The court informed of theſe murmurs, indeavored to compoſe them, by publiſhing the diſorders diſcovered in theſe houſes : but this availed not. Beſide that theſe reports were thought greatly agravated, it was ſaid, why were not theſe abuſes ſeverely puniſhed and reformed, without deſtroying whole houſes for ever? At length, Cromwell found a certain expedient in ſome meaſure to aſſuage theſe diſguſts, by counſeling King Henry to ſell the lands of thoſe ſuppreſſed monaſteries at very eaſy rates, and oblige the purchaſers, under ſevere penalties, to keep up the wonted hoſpitality (3). But this expedient ſufficed not intirely to appeaſe peoples murmurs, tho' the King ſtrove to give them ſatisfaction by re-indowing thirty one of theſe houſes.

The King ſells their lands at eaſy rates.

Injunctions laid on the eccleſiaſtics. Hall. Burnet. Herbert. p. 204.

While people were in this fermentation, King Henry, in the vicegerent's name, publiſhed ſome injunctions to regulate the behavior of perſons in holy orders, many of whom led very irregular lives. Theſe injunctions contained nothing but what had been ordained by diverſe ſynods, and yet the eccleſiaſtics were extremely offended, becauſe they could not bear the thoughts of being ſubject to the orders of the vicegerent, by whom, they ſaid, they were going to be inſlaved abundantly more than by the Pope. Thus the inferior clergy, the monks and the bigots, being equally concerned in what already was, and in what, very ſeemingly, would ſtill be done, inſpired thoſe on whom they had any influence with a ſpirit of rebellion which failed not of ſoon having its effects.

The inferior clergy murmur thereat. Hollingſh.

Inſurrection in Lincolnſhire. Herbert. Burnet. Hall. Stow. Hollingſh.

The firſt riſing was in Lincolnſhire (4), where doctor Mackerel, prior of Barlings, drew after him a great multitude of the populace, whom he headed under the appellation of captain Cobler. The rebels, in a very humble ſubmiſſive manner, ſent in a liſt of their complaints to his Majeſty, telling him,

(1) He ſays himſelf he was not preſent, which ſhews, that at that time he was contented to be ſilent in his opinion, and that he did not think fit to oppoſe what was doing. Burnet, Vol. III. p. 124.

(2) Pole's book was anſwered by biſhop Stokeſley, and biſhop Tunſtal, in a long and learned letter, directed to Pole. Gardiner publiſhed alſo againſt it his book of True Obedience; to which was added a preface by Bonner. p. 126, &c. Herbert, p. 182.

(3) The purchaſers being obliged to keep up the hoſpitality (which they were to do on the penalty of paying every month ſix pounds thirteen ſhillings and four-pence, to be levied by the juſtices of peace, who were impowered to inquire of the matter) the common ſort, who, like thoſe of old, followed Chriſt for the loaves, were moſt concerned for the loſs of a dinner on Sundays and holidays, were in a great meaſure ſatisfied; and the gentry, by having good bargains, were drawn in to like what was done, and to aſſiſt the crown for ever in the defenſe of theſe laws, their own intereſts being interwoven with the rights of the crown. The commiſſioners, as was but juſt, paid all the debts of the ſuppreſſed monaſteries: but when relics happened to be pawned, it ſeems they refuſed to redeem them. Thus one man loſt forty pounds which he had lent upon St. Andrew's finger, except one ounce of ſilver with which it was covered. The writers who lived near the time ſay, about ten thouſand fryers and nuns were ſent to ſeek their livings. The abbots and priors had ſmall penſions. Burnet. Herbert.

(4) In the begining of October, occaſioned by levying the fifteenth lately granted by parliament. Hall, fol. 229.

they

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they acknowledged his ſupremacy, and were content he ſhould injoy all tenths and firſt-fruits of the livings, but withal prayed him to adviſe with his nobility concerning the redreſs of their grievances. This was indirectly taxing the King with following the counſels of Thomas Cromwell, who was of a very baſe and mean extraction. Theſe grievances were, "That he had ſuppreſſed a great number of "monaſteries: that large ſubſidies had been granted by parliament without any occaſion: that he "admited into his council perſons of mean birth, "whoſe ſole view was to inrich themſelves, inſtead "of conſulting the good of the ſtate: that diverſe "prelates had relinquiſhed the ancient creed, and "imbraced novel doctrines, at all times condemned by the church: that having ſeen ſo many religious houſes plundered, they were apprehenſive "the like would befall the churches."

The grievances of the rebels. Herbert. Burnet. Speed, p. 772.

King Henry's manifeſto. Hall. fol. 229. Burnet. Speed.

The King anſwered theſe grievances by a very ample manifeſto (1): but, as his reaſons were grounded on principles not admited by the male-contents, the manifeſto had no great effect. Mean while, Henry found himſelf extremely imbaraſſed; his troops were few, and he had certain advice that a like inſurrection was gathering in Yorkſhire and other neighboring counties. He however ordered the duke of Suffolk to march, tho' with a very ſlender force, and attempt obſtructing the rebels progreſs: but the duke, finding himſelf too weak, thought it more adviſable to indeavor appeaſing the commotion by way of negociation than by arms; ſo when he ſent to the male-contents the King's anſwer to their grievances, he took occaſion to let them know, they needed not to deſpair of pardon. Thereupon ſome of their chiefs privately ſent him word, they had joined the rebels purely to reclaim them, wherein they hoped to ſucceed, provided the King would be pleaſed to grant them a general amneſty. The duke diſliked not this overture, which furniſhed him with a good opportunity of writing to the King, and ſolliciting him in their behalf, offering however to march againſt the rebels, if commanded. At the ſame time, Henry received intelligence that thoſe of Yorkſhire were in arms; and, as he feared the others would join them, he ſpeedily iſſued out a proclamation, granting abſolute pardon to all who ſhould return to their homes. The proclamation ſucceeded according to expectation: the rebels inſtantly diſperſed, and thereby freed Henry from great perplexity. Some however choſe rather to join the Yorkſhire rebels than accept the amneſty.

The rebels accept a pardon.

A more dangerous rebellion in Yorkſhire. Hall. Stow. Herbert.

The Yorkſhire inſurrection was conſiderably more dangerous than that of Lincolnſhire. This latter ſeemed to have been accidental and ſudden. The other was in purſuance of a ſettled deſign, wherein were concerned ſeveral perſons of note, who, in order to declare, waited only 'till they were ſomewhat better informed of the nation's general diſpoſition. One Robert Aſke, a man of good judgment, headed the male-contents of thoſe quarters, where the diſtance of the court, and the neighborhood of Scotland rendered the people bolder than elſewhere, beſide that the monks had ever been in more credit in thoſe northern counties than in any other part of the kingdom. Since July, Aſke had tried to gain lord Dacres, who had amuſed him ſome time with hopes that his negociation would ſucceed. Very ſeemingly, it was this nobleman who ſent King Henry the firſt notice of this conſpiracy. At length the male-contents took arms, and aſſembled in very great multitudes, towards the cloſe of Auguſt, ſoon after the Lincolnſhire rebellion broke out. Finding themſelves ſtrong enough, they would not ſuffer the nobility and gentry to remain neuter at home, but conſtrained them either to flee, or join with them, and ſwear fidelity to the cauſe for which they intended to fight. This cauſe was properly religion, as they plainly intimated by the crucifixes in their banners (2): beſide, they re-eſtabliſhed the monks in ſome of the ſuppreſſed monaſteries. As they met with no oppoſition, becauſe the King's forces were imployed againſt the rebels of Lincolnſhire, they made great progreſs at firſt, and ſtill much greater, after Richmondſhire, Lancaſhire, the biſhoprick of Durham, and the county of Weſtmorland ingaged on their ſide. George Talbot, earl of Shrewsbury, was the only perſon who ventured to take arms for the King, without being commiſſioned ſo to do, tho' he was not ignorant that, at ſuch a juncture, his procedure might be miſinterpreted: but, as his meaning was good, he hoped the King would forgive a fault commited purely for his ſervice; and in effect, it was not long before King Henry ſent him a commiſſion, conſtituting him his lieutenant againſt the rebels. At the ſame time, he ordered the duke of Suffolk not to ſtir from Lincolnſhire, leſt the male-contents there ſhould think of joining thoſe of the north. He likewiſe gave commiſſions to diverſe other peers to levy troops, while on his part he aſſembled as many as poſſible, in order to form an army, the command whereof he deſigned for the duke of Norfolk: but, either thro' the peoples backwardneſs, or for ſome other reaſon, the royal army was not ſufficiently numerous to make head againſt the revolters.

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The earl of Shrewſbury riſes for the King. Herbert. Hollingſh.

The duke of Norfolk commands the King's forces.

While King Henry was making his preparations, Aſke neglected not his own affairs. He approached Pontefract caſtle, wherein were the archbiſhop of York and Thomas lord Darcy, and forced them to ſurrender that fortreſs. As theſe two grandees were deemed well-affected to his Holineſs, many believed them not diſpleaſed the want of proviſions furniſhed them with a pretenſe to deliver Pontefract to the rebels, and march with them in their other expeditions. Soon after, Aſke took alſo York and Hull, and by fair or foul means obliged all the nobility of the country to join his army (3). Thus this affair grew daily more important, and the court became apprehenſive that the whole kingdom would follow the northern counties example. This apprehenſion was the more juſt, as at the ſame time there were in all parts men who made it their buſi-

The archbiſhop of York and lord Darcy ſurrender Pontefract, and are ſuſpected. Hall. Herbert.

The rebels take York and Hull.

(1) As to the ſuppreſſion of the monaſteries, he declared, That it was granted him by all the nobles ſpiritual and temporal of his realm, and by all the commons, alſo by act of parliament, and not ſet forth by any counſellors of his on their mere will and fancy. Hall, fol. 229.

(2) Their march was called the Pilgrimage of Grace, and to inveigle the people, ſome prieſts marched before them with croſſes. In their banners they had a crucifix with the five wounds and a chalice, and every one wore on his ſleeve as a badge, an emblem of the five wounds of Chriſt, with the name of Jeſus wrought in the midſt. All who joined them took an oath, "That they "entered into this Pilgrimage of Grace, for the love of God, preſervation of the King's perſon and iſſue, purifying the "nobility, and driving away all baſe-born and evil counſellors; and for no particular profit of their own, nor to do diſpleaſure "to any, nor to kill any for envy, but to take before them the croſs of Chriſt, his faith, the reſtitution of the church, and the "ſuppreſſion of heretics, and their opinions." Theſe were ſpecious pretenſes: ſo people flocked about their croſſes and ſtandards in ſuch numbers, that they grew forty thouſand ſtrong. Burnet, Vol. I. p. 229. Hall, fol. 230. Stow, p. 574.

(3) Henry Clifford earl of Cumberland (17 Hen. VIII.) grandſon of lord Clifford, ſlain in the firſt of Edw. IV. held out his caſtle of Skipton againſt all that force, tho' five hundred gentlemen (retained at his coſt) had deſerted him. Sir Ralph Evers alſo defended Scarborough caſtle 'till he was relieved, tho' himſelf and men had nothing but bread and water for twenty-days. Herbert, p. 206.

neſs

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neſs to ſpread reports capable of inciting the whole nation to rebel, by puting them in fear of the utter ſubverſion of the religion they had thitherto profeſſed.

The King tries to amuſe the rebels.

Mean while, Henry choſe to amuſe the rebels, 'till his army was ready. The twentieth of October, he ſent a herald with a proclamation to be read to the troops. Aſke gave the herald audience, ſiting in ſtate with the archbiſhop on one hand, and lord Darcy on the other: but when he heard the contents of Henry's proclamation, he ſent him away without ſuffering him to perform his errand. Henry, finding this matter took a very bad turn, diſpatched the duke of Norfolk with what troops he had aſſembled, which were to be joined by thoſe under command of the earl of Shrewſbury, and ſome others levied in haſte by the marquis of Exeter: but theſe three ſmall bodies bore no proportion to the forces of the rebels: ſo Henry found himſelf obliged to publiſh a proclamation, commanding all his nobility to meet him the ſeventh of November *. During this, Aſke, at the head of thirty thouſand men, advanced towards Doncaſter, where the duke of Norfolk, the marquis of Exeter, and the earl of Shrewſbury lay incamped with five thouſand men only, and having no other refuge but to defend the paſs of that river between the two armies: but as it was fordable in diverſe places, they undoubtedly muſt have been extremely imbaraſſed, had not a very great rain, which fell moſt ſeaſonably, made the river unpaſſable. This was certainly a very fortunate accident for the King: for had his troops been defeated on this occaſion, as was very probable conſidering their ſmall number, it would have done him unſpeakable damages.

The duke of Norfolk marches againſt the rebels. Hall. Hollingſh. Herbert.

* At Northampton.

Accident which prevents the royal army's defeat. Hall. Stow. Hollingſh.

I have already obſerved, that the duke of Norfolk approved not of the alterations made in religion; and therefore, it could not but be very diſagreeable to him to command the King's army againſt people who had taken arms in a cauſe which he could not diſlike. Mean while, he found himſelf in a moſt dangerous ſituation, ſince he was as much afraid of conquering as of being conquered. In the firſt caſe, a victory over the rebels would infallibly ruin the party he ſecretly favored. In the ſecond caſe, he ran the riſque of being ſuſpected by the King, and forfeiting his favor. Happily for him, his inability to hurt the rebels freed him from this imbaraſſment, by affording him a pretext to proceed with them by way of negociation. As he held intelligence with ſome of their leaders, he by their means ſo ordered that they determined on addreſſing his Majeſty with a moſt ſubmiſſive petition. This agreed on, they acquainted the duke with their reſolution, intreating him to ſecond it with his intereſt. The duke readily granted their requeſt; but told them, that to obtain from the King a favorable anſwer, there muſt be a ceſſation of arms, during which he took upon him to go himſelf and preſent their petition. This propoſal being accepted, the ceſſation was concluded, and the duke departed for London. At ſuch a juncture, this ceſſation was extremely advantageous to the King, becauſe his army being very weak, he wanted time to raiſe more forces. For this very cauſe, many of the rebels ſeeing that, contrary to all reaſon, the King had leiſure given him to aſſemble his troops, and imagining they were betrayed by their leaders, withdrew to their homes.

Sentiments and conduct of the duke of Norfolk.

A truce very advantageous to the King. Herbert.

This diſcord which began to ſpread among the rebels, gave the King ſome hopes of coming off upon eaſy terms; and therefore he delayed returning any anſwer to their petition, expecting their army would diſperſe by degrees: but the leaders at length perceiving that the court purpoſely prolonged the negociation, and that thoſe delays muſt utterly ruin their affairs, renewed their hoſtilities, and once more concluded on attacking the royal army. Had this reſolution been executed, it would, very probably, have greatly changed the face of affairs; but another prodigious ſtorm of rain ſo ſwelled the river which parted the two armies, that it was not poſſible for them to paſs it. Henry thereof having notice, judged it neceſſary to give them ſome kind of ſatisfaction, leſt they ſhould execute their reſolution before he was in readineſs. To this effect, he diſpatched away his anſwer to their petition; but it was couched under ſuch general terms, that they could not lay any ſtreſs on what was therein promiſed. At the ſame time, he propoſed, that if they would depute three hundred of their number, and ſend them to Doncaſter, commiſſioners ſhould there meet them in order to negociate a pacification. His aim was to gain time, in hopes the three hundred deputies would diſagree, and their diſſenſion, by prolonging the negociation, give him time to prepare his army. Some few days after, the duke of Norfolk returning to Doncaſter, ſent to inform the rebels, that he had brought them a general pardon, ten only excepted, ſix of whom were named, and four not. But this pardon was unanimouſly rejected, becauſe the ſix perſons named were ſome of their chiefs, and every one was in dread of being one of the four whom the King had reſerved: and, in reality, Henry had no other view but to ſow diſcord among them, and make way for the treaty at Doncaſter, which they finally accepted, and ſent thither their three hundred deputies (1). The court had expected theſe deputies would never agree about their demands, and ſo would afford the time wanted: but, as it was eaſy for the leaders to diſcover the court's intention, they gave the deputies their inſtructions in writing, whence abſolutely they were not to depart. The inſtructions contained ten demands, which the deputies made at the conference held at Doncaſter the ſixth of December.

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Artifices of the court. Herbert.

Herbert.

Conference at Doncaſter.

I. They demanded a general amneſty, without any exception.

The rebels demands. Herbert. Burnet.

II. That the parliament ſhould be held at York.

III. That a court of juſtice ſhould be erected there, that the inhabitants of the northern counties might not be brought to London upon any lawſuit.

IV. That ſome acts of the late parliaments, which were too grievous to the people, ſhould be repealed (2).

V. That Princeſs Mary ſhould be declared legitimate.

VI. That the Papal authority ſhould be re-eſtabliſhed on it former footing.

VII. That the ſuppreſſed monaſteries ſhould be reſtored to their priſtine ſtate.

VIII. That the Lutherans and all innovators i religion ſhould be rigorouſly puniſhed.

IX. That Thomas Cromwell and Audley lord chancellor ſhould be removed from the council, and excluded the inſuing parliament.

X. That Lee and Leighton, viſitors of the monaſteries, ſhould be impriſoned, and brought to ſtrict account for their violent and unjuſt extortions.

Henry tries to gain time. Herbert.

(1) Among whom were John lord Scroop, lord Latimer, John lord Lumley, Thomas lord Darcy, ſir Thomas Percy, Robert Aſke, &c. who were to treat with the duke of Norfolk, ſir William Fitz-William admiral of England, &c. Herbert, p. 207.

(2) Namely, Thoſe for the laſt ſubſidy, being a fifteenth, for uſes, for making words miſpriſion of treaſon, for the clergy's paying their tenths and firſt-fruits to the King. Ibid.

As

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As the deputies had not power to qualify theſe demands, ſo the King's commiſſioners were not authoriſed to grant them. Henry took care not to deſtroy in a moment the work of ſeveral years. Thus the conference ended without any fruit. The duke of Norfolk was extremely concerned to find the affair was like to be decided by arms. He moſt cordially wiſhed his Majeſty would grant the rebels all their demands, but was too well acquainted with his humor and character to venture on making him ſuch a propoſal. Mean while, he was not a little imbaraſſed. He muſt either betray his Sovereign's intereſt, or reſolve to fight the rebels, contrary to his own inclination, and with great danger of a defeat: at leaſt, he could not, purſuant to the court's intention, avoid prolonging the affair 'till the King was ready to march, and then he ſaw the ruin of the rebels was inevitable. In this perplexity, he choſe to write to the King, that the number of the rebels daily increaſing, there was danger of their making ſome attempt which it would be difficult to reſiſt; and therefore, to prevent the threatened miſchief, it was his opinion, if his Majeſty pleaſed, that ſome of their demands ſhould be granted. On this letter, the King impowered him to offer them a general pardon without exception, and promiſe them in his name, that the next parliament ſhould be held in the north: but withal, he ordered him not to make uſe of theſe remedies except in extremity, and when there was no other reſourſe. The duke receiving theſe powers, thought proper to uſe them without delay, ſince it was the ſole means of freeing him from his preſent imbaraſſment. He would not openly betray the King's intereſts, and, on the other hand, was moſt unwilling to be inſtrumental to the deſtruction of thoſe revolters whoſe ſentiments he approved, tho' he durſt not ſhew it: ſo, after having, by his correſpondents, prevailed with their leaders to comply with the King's offers, the agreement was concluded, and every man returned to his home, to the exceſſive grief and and reluctance of the monks and bigots, who had expected quite different matters from their efforts to excite the people to rebel. But this agreement hindered not the fryers and eccleſiaſtics of thoſe quarters from continuing to foment among the people a ſpirit of rebellion, which produced ſome effects, whereof notice ſhall be taken in the ſequel. Somewhat now muſt be ſaid of Charles V's affairs with the King of France, wherein all Europe was concerned.

The conference breaks up.

The duke of Norfolk labors to accommodate matters without a battle.

Hollingſh. Burnet. Herbert.

Hall. Burnet. Herbert.

The rebels accept a pardon.

Affairs between the Emperor and Francis.

Du Bellai. P. Daniel.

When, towards the cloſe of the preceding year, King Francis commenced the Savoyard war, the Emperor was in Sicily, on his return from his Tunis expedition, but unable to aſſiſt the duke of Savoy. This induced him to attempt cooling the King of France's ardor by a negociation, 'till he could aſſiſt his ally. The death of Franceſco Sforza, which occurred in this interim, furniſhed him with a fair opportunity. He intimated to the French embaſſador reſiding at his court, that he would not diſpoſe of the duchy of Milan, 'till he knew the King of France's ſentiments. Francis being thereof informed, demanded the duchy for his ſecond ſon the duke of Orleans, and the Emperor put him in hopes he would give it to his third ſon the duke of Angoulême, on certain conditions, which left it in his power to prolong the negociation as much as he pleaſed: and, in effect, he thus amuſed him 'till April 1536, one while inſiſting on the duke of Angoulême, another while ſeeming inclined to confer the Milaneſe on the duke of Orleans. Francis, willing to terminate this affair, and knowing the Emperor intended to go to Rome, ſent the cardinal of Lorrain for a poſitive anſwer; but leſt the events of the war ſhould bring ſome obſtacle to this negociation, he ordered admiral Brion, who commanded in Piedmont, to ceaſe hoſtilities.

Negociation about the duchy of Milan.

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While the cardinal of Lorrain was on his journey, the Emperor arriving at Rome, went ſoon after to a public conſiſtory, which was aſſembled at his requeſt. There, before his Beatitude and the cardinals, he exclaimed againſt the King of France, affirming him to have been ſole author of the wars wherewith Europe was afflicted ever ſince his acceſſion to the throne. He thence took occaſion to ſay, that inſtead of ſheding ſo much innocent blood, it would be better to decide their quarrel by ſingle combat with ſword and poignard*, in ſome iſland, or in a boat. But the French embaſſador aſking him on the morrow, Whether he deſigned to challenge the King his maſter? he replied, He had no ſuch intention; only meaning, that the expedient he propoſed ſeemed to him more reaſonable than a war.

The Emperor arrives at Rome.

He offers before the Pope and cardinals to decide his quarrel with the French King in ſingle combat.

* In their ſhirts only.

He prepares his forces.

Charles being, not long after, at Sienna, the cardinal of Lorrain waited on him, and in his audience diſcovered, that he had never deſigned to give the Milaneſe to a Prince of the royal family of France. He therefore wrote to the King, that he was to expect war: and, in effect, the Emperor was now aſſembling his whole ſtrength, propoſing to bring into the field three armies; one in Piedmont, which he intended to command perſonally; another in Picardy; and a third in Champagne. This was already ſo public, that Francis could not thereof be ignorant: wherefore judging that Charles's view was to make his moſt powerful effort in Picardy, he recalled the greateſt part of his army in Piedmont, having ordered Turin and his other conqueſts in that country to be well ſtored with ammunition.

Francis withdraws his troops from Italy.

The Emperor marches into Provence.

Francis forms two armies.

The French quiting Piedmont, Charles cauſed Turin to be inveſted, and, during the ſiege, headed his army and marched towards Provence. Francis, who was then at Lyons, ſpeedily provided Marſeilles with neceſſaries, and ordered two camps to be fortified, one at Cavaillon, under command of marſhal de Montmorency, the other at Valence, whither he himſelf repaired. There he received the ſhocking news of the death of his ſon the Dauphin, poiſoned by Montecuculli.

The Emperor beſieges Marſeilles, and raiſes the ſiege,

and returns into Spain.

The Emperor having entered Provence, took Aix, and then ſat down before Marſeilles, which ſiege commenced the twenty-fifth of Auguſt, and was raiſed the ninth of September. He had ſo ill taken his meaſures, that not knowing how to ſubſiſt his army in Provence, he was forced to retire in the utmoſt diſorder, not without danger of being defeated in his retreat, if Francis had thought proper to attack him. He got to Genoua the ſecond of October, and there imbarked for Spain. This ſucceſs had his Provence expedition, which he had been long meditating, and by means of which he hoped to give a mortal wound to France.

Campain in Picardy.

While Charles was puſhing his hoſtilities in Provence, count de Naſſau entered Picardy with an army thirty thouſand ſtrong, and took Guiſe by ſtorm. That done, he beſieged Peronne, which was by the duke of Guiſe relieved.

The King of Scotland eſpouſes Magdalen of France.

Buchanan. Mezerai.

Francis returning towards Paris with unſpeakable ſatisfaction at having diſappointed Charles's deſigns, met on his route James V, King of Scotland, who came to demand his daughter Magdalen. He was not without great difficulty prevailed with to grant his requeſts, becauſe the Princeſs being ſickly, it was thought matrimony would but ſhorten her days: however, as the Scotiſh King expreſſed a moſt earneſt deſire for the marriage, it was concluded in December, and the nuptials were celebrated the firſt of January 1537. Let us now return to the affairs of England.

The northern rebellion was appeaſed, but in

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such a manner that the cauſe ſtill ſubſiſted, the male-contents having received no redreſs of their grievances, except only that the King had promiſed to call a parliament in the north, which promiſe he never deſigned to perform. The pretenſe he uſed was their having left in the monaſteries the monks they had reſtored: but this excuſe was ſtrained and precarious, if any was ever ſo, ſince turning them out was not their buſineſs, but the King's, who had the power in his own hands, whereas they had nothing more to ſay after quitting their arms. Henry, not ignorant how the northern people ſtood affected, ordered the duke of Norfolk * to remain there with his army, to keep them in awe. The duke's imployment, for ſome time, was making perſons of all conditions ſwear fidelity to the King (1); a very improper remedy for thoſe kinds of evils, ſince the ſame compulſion which extorts oaths from a diſcontented people, ſerves alſo for pretext to break them when occaſion offers. Mean while Aſke, who had headed the revolters, was ordered to court, where he was well received; but lord Darcy, who had not ſo readily obeyed a like ſummons, was ſent to the Tower on his arrival at London.

Henry breaks his word with the rebels. Herbert. Burnet.

* And earl of Shrewſbury. Herbert.

Hall. Stow. Burnet.

Soon after, Nicolas Muſgrave and Thomas Tilby, two gentlemen of the north, put themſelves at the head of eight thouſand male-contents, and appeared before Carliſle, in order to poſſeſs themſelves of that city: but being repulſed, and thereupon ſuddenly attacked by the duke of Norfolk, they were intirely routed. Muſgrave had the good fortune to eſcape; but Tilby, and ſeventy four others taken with him, were hanged over the walls of Carliſle. At the ſame, ſir Francis Bigod and one Halam, with another body of rebels, attempted to ſurpriſe Hull, but were made priſoners and executed.

New inſurrection puniſhed. Hall. Stow. Hollingſh. Herbert.

Aſke and lord Darcy executed. Hall. Stow. Herbert. Hollingſh.

Theſe attempts exaſperated the King ſo far, that he put to death Aſke and lord Darcy, notwithſtanding the amneſty he had granted to appeaſe the firſt inſurrection. Lord Darcy accuſed the duke of Norfolk of favoring the rebels; which was perhaps too true. But the duke cleared himſelf, or rather Henry judged it not proper ſtrictly to ſcrutiniſe this accuſation. Mean while, as he knew, the Emperor was contriving ſome plot in Ireland, he ordered that Thomas Fitz-gerald, ſon of the late earl of Kildare, and five of his uncles, after a long impriſonment at London, ſhould ſuffer death for a terror to the Iriſh: but the earl of Kildare's youngeſt ſon had the good fortune to eſcape, and fled for refuge to cardinal Pole.

Six of the Kildare family put to death Hall. fol. 226, 231. Herbert.

Henry determines on ſuppreſſing all the monaſteries. Burnet. Herbert.

Henry could not be perſuaded but that it was the monks who moſt contributed towards fomenting the peoples diſcontents. He conſidered them as the chief authors of the late inſurrections, and conſequently as his perſonal enemies. He believed to diſcern in their behavior that, if they had power, they would not ſpare him, and therefore he projected ruining them, in order to prevent their deſigns. He was ſenſible two very conſiderable advantages would thence accrue, the one to rid himſelf of his adverſaries, and the other to reap their ſpoils: nor is it to be doubted this latter conſideration had alſo a good ſhare in his project of vengeance upon them. The ſuppreſſion of the leſſer monaſteries having only ſharpened his appetite, he reſolved to ſuppreſs all the reſt and ſeize their immenſe poſſeſſions. To ſucceed with greater eaſe, he uſed the ſame means he had practiſed to ſuppreſs the leſſer monaſteries; that is, he appointed a very ſtrict viſitation of thoſe remaining, not queſtioning but the diſcoveries which ſhould be made would promote his deſign.

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He orders a rigid viſitation. Burnet.

The twelfth of October the Queen was delivered of a Prince, whom they named Edward. But this birth proved fatal to his mother, who died two days after her delivery (2). As Henry had cauſed his two daughters by his former marriages to be declared illegitimate, nothing could be more acceptable than the birth of a ſon, who put the ſucceſſion of the crown out of all diſpute: and therefore, in a few days, he confered on him, as his heir apparent, the title of Prince of Wales, duke of Cornwal, and earl of Cheſter. At the ſame time, he created Edward Seymour, the Queen's brother and the new-born Prince's uncle, earl of Hertford.

Birth of Prince Edward; and death of Queen Jane. Hall. Herbert.

Edward Seymour created earl of Hertford. Hall.

While this paſſed in England, the war ſtill continued between the Emperor and the King of France, but was interrupted in Picardy by a ſix months truce concluded in July, which was followed by another in November, for Italy. As it was by the laſt truce agreed, that each ſhould keep what he poſſeſſed, the duke of Savoy remained deſpoiled equally by his enemies, and by thoſe he had called to his aſſiſtance; the common fate of petit Princes!

The war continues between the Emperor and Francis. Du Bellai. Truce for Picardy and Italy.

The Queen of Scotland died in July, to the exceſſive ſatisfaction of thoſe who dreaded the reformation's progreſs, that Princeſs having been educated by her aunt the Queen of Navarre. Buchanan ſays, the cuſtom of wearing mourning was firſt introduced into Scotland on occaſion of her death, which cuſtom, tho' of forty years ſtanding, was not in his time yet well eſtabliſhed. James V removed the uneaſineſs of thoſe who apprehended his having been biaſſed by the deceaſed Queen in favor of the new religion, by demanding in marriage Mary of Guiſe, the duke of Guiſe's and cardinal of Lorrain's ſiſter.

The Queen of Scotland's death.

James V demands Mary of Guiſe in marriage.

The affairs of religion daily grew more important in a great part of Europe, by reaſon of the reformation's conſiderable progreſs. Thoſe who had imbraced it, wiſhed only to live in quiet with liberty of conſcience: but this was what the old religion would never allow them. The glory of God, and zeal for the intereſts of holy mother church, ſerved for pretexts to this refuſal: but the real cauſes were, firſt, the pride of the generality of mankind, who cannot bear being told that they err in opinion: ſecondly, the temporal intereſt of eccleſiaſtics who, wherever the reformation was eſtabliſhed, ſaw themſelves deprived of their rich benefices; the church revenues being by the reformed applied to uſes very different from thoſe in which they had been thitherto imployed: thirdly, the intereſts of his Beatitude the Pope, who daily loſt his ſubjects, his revenues, his credit, and his authority. There was in Germany another particular cauſe, which inflamed the troubles occaſioned by religion, and that was, the Emperor, with his brother Ferdinand King of the Romans, had formed a deſign of advancing their own affairs

Diviſions in Germany about religion. Sleidan.

Which are fomented by the Emperor.

(1) The oath they took, was. 1. To revoke all oaths and promiſes made in the former inſurrection, aſking the King's forgiveneſs on their knees. 2. To be true to the King, his heirs and ſucceſſors. 3. To obſerve and maintain all acts of parliament, ſince the firſt year of the King's reign. 4. Not to take arms again, but by the King's authority. 5. To apprehend all ſeditious perſons. 6. To remove all the monks and nuns they had re-inſtated in the late diſſolved monaſteries. Herbert, p. 211.

(2) The Queen was delivered at Hampton court, and died the 24th of October (as appears in a journal written by Cecil) that was twelve days after Edward's birth; ſo it is in the herald's office. Strype correct. to Burnet, Vol. III. p. 406, 419. She died not by the cruelty of the ſurgeons ripping up her belly to make way for the Prince's birth, as ſome writers give out, but, as the original letters yet extant ſhow, ſhe died, after being well delivered, of a diſtemper incident to women in that condition. Ibid. Queen Jane was buried in the quire at Windſor; whoſe loſs ſo afflicted the King (he having always found her diſcreet, humble, and loyal) that, notwithſtanding ſome good offers, he continued a widower above two years. Herbert, p. 212.

under

Henry VIII. An' 1537.

under pretext of forcing the Proteſtants to re-enter the church's pale; and therefore, inſtead of healing, they fomented the diviſions to the utmoſt of their power. The Proteſtants, among other grievances, complained, that a council was convened at Mantoua, contrary to the expreſs promiſe given that it ſhould be in Germany: beſide, they ſaid, their meaning was not to ſubmit to the deciſions of a council where the Pope preſided, and which, as they perceived, would be far from being free. The Emperor amuſed them with evaſive anſwers, 'till matters ſhould be ripe for attacking them. Mean while, the Pope, having defered opening the council from May to November, charged in that interval the cardinals Contarini, Sadoletti, Pole and Bembo, all perſons of high reputation, to examine wherein the church wanted reformation. Theſe able divines found nothing amiſs as to the doctrines: they only drew up, as to diſcipline, a liſt of ſundry trifles, which in their opinion merited ſome rectification. To theſe alone they thought the reformation ought to be confined.

Grievances of the Proteſtants.

Charles's evaſive anſwers.

His Holineſs orders commiſſioners to examine the ſtate of the church and religion.

Mean while, his Imperial Majeſty was very ſeriouſly meditating on the affairs of Germany, tho' he took ſingular care to conceal from the Proteſtants his deſigns. In order to free himſelf from all other incumbrances, and attack them with advantage, he had concluded the truce with Francis, in hopes it would ſoon be followed by a complete pacification. He evidently perceived, the Smalcaldic league would be a perpetual obſtacle to the execution of his vaſt projects, thro' the efforts Francis and Henry were making to gain it to their intereſts: his chief aim was therefore to diſſolve that league, that he might afterwards proceed againſt England with the whole power of Spain, Italy, Germany, and the Netherlands (1).

The Emperor's deſigns.

An' 1538. Henry's final reſolution to ſuppreſs all the monaſteries. Herbert. Burnet.

Henry readily foreſaw that Charles and Francis had agreed to a truce only in order to conclude very ſpeedily a peace which would rob him of the aſſiſtance of France. Wherefore, finding he had no refuge but in his own forces, in caſe of attack, he conſidered early of means to prevent inſurrections at home, which muſt greatly imbaraſs him, ſhould he ingage in a foreign war. He was conſcious the monks of England hated him mortally. They were the perſons who inſpired the Engliſh with a ſpirit of rebellion, the more dangerous as religion was the chief motive: ſo, to deprive the Pope and Emperor of ſuch a ſupport in his own realm, he reſolved to ſuppreſs all the religious houſes ſtill ſubſiſting in England. He had a farther motive, which was not inconſiderable, namely, to have a fund ſufficient to maintain the war, without being forced to over-burden his ſubjects: but as his ſuppreſſing part of the monaſteries had already occaſioned diſturbances in the kingdom, it was likely the ſuppreſſion of all would raiſe ſtill greater: wherefore he believed he ſhould prevent all commotions, by removing his ſubjects veneration for the monks. To this end, the report of the laſt viſitation being brought to him, he ordered it to be immediately publiſhed. Very probably, the facts inſerted concerning the diſorderly lives of the fryers and nuns, were ſet forth ſo as to be ſubſervient to the King's deſigns (2): but what moſt conduced to recover people from their ſuperſtitious fondneſs for the religious houſes, was the diſcovery of frauds there commited with reſpect to relicts and images. Had the buſineſs been only the debaucheries of the monk and nuns, it might have been objected, that it ſufficed to make ſtrict inquiry of thoſe who were guilty, and to puniſh them with rigor: but for the pious frauds (as they are ſtiled) it could ſcarcely be thought but that the whole ſociety was concerned. For this reaſon therefore, Henry, to render them notoriouſly viſible, took care publicly to expoſe the counterfeit relics found in the monaſteries, and the ſprings by which the images of Chriſt, the Virgin Mary, or any of the ſaints were made to move, which by the ignorant multitude were looked on as the effect of a divine power. If the reader deſires to ſee a particular account of theſe pious impoſtures, he will find it, tho' very ſuccinct, in the hiſtory of the reformation of England. Theſe frauds being thus detected, the King ordered to be reduced to aſhes, in the public places, whatever had ſerved to ingage the people in ſuperſtition. But what moſt grieved the votaries was, to ſee burned publicly the bones of Thomas Becket, commonly named St. Thomas of Canterbury. They charged King Henry with acting therein from a motive of a ſacrilegious avarice, in order to have a pretenſe to ſeize the rich ſhrine of that ſaint, whereon, beſide other precious ſtones, was a very fine diamond, offered in 1179 by Henry I, King of France, when he came in pilgrimage to Canterbury (3). This procedure ſo exaſperated the adherents of the old religion, that they wrote to Rome againſt the King, in terms moſt virulent, comparing him to the moſt infamous tyrants the univerſe ever beheld: whereupon at Rome and other places, numberleſs ſatires were penned, which, in the eyes of thoſe who were not accuſtomed to the hyperbolical flights of the Italians, rendered Henry the moſt execrable of men. The King had at Rome his ſpies, who acquainting him with what was publiſhed againſt him, told him withal, that the informations ſent from England were generally addreſſed to cardinal Pole, and even that his ſtile was viſible in diverſe of the libels. This ſo highly irritated Henry againſt his ſaid eminence that he made all his family and friends feel the effects, and would ſooner have pardoned any crime whatever than the leaſt correſpondence with him. It is ſurpriſing that this cardinal, who ſeemed otherwiſe very prudent and moderate, ſhould ſo give way to his zeal, or his paſſion againſt the King, that he feared not, by ſo unadviſed a behavior, to expoſe his friends to Henry's utmoſt reſentment. His obſtinacy in this reſpect was ſuch that he was finally the occaſion of his mother's loſing her head on a ſcaffold, as will be ſeen in the ſequel.

Henry publiſhes the report of the laſt viſitation. Burnet.

King Henry's whole deportment convincing the

Henry VIII. An' 1538.

Several pious frauds are diſcovered. Herbert, p. 213. Burnet.

Hall. Stow. Burnet.

Becket's bones burned, and his ſhrine ſeized. Stow. Hollingſh. Herbert.

Bitter invectives againſt King Henry ſent to Rome. Burnet.

He is highly inſenſed againſt cardinal Pole.

(1) This year, the manner of caſting pipes of lead for conveyance of water under ground, was firſt invented by Robert Brook, one of the King's chaplains; Robert Cooper goldſmith making the inſtruments, and puting the invention firſt in practiſe. Hollingſh. p. 944.

(2) Of the confeſſions then made to the viſitors, there is only now one extant, which probably eſcaped the deſtruction of all papers of that kind in Mary's time. It is from the Benedictines of St. Andrew's in Northampton, wherein they acknowledged their diſſolute life, for which the pit of hell was ready to ſwallow them up. They confeſs, they had neglected the worſhip of God, lived in idleneſs, gluttony, ſenſuality, &c. Burnet, Vol. I. p. 237.

(3) For three hundred years he was accounted one of the chief ſaints in Heaven, as appears from the accounts of the leger-books of the offerings to the three greateſt altars in Chriſt's church in Canterbury. In one year there was offered at Chriſt's altar, 5 l. 2 s. 6 d. At the Virgin's altar, 63 l. 5 s. 6 d. But at St. Thomas's, 832 l. 12 s. 3 d. The next year the odds grew greater: at Chriſt's altar not a penny; at the Virgin's only 4 l. 1 s. 8 d; but at St. Thomas's, 954 l. 6 s. 3 d. The rich ſtone was offered by Lewis VII of France, which our King ſet in a ring and wore on his thumb. The ſpoil of the ſhrine in gold and precious ſtones filled two cheſts, which were ſo heavy, that they were a load to eight ſtrong men to carry them out of the church. His name was ſtruck out of the calendar: the day of raiſing his body, or, as they called it, his tranſlation, being the 7th of July, which was not only a holiday, but every 50th year there was a jubilee for fifteen days, and indulgence granted to all who viſited his ſhrine. Burnet, Vol. I. p. 244. Stow, p. 576.

Pope

Henry VIII. An' 1538.

Paul III publiſhes the bull of excommunication. Burnet. Herbert. A violent book of Pole's.

Pope that he was not to expect of him any change, he at length publiſhed the bull of excommunication, drawn and ſigned in 1535. Moreover, he indeavored to ſtir up againſt him all the Potentates of Chriſtendom, and offered the kingdom of England to the King of Scotland: nay, Pole maintained, in a book publiſhed ſoon after, that it was more meritorious to fight againſt Henry, than againſt the Turk. But the Vatican thunders had ſo loſt their force in England, that the bull cauſed no commotion, or if it produced any effect, it was directly the reverſe to what his Beatitude expected. Henry being more and more exaſperated, took ſuch good precautions to prevent the execution of his Sanctity's deſigns, that he thereby advanced the reformation abundantly more than ever he intended. He no ſooner underſtood that the bull was publiſhed, but he required the biſhops and abbots to ſwear again to renounce the Papal authority. At the ſame time, the new tranſlation of the Bible being preſented to him, he ordered fifteen hundred copies to be printed, and ſet up in the principal churches, being ſatisfied that nothing would be found there to ſupport that exorbitant power which the Roman Pontifs aſſumed over all Chriſtendom (1).

Henry orders the new verſion of the Bible to be printed Burnet. Stow. Strype.

The vicegerent's injunctions concerning images. Burnet. Vol. I. p. 249. Strype.

Not long after was publiſhed the vicegerent's injunction that the faithful ſhould learn the Lord's Prayer, Creed, and Ten Commandments in Engliſh. Moreover, all incumbents were ordered to inſtruct their reſpective flocks, that they muſt not truſt in other mens works, but in their own; and that relics, beads, and the like were unneceſſary to ſalvation. They were alſo injoined to pull down all images, to which offerings were made, and not to permit candles to be ſet up before any image, except thoſe which repreſented Jeſus Chriſt. Finally, they were to ſuppreſs the Ora pro Nobis annexed to all prayers addreſſed to ſaints (2).

Submiſſion of the Engliſh to their Sovereign's will. Burnet.

This injunction was deemed a mortal wound to the old religion, whoſe adherents were in the utmoſt conſternation: but not one durſt move, ſo abſolute was the ſuperiority this King had acquired over his ſubjects; nay, the moſt diſcontented affected a blind ſubmiſſion to his will, as being ſenſible that the leaſt ſurmiſe would be ſufficient to work their utter ruin.

Gardiner puts the King upon proſecuting the reformed. Burnet.

Gardiner, biſhop of Wincheſter, was now returned from his embaſſy to France. He was one of the old religion's moſt zealous partiſans; nay, he was even ſuſpected of being privately reconciled to his Holineſs, and of holding correſpondence with the Emperor. Nevertheleſs, he ſo well diſſembled his ſentiments, that he perſuaded the King that all was merely the devices of his enemies to ruin him. It is however certain that, tho' Henry ſeemed ſatisfied, he had no great eſteem for him, and yet ſuffered him about his perſon on account of his extreme ſubmiſſion. His implicit condeſcenſion to the King's will afforded him many opportunities to ſerve the party he privately favored. The King, not conſidering this prelate as one he ſuſpected, ſince he ſo readily complied with his orders, freely liſtened to him when he inveighed againſt the Sacramentarians, being yet ſtrongly prepoſſeſſed in favor of the doctrine of the real preſenſe of Chriſt's body in the Euchariſt. Gardiner could therefore explain his ſentiments without dread, ſince they diſagreed not with thoſe of his Sovereign. On this aſſurance, he inſinuated to him, that while his Majeſty left intire the ſaid dogma, he would never be taxed with having changed religion, but would rather be applauded as its purifier only in preſerving eſſentials. Thus Gardiner ingaged him to perſecute the Sacramentarians, not ſo much from a truly zealous as a political motive. He knew the King's temper to be impatient of contradiction; and therefore, by ingaging him to maintain a doctrine which thoſe of the new religion could not admit, he hoped their reſiſtance would irritate him againſt them, and thereby he would be more eaſily led to a reconciliation with the Pontif: that is to ſay properly, he imployed to alienate Henry from the Proteſtants the ſame means they uſed to prejudice him againſt their adverſaries; but neither could ſucceed. Henry reformed himſelf but by halves, and was never reconciled to the court of Rome. As he was become abſolute, he would never ſuffer his ſubjects to advance farther than himſelf, but conſtrained them to attend him juſt to the place where he was pleaſed to ſtop, alike ſevere, or rather mercileſs to thoſe who refuſed to follow, and to thoſe who would go beyond him. He this year gave one inſtance of rigor capable of making the reformers deſpair of any farther progreſs.

Henry VIII. An' 1538.

Henry diſputes publicly with Lambert. Hall. Burnet. Fox. Stow.

One Lambert (3) being informed againſt as a Sacramentarian, Henry convened a great aſſembly in Weſtminſter-Hall, where he was pleaſed himſelf to diſpute publicly with the party accuſed. The match was no way equal. Lambert ſtood alone without a ſecond; but the King was ſurrounded by crouds, who applauded and judged unanſwerable all his arguments; whereas none durſt even breathe the leaſt approbation of what was urged by his co-diſputant. The diſpute ended with King Henry's leaving it to the wretched Lambert's choice, either to abjure his opinion, or be burned. But whatever advantage the King ſeemed to have, he may be ſaid to be vanquiſhed, ſince he was forced to fly to ſuch rigorous means to convince his adverſary, after flattering himſelf to perſuade him by dint of reaſoning; otherwiſe, very probably, he would not have ingaged in the diſpute. Nor did he ſucceed by this extraordinary method; ſince Lambert choſe that violent death rather than to recede from ſentiments of whoſe veracity he was yet firmly perſuaded. Henry had no occaſion to be flattered: he had but too good a conceit of himſelf. Nevertheleſs, Gardiner and the reſt of his party took occaſion from this diſpute to extol him above the moſt learned divines of the age. They inſpired him with ſuch high opinion of his own erudition, that he believed his deciſions ought to be the univerſal ſtandard: but, contrary to the expectations of his flatterers, this conceit of himſelf was no leſs fatal to them than to the other party, ſince he reſolved to puniſh rigorouſly and indifferently all who durſt preſume to ſwerve from whatever he himſelf judged reaſonable.

He is highly flattered. Burnet.

Negociations with the German Proteſtants. Herbert.

Near this juncture, Charles concluded with France a ten years truce, whereof I ſhall ſoon make mention. Henry, not doubting it was in order to invade him, conſidered of means to raiſe that Monarch troubles which ſhould divert him from his

(1) Graſton the printer, printed five hundred at his own charge, which amounted to five hundred pounds. This Bible was preſented to the King by Cromwell, who procured the King's warrant, allowing all to read it without controul. For which Cranmer wrote Cromwell a letter of thanks, dated the thirteenth of Auguſt. The tranſlation had been ſent over to be printed at Paris, the workmen in England not being judged able to do it as it ought to be. It was recommended to the care of Bonner, then embaſſador at Paris, and much in Cromwell's favor. It was printed in a large volume; but on complaint of the French clergy, a ſtop was put to the preſs, and moſt of the copies ſeized and burned: but ſome were conveyed away, and the workmen and forms brought over to England, where it was now finiſhed. And one of theſe Bibles were to be ſet up in every church, at the joint charge of the incumbent and the pariſhioners. Burnet, Vol. I. p. 249. Strype's Mem. Vol. I. p. 308.

(2) Each incumbent was likewiſe injoined to keep a regiſter of wedings, chriſtenings, and burials; and to preach one ſermon every quarter of the year at leaſt. See Burnet, Vol. I. Collect. p. 180. Stow, p. 576.

(3) Otherwiſe known by the name of John Nicolſon.

purpoſe.

Henry VIII. An' 1538.

purpoſe. The Smalcaldic league furniſhed him with a good opportunity. But preſervation of the Augſburg confeſſion being the ſole foundation of that league, he ſaw not that he could poſſibly join in it to ſupport a creed which he approved not in every one of its articles: wherefore his deſign was, either to bring the Proteſtants to conclude with him a general league, which ſhould not be limited to the defenſe of their religion, or elſe prevail with them to be ſatisfied with the reformation he had himſelf introduced into England. To this end, he diſpatched embaſſadors with inſtructions to inquire who were the confederates, and in caſe the league was confined to religion only, to require their ſending over ſome of their ableſt divines, to try whether a common religion might not be agreed on. The Proteſtants replied, That their league conſiſted of twenty-ſix Imperial cities, and twenty-four Princes, among whom the King of Denmark was lately admited: that at preſent they could not be without their divines, but deſired him to declare himſelf poſitively on the propoſition made him of imbracing the Augſburg confeſſion. Some time after they ſent embaſſadors capable of diſputing on the points of religion: but this embaſſy was fruitleſs. Henry found in the Germans men of a very different ſtamp from his own ſubjects, and little inclined to compliance. They would not allow him communion in one kind, private maſſes, auricular confeſſion, celibacy of prieſts, and gave him their reaſons in writing; to which he replied, tho' to very little purpoſe. As he could not put the ſame choice to them as he had done to Lambert, he was obliged to diſmiſs them without any concluſion, being as little ſatisfied with them as they were with him.

Herbert. p. 212, 213. Strype's Mem. Vol. I. p. 328.

The intereſt of the reformers declines at court. Burnet.

Mean while, the intereſt of the reformers began viſibly to decline at court, ſince Queen Jane's deceaſe. Only Cromwell and Cranmer, by their credit and merit, maintained their ſtanding: the firſt was however taxed with being too ſelf-intereſted, and of being abundantly more attentive to his own concerns than to thoſe of religion. As to the others of a more inferior claſs, few of them were men of very eminent note. Shaxton, biſhop of Sarum, was proud and litigious; Latimer, biſhop of Worceſter, was deſpiſed for his weakneſs and ſimplicity; Barlow, who had been prior of Biſham and afterwards biſhop of St. Aſaph, had no great judgment. In general, the preachers of the new religion ſuffered themſelves to be hurried away by a zeal far from diſcrete, and, without conſidering King Henry's diſpoſition, obeyed the impulſes of their conſcience, let what would be the conſequence: ſo, never concerning themſelves about the effects their zeal might produce, they openly preached doctrines not yet approved by the King, which very much conduced to prejudice him againſt them, and all others who deſired to advance the reformation.

Characters of the heads of the party.

Bonner made biſhop of Hereford; and ſoon after of London. Burnet.

Edward Fox, biſhop of Hereford, dying in the interim, the reformers thought to gain a great point in procuring that See for Edmund Bonner, who had been embaſſador in Spain, and afterwards in France, whence he was lately recalled, at the inſtance of King Francis, who was not pleaſed with him. Not long after, they cauſed him to be promoted to the See of London, vacant by the death of Stokeſley: but they ſtrangely erred in their choice; ſince this prelate, who was ſo obliged to them, was afterwards one of their moſt inveterate enemies.

Cranmer and Cromwell project marrying King Henry with a Proteſtant. Herbert.

Cromwell and Cranmer, perceiving at length their party decay, and that Henry began to give ear to thoſe who oppoſed the reformation, in ſuch manner as made them dread the conſequences, deemed it neceſſary to ſupport their party by means of a Queen who ſhould take it under her protection.

They had happily experienced how much Ann Boleyn and Jane Seymour had helped to ſoften the King's mind towards the reformed, and they queſtioned not that, in caſe they could provide him with a conſort of the like diſpoſition, ſhe would produce a like effect. For this reaſon, they turned their eyes towards Germany, and Cromwell undertook to negociate a match between the King and Ann of Cleve, the duke of Cleve's and ducheſs of Saxony's ſiſter. We ſhall, in the inſuing year, ſee the ſucceſs of this negociation, having firſt made ſome brief mention of foreign affairs.

Henry VIII. An' 1538.

They turn their eyes on Ann of Cleve.

Too equal were the forces of Charles V and Francis I, for either to expect any great advantages from a war they were left to carry on alone. Francis had ill taken his meaſures, in imagining that Henry would declare for him, that the Potentates of Italy would indeavor to ſhake off the Emperor's yoke, and that the Proteſtants of Germany would imbrace the opportunity of this war to eſtabliſh that liberty of conſcience to which they aſpired, and of which they were threatened to be deprived: but nothing of all this happening, he found himſelf ſingly loaded with a ſcarce ſupportable burden. On the other hand, Charles dreaded that Francis would at length unite all theſe powers againſt him, and the Turkiſh Emperor improve ſo favorable a juncture to invade Germany. The Pope alſo feared the ſame, and that the coaſts of Italy would be infeſted by Infidels. This, added to the deſire of being revenged on the King of England, put him on ſeeking means to procure a pacification between the Emperor and King of France, that Henry being left alone might be more eaſily invaded. To this end, he propoſed to the two contending Monarchs a meeting at Nice, whither he offered to repair in perſon and act as mediator. This propoſal being accepted, all three met there about mid-June, his Beatitude confering ſometimes with one, ſometimes with the other, without the two Monarchs ever ſeeing each other during the whole negociation. The Pontif had his reaſons for obſtructing their holding any conference only by his mediation: he deſigned to treat privately of a marriage between Octaviano Farneſe, his nephew, and Margaret, the Emperor's natural daughter, widow of Aleſſandro di Medicis; and, in effect, the ſcheme ſucceeded anſwerably to his wiſhes.

The truce between Charles and Francis prolonged. Du Bellai. Mezerai.

Both inclined to peace.

The Pope and Emperor.

Herbert.

Mean while, as a peace between the Emperor and King of France could not be effected, by reaſon of the many difficulties which occurred, his Sanctity at length obtained the two Monarchs conſent to a ten years truce, which was in a manner as effectual as a formal peace. The truce being concluded, Paul III immediately thought of means to form a league againſt the Ottomans: but as diverſe conſiderations prevented the Kings of France and England from acceding thereto, he was forced to conclude it with the Emperor, King of the Romans, and Venetians.

Truce for ten years.

League againſt the Turks.

When Francis had nothing more to fear from the Emperor, he grew very cool to Henry, tho' he had exceſſively careſſed him while he needed his aſſiſtance. Henry was extremely inſenſed, and expreſſed his reſentment by ordering Bonner, in his return from Spain to ſtop at the French court, and demand of Francis a certain Engliſh rebel, who was retired into France, and the arrears of his penſion, there being now four years due. Bonner, who was naturally audacious, delivered his meſſage ſo haughtily, that Francis, offended at his inſolence, diſpatched to Henry a courier, to know whether he had ordered his embaſſador to uſe ſuch language, and to deſire Bonner might be recalled. Henry thought fit to comply with his demand. But it appeared he was not very angry with Bonner, ſince at his arrival he promoted him to the See of Hereford,

The King of France ſlights Henry. Herbert.

Bonner behaves inſolently to King Francis, who has him recalled.

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and ſoon after to that of London, as has been obſerved.

Cardinal Pole labors to raiſe King Henry troubles. Herbert.

While Henry uſed all poſſible precautions to ſecure himſelf from the attacks of his enemies, cardinal Pole, by means of his correſpondents in England, was doing his utmoſt to alienate from him the hearts of his ſubjects, by publiſhing every where, that he had ſubverted all religion to ſet up his own fictions. This charge was the moſt ſenſible wound could be given Henry, ſince he pretended, religion conſiſted not in the things he had changed, but in thoſe he had retained. This is what he earneſtly ſtrove to make his people comprehend, as being very ſenſible that this general accuſation of having ſubverted religion could not but greatly poiſon their allegiance. Accordingly, Pole and his emiſſaries chiefly inſiſted upon this, in order to raiſe diſturbances in the kingdom. Several have thought the cardinal had ſome private views which concerned not religion. He was of the houſe of York by his mother, and is ſaid alſo to have ſome inclination for Princeſs Mary, and to beſtir himſelf thus in order to eſpouſe and place her on the throne inſtead of her father: at leaſt, there is reaſon to ſuſpect his extraordinary zeal was fortified by ſome hidden views, and that in acting for the Pope he was laboring his own advancement; but this is only conjecture. However, ſir Jeffrey Pole, the cardinal's near relation (1), privately acquainted King Henry, that he held correſpondence with Henry Courtney marquis of Exeter, grandſon of Edward IV (2); with Henry Pole (3) lord Montagu; with ſir Edward Nevil (4), and with ſir Nicholas Carew, maſter of the horſe and knight of the garter; and that his inſtruments therein were a prieſt and a mariner. On this information, theſe perſons were apprehended, condemned and executed, but the informer was pardoned, as a reward for his intelligence. No other circumſtance of their trial is known but their correſponding with Pole; a crime not pardonable, as Henry ſtood affected to that cardinal.

The cardinal's private views. Burnet, Vol. I. p. 221.

Several of his correſpondents in England are executed. Hall. Stow. Herbert.

Suffragan biſhops. Rym. Fœd. Vol. XIV. p. 577, &c. 554, &c.

During the courſe of this year, Henry eſtabliſhed ſeveral ſuffragan biſhops. He required alſo of all the religious a new oath, whereby they expreſly renounced the Papal authority, and acknowledged the King's ſupremacy. Some refuſed to ſwear; but I know not in what manner their obſtinacy was chaſtiſed.

The council removes to Vicenza. Sleidan.

The Pope and Emperor being then buſied in their preparations againſt the Ottomans, his Holineſs laid hold on that pretenſe to put off the meeting of the council to the firſt of May 1540, and at the ſame time removed it from Mantoua to Vicenza.

The new Queen arrives in Scotland.

The marriage between the Scotiſh King and Mary of Lorrain being concluded this year, the new Queen arrived in Scotland about mid-June.

An' 1539. Surrenders of the monaſteries to King Henry. Burnet.

The laſt viſitation of monaſteries tended only, as has been obſerved, to ſeek apparent reaſons for their ſuppreſſion. King Henry had now reſolved it, and the enormities, real or imaginary, of the monks, were only a cover for his vengeance, and perhaps for his avarice (5). The viſitation being over, he ſent into the ſeveral counties commiſſioners to receive the ſurrenders abbots and priors were to make of their houſes (6). In Rymer's collection of public acts are extant many of theſe ſurrenders, which, tho' very involuntary, contained however the feigned reaſons which had moved the monks and their ſuperiors to a ſpontaneous reſignation of all their lands to his Majeſty. In ſome, they were made to ſay only, they were induced thereto by juſt and reaſonable cauſes: but in others of greater length they were made to alledge, "That what "they had 'till now obſerved, conſiſted only in "dumb ceremonies, and conſtitutions of the biſhops "of Rome and other foreign Potentates, who had "taken no care of their inſtruction, or to reform "the many abuſes which had hitherto prevailed in "their houſes; but that deſiring to live for the fu-"ture according the rule preſcribed by Chriſt, the "evangeliſts, and the apoſtles, they deemed it ex-"pedient for them to be governed by the King, "their ſupreme head on earth: that therefore they "ſubmited themſelves to his mercy, and ſurren-"dered to him their houſes, with all things "thereto belonging: that they beſought him to "grant to each of them a penſion for their ſub-"ſiſtence, and expreſs licenſe to take a ſecular "habit, and be admited into livings like other "eccleſiaſtics." Others ſaid, "They had conſi-"dered that Chriſtianity conſiſted not in the prac-"tiſe of ceremonies, in wearing black, grey, "or white habits, and in noding with the head, "wearing cords with great knots about their "middle, and the like, wherein they had been erro-"neouſly inſtructed: but that the true method of "ſerving God was taught in the goſpel; and there-"fore, deſiring for the future to walk by that good "rule, they ſubmited themſelves to the ſupreme "head of the church of England, and, renouncing "all ſuperſtitions and foreign traditions, they re-"ſigned their houſes to the King, with all things "thereunto appertaining." Others ſurrendered their houſes by way of agreement between them and the King, for the cauſes ſpecified in the deed itſelf (7): but there is not in the ſaid collection of public acts even a ſingle deed of this kind at full length, where any of theſe cauſes may be ſeen. It can only be gathered from what ſome authors ſay, that the hinted cauſes were, either the houſes were overburdened with debts, or the revenues had been ill-managed, or there had been commited crimes meriting rigorous chaſtiſements, from which they were exempted on account of the ſurrender. Howſoever this may have been, King Henry having reſolved at any rate to ſuppreſs all monaſteries, the oppoſition of abbots, priors and monks would have been ineffectual. Accordingly, perceiving plainly that by fair means or foul they ſhould be forced to ſubmit to his will, the greateſt part thought moſt prudent to do it with a good grace, and make the beſt bargain they could for themſelves. The abbot or prior, with the chief monks of each houſe, being before-hand gained either by promiſes or threats, the reſt would ſcarce have courage enough to make a fruitleſs reſiſtance.

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Ib. p. 610, &c. Burnet. Vol. I. Coll. p. 150.

Burnet. Vol. I. p. 236.

Suppoſed motives thereof. Vol. XIV. p. 603, &c.

The firſt ſuppreſſion of the leſſer monaſteries was done by act of parliament: but it was Henry's pleaſure this ſhould appear to be intirely voluntary, as if the abbots, priors and monks had been induced of themſelves to ſurrender their houſes; a thing however ſo notoriouſly falſe, that not a ſoul could be ignorant how forced theſe ſurrenders were. It muſt be confeſſed, that herein Henry ſtrangely

(1) The cardinal's own brother.
(2) By Princeſs Catherine, married to the earl of Devonſhire.
(3) Another of the cardinal's brothers.
(4) Lord Abergavenny's brother.
(5) Tho' great faults were diſcovered by the viſitors, yet it is certain, that they were themſelves guilty of great acts of violence and injuſtice. They imbezzled moſt part of the plate and furniture found in the monaſteries. Burnet, Vol. I. p. 241.
(6) During the year 1538, there were twenty-one monaſteries ſuppreſſed, and in 1539, a hundred and one. See their names in Rym. Fœd. Vol. XIV. p. 590, &c. and Burnet, Vol. I. Collect. p. 144, 145.
(7) The general form in which moſt of the ſurrenders begin is, "That the abbot and brethren, upon full deliberation, certain "knowledge, of their own proper motion, for certain juſt and reaſonable cauſes, eſpecially moving them in their ſouls and con-"ſciences, did freely, and of their own accord, give and grant their houſes to the King."

abuſed

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abuſed the abſolute power he had acquired over his ſubjects, of whom not a man durſt publicly find fault with his conduct, and ſtill leſs openly oppoſe his will: however he uſed artifice to make the ſuppreſſion of monaſteries be received with leſs reluctance. While the commiſſioners were receiving the ſurrenders, he called a parliament for the twenty-eighth of April. At the ſame time, he cauſed a report to be ſpread, that the kingdom was on the point of being invaded. He confirmed the report by going in perſon to viſit the coaſts, by commanding forts and redoubts to be erected in ſeveral places (1), and by giving preſſing orders to fit out a fleet, and keep the troops in a readineſs to march on the firſt notice. The drift of all theſe proceedings was, to let the people ſee that the parliament would be obliged to lay heavy taxes to reſiſt the pretended invaſion; but that the King, acquiring a large revenue by the ſuppreſſion of monaſteries, would have no occaſion for a ſubſidy. The annual value of religious houſes amounted to upwards of one hundred ſixty one thouſand pounds ſterling, according to the rate whereat they had been laſt farmed (2): but it muſt be obſerved, the abbots and priors, foreſeeing the impending ſtorm, had ſet the yearly rents very low, and raiſed the fines extremely high, that they might have wherewithal to ſubſiſt when they ſhould be out of their houſes (3). This King Henry pretended not to regard, being on the contrary exceedingly glad the people were not acquainted with the whole profit which accrued to him from theſe ſuppreſſions. Beſide the rents of lands belonging to monaſteries, the King had moreover a very conſiderable ſum ariſing from church-ornaments, plate, furniture, lead, bells and materials, which he thought not proper to have valued, but it may be judged of by this ſingle article, namely, that in the abbey of St. Edmund's-bury alone there was found five thouſand marks of gold and ſilver in bullion (4).

Henry's artifice to get the ſuppreſſions received. Hall. fol. 234, 235. Stow. Hollingſh. Burnet. Herbert.

Revenues of the ſuppreſſed monaſteries. Speed, p. 801. Burnet. Herbert. p. 218.

The monks ruin was a grand ſubject of joy and triumph to thoſe who had already imbraced the reformation, or who wiſhed it could be profeſſed without danger: but they had not cauſe long to rejoice. Henry, reſolving to demonſtrate that, in aboliſhing the Papal authority and deſtroying monaſteries, he had not changed his religion, ſoon gave thereof a moſt unqueſtionable proof. The parliament meeting the twenty-eighth of April, immediately made, by direction from court, a law, intitled, "An Act for aboliſhing diverſity of opinions "in certain articles concerning Chriſtian religion." This is the law which is more generally known by the name of The Bloody Statute. The penalty of burning or hanging was inacted againſt thoſe,

Henry ſhows he intends not to alter religion. Herbert. Burnet.

Parliament. Hall.

The bloody ſtatute.

I. Who by word or writing denied tranſubſtantiation.

II. Who maintained that communion in both kinds was neceſſary.

III. Or that it was lawful for prieſts to marry.

IV. Or that vows of chaſtity may be broken.

V. Or that private maſſes are unprofitable.

VI. Or laſtly, that auricular confeſſion is not neceſſary to ſalvation (5).

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By this and ſome former laws, which ſettled what was to be believed in matter of religion, all the ſubjects were almoſt equally liable to the penalties therein inacted. This laſt law, with thoſe made before againſt the Pope's authority, contained indeed the King's belief, but not the nation's. There was ſcarce a perſon in the kingdom but believed either more or leſs, and yet no one dared openly to ſwerve from it, either to right or left. The reformed however were the greateſt ſufferers thereby; and, in reality, againſt them it was leveled. Gardiner, biſhop of Wincheſter, was the real author of this ſtatute. He had intimated to Henry, that it was the ſole means to prevent the forming a league againſt him: that what he had aboliſhed, not being eſſential to religion nor conſidered as ſuch by the generality of Chriſtians, no man of ſound judgment could deem him heretical ſo long as he maintained theſe ſix articles, which abſolutely diſtinguiſhed true catholics from ſectaries and innovators. This was really attacking the King on his weak ſide. But, beſide this motive, King Henry had another which was no leſs powerful; namely, by adding this law to thoſe already made againſt the Pope, he rendered his ſubjects ſo dependent on himſelf, that there was ſcarce any one perſon throughout his realms who was not liable to be called to account and grievouſly haraſſed; inſomuch that the Pope's friends and the reformed were equally in his power, conſequently they were equally concerned not to diſpleaſe him in any thing, but rather blindly to ſubmit to his will. Cranmer alone ventured publicly, and for three days together, to argue againſt the bill before it paſſed: but as ſoon as it had received the ſeal of public authority, he ſent away his wife into Germany 'till better times.

Laws concerning religion ſerve to increaſe the King's authority.

Gardiner author of the ſix articles.

Cranmer in vain argues againſt them.

By another act, the parliament granted King Henry the lands of all ſuch religious houſes as were ſuppoſed to have been freely ſurrendered to him: ſo this ſtatute was rather a confirmation of what had been done, than an ordinance for the ſuppreſſion of monaſteries. As the King had intimated, that he intended to imploy the revenues he had acquired in uſeful foundations, the parliament paſſed a bill for giving him power to erect new biſhopricks.

The monaſteries lands granted by the parliament to Henry.

He is impowered to erect newSees. Burnet.

Never was parliament more devoted to the Sovereign's will. They were not ſatisfied with approving whatever Henry had done, but alſo whatever he might do for the future. It was inacted this ſeſſion, that the ſame obedience ſhould be paid to the King's proclamations, or to the orders of the council during a minority, as to acts of parliament. It was pretended, that caſes might happen where the King had not time to call a parliament, and yet it was neceſſary for the nation's good that his orders ſhould be executed, otherwiſe there might be danger of falling into great inconveniencies. Thus to avoid a poſſible, but withal a not common

A very extraordinary act for inhancing the regal power.

(1) Particularly Dover peer.

(2) They were given in at one hundred and fifty-two thouſand five hundred and ſeventeen pounds, eighteen ſhillings and tenpence. Stevens's Hiſt. of Taxes, p. 215. The number of monaſteries ſuppreſſed firſt and laſt in England and Wales, according to Camden, were ſix hundred forty-three, together with many colleges, two thouſand three hundred and ſeventy-four chantries and free chapels, and one hundred and ten hoſpitals. Herbert, p. 218.

(3) This had been the practiſe all along, as well as juſt before the diſſolution of abbies. The abbots were wont to hold the leaſes low, and raiſe great fines; by this means they were not obliged to entertain a great number in their houſe, and ſo inriched themſelves and their brethren by the ſaid fines. This turned greatly to the King's advantage. Burnet.

(4) As this was the laſt parliament the abbots were ſummoned to, it will not be amiſs to inſert the names and number of the mitred or parliamentary abbots, who in the journals of parliament in this reign had their writs, being twenty-eight; viz. Abbington, St. Albans, St. Auſtin's, Canterbury, Battel, St. Bennet's in the Holm, Berdeney, Cirenceſter, Colcheſter, Coventry, Croyland, St. Edmundſbury, Eveſham, Glaſſenbury, Glouceſter, Hide, Malmſbury, St. Mary's in York, Peterborough, Ramſey, Reading, Selby, Shrewſbury, Taveſtock, Tewkſbury, Thorney, Waltham, Weſtminſter, Winchelcomb; to whom the prior of St. John's Clerkenwell may be added. Burnet, Vol. I. p. 268.

(5) Beſides the ſix articles, "All the marriages of prieſts are declared void, and if a prieſt lived with a woman as his wife, "he was to be judged a felon; and if as a concubine, upon the firſt conviction to forfeit all his benefices, &c. and upon ſecond "conviction to ſuffer as a felon. The women ſo offending were to be puniſhed in the ſame manner." Burnet, Vol I. p. 257, &c.

inconvenience,

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inconvenience, another much more conſiderable was run into, by giving the Sovereign a deſpotic power: for if his orders were to be obeyed without the concurrence of a parliament, he had no occaſion to call one if he judged it not requiſite. It is true, this act carried with it certain limitations; as that no perſon ſhould be deprived of life or eſtate by virtue of the King's proclamation, nor any laws or cuſtoms broken or ſubverted thereby: but theſe reſtrictions were ſo ambiguouſly expreſſed, that it was eaſy for the King to evade them. On this act were grounded the great alterations in religion during Edward VI's non-age.

Another about precedency. Statute, c. 10.

In this ſame ſeſſion, the parliament paſſed an act to regulate the precedency of the ſtate-officers; by which Cromwell, the King's vicegerent in eccleſiaſtical affairs, tho' a lock-ſmith's ſon, had the precedence of all perſons next the royal family.

Sentence againſt the marquis of Exeter, &c. confirmed. Counteſs of Sarum and marchioneſs of Exeter attainted. Herbert. Burnet, Vol. I. p. 264.

Laſtly, the parliament confirmed the ſentence of death paſſed on the marquis of Exeter, and the reſt who had been executed for holding correſpondence with cardinal Pole. Moreover, for the ſame reaſon, they attainted the counteſs of Saliſbury, that cardinal's mother, and the marchioneſs of Exeter, without bringing them to a trial. This laſt act met with great oppoſition in the parliament, many objecting, that to condemn perſons unheard was a breach of the moſt ſacred and unalterable rules of juſtice: but Cromwell, having ſent for the judges to his houſe, aſked them, whether a parliament had power to condemn perſons accuſed, without a hearing? The judges replied, it was a nice and dangerous queſtion; that equity, juſtice and laws of every kind required that the accuſed ſhould be heard; that however, the parliament being the ſupreme court of the realm, from which there could be no appeal, the validity of their ſentences, of what nature ſoever they were, could not be queſtioned. This was ſaying in other words, that the parliament would therein commit injuſtice for which they could not be called to account. Cromwell having reported in parliament the judges opinion, thoſe two ladies of the blood-royal were condemned to die by a ſentence which eſtabliſhed the moſt pernicious precedent had ever been ſeen in England, and which proved fatal to its author, as will appear. Mean while, Henry granted a full pardon to the marchioneſs of Exeter, and a reprieve to the counteſs of Saliſbury, who was not executed 'till two years after. Thus the King daily acquired ſome freſh degree of authority. It might be ſaid, he uſurped it not, ſince it was given him by the parliament, if the circumſtances of the times had not rendered the very parliament ſlaves to his will.

Rym. Fœd. Vol. XIV. p. 652. December 21. Herbert.

Henry ſtrives to incourage Cranmer. Burnet.

Cranmer had ſtrenuouſly oppoſed the law of ſix articles, and ſuch oppoſition would have infallibly ruined any other perſon except that prelate. But Henry had for him a certain regard and eſteem which could not be eaſily changed, becauſe he was perſuaded the archbiſhop acted according to the dictates of his conſcience, whereas he had a quite contrary notion of the reſt of his miniſters and courtiers. Their blind compliance ſerved only to make him deſpiſe them, tho' he liked to reap the advantage of this abject baſeneſs. So, having a real kindneſs and value for Cranmer, and imagining he muſt have been extremely mortified that the act had paſſed contrary to his opinion, and even apprehenſive of having diſpleaſed him by his oppoſition, he ſent the duke of Norfolk to incourage, and aſſure him of his conſtant favor and affection. Cranmer very thankfully received this teſtimony of his Majeſty's goodneſs and eſteem. Soon after Henry diſcourſed him concerning the law of the ſix articles, and was well pleaſed at his explaining to him the reaſons which led him to oppoſe it: nay, he ordered him to put all his arguments in writing, tho' by the ſtatute itſelf it was a crime incuring the flames: but Cranmer, truſting to the King's equity, drew up a memorial, which he intended to give him. This writing being accidentally loſt, was found by one who was going to carry it to the King, had he not been prevented by Cromwell (1). Burnet repreſents this as a moſt imminent peril from which Cranmer eſcaped very unexpectedly: but ſince the King himſelf ordered him to compoſe this writing, the danger ſeems not to have been ſo great, except it be ſuppoſed Henry would have condemned him unheard; but this ſuppoſition deſtroys itſelf, by the particular eſteem the King had for that prelate.

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He orders him to give him reaſons for oppoſing the ſix articles. Burnet. Vol. I. p. 265. Herbert.

Shaxton biſhop of Saliſbury, and Latimer of Worceſter, were not treated ſo favorably. As they could not reſolve to approve the law of ſix articles, they believed that in reſigning their biſhopricks they ſhould be leſs expoſed to the attacks of their adverſaries: but they came not off ſo eaſily. No ſooner had they put into King Henry's hands the inſtruments of reſignation, but they were preſented as being averſe to the ſix articles, and commited to the Tower.

Shaxton and Latimer reſign their Sees, and are ſent to the Tower. Rym. Fœd. Vol. XIV. p. 641, 642, Burnet. Strype.

When the parliament diſſolved, Henry diſpatched commiſſioners into the ſeveral counties, to make inquiry of thoſe who were againſt the ſix articles, being determined rigorouſly to execute the ſtatute. As Cromwell and Cranmer could not but be ſuſpected in this affair, the enemies of the reformation eaſily made King Henry ſenſible, that it would be labor loſt to leave to them the nomination of theſe commiſſioners; and indeed, perſons who ſtrongly oppoſed the act were very unfit to procure its execution anſwerably to the King's intention. Several of the adverſe party were therefore appointed, who diſcharged their commiſſion with ſuch immoderate zeal and paſſion, that they fruſtrated the deſigns of their imployers. In the city of London only, upwards of five hundred perſons were, on this very account, within few days, ſeized and hurried to priſon; nay, the King was evidently made ſenſible that, contrary to his meaning, the ſaid commiſſioners had laid ſnares for moſt of theſe priſoners, to ingage them to diſcover opinions which, in obedience to the laws, they intended to conceal: beſide, ſince ſuch numbers were impriſoned in London in ſo ſhort a ſpace, it was eaſy to compute how many the whole realm might contain, and what fatal conſequences muſt attend ſo rigid a perquiſition, which would adjudge to death numberleſs perſons of each ſex and all ages. This the

Inquiry of thoſe who rejected the ſix articles. Burnet.

Hall. Stow. Burnet. Hollingſh.

(1) Cranmer's ſecretary having writ out the book in a fair hand, and returning with it from Croydon, where the archbiſhop was then, to Lambeth, found the key of his chamber carried away by Cranmer's almoner; ſo being obliged to go over to London, and not daring to truſt the book with any one, carried it with him. Some who were in the wherry with him, would needs go Southwark ſide to ſee a bear bating, where the King was in perſon. The bear broke looſe into the river, and the dogs after her. Thoſe in the boat leaped out, and left the ſecretary alone. The bear got into the boat with the dogs about her and ſunk it. The ſecretary ſhifting for himſelf, loſt the book in the water: but being brought to land, he ſaw his book floating, and deſired the bear-ward to bring it him; who taking it up, gave it to a prieſt who ſtood there, to ſee what it might contain. The prieſt finding it to be a confutation of the ſix articles, told the bear-ward whoever claimed it would be hanged for his pains. The ſecretary thinking to mend the matter, ſaid it was his lord's book. This made the fellow more untractable, being a ſpiteful Papiſt, and an enemy to the archbiſhop: ſo that he would not give it back. Whereupon the ſecretary applied to Cromwell, who was then going to court, where he expected the bear-ward would be, in order to deliver the book to ſome of Cranmer's enemies. And ſo it happened: upon this, Cromwell called to him, and took the book out of his hand, threatening him for meddling with a privy-counſellor's papers. Burnet, Vol. I. p. 265, 266.

chancellor,

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chancellor, who was no enemy to the reformation, repreſented to the King, and prevailed with him to pardon all the priſoners. From this time to Cromwell's death, the proceedings on this act were ſuſpended, tho' it ſtill ſubſiſted, and might have been executed, had the King pleaſed. Thus were all things regulated to the will and pleaſure of this Prince, who haſtened or retarded the execution of his laws juſt according to junctures and perſons. This gained him a blind condeſcenſion from both parties, every one having to dread his own ruin according to the King's occaſional humor and diſpoſition. Certain it is that they who wiſhed a reformation, were conſtrained to feign they approved many things which in their hearts they deteſted, and that Cromwell and Cranmer, who had moſt acceſs to King Henry, dared to preſs him only indirectly to advance the work already begun: hence they preſerved their credit, and were inabled to do their party ſervice. Their adverſaries took the ſame courſe, and went ſtill greater lengths in their compliance, well knowing it was the only method to gain the King's confidence. Bonner, biſhop of London, tho' his Sanctity's very zealous partiſan, and perſuaded that the King had no ſpiritual authority, took from him a commiſſion which adjudged to him both the ſpiritual and temporal power of his biſhoprick, during his Majeſty's good pleaſure. After this, the exceſſive power which King Henry daily acquired muſt not be thought ſtrange, ſince every one ſtrove to ſubmit to his will. Gardiner, biſhop of Wincheſter, was one of the main favorers of the old creed, to which, thro' a profound diſſimulation, he was extremely ſerviceable: he expreſſed great zeal to execute, as well the act of ſix articles, as thoſe made againſt the Pope; and thereby maintained his credit, tho' Henry had for him but little eſteem.

Exceſſive condeſcenſion of both parties for the King. Herbert. Burnet.

Burnet. Vol. I. p. 267.

The actual ſuppreſſion of monaſteries was begun and ended in the courſe of this year (1). The commiſſioners appointed for that purpoſe regulated all thereto relating. They awarded penſions to the abbots, priors, monks and nuns for their ſubſiſtence; they likewiſe valued the plate, goods, ornaments of prieſts, of altars, of churches, and ordered what buildings ſhould be demoliſhed, and what left ſtanding. I have already obſerved that the rents of all the ſuppreſſed monaſteries amounted to more than one hundred ſixty thouſand pounds ſterling annually: but if it be true that this valuation was made on the foot of the laſt leaſes, and that theſe were not above the tenth part of the real value, as ſome affirm, it follows that theſe rents were worth upwards of ſixteen hundred thouſand pounds (2), beſide the ready caſh which accrued to King Henry by ſale of the effects. Here was wherewithal to make uſeful foundations to church and ſtate, had all this treaſure been ſo imployed. The King ſeemed at firſt to have formed ſuch a deſign; nay, it was what had ſerved for the principal ground for ſuppreſſing the monaſteries: but the greedineſs of courtiers and favorites allowed but a very ſmall part to be expended on things uſeful and neceſſary. Henry at firſt reſolved to erect eighteen new biſhopricks; but, as the money was laviſhed away, he found reaſons to reduce them to a far ſmaller number. In ſhort, he contented himſelf with founding ſix, and eſtabliſhing canons in ſome cathedrals which the monks poſſeſſed. In all this he imployed only a revenue of eight thouſand pounds. He laid out likewiſe part of the money in fortifying ſome ports, and all the reſt was ſquandered in preſents and other needleſs expenſes. Thus he could not poſſibly avoid the charge of having plundered the church; whereas had he expended the bulk of theſe revenues in matters of utility to church and ſtate, he would have acquired the benedictions of his ſubjects and their poſterity. As to the parliament, they are inexcuſable for having put into the King's hands ſuch a heap of wealth deſigned for pious uſes, without taking the leaſt care how they were to be imployed. This is no ſlender evidence of what has been already obſerved, that the parliaments met in this reign only to be inſtrumental in gratifying the King's paſſions, without ever examining either the motives or conſequences of what he required. Henry had alſo formed the project of founding a college for young ſtudents, that they might be qualified for the ſervice of the ſtate, either in embaſſies or other affairs of the government (3). But this project miſcarried with many others, becauſe Henry, having ſold all the abbey-lands, could not reliſh puting to ſuch uſes the ready money raiſed by thoſe ſales. He choſe rather to laviſh it on his pleaſures, or his courtiers, who omited no artifices, condeſcenſions, or abject flatteries to get a ſhare of theſe vaſt treaſures.

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Henry puts very little of it to good uſes. Burnet. Herbert.

Remarks on the parliament's conduct.

Burnet. Vol. I. p. 263.

Eſtimate of the produce from ſuppreſſing monaſteries. Herbert. Burnet. Vol. I. Coll. p. 151, &c. Speed.

Strype.

While Henry was thus buſied in domeſtic affairs, he had nevertheleſs his eye towards what paſſed abroad. The year preceding, Charles feigned a reſolution to adjuſt the religious differences which agitated Germany: but this was only to draw from the Proteſtants money to expend in his war with the Turk. He expected that, on the bare hope he was pleaſed to give them of redreſſing their grievances, they would on his account drain themſelves of men and money, and ſo become leſs formidable: but they knew better than to ſuffer themſelves to be ſo deceived. They flatly told him, in anſwer to his demand, that they could do nothing for him, without ſufficient ſecurity of being left in peace.

The German Proteſtants avoid the Emperor's ſnares, Sleidan.

Henry, finding that a rupture between Charles V and the Proteſtants was not very remote, diſpatched away to Germany freſh embaſſadors to ſtrengthen the reſolutions of the Smalcaldic league, by hopes of his acceding thereto, and declaring himſelf its protector: but the Germans had now diſcovered his deſign, which was to amuſe them, and keep the Emperor in continual fear of his uniting with them. They therefore returned the ſame anſwer as before, That the ſole intent of their league was to maintain the Augſburg confeſſion, and if his Majeſty refuſed to admit that confeſſion, it was in vain to treat of other points: that moreover, they heard with ex-

and Henry's.

(1) There are fifty ſeven ſurrenders upon record this year; and the originals of about thirty of theſe are yet to be ſeen. Thirty ſeven of them were abbies or priories. Burnet.

(2) Some compute, that the lands taken from the monaſteries, at twenty years purchaſe, would amount, at this preſent time, to thirty millions, five hundred and three thouſand, four hundred pounds. Thoſe formerly belonging to the abbey of St. Albans, being worth at this day, about two hundred thouſand pounds a year; and thoſe which belonged to Glaſtonbury abbey, above three hundred thouſand pounds yearly. See Stevens Hiſt. of Taxes, p. 188—216.

(3) As this was the nobleſt deſign was ever projected in England, it will not be amiſs to give ſome ſhort account of it. Sir Nicholas Bacon (afterwards one of the wiſeſt miniſters this nation ever bred) together with Thomas Denton and Robert Cary, were ordered to make a full project of the nature and orders of ſuch a houſe, which they brought to the King in writing, the original whereof is ſtill extant. The deſign of it was, That there ſhould be frequent pleadings, and other exerciſes in the Latin and French tongues; and when the King's ſtudents were brought to ſome ripeneſs, they ſhould be ſent with his embaſſadors to foreign parts, and trained up in the knowledge of foreign affairs; and ſo the houſe ſhould be the nurſery for embaſſadors. Some were alſo appointed to write the hiſtory of all embaſſies, treaties, and foreign tranſactions; as alſo of all arraignments and public trials at home: but before any of them might write on theſe ſubjects, the lord chancellor was to give them an oath, that they ſhould do it truly, without reſpect of perſons, or any other corrupt affection. Burnet, Vol. I. p. 269.

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treme grief, that he perſecuted in his realm ſuch as held the ſame opinions with them on ſundry articles of religion, and therefore, ſo long as the act of ſix articles ſubſiſted, there was no likelihood that he really intended to join with them. Melancthon even wrote him a letter in very ſtrong, tho' reſpectful terms, to ſhew him the unreaſonableneſs of that ſtatute.

Gardiner diverts the King from his deſigns of joining the Proteſtants. Burnet. Herbert.

Henry, to whom all was obedient in England, and whoſe will was a law, was offended at this firmneſs of the German Princes. On the other hand, Gardiner, who dreaded of all things his Prince's union with the Smalcaldic league, failed not to uſe this occaſion to divert him from it, by flattering his vanity. He repreſented to him, that it was very ſtrange petit Sovereigns ſhould pretend to be patterns to a great Monarch, and dictate to the only Prince in Europe truely learned, in matters of religion. He added, that whatever the Proteſtants might pretend, they would never approve his ſupremacy in England, becauſe it would be a tacit ingagement to own that the Emperor had the ſame right in Germany. This was falſe reaſoning, ſince there was a wide difference between the authority which King Henry had over his ſubjects, and that which the Emperor could claim over the Sovereigns and free cities of Germany. However, the prelate attained his ends, that is, he begot a great coldneſs between Henry and the German Proteſtants.

Bibles ſet up in the churches.

Gardiner's artifices might have been more prejudicial to the reformation, had not, on the other ſide, the reformers raiſed a counter-battery, of which they made wonderful uſe. King Henry was ſo jealous of his ſupremacy, that he neglected nothing might contribute towards its ſupport. Indeed, the abſolute power acquired over his ſubjects placed him above all oppoſition; yet he moſt ardently wiſhed the nation was convinced of the juſtice of that prerogative. Hence the reformers took occaſion to remonſtrate to him, that nothing but reading Sacred writ could diſabuſe the people from their erroneous notion of the Pontifical authority. By this means they had already obtained, that there ſhould be a bible, faſtened with a chain, in every church, to be freely peruſed by all perſons: but as many ſcrupled to read the ſcriptures openly, for fear of being ſuſpected of hereſy, Cranmer, meeting with a favorable opportunity, repreſented to the King, that it was neceſſary to give his ſubjects leave to have a bible in their houſes: adding, that all having liberty to read it they would eaſily be convinced, that the Pope's pretended authority had no foundation in ſcripture. This was an innocent ſtratagem to procure the people a ſort of opportunity to inſtruct themſelves in many other articles, tho' Henry had in view one only. Gardiner readily perceived the conſequence of the archbiſhop's requeſt, and ſeeing the King inclinable to a compliance, did his utmoſt to divert it. He diſputed on this ſubject with Cranmer in preſenſe of the King, who heard them very attentively. At laſt, finding in what Cranmer ſaid a ſolidity not to be met with in the reaſonings of his adverſary, he ſuddenly roſe up, ſaying to Gardiner, "That ſuch "a novice as he was not fit to contend with an old "experienced general." Soon after, he iſſued a proclamation, declaring he was deſirous to have his ſubjects attain the knowledge of true religion in God's word; and therefore he would take care they ſhould have a correct verſion of the bible: however, in order to prevent the inconveniencies which might ariſe from different tranſlations, he prohibited the ſelling any bible which had not the vicegerent's approbation.

Burnet.

People allowed bibles in their houſes. Idem.

Gardiner oppoſes it. Idem.

Proclamation concerning the bible. Rym. Fœd. Vol. XIV. p. 649, 650. November 4. Strype.

About the cloſe of this year was ſeen a freſh effect of the mutual confidence which appeared between Charles V, and Francis I. A mutiny ariſing in Gaunt by reaſon of a tax laid on wine by Charles's governor of the Netherlands, the mutineers applied to King Francis to implore his protection, and even made him a tender of their obedience: but he thought not proper to accept theſe offers. On the contrary, he informed the Emperor of what was in agitation to his prejudice. This ſeems ſomewhat ſurpriſing, conſidering that hitherto he had never expreſſed much generoſity towards that Monarch: but the reaſon of this procedure was, Charles ſtill allured him with hopes of the Milaneſe, and ſo diverted him from the thoughts of recovering it by arms. However this be, the Emperor's preſenſe in Flanders being alone capable of appeaſing the ſedition at Gaunt, he was at ſome loſs which way to get thither in time. It was dangerous going by ſea, as well on account of the ſeaſon, as becauſe he had no fleet to convoy him. The way by Italy was no ſafer, by reaſon he could not afterwards croſs Germany without paſſing thro' the territories of Proteſtant Princes. There remained no other road but by France, which he determined on, tho' he had no leſs cauſe to ſuſpect that country than Germany: but he hoped to amuſe King Francis by means of the duchy of Milan, as he did in effect. He ſet out therefore and entered France with a ſlender retinue, on the bare ſecurity of a ſafe conduct: nay, he refuſed to take in hoſtage the Dauphin and his brother the duke of Orleans, who advanced to receive him at Bayona, offering to ſtay in Spain ſo long as he ſhould be in the Gallic dominions. Whereſoever he came, the ſame reſpect was paid him as to the King himſelf, and he arrived at Paris the firſt of January 1540.

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The Emperor croſſes France to go to Gaunt. Haræus. P. Daniel. Hall. Herbert.

Hall.

Henry's marriage with Ann of Cleves being at laſt concluded, through the diligence of Cromwell, who had been charged with this negociation, the Princeſs arrived in England about the end of 1539, while Charles V was traverſing France in his way to the Netherlands. Henry having notice of her arrival at Rocheſter, haſted thither incog, being very impatient to ſee if he had been deceived: but, to his extreme regret, he found her very different from what her picture, drawn by Hans Holbin, had made him expect. This firſt view ſo diſguſted him, that he would inſtantly have broke off the marriage, had he not been prevented by ſtrong reaſons (1). The ſame conſiderations which induced him to conclude it ſubſiſted, and there were others which obliged him to conſummate it. The duke of Cleves was the Emperor's neighbor in Flanders, and had alſo a pretenſion as well as he to the duchy of Gueldres, after the death of the duke of that name: conſequently, in caſe of a war between the Emperor and England, that Prince could give Charles a very troubleſome diverſion in Flanders. On the other hand, his ſiſter was married to the duke of Saxony, head of the Smalcaldic league, with whom it greatly concerned Henry to live in a good underſtanding: nor was this all. The Emperor, then in France, was laboring with all his might to diſingage King Francis from the intereſts of England: nay, Henry had private intelligence, that Charles offered to give the Milaneſe to the duke of Orleans on that very conſideration. If therefore, in ſuch a juncture, he had ſent back the Princeſs of Cleves without marrying her, he ran the hazard of a formal rupture with the Smalcaldian Princes at a time when he ſaw himſelf on the point of being forſaken by the King of France, who by degrees forgot the aſſiſtance he had received from

Ann of Cleves, Henry's new Queen, arrives. Hall. Herbert. Stow. Hollingſh.

The King diſlikes her.

Stow. p. 579. Burnet. Vol. I. Coll. p. 197.

(1) He ſwore, when he firſt ſaw her, they had brought over a Flanders mare to him. Nicholas Wotton doctor of law, imployed in this buſineſs, gives her this character: ſhe could both write and read in her own language, and ſew very well; but for muſic, in which the King delighted, it was not the manner of the country to learn it. Herbert, p. 221.

him

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him in his moſt urgent occaſions. So, lamenting his miſhap in being obliged to wed a Princeſs for whom he had a natural antipathy, he reſolved to make this ſacrifice the ſixth of January 1540. But he was ſtill leſs pleaſed after marriage than before, and from that very moment was determined to be divorced from her: he however concealed his ſentiments as much as poſſible, tho' nothing was more obvious than his gloomy diſcontent. Cromwell, who had ingaged him in this match, ſoon felt the effects of his reſentment, tho' the King was extremely careful to hide it from him (1).

Yet marries her: Hall. Stow. Hollingſh. and bears Cromwell a grudge. Stow. Burnet. Parliament. Hall. Herbert.

The parliament meeting the twelfth of April, Cromwell made a ſpeech to both houſes, informing them, that the King beholding with exceſſive concern ſuch great diviſion among his ſubjects in matters of religion, had appointed commiſſioners to examine the points in diſpute, that the articles of faith might be fixed, without reſpect of parties, by the word of God: that he was very deſirous his people ſhould have the knowledge of the truth; but then he was reſolved to puniſh without mercy ſuch as ſhould preſume to prefer their private before the eſtabliſhed opinions. The commiſſioners his Majeſty had named were approved, and had orders to begin this examination without delay. Two days after the King created Cromwell earl of Eſſex.

Henry appoints commiſſioners to examine the dogmas of religion. Burnet. Strype.

Cromwell created earl of Eſſex.

During this ſeſſion, the parliament ſuppreſſed the order of the knights of St. John of Jeruſalem, now ſtiled knights of Malta. Their dependence on the Pope and Emperor was the chief cauſe of their ruin: nor may it be doubted that the deſire of injoying their ſpoils did not likewiſe induce King Henry to procure their ſuppreſſion; and, in effect, the parliament gave him all their lands as they had given him thoſe of the abbies. Tho' they had large revenues as well in Ireland as England, the King allowed only three thouſand pounds for their whole ſubſiſtence when deſpoiled. That affair ended, the parliament was prorogued to the twenty-fifth of May.

Knights of St. John ſuppreſſed. Hall. Stow. Herbert. Hollingſh. Burnet.

Few days after, fell on Comwell a ſtorm which, very ſeemingly, had ſome time been gathering. This miniſter had many enemies and enviers. He was ſon of a farrier or lock-ſmith; and tho' his birth was ſo very mean, he attained exceſſive honor and dignity, even to precede the whole peerage of England, the royal family only excepted. He was greatly envied by all the nobility. The whole Romiſh party were his implacable enemies, deeming him the firſt adviſer of ſuppreſſing the abbies, and one of Henry's chief incouragers to all the innovations he had made in religion. Among theſe, who were very numerous, the duke of Norfolk and Gardiner were the perſons who could do him moſt hurt, becauſe they had free acceſs to the King. Theſe two courtiers perceiving Henry's great coldneſs towards his new Queen, doubted not of the ill-will he bore Cromwell for ingaging him in this match, and reſolved to lay hold on this occaſion to effect his deſtruction. They hoped, when he was once removed, it would not be impoſſible to procure ſome good agreement between the Emperor and King Henry, and then a reconciliation with his Holineſs, which Cromwell had conſtantly oppoſed to his very utmoſt. Two other particulars did likewiſe ſtrongly contribute to this miniſter's downfal. Henry had always imployed him in his correſpondence with the Smalcaldic league, and ſo long as he ſuppoſed he ſtood in need of that league, he could not do without his miniſtry: but finally cooling towards the German Princes, as has been obſerved, and knowing the union between Charles V and Francis I, he had ſo dreaded, to be a mere chimera, and conſequently that he ſhould little want Germany, Cromwell became leſs neceſſary. What, in the ſecond place, helped to ruin Cromwell was, his royal maſter was highly inamored of Catherine Howard, a niece of the duke of Norfolk. This duke, finding his credit conſiderably increaſed, knew extremely well how to make uſe of it to work the miniſter's deſtruction. The very firſt fair occaſion he had, he repreſented to Henry; "That his "Majeſty's realms abounded with male-contents, "and good men could not be perſuaded that a "Prince like him would willingly give any cauſe "of diſcontent to his people: that they thence "infered he muſt have been ill-ſerved by his "miniſter, who doubtleſs had abuſed his con-"fidence: that as the people ſeemed diſſatisfied "only with regard to religion, it was natural to "think, this happened thro' miſmanagement of "the vicegerent, whoſe conduct perhaps it would "be proper to examine: that he was by the public "charged with many enormities, which, if true, "rendered him the moſt guilty of all others, con-"ſidering the favors heaped on him by his Majeſty: "that beſide, tho' no particular fact could be "proved on him, it was however a very great "crime to rob the King of the hearts of good part "of his ſubjects: that he therefore took the free-"dom to acquaint him that, in order to quiet their "minds, there was no better way than to ſacrifice "to them a miniſter whom they ſo extremely de-"teſted." Theſe inſinuations, which were doubtleſs ſeconded by Gardiner and others of Cromwell's adverſaries, did at length produce the deſired effect. Henry, already prejudiced againſt him, determined on diſpatching him out of the way, without knowing as yet of what he was guilty: but he found in his death a double advantage. Firſt, he diſcovered his reſentment againſt him on account of the marriage into which he had drawn him. Secondly, he believed to make his people a ſacrifice capable of ſilencing all murmurs. This reſolution being taken, and the parliament meeting the thirteenth of June, the duke of Norfolk accuſed Cromwell of high-treaſon at the council-board, and received orders to arreſt and ſend him to the Tower. This illuſtrious priſoner had the common fate of all diſgraced miniſters. In a moment, he was forſaken by all but his friend Cranmer, who alone ventured to write to the King in his favor, tho' to no purpoſe.

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Burnet.

The duke of Norfolk incites Henry againſt Cromwell.

Cromwell's death reſolved.

He is accuſed of high-treaſon, and ſent to the Tower. Hall. Hollingſh.

Cranmer writes in his behalf. Burnet. Herbert.

Cromwell's diſgrace. Burnet.

Cromwell being in the Tower, the articles of his impeachment were drawn, conſiſting in generals, of which not ſo much as the leaſt proof was offered to be produced. Henry was ſenſible that, if his proceſs was made according to the uſual forms, he might produce warrants which would fully clear him, and which could not be diſclaimed. For this reaſon it was judged requiſite, to bring this affair before the parliament, and cauſe a bill of attainder to be paſſed againſt him, without allowing him to make his defenſe. In this manner had he himſelf proceeded in the affair of the marchioneſs of Exeter and counteſs of Saliſbury, and therefore could not think it ſtrange the ſame ſhould be practiſed in his caſe. The parliament, ever ſlaves to the King, deemed the impeachment juſt, tho' deſtitute of proof: ſo by an act, declaring him attainted and convicted of hereſy and treaſon, he was condemned as a traitor and heretic, the parliament leaving it to the King's choice to make him

He is condemned without being heard. Burnet.

Hall. Stow. Hollingſh. Burnet. Vol. I. p. 278.

(1) Cromwell aſked him next day how he liked her; the King told him, he liked her worſe than he did; for he ſuſpected ſhe was no maid, and had ſuch ill ſmells about her, that he loathed her more than ever, and did not believe he ſhould ever conſummate the marriage. This was ſad news to Cromwell, who knew how nice the King was in theſe matters, and that ſo great a misfortune muſt needs fall heavy upon him, who was the chief promoter of it. Burnet, Vol. I. p 273. Stow, p. 578.

ſuffer

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ſuffer the puniſhment due for either of thoſe crimes. This, joined to ſome other inſtances which preceded and ſucceeded this, evidence to what lengths Henry had ſtretched his prerogative, ſince to diſcover his will was ſufficient to be immediately obeyed, even by thoſe whoſe buſineſs and intereſt it chiefly was to keep his power within juſt limits. The execution of this ſentence was defered 'till after the ſeſſion of parliament.

Henry determined to null his marriage. Stow. Burnet. Herbert.

Henry was ſo ſick of his new Queen, that he could not bear the vexation to ſee himſelf ingaged, for the reſidue of his days, in a marriage ſo diſagreeable. He reſolved therefore to divorce her, let what would be the conſequence, eſpecially as the reaſons which induced him to marry her no longer ſubſiſted. He had loſt all hope of making a league with the Proteſtants of Germany, and his fears of the Emperor were vaniſhed, ſince he ſaw every thing tending to a rupture between him and France. He only wanted a pretenſe to demand a divorce, and give ſome color to the proceedings of the clergy and parliament, of whoſe concurrence he was ſure, how feeble ſoever might be the pretext. He found one in a pre-contract between the Queen and the duke of Lorrain's ſon. But this contract was ſo ſlight, that the conſequences muſt be very cloſely preſſed to make it ſerve for the foundation of diſſolving Ann's marriage with King Henry. The dukes of Cleves and Lorrain had formerly, it ſeems, in a treaty, agreed on a match between Ann of Cleves and the Prince of Lorrain, both minors. This agreement had never been confirmed by the parties when of age. On the contrary, the duke of Gueldres, who acted as mediator in that treaty, did afterwards, by his embaſſador and a moſt authentic inſtrument, declare that this article was deemed null. Nevertheleſs, when Henry's marriage with Ann was concluded, this pre-ingagement raiſed a difficulty: but the embaſſadors of Saxony and Cleves poſitively promiſed to clear that point, and put it out of all doubt, as ſoon as the Princeſs ſhould arrive in England. Ann arriving at Greenwich, Henry, who liked her not, inſiſted on this ſame point, in order to ſend her back. For that purpoſe, he called a council, and ſending for the embaſſadors, the explanation they had promiſed was demanded. But they had not with them any ſuch thing, eſteeming the ſaid difficulty as little material. Mean while, the council telling them that good proofs were expected and not bare words, they offered to produce, within three months, a genuine abſtract from the chancery of Cleves, to prove what they had alledged. This alone would not have been capable of inducing Henry to proceed, had there not been, as has been ſaid, ſtrong reaſons to make him accompliſh thoſe his eſpouſals: ſo the council were of opinion, that if there was no other objection, the marriage might be lawfully ſolemniſed. The abſtract from the chancery of Cleves being come, great exceptions were found to it, upon the ambiguity of the word Fiançailles *, becauſe it was not expreſſed whether it was to be underſtood in the preſent or future tenſe. But as Henry would not yet commence the affair of his divorce, he cauſed the abſtract to be laid by, in order to make uſe of it when occaſion ſhould offer. Upon this therefore he reſolved to ground the projected diſſolution of his marriage.

Pretenſe of the divorce. Burnet. Herbert.

* Affiancement, or bethrothing.

The parliament deſire Henry to examine the validity of his marriage. Hall. Stow. Burnet. Herbert.

The parliament, after a prorogation of ſome days, meeting again, Henry ſent the Queen to Richmond. Some few days after, a motion was made in the houſe of peers, to addreſs his Majeſty with a petition to have the validity of his marriage tried. After what has been advanced, it cannot be ſuppoſed any of the nobility would be ſo bold or daringly raſh as to preſume ſtarting ſuch a motion, if not well aſſured of King Henry's approbation. This motion being approved, their lordſhips deſired the concurrence of the commons; after which, they went in a body to preſent their addreſs to his Majeſty. Henry proteſted to them, that he ſought only the glory of God, the good of his people, and the declaration of truth. Then he agreed that the affair ſhould be refered to the clergy, who immediately appointed commiſſioners to examine the witneſſes. All could be gathered from the King's own depoſition, and thoſe of the witneſſes, was, that there had been a pre-contract betwixt Queen Ann and the Prince of Lorrain, which was not ſufficiently cleared: that King Henry, having eſpouſed this Princeſs againſt his will, had not given any internal conſent to his marriage, without which, it was affirmed, his promiſes could not be obligatory, a man's act being only what is inward: that the King had never conſummated his nuptials: that the whole nation had a great intereſt in his Majeſty's having more iſſue, which they ſaw he could never have by the preſent Queen.

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The matter brought before the convocation.

Extraordinary reaſons alledged for the divorce. Strype's Mem. Vol. I. Coll. p. 306, 307, &c.

This Monarch muſt have had a very indifferent opinion of the convocation, the parliament, and the public, to alledge ſuch extraordinary cauſes of his divorce. The firſt had been diſcuſſed before the marriage was celebrated, and the council were of opinion it could be no juſt impediment. As to the ſecond, if that maxim took place, contracts would be of no uſe, ſince one of the parties might ſay, he had not conſented internally: this would be eſtabliſhing, without remedy, inſincerity, fraud and perfidy in the higheſt degree. As for the third, Henry doubtleſs forgot what he had alledged in the proceſs of his divorce from Catherine: he then maintained, purſuant to his clergy's opinion, that the conſummation of Arthur's marriage with Catherine was not neceſſary to render it valid, but that the bare conſent of the parties made it complete. The fourth was of no greater weight, ſince there was not any neceſſity of nulling the marriage, under color that his Majeſty pleaſed not to grant the Queen due family benevolence: beſide, he had already male iſſue. In ſhort, his bare word muſt be taken, when he ſaid, he had not conſummated his marriage; his word, who ſued for the divorce, and who uſed this argument to obtain it. Mean while, the clergy thought theſe reaſons ſolid, and paſſed thereon a ſentence of divorce; and the parliament were ſo abject, as to proſtitute themſelves to this Prince's paſſion, and confirm the ſentence (1): nor is there any diſtinction here to be made, ſince, neither in the convocation nor in the parliament was there even a ſingle vote againſt the divorce; ſo much did every one dread to incur the King's diſpleaſure. This is a remarkable evidence of what I have frequently intimated, that in whatever was tranſacted in England during the latter part of Henry VIII's reign, the parliament and clergy ought to be conſidered only as the King's inſtruments to gratify his paſſions: to him is due the praiſe of whatever was good and uſeful, and he it is who ought to be blamed for whatever was amiſs. Mean while, the parliament and clergy are inexcuſable for not having indeavored to ſupport the cauſe of juſtice and truth, when they believed them to be oppreſſed.

Burnet.

Sentence of divorce. Burnet.

The Queen was not much troubled at what had

(1) Sentence was paſſed the 9th of July, which was ſigned by both houſes of convocation; and had the two archbiſhops ſeals put to it, of which whole trial the record does yet remain, having eſcaped the fate of the other books of convocation. The original depoſitions are alſo extant. Burnet, Vol. I. p. 281.

been

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Rym. Fœd. Vol. XIV. p. 710. Burnet.

been done in her abſenſe, and even without her being examined. Probably, ſhe had not conceived any extraordinary affection for her conſort, who never gave her any token of his love. However, tho' King Henry had deemed it needleſs to aſk her approbation when he was meditating a divorce, becauſe none were then concerned but the clergy and parliament, whom he knew to be at his devotion, he demanded her conſent to what had been done, thinking doubtleſs the better to juſtify himſelf to the world. At the ſame time he offered by letters patent to declare her his adopted ſiſter, with a penſion of four thouſand pounds per annum (1), and her choice either to reſide in England, or return home. She agreed to all without ſollicitation, and choſe to live in England, where ſhe hoped to paſs her time more agreeably than at Cleves, in her brother's court: beſide, it is likely, ſhe believed her penſion would be more ſecure if ſhe remained in England, than if her reſidence was abroad. All things being thus ſettled, ſhe wrote to the duke her brother, that ſhe approved of the divorce, and requeſted him to maintain a good underſtanding with King Henry.

Act to moderate the pains of one of the ſix articles. Burnet.

This grand affair being finiſhed, the parliament paſſed an act to moderate one of the ſix articles in the bloody ſtatute. This article, as the other five, made it death for prieſts to violate their vow of chaſtity; but by the laſt act, the penalty of death was changed to forfeiture of goods.

Proofs of the ſlaviſh attachment of the parliament.

The remainder of this reign will be only a continued ſeries of ſenſible proofs of the ſlaviſh ſubjection to which the Engliſh nation was reduced: but this very parliament produced three inſtances which ought not to be paſſed over in ſilence.

The parliament confirms whatever the King ſhall pleaſe to injoin in matters of religion.

The commiſſioners appointed by King Henry, purſuant to act of parliament, to examine religious doctrines, having drawn a long memorial, and ſet down certain articles as undeniable and abſolutely neceſſary, it was moved in the houſe of lords, to paſs into a law what theſe commiſſioners had already done, and whatever they ſhould do hereafter by order of his Majeſty. This motion being received, a bill was inſtantly brought in, paſſed, and ſent down to the commons, who, aſſenting thereto, returned it up again on the morrow. By this ſtatute it was inacted, That not only the memorial drawn by the commiſſioners, provided it were approved by the King, but likewiſe whatever his Majeſty ſhould injoin afterwards in matters of religion, ſhould be believed and obeyed by all his ſubjects. This was actually inveſting the King with the infallibility taken from the Pope. Greater tokens of bondage are ſcarcely to be met with, ſince the parliament gave their King power over conſcience, after having rendered him in a manner abſolute maſter of life and fortune. Moreover, in this act was inſerted a clauſe, which, under color of limiting the King's authority ſenſibly inlarged it, namely, "That no-"thing ſhould be done or determined, by virtue of "this act, which was contrary to the laws of the "realm." Theſe contradictory clauſes in the ſame ſtatute rendered Henry arbiter of the lives of his ſubjects, ſince, on the one hand, they were injoined to ſubmit to the King's will in matters of religion, without however knowing what he would pleaſe to preſcribe, and, on the other, were forbid to do any thing contrary to the laws. Conſequently, in caſe the King commanded any thing repugnant to law, they were liable to be proſecuted by virtue of this ſtatute, whether, againſt law, they obeyed the King, or, in obedience to the law, refuſed to comply with his will. The acts paſſed in this reign are full of contradictions, which were not inſerted without deſign.

The parliament paſſed another bill, which carried no leſs marks of ſervitude. It was inacted, that a marriage already conſummated ſhould not be annulled on pretenſe of pre-contract, or any other impediment not mentioned in the law of God. Without doubt the parliament had, or perhaps feigned to have forgot, that the King's marriage with Ann Boleyn was annulled by reaſon of a pre-contract, and upon this ſame foundation, during this very parliament, they had approved the diſſolution of his marriage with Ann of Cleves. It is true, the King declared, it was not conſummated: but Catherine of Aragon proteſted the ſame thing with reſpect to her marriage with Prince Arthur, and yet it was decided, that a party concerned ſhould not be believed even upon oath, when there were preſumptions to the contrary. Theſe were real contradictions, but not regarded by King Henry. His aim was to legitimate Princeſs Elizabeth by virtue of the former branch of the act, and to remove, by the latter, the impediments in the canon law to his intended marriage with Catherine Howard, who was Ann Boleyn's couſin-german.

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Law in Henry's favor concerning marriage.

Intent of the act.

Before the parliament broke up, the clergy of Canterbury-province, aſſembled in convocation, offered Henry a ſubſidy of four ſhillings in the pound, of all eccleſiaſtical preferments, to be paid in two years, in acknowledgment, as they ſaid in their addreſs, of his care to free the church of England from Papal tyranny. His Majeſty moſt willingly accepted their preſent; and his parliament knew better than to refuſe their approbation: but this ſufficed not to ſupply the King's neceſſities. In a few days, he demanded alſo money of the commons. Tho' for ſome time the parliament had been accuſtomed to ſubmit, without examination, to the King's pleaſure, this demand met with ſome ſort of oppoſition in the lower houſe: and, indeed, it could not but ſeem ſtrange, conſidering Henry was in peace with all the world; and beſide, he could not be ſuppoſed to have already conſumed the treaſures accruing from the ſuppreſſion of monaſteries. Some of the members repreſented, that if in time of univerſal peace, and within the compaſs of one year, the King had expended ſuch vaſt ſums, nothing remained but to give him all the lands in England, and even thoſe would not ſatisfy the expenſe of many years: but theſe ſpeeches produced no great effect. It was anſwered by the King's party, that he had laid out immenſe ſums in puting the coaſts in a defenſible condition, and that maintaining his ſubjects in the tranquillity they injoyed coſt him more than the heavieſt war. Theſe reaſons, weak as they were, paſſed for inconteſtible, and the commons granted the King a ſubſidy as large as if he had been actually ingaged in a perilous war. This is a third proof of the parliament's ſlavery. Mean while, the people could not conceive what was become of all the money their Sovereign had lately handled, and which might reaſonably have ſupplied all his occaſions for ſeveral years.

Money granted to Henry by the clergy. Burnet. Strype.

Burnet.

The parliament diſſolved.

This parliament, which had given Henry ſuch great teſtimonies of unbounded compliance, was diſſolved the twenty-fourth of July: but the King was pleaſed firſt to requite his ſubjects with a free and general pardon, as it was called, tho' its exceptions limited the benefit to very few perſons. All thoſe were excluded who had been condemned for denying the King's ſupremacy, or for tranſgreſſing ſome one of the ſix articles of his Bloody Statute, and even ſuch as were only accuſed of theſe crimes, which were then unpardonable. The counteſs of Saliſbury, cardinal Pole's mother, and Thomas Cromwell were by name excepted.

As Cromwell's execution had been defered, he

(1) Burnet, Vol. I. p. 282, ſays only 3000.

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was in ſome hope of obtaining his pardon, and the more, as having writ to the King a very ſubmiſſive letter, he was ſo moved with it, that he cauſed it to be read thrice: but the ſollicitations of the duke of Norfolk and Gardiner, ſeconded by thoſe of Catherine Howard, who acted in their favor, rendered ineffectual all the efforts of that unhappy priſoner. King Henry ſigned a warrant for his being beheaded, the twenty-eighth of July, about ſix weeks after his condemnation. As Cromwell left a ſon of whom he was extremely fond, he would not uſe any expreſſions on the ſcaffold which might prove to his detriment. He contented himſelf with ſhewing that he willingly ſubmited to the ſentence the law had paſſed on him. He prayed for the King's proſperity, and declared he died in the profeſſion of the Catholic religion (1). Theſe laſt words were variouſly interpreted, according to the paſſions and prejudices of both factions, in matters of religion. Tho' it was certain, Cromwell had lived in the Lutherans ſentiments, yet the adverſe party maintained, he recanted at his death, and that by the Catholic religion was to be underſtood the old creed, profeſſed in the kingdom before all the innovations. The others pretended, theſe words ought to be taken in a more general ſenſe, and at moſt to imply only the belief which was then eſtabliſhed. However this be, the care Cromwell took, when he came to die, to ſay nothing which might offend the King, turned to the advantage of his ſon Gregory, who was this very year created a peer of England, by the title of lord Cromwell. The office of Vicegerent, injoyed by his father, died with him, none deſiring a ſtation ſo obnoxious to envy, and ſo fatal to the firſt poſſeſſor: beſide, the duke of Norfolk and biſhop of Wincheſter, who were then in great credit, took care not to ſollicit the King to fill a poſt which would ingage the perſon who held it to imploy his whole intereſt to obſtruct all accommodation with Rome.

Cromwell's execution. Hall. Stow. Hollingſh. Burnet.

Burnet.

Hall. fol. 242. Stow, p. 580. Hollingſh.

Rym. Fœd. Vol. XIV. p. 708. Dec. 18.

Some days after Cromwell's death, was beheld at London a ſpectacle which ſtrangely imbaraſſed both parties. This was a groupe of men all at once ſentenced and executed. Some for denying the King's ſupremacy; others for maintaining the Lutheran doctrines. Among theſe laſt were Robert Barnes, doctor of divinity, Thomas Gerard, and William Jerom (2). Theſe three being impeached before the parliament, were condemned to be burned, on a general accuſation of ſowing hereſy, perverting the Scriptures, and maintaining errors deſtructive of religion, without the act's mentioning any particulars, and, in all appearance, without the parliament's examining the proofs. By the ſame act were condemned to ſuffer a like death four other men; of whom one was accuſed of aſſerting the Papal authority; another for holding correſpondence with cardinal Pole; a third for deſigning to ſurpriſe Calais; a fourth for harboring a rebel; and laſtly, three more convicted of denying the King's ſupremacy. All theſe were burned or hanged at the ſame time and place. It is to be preſumed, they were not admited to ſpeak for themſelves, ſince Barnes, after a declaration of his faith to the people, aſked the ſheriff, whether he knew why he was to ſuffer. The ſheriff anſwering, he did not; he turned to the ſtake, and ſaid, the puniſhment he was going to ſuffer plainly taught him the crime of which he was ſuppoſed to be guilty. He prayed however for the King, and even for Gardiner, whom he ſuſpected to be the author of his death. That prelate attempted to clear himhimſelf by a printed apology; but had the misfortune not to be believd (3).

Diverſe of both religions executed. Hall. Stow. Hollingſh.

Hall.

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On the eighth of Auguſt, Catherine Howard, the duke of Norfolk's niece (4) was declared Queen, King Henry having, ſome time before, married her privately. She was ſo devoted to the duke her uncle, and the biſhop of Wincheſter, that ſhe was intirely guided by their counſels. As ſhe had a great aſcendant over the King, very probably ſhe would have induced him to abandon himſelf to the guidance of theſe two miniſters, who were preparing to procure by her means great alterations in religion, had not her fall, which will be preſently related, confounded their projects. However, they improved as much as poſſible ſo favorable a juncture, to ſtrike at the reformation and the reformed. Certainly Cranmer was then in a moſt perilous ſituation. He could not doubt that the authors of Cromwell's ruin, wiſhed his deſtruction with a like ardor, nay, were privately working it. Complaints of him were already heard in ſeveral places, and even a member of parliament ſaid openly in the houſe, he was the protector and head of the innovators. Undoubtedly, all this would have taken effect, could his adverſaries have had a little more time to prepare their engines: but as they were ſenſible King Henry had for him a real eſteem, they purpoſed to proceed gradually, plainly perceiving they could not, without danger to themſelves, preſs his ruin ſo directly as they had done Cromwell's. Beſide, there was but one article which gave them any advantage upon Cranmer; namely, religion, in which point alſo he had been extremely cautious, well knowing that the way to advance the reformation under ſuch a Prince as Henry, was not to oppoſe his will directly.

Catherine Howard declared Queen: Hall. Stow. Herbert.

whereat all ſticklers for the old religion triumph.

Deſigns againſt Cranmer. Burnet.

It was not long before the alterations Cromwell's diſgrace, and Catherine Howard's advancement had produced at court became very viſible. The commiſſioners, appointed to draw up a declaration of the Chriſtian doctrine, having preſented their work to the King, he ordered it to be immediately publiſhed. Tho' this declaration corrected ſundry abuſes, the Romiſh faction had ſo prevailed that, inſtead of promoting, it ſenſibly put back the reformation, as readily appears by the abſtract Burnet gives of this performance in his Hiſtory of the Reformation of England. However, as ſeveral principles were laid down which might be of great utility at a juncture more favorable, the reformers were glad, in hopes theſe principles would ſerve one day to deſtroy the errors advanced in that expoſition, or declaration. On the other hand, the Popiſh party fancied they were conſiderable gainers, becauſe they therein beheld laid down dogmas whereto, in all probability, the reformers would never conſent, and hoped this oppoſition would draw Henry's indignation upon their whole party. As for themſelves, having conſtantly expreſſed a moſt implicit compliance to the King's will, they intended to purſue the ſame courſe, in order to put him intirely into the diſpoſition they wiſhed. Other commiſſioners, who were ordered to reform the Miſſals, or Maſs-books, made ſo ſlight alterations that, excepting a few razures of thoſe collects in

Expoſition of the Chriſtian doctrine, which every one was obliged to receive. It is very diſadvantageous to the reformation. Burnet, Vol. I. p. 286, &c.

Reformation of the Miſſals very inconſiderable. Burnet.

(1) His words were, "I pray you who be here to bear me record, I die in the Catholic faith, not doubting in any article "of my faith, no nor doubting in any ſacrament of the church." Hall, fol. 242.

(2) A theologian: the parſon of Hony-Lane; and the vicar of Stepney.

(3) At the ſame time was attainted and executed lord Hungerford. His crimes were, keeping a heretical chaplain, applying to a conjurer, to know how long the King was to live, and the practiſing beaſtiality. Herbert, p. 225. Hall, fol. 243.

(4) She was daughter of Edmund Howard (third ſon of Thomas duke of Norfolk, ſon of John firſt duke of Norfolk) by Joyce, daughter of ſir Richard Culpeper, of Hollingburn in Kent. Dugdale's Baron. Vol. II. p. 272.

which

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which the Pope was prayed for (1), there was nothing changed, nor was it neceſſary to re-print the ſaid Miſſals. Thus by the duke of Norfolk's and Gardiner's credit, ſupported by the new Queen, archbiſhop Cranmer, and thoſe of his party, ſaw approaching a ſtorm whereby, to all appearance, they would be all overwhelmed. Perhaps it was very fortunate for them that King Henry, was, for ſome time, by other affairs, diverted from his attention to what concerned religion.

The Emperor breaks his word with Francis. Du Bellai. Mezerai.

The Emperor's paſſage thro' France ſeemed at firſt to create a ſincere reconciliation between him and King Francis. During his ſtay at Paris, he poſitively promiſed to give the duchy of Milan to the duke of Orleans: but when Francis preſſed him to ſign the inſtrument of inveſtiture, he anſwered, "That ſuch a deed would be looked on "as extorted, if dated in France, and that it was "more honorable both for himſelf and his Gallic "Majeſty that it ſhould be ſigned in ſome one of the "Netherland cities." Afterwards, when he was out of France, he found ſome freſh excuſe not to perform his promiſe. Mean while, he humbled the Gantois, and puniſhed them ſeverely for the trouble they had given him of a journey to Flanders. After that, when Francis claimed his promiſe, he loaded it with ſuch reſtrictions that it was eaſy to perceive he had no mind to part with a territory whereby Spain had a communication with his other dominions in Italy and Germany. Francis vexed to be thus deceived, turned out of favor chancellor Poyet, and conſtable Montmorency, who had counſeled him to rely on Charles's word of honor.

Begining of a quarrel between Francis and Henry. Hall. Herbert.

Towards the cloſe of the year 1540, certain diſputes between Francis and Henry uſhered in the begining of a miſunderſtanding which finally produced a war. Francis ordered a fortreſs to be erected at Ardres, and a bridge to be made over to the Engliſh pale: but the governor of Calais not ſuffering this incroachment, ſent a detachment of his gariſon and beat down the bridge. The French repaired that damage, and it was by the Engliſh a ſecond time demoliſhed. Hereupon the King of France ordered marſhal de Biez to levy troops in Picardy. Henry re-inforced the gariſon of Calais, and repaired the fortifications. Mean while the two Kings willing to avoid a rupture on this ſlight occaſion, agreed to ſend commiſſioners upon the ſpot, with powers to adjuſt the difference: but this conference producing no good effect, each provided for his defenſe in caſe of attack.

Foundation of the Jeſuits order.

It was this year that the famous order of Jeſuits was founded by a bull of Pope Paul III, dated the twenty-ſeventh of September.

AN' 1541. Henry fears nothing from the Emperor and Pope.

The uneaſineſs Charles V, for ſome time, had given Henry, was now in a manner diſſipated, ſince Francis had been diſappointed in the affair of Milan. Henry was ſufficiently acquainted with that Prince's genius and character, eaſily to foreſee that he would naturally ſoon break with the Emperor. A war between theſe two Monarchs could not but be advantageous to Henry. It would procure him quiet, and inable him to preſerve that equality of power which was the real and only firm foundation of his own and his kingdom's ſecurity. So, not having any thing to apprehend from either Pope, Emperor, King of France, or his own ſubjects, whoſe attempts muſt be fruitleſs without aſſiſtance from abroad, he ſolely confined himſelf to domeſtic affairs. He had chiefly in view two particulars. The firſt was, to preſerve and even extend the authority he had acquired. The ſecond, to be mindful that religion ſuffered not any innovations, but ſuch as he himſelf judged reaſonable. Theſe two points wholly ingroſſed him: as he was thereon poſitive, and the parliament durſt not oppoſe his will, it may be readily ſuppoſed that none of his miniſters had the courage to contradict him in any of his purpoſes: ſo that it was himſelf alone who ordered all things according to his caprice, his council only approving his motions; nevertheleſs, as well in the council, as throughout his realm, were two oppoſite parties with reſpect to religion: but every one had his eyes conſtantly fixed on the King, ſedulous to diſcover his thoughts for fear of deviating from him in ſentiment.

HENRY VIII. AN' 1541.

He is abſolute in his kingdom.

Cranmer's character. Burnet.

Archbiſhop Cranmer was at the head of thoſe who wiſhed a greater reformation. He was ſtill greatly in King Henry's eſteem, eſpecially on account of his integrity: but ſincerity, which he profeſſed, rendered him unfit for political affairs, in a court where, inſtead of liſtening to reaſon, juſtice and equity, the Sovereign's pleaſure was only to be conſidered.

Audley's.

Chancellor Audley was a perſon of good ſenſe. He ſerved the reformers whenever he could do it without danger to himſelf: but he was too much a courtier to inſiſt on what he judged reaſonable, if the King was againſt it.

The duke of Norfolk's.

The duke of Norfolk was as diſtinguiſhable for his merit as his birth. He was counted a good general, but was ſtill a better courtier. Ever ſubmiſſive to the King's will, he outwardly approved whatever he was pleaſed to command him: but in private he lamented all the late innovations in religion, and could not indure either the reformation or the reformed. He would have rejoiced to ſee his Sovereign reconciled to the Pope; but the ſmall appearance of their reconciliation made him very cautious how he offended ſo unforgiving a maſter: nevertheleſs, as Henry was not always in the ſame diſpoſition, the duke found frequent occaſion to ſerve his party, particularly in chaſtiſing thoſe who approved not the ſix articles, and were ſo daring as openly to expreſs ſuch diſlike. In a word, he was as head of the Pope's and the old religion's favorers: but he carefully concealed from Henry his inclination for the former; and as for the latter, he ſhewed his zeal only in ſupporting what his royal maſter had retained.

Gardiner's.

Gardiner, biſhop of Wincheſter, was in the ſame ſentiments, and obſerved a like conduct: but he was very far from being in like eſtimation with King Henry, who nevertheleſs uſed him becauſe he was pliant and dextrous, and had in foreign affairs a knowledge ſomewhat extenſive. As this knowledge rendered him of greater inſight than any of the other Engliſh miniſters, he ſometimes ingaged his maſter to take ſteps whoſe conſequences might be advantageous to his party, and of which the King himſelf did not always know the motive. By a blind ſubmiſſion to the will of his Prince he maintained ſome degree of favor, being convinced himſelf, and having alſo convinced his friends, that his compliance was the only means to procure a revocation of what had been done againſt the Holy Father.

Bonner's.

Bonner, biſhop of London, was alſo one of the chiefs of that ſame faction, yet was always ready to ſacrifice all to his fortune. He was naturally bold, paſſionate, and exceſſively cruel, as on many occaſions he too plainly evidenced. As he was a man of very ſmall merit, he ſupported himſelf by making court to thoſe who were in favor,

(1) And of Thomas Becket's office, and the offices of other ſaints, whoſe days were, by the King's injunctions, no more to be obſerved. So the old books ſerved ſtill. But in Queen Mary's time, care was taken that poſterity ſhould not know how much was daſhed out or changed. For as all the pariſhes were required to furniſh themſelves with new complete books of the offices, ſo the daſhed books were every where brought in and deſtroyed. Burnet, Vol. I. p. 294.

and

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and by taking the King's will for the rule of his actions.

The new Queen's.

Queen Catherine blindly followed the duke of Norfolk her uncle's directions, and used what power she had over her royal consort to support the credit of those who hated the reformation.

In this situation was the court, when King Henry, freed from his foreign affairs, was wholly busied in what passed within his own dominions. His realms however injoyed a profound tranquillity, by reason the terror wherewith people were seized had silenced all contradiction. In December last year, Henry began the foundation of his new bishopricks, by converting the abbey of Westminster into a bishop's See. In this year, 1541, he founded three more, Chester, Gloucester and Peterborough, and the year insuing Oxford and Bristol. These foundations, with a few others of no great importance, were the only charitable uses to which he applied the immense treasures acquired by suppressing the abbies. His courtiers magnified these pious acts, while others took notice of the little proportion between seven or eight thousand pounds per annum, imployed in these uses, and what accrued from the desolation of near seven hundred religious houses.

Foundation of six new bishoprieks. Rym. Fœd. Vol. XIV. p. 731, 748, 754. Burnet.

Henry declares heretics all those who reject his exposition of Christian doctrine. Herbert. Burnet.

Mean while, Henry was desirous of expressing his zeal for religion, as if his sole aim was to procure the eternal salvation of his people. The book of the exposition of Christian Faith being printed, he thereto prefixed a certain ordinance, declaring all those to be heretics who believed more or less than was contained in that book (1): however, as it was not possible that all should conform to it, and it does not appear any person suffered on that score during the course of this year, his Majesty had probably given some intimations, that he required not his said ordinance to be rigorously executed.

Francis prepares to make war upon the Emperor. P. Daniel.

While Henry was cogratulating himself on his triumphing over the Pope, and injoying a tranquillity which the court of Rome had in vain attempted to disturb, the eyes of all Europe were attentive to what passed between their Imperial and Gallic Majesties, and to the preparations making in Turky. The war between Charles and Francis was on the point of being renewed, but most unseasonably for that Emperor, at a juncture when Sultan Sulyman was preparing to invade Hungary, on occasion of the death of John Zapol, competitor of Ferdinand King of the Romans. These two Princes, after long contending for the Hungarian diadem, being finally tired of hostilities, were agreed that Zapol should, during his life, hold what he possessed, with a regal title, but that, on his decease, the crown should descend to Ferdinand. Zapol, dying and leaving a son named Stephen, under the guardianship of his mother, Ferdinand expected that the treaty should be executed, and would have taken possession of all Hungary. But young Zapol's mother implored the protection of Sulyman, who readily complied, intending to improve this dissension to render himself master of Hungary, and penetrate afterwards into the Imperial territories.

Charles's artifice to divert Sultan Sulyman from invading Hungary.

Charles V, perceiving Hungary menaced with a formidable invasion, which might be of fatal consequence to Germany, used all his art to pacify the Protestants, yet without giving them any satisfaction, indeavoring only to amuse them, and obtain some assistance against the Turk. On the other hand, he labored to persuade Sulyman, that he was in perfect union with the Kings of France and England, that the dread of a general league of the Christian Princes might divert him from his design. Wherefore, he tried to amuse Francis, with puting him in hopes he would bestow the Netherlands on his second son, and erect them into a kingdom; and at the same time, he sent intimations to the Ottoman Porte that this affair was in a manner concluded. Francis fell not into the snare: but hearing from all parts, that the Emperor's ministers every where gave out that this negociation was on the point of conclusion, he resolved to send embassadors to Venice and Constantinople, to undeceive the Turkish Emperor and Venetian senate. He chose for these embassies Rincon and Fregoso, who set out in order to pass through Italy: but marquis Del Guasto, governor of Milan, having notice that they were to imbark at Turin and go down the Po, caused them to be so narrowly watched that they were murdered in the boat. Francis made great noise about this assassination; but the Emperor gave him no satisfaction. This was a fresh occasion of rupture between the two Monarchs.

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Francis, to break the Emperor's measures, dispatches embassies to Turky and Venice. Mezerai. Du Bellai.

His embassadors assassinated on the river Po.

About the same time, Charles called a diet at Ratisbon for the fifth of April. As it was then no proper juncture to disturb the Protestants, this diet finally determined on granting them a second delay, which was stiled The Interim, that they might continue quiet, and more readily ingage to furnish supplies against the Ottomans.

Interim granted to the German Protestants. Sleidan.

Mean while, the King of the Romans ordered Buda, capital of Hungary, to be invested, in hope of reducing that city before the Turks should arrive: but the siege proving more difficult than was expected, the Turks had time to relieve it, and gave battle to the Germans, over whom they obtained a signal victory. Soon after Sulyman, repairing to Hungary, made his entry into Buda, and, under color of taking young Zapol under his protection, became master of that metropolis and great part of the kingdom.

Battle of Buda gained by the Turks.

During this Charles, having dissolved the diet, instead of marching into Hungary to assist the King his brother, took the route of Italy, and imbarking at Porto-Venere with an army thirty thousand strong, sailed for Africa, to make war upon Barba-rossa, who had made himself King of Algiers. This procedure gave rise to sundry speculations. It was ridiculed at the French court, as if instead of fighting the Turks, he had sought a pretense to fly from them: but as the African expedition was projected the begining of the year, and Charles's troops were already on the Italian coast, it is certain he would not have had time to relieve the King of the Romans had he attempted to march his army into Hungary. However this be, he landed his army near Algiers, the twenty-second of October: but two days after, a sudden and violent storm destroyed part of his fleet. This accident obliged him to re-imbark the begining of November, after having lost good part of his troops and ships (2). It is pretended, Francis, out of mere generosity, would not proclaim war against him, while imployed in this expedition: however it is difficult to believe that Francis, who actually held intelligence with Sulyman, and afterwards scrupled not making use of the Turks assistance, should stick at interrupting the designs his enemy Charles V had formed against the African Infidels.

The Emperor's expedition to Algiers in Africa. Hist. d'Esp. Mezerai.

It miscarries.

Mezerai.

Henry with pleasure beheld the King of France and Turks were going to find the Emperor imployment, which would prevent his thinking of England. But tho' in that respect he was easy, he was however in some pain with regard to the King of Scotland, who, tho' his nephew, had no reason to love him, and could easily assist the English malecontents, who were very numerous in the northern counties.

Affairs of Scotland. Buchanan.

(1) He added a sort of a preface about two years after the book was first published. Burnet, Vol. I. p. 293.

(2) See the particulars of this successless expedition in my history of Algiers. Vol. I. Barba-rossa was no longer Bassa of Algiers, but the Grand Signor's high-admiral, and had procured the regency of Algiers for his gallant eunuch Hassan Aga.

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counties. The King of England was alſo apprehenſive that a religious zeal would carry his ſaid nephew to ſome attempt againſt him, becauſe he began to ſuffer himſelf to be governed by his clergy who, under color of perſuading him to deſtroy hereſy, ſtrongly attached him to the Pope's intereſt. For diverſe years paſſed, the Reformed had been adjudged to the flames in Scotland: but theſe executions produced there the ſame effects as elſewhere, that is, they increaſed, inſtead of leſſening the number, and yet the eccleſiaſtics were ſtill obſtinately determined on rooting them out with fire and ſword.

Burnet.

James V was a Prince greatly addicted to pleaſure, and very greedy of money: beſide, he had ſeveral natural children whom he could not inrich as he wiſhed, becauſe he had exhauſted his treaſure in needleſs expenſes. In his court were two parties, one of which favored the King of England and the Reformed, and the other, chiefly conſiſting of churchmen, was utterly againſt Henry, and continually ſtrove to induce the King to extirpate all who ſwerved from the ancient belief. The former indeavored to perſuade him to imitate the King of England his uncle, and ſecure a large revenue by ſuppreſſing the monaſteries. The adverſe faction repreſented to him that, by ſtrictly executing the laws againſt heretics, he would raiſe by forfeited eſtates more than a hundred thouſand crowns per annum. After ſome conſideration, James cloſed with this latter advice, and ſuffering the clergy to take their own courſe, there followed in Scotland a violent perſecution (1).

Henry reſumes his deſign of gaining the King of Scotland. Burnet. Buchanan.

Henry, perceiving the King his nephew to be thus governed by perſons wholly addicted to the court of Rome, feared he would finally be led to unite againſt him with the Pope and Emperor. This apprehenſion ſeemed to him the better grounded, as he could ſcarcely any longer rely on proper aid from the King of France, who was wont to direct the court of Scotland, becauſe his ſaid quondam friend was grown extremely cold to him. Whereupon, he reſolved to imploy all his art to prevail on the King his nephew to follow his example in breaking with the Pope. To this end he diſpatched embaſſadors to deſire an interview at York, not queſtioning that, in an amicable conference, he ſhould have eloquence enough to perſuade him to what he pleaſed. James accepted the overture, and promiſed to come to York, whither Henry repaired and expected him: but the Scotiſh eccleſiaſtics and their whole party ſo beſtired themſelves to prevent this interview, the conſequence whereof they perceived, that they at length ſucceeded, and prevailed with James to ſtudy ſome pretenſe to be excuſed.

James agrees on the deſired interview. Hall. Herbert.

Henry in vain expects him at York.

Mean while Henry, wholly ignorant of this change, impatiently waited at York for the day appointed for this interview. In this interval, he iſſued out a proclamation, that all who had been for want of juſtice, agrieved by any of his miniſters, ſhould come to him and his council for redreſs. His aim was to throw all former miſcarriages on Cromwell, and put his ſubjects, particularly the northern people, in hopes of better times (2). But while he was preparing for the King of Scotland's reception, he received letters of excuſe, that he could not have the honor of waiting upon him. He was extremely inſenſed, and this refuſal, which he deemed a very groſs affront, ſoon cauſed a breach between the two kingdoms. But his vexation at this affair was not comparable to the unexpected affliction he met with on his return to London.

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Proclamation in favor of all the people. Hall. Stow. Burnet. Vol. I. p. 311. Herbert.

Since his laſt marriage, he daily glorified the Almighty for the happineſs he injoyed with his Queen, and on all occaſions publicly teſtified his extreme ſatisfaction: nay, during his journey to York, deſiring to give God thanks in a manner ſuitable to the ſentiments of his heart, he ordered his confeſſor to draw up a particular thankſgiving, and prayed him to join with him in the ſame. All this ſhewed his eſteem and tender affection for the Queen, who ſeemed to have a like fondneſs for him: but, on his arrival at London, he heard tydings which it would have been well for him never to have known. While he was at York, one John Laſſels went to the archbiſhop of Canterbury, who remained at London, and told him, that his ſiſter (who had long been a domeſtic of the ducheſs dowager of Norfolk *) had aſſured him, that the Queen had been extremely leud before and ſince her marriage, and that, among others, two men, namely Dirham and Mannock (3), had injoyed her very frequently. Cranmer imparting this matter to the chancellor and ſome others of the privy council, it was agreed, that the archbiſhop ſhould thereof inform the King immediately on his return to London, tho' they were not ignorant of the danger to which they expoſed themſelves if the accuſation could not be proved: but, on this occaſion, it was no leſs dangerous to be ſilent.

The Queen's leudneſs diſcovered. Hall. Hollingſh. Burnet.

Herbert, p. 228.

* By whom Queen Catherine was educated.

Cranmer not knowing how to execute his commiſſion, choſe to ſet it down in writing, and put it in the King's hands, deſiring him to read it in private. Henry took it at firſt for a calumny, reſolving in himſelf to puniſh the authors ſeverely: nay, it was ſolely with this view that he would have the buſineſs narrowly ſcrutiniſed, tho' with all poſſible ſecrecy, for fear of vexing his Queen. He ordered therefore the lord privy-ſeal to examine Laſſels in private. Laſſels firmly maintained what he had ſaid, upon the report he had from his ſiſter, who confirmed what ſhe had told her brother. On theſe depoſitions, ſome pretext was uſed to arreſt Dirham and Mannock, who diſcovered in their examination more circumſtances than were deſired. They confeſſed not only that they had lain with the Queen, but alſo that three court ladies, her confidents, were commonly eye-witneſſes to her leud practiſes. One of the three was lady Rochford, who accuſed lord Rochford her huſband of a criminal commerce with his ſiſter Queen Ann Boleyn (4). They farther depoſed, that the King being at Lincoln, one Culpeper, by the lady Rochford's means, was brought into the Queen's chamber about eleven at night, and remained there 'till four in the morning, and that when he went away the Queen preſented him with a rich cap *. Moreover, the Queen had taken Dirham into her ſervice, which ſhewed ſhe intended to continue the ſame courſe of life. The Queen at firſt denied all:

Cranmer informs the King of it. Herbert. Burnet.

Depoſitions taken in private.

Several witneſſes againſt the Queen. Hall. Burnet. Hollingſh.

* And a gold chain.

The Queen's confeſſion. Herbert. Burnet.

(1) George Buchanan, the famous Scotiſh hiſtorian, was in danger at this time, and would have died with the reſt, had not he eſcaped out priſon. See his hiſtory of Scotland, l. 14.

(2) In April this year, broke out in Yorkſhire a new inſurrection, which was ſoon ſuppreſſed. During this progreſs, the places King Henry paſſed thro' made their ſubmiſſion to him, thanking him for his pardon, and made him the following preſents: Stamford 20 l. Lincoln 40 l. Bonſton 50 l. Lindſey 300 l. Keſteven, and the church of Lincoln 50 l. the chief perſons of Yorkſhire 900 l. The archbiſhop of York, with three hundred prieſts, 600 l. The mayors of York, Newcaſtle, Hull 100 l. each. Hall, fol. 244.

(3) Two of the ducheſs of Norfolk's domeſtics. Ibid.

(4) In an original letter ſent from diverſe of the council to William Paget, our embaſſador then in France, wherein all the circumſtances of this affair are ſet forth at large, it appears that there were three ſundry women one after another, who had lain in bed with them when Dirham lay with the Queen. One of theſe women the Queen had taken into her ſervice as well as Dirham. See the letter in Herbert, p. 228. Compl. Hiſt.

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but in a ſecond examination ſhe confeſſed (1), that before marriage ſhe had proſtituted herſelf to ſeveral men. This confeſſion ſhook the reſolution of King Henry, who, lamenting his misfortune, could not forbear burſting into tears. Finally, Dirham, Mannock and Culpeper being ſentenced to death, he ordered the Queen's impeachment to be brought before the parliament, which met the ſixteenth of January the inſuing year 1542.

Rym. Fœd. Vol. XIV. p. 737, &c.

An' 1542. Act of attainder againſt the Queen and her complices. Burnet. Hall. Stow. Hollingſh.

The commiſſioners named by the parliament to examine Queen Catherine reported, that the facts ſhe was accuſed of were ſufficiently proved. Whereupon both houſes declared her guilty, and petitioned the King that ſhe might be puniſhed capitally, together with lady Rochford, complice of her leud practiſes, the ducheſs dowager of Norfolk, lord William Howard, and his lady (2), the counteſs of Bridgewater, five other women, and four men, for miſpriſion of treaſon, in concealing what they knew of the Queen's vicious life. Here again may be obſerved the ſervitude of the parliament, who did not dare to condemn Catherine and her complices, without knowing whether the King would be pleaſed to ſuffer them to be puniſhed. They proceeded not ſo with regard to Ann Boleyn and lord Rochford, becauſe King Henry's authority had not reached that height as at the time whereof I am now treating. The King conſenting they ſhould be puniſhed, they were condemned to die by an act of attainder. The ſaid act contained likewiſe a very extraordinary clauſe, declaring traitors, all who had any knowledge of a Queen's incontinence, and did not reveal it: that if the King or his ſucceſſors ſhould intend to eſpouſe any perſon as a virgin, if ſhe, not being ſo, did not declare the ſame to the King, it ſhould be high treaſon; and all who knew it and did not reveal it, were guilty of miſpriſion of treaſon: that if the Queen, or the Princeſs of Wales, ſhould procure any, by meſſages or words, to know them carnally; or any other by meſſages or words ſhould ſollicit them; they, their counſellors and abettors, are to be adjudged high traitors.

*By his letters patent. The Queen beheaded. Hall. Burnet. Herbert. Stow.

Henry giving his aſſent to this act *, the Queen and lady Rochford were beheaded the twelfth of February. The Queen ſtood to what ſhe had confeſſed, concerning the miſcarriages of her former life before ſhe was married; but denied, upon her ſalvation, that ſhe had ever defiled the King's bed. As for lady Rochford, ſhe died univerſally unlamented: but her fate and infamy ſerved at leaſt to raiſe again the reputation of lord Rochford her huſband, and of Queen Ann Boleyn, whoſe ruin ſhe procured by her evidence, which her own condemnation rendered generally ſuſpected.

This act of parliament cenſured. Burnet.

The extreme ſeverity of the parliament to Queen Catherine's relations was highly cenſured by the public. It was deemed quite unnatural to puniſh a grandmother for not diſcovering her grand-daughter's incontinence. Accordingly Henry moderated this unjuſt rigor by pardoning moſt of thoſe who were condemned, ſome of whom however remained long in priſon. As for the laſt clauſe, which made it treaſon for a woman, courted by the King, not to reveal the loſs of her virginity, it was turned into ridicule: people jeſtingly ſaid, the Kings of England for the future could only marry widows, there not being any reputed maid who would run the hazard of being attainted of treaſon, in caſe the King happened not to like her (3).

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This affair being ended, the parliament confirmed an act paſſed in Ireland, whereby that iſland was erected into a kingdom. From thenceforward the Kings of England inſerted among their titles, that of King of Ireland, whereas before they were ſtiled only Lords.

Ireland erected into a kingdom. Herbert. Hall. Stow.

Before the parliament broke up, Henry began in ſome meaſure to ſhew his intention to ſeize the colleges and hoſpitals as he had done the abbies. But the execution of this deſign was not exempt from difficulties. By the local ſtatutes of moſt of them, neither governors, preſidents, nor adminiſtrators had power to ſurrender the lands belonging to their houſes, without conſent of the whole ſociety: wherefore it was not eaſy to gain whole bodies of men, who were ſo much concerned to keep the revenues whereon they ſubſiſted: it is true, the King had prevailed with ſome, who were not bound by ſuch extraordinary ſtatutes, to reſign to him their houſes: but, as he had his eye upon all, ſome expedient was to be found for the reſt to follow this example, without violating their oath. To this end, all the local ſtatutes of colleges and hoſpitals were annulled by act of parliament, and the governors, preſidents and fellows were no more to be ſworn to the obſervance thereof. This obſtacle being removed, a few more were ſurrendered to the King. But this affair was not intirely finiſhed 'till 1545, by a far conciſer method.

Henry deſigns to ſuppreſs the colleges and hoſpitals. Burnet.

An act to pave the way.

While King Henry's buſineſs was eaſily carrying on in the parliament, the convocation, which ſat at the ſame time, were much divided about the new tranſlation of the Bible, then on the point of being publiſhed. Many affirmed it abounded with faults, and to ſuffer it to be read before it was reviſed would be very injurious to the people. Gardiner moved this diſpute, in hopes this reviſal would take up ſome time, and the King in the interim might alter his mind (4). His party was ſo numerous, that he would have carried his point, had not Cranmer, who perceived his deſign, moved the King to refer the peruſing of the tranſlation to the two univerſities, where he had much more intereſt than in the convocation. Several biſhops ſtrenuouſly oppoſed it, and ſome even entered a proteſtation againſt it (5). But all ſignified nothing, ſince the King declared it to be his pleaſure: nay, he granted, the twelfth of March, a privilege to a London bookſeller (6) to print the Bible in Engliſh. This gives occaſion to preſume, the univerſities reviſed not the tranſlation, ſince it was impoſſible they ſhould have examined it ſo ſpeedily.

Diſpute concerning the verſion of the Bible. Burnet.

Rym. Fœd. Vol. XIV. P. 745.

Henry wanted money for his intended war with Scotland, on which he was abſolutely determined; but durſt not aſk the commons: not that he doubted of ſucceſs, but was afraid of alienating the hearts of his ſubjects, who were much more tender of matters of intereſt than all others. He wiſhed the commons would voluntarily offer him a ſubſidy without being aſked. It was in order to gain their

Henry wiſhes the commons would offer him a ſubſidy; Stow. Hollingſh.

(1) To the archbiſhop of Canterbury, who took the confeſſion of the ſame in writing ſubſcribed with her hand. Herbert, p. 229. This confeſſion is extant in Burnet's Hiſt. Ref. Collect. p. 171. whereby it appears that ſhe confeſſed more than enough.

(2) M. Rapin, by miſtake, ſuppoſes theſe to be her father and mother, whereas they were her uncle and aunt. She was daughter of lord Edmund Howard.

(3) This part of the act was afterwards repealed in the firſt parliament of Edward VI.

(4) Gardiner had a ſingular conceit. He fancied there were many words in the New Teſtament of ſuch majeſty, that they were not to be tranſlated, but muſt ſtand in the Engliſh Bible as they were in the Latin. A hundred of theſe he put into a writing which was read in convocation. His deſign was viſibly to make the tranſlation unintelligible to the people. Some of theſe words were, Eccleſia, Penitentia, Contritus, Juſtitia, Juſtificatio, Idiota, Elementa, Baptizare, Martyr, Sacramentum, Simulachrum, Gloria, &c. Burnet, Vol. I. p. 314.

(5) All the biſhops of the province of Canterbury, except Ely and St. David's, proteſted againſt it. Burnet, p. 315.

(6) Antony Maria. Rym. Fœd. Vol. XIV. p. 745.

affection,

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affection, that he commanded a ſheriff to be impriſoned for arreſting a member of parliament, and offered to leave it to them to puniſh him as they pleaſed. On the other hand, he every where borrowed money to let them ſee his neceſſity. But for once the commons feigned not to underſtand his language, being unwilling to introduce the pernicious cuſtom of granting the King ſubſidies unaſked; beſide, as they were yet ignorant of the deſign of a war with Scotland, they ſaw no occaſion to offer him money: ſo, the parliament broke up without granting him any thing, except the act concerning colleges and hoſpitals, which was a ſeed the fruit whereof he was to gather in due ſeaſon.

He indeavors to hinder the King of France from aſſiſting Scotland. Herbert. Burnet. Vol. III. p. 155.

The war with Scotland being reſolved, Henry ſent ſir William Paget to France, to ſound King Francis, and try to hinder him by ſome treaty from aſſiſting the King of Scotland. The embaſſador's inſtructions were, to demand of the King of France, that the treaty of perpetual peace between France and England ſhould be renewed. Francis eaſily perceived ſome myſtery lay hid in this overture. As he knew Henry was diſpleaſed with the King of Scotland, he queſtioned not that he deſired a renewal of the peace, purpoſely to inſert in the new treaty ſome article to tie up his hands, and prevent him from aiding his ally. He anſwered therefore, that it was needleſs to renew a treaty the conditions whereof the King of England had not performed. The embaſſador replied, "That as "the treaty of peace conſiſted not of any condi- "tions, conſequently his maſter could not be ac- "cuſed of breaking them." But this diſpute was intirely founded on a miſtake. The embaſſador, by the treaty of peace, underſtood a private treaty of only a ſingle article; namely, That there ſhould be a perpetual peace between France and England: but Francis had in view certain other treaties ſigned the ſame day, and which belonged to the firſt, tho' this was written apart. It was this ſeparate treaty which Henry wanted to renew, imagining he ſhould thereby hinder Francis from aſſiſting the King of Scotland. But Francis's meaning was not that, under this pretenſe, Henry ſhould be ſuffered to cruſh one of the moſt ancient allies of France, and France not be at liberty to interpoſe: on the contrary, he deemed it a manifeſt breach of the peace, to attack his allies without any juſt cauſe. Mean while, as neither would mention the King of Scotland, tho' both had him in their thoughts, Francis, purpoſely to imbaraſs Henry, demanded his aſſiſtance to recover the Milaneſe, purſuant to former treaties. Henry required on his part, that Francis, anſwerably to his promiſe, ſhould aboliſh the Papal authority in France. Theſe reciprocal demands were more apt to produce a breach than a renewal of the treaties: beſide, the Engliſh had already commenced hoſtilities, by ſeizing certain French ſhips which they preſumed were pyrates, and the French had detained ſome Engliſh veſſels by way of repriſal. So, the embaſſador, having taken his leave without effecting any thing, reported to his maſter, that the King of France was ill-affected to him; that is, he would not, without oppoſing it, ſuffer the King of Scotland to be oppreſſed. This was the meaning of Francis's being ill-affected to England, he being at that time very far from deſiring a war with the Engliſh, ſince he was juſt on entering upon another which he had abundantly more at heart.

Embaſſy from France to the diet at Spire. Sleidan.

Francis was ſo inſenſed at Charles's wiles and inſincerity that, to proclaim war againſt him, he only waited to ſee him ſo imbroiled with the Smalcaldic league, that there ſhould be no farther hope of agreement. To foment this diſſenſion, he had ſent embaſſadors to the diet aſſembled at Spire, in February, under color of clearing himſelf from the pretended calumnies wherewith he was aſperſed, and particularly from the imputation of being in alliance with the Turks. His embaſſadors complained to the diet, in very ſtrong terms, of the murder of Rincon and Fregoſo, pretending that Rincon was ſent to Conſtantinople purely to diſſuade Sultan Sulyman from his deſign of carrying war into Germany. However, in the ſequel of their diſcourſe, they would have perſuaded the German Princes, that it was their intereſt to fortify their frontier towns, and abandon Hungary to the Turks: ſo their preſenſe at the diet having produced no great effect, they returned very diſſatisfied.

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The Pope offers a council at Trent. Herbert.

Not long after their departure, the Pope's nuncio offered to the diet, in his Sanctity's name, a council at Trent. The Catholics gladly accepted the offer, and thanked the nuncio: but the Proteſtants rejected it, becauſe they would not have a council called by their adverſary, and in a ſuſpicious place, ſince the city of Trent appertained to the King of the Romans. The diet however ended to the Emperor's and Ferdinand's ſatisfaction, after having unanimouſly reſolved to give them a powerful aſſiſtance, under conduct of the elector of Brandenburg.

The council of Trent called.

Notwithſtanding Pope Paul III's offer had been rejected by the German Proteſtants, his ſaid Holineſs called a council at Trent for November following, by a bull of the twenty-ſecond of May. But this was only to amuſe the world: he was very ſenſible that, when a war between the Emperor and France was going to commence, there would be obſtacles enough to hinder the council from aſſembling.

Francis invades the Emperor in five places. Du Bellai. Mezerai. Herbert.

And indeed, at this very juncture, King Francis was preparing for the field five ſeveral armies, wherewith to attack Charles in as many different places at once; namely, Rouſſillon, Luxemburg, Piedmont, Flanders and Brabant: but the ſucceſs anſwered not his expectations. The extraordinary effort he made this year to invade his enemy ſerved only to diſable him from doing the like in his own defenſe when attacked. The Dauphin beſieged Perpignan in vain. The duke of Orleans, his brother, took Luxemburg and Montmedy: but theſe places were retaken before the campain cloſed. As for the other three armies, they performed nothing conſiderable.

Henry reſolves on a war with Scotland. Buchanan. Herbert. Burnet.

While Francis was vainly indeavoring to be revenged on the Emperor, Henry came to a final reſolution of making war upon Scotland. He had been in hope that, in the expected conference with the King his nephew, he ſhould perſuade him to renounce the Papal authority, and was extremely concerned to ſee himſelf diſappointed. This affair ſeemed to him of the utmoſt importance becauſe, not having much to fear from abroad, where the naval forces were not comparable to his, Scotland was the only country which could give him any uneaſineſs. From thence alone could the Engliſh male-contents receive any ſuccors, and he remembered, with terror, the danger he ſhould have run when the rebels were in arms in the north, had they been ſupported by a Scotiſh army. In this war therefore upon Scotland, his aim was not to make conqueſts, but to bend the Scotiſh King to his will by force, ſince he could not do it by fair means: this he deemed abſolutely neceſſary, in order to procure a ſettled peace. At the time of the northern rebellion, the junctures were very favorable to him; for, being then in ſtrict union with France, King James could not ingage to ſupport the Engliſh male-contents without the concurrence of King Francis, who, inſtead of approving ſuch a deſign, would have rather diverted him from it: but affairs were now on another foot, ſince Henry could no longer rely on the King of France's friendſhip. It is true, that Prince was not to be much feared, while

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while at war with the Emperor; but he conſidered that the equality of theſe two Monarchs forces would, probably, oblige them to make peace very ſoon, and this peace, in which no doubt the Pope would interpoſe, neceſſarily be to his prejudice; nay, it was a queſtion whether it would not occaſion a league againſt him, and the King of Scotland join in it. In that caſe, England could be invaded in the north with more eaſe, as the northern counties were moſt inclined to rebel. It was therefore of very great conſequence to Henry to gain the King of Scotland to his intereſt, ſince, being ſecured on that ſide, invaſions were not much to be feared, he deeming ſuch attempts in a manner impoſſible, conſidering the ſuperiority of his naval forces.

He intended to uſe two methods whereby to gain the King of Scotland in the propoſed conference. The firſt was, to let him know that it was in his power to ſecure to him the ſucceſſion of the crown of England, after his ſon Edward, or remove him from it, ſince, by the act of parliament made for that perpoſe, he could call to the ſucceſſion his daughters Mary and Elizabeth, or exclude them for ever. In the former caſe, King James could not pretend to the crown, 'till after the poſterity of theſe two Princeſſes became extinct; but, in the latter caſe, he came immediately after Prince Edward: as therefore to gain two degrees was for the Scotiſh King a very conſiderable advantage, Henry hoped he would not be ſo imprudent as to ſlight it. The ſecond means he deſigned to make uſe of to win that Prince was, to lay before him the advantages which would accrue to him in caſe he renounced the Pope, as well by reaſon of the facility this would give him to ſucceed to the crown of England, if there ſhould be occaſion, as by the riches he would acquire in ſuppreſſing the monaſteries of Scotland. As James was very greedy of money, Henry doubted not ſucceeding by this ſecond method, even ſhould the firſt prove ineffectual. He was therefore extremely vexed to ſee himſelf diſappointed of his hopes, by the King his nephew's refuſal to meet him at York. He thereby perceived the too great influence his new Queen had over him, and even ſuſpected all was owing to the intrigues of his Holineſs, the Emperor, and perhaps of King Francis: wherefore, deſpairing to ſucceed in his project by fair means, he reſolved to attempt accompliſhing it by force.

The deſign of this war.

Scotland was little able to reſiſt England, without the aſſiſtance of France: but Francis was ſo imployed, that there was no likelihood of his interpoſing in the quarrel. Henry hoped therefore, if he could gain at firſt ſome advantage, he ſhould render the Scots leſs intractable, and more eaſily diſpoſe the King his nephew to liſten to his propoſals. Thus the war he intended to make upon Scotland was properly deſigned to oblige the Scots to a compliance with his deſires, and not founded on caprice only, or to be revenged for the affront he had received, as the hiſtorians pretend. Hollingſh. However, as he could not diſcover the real motives without doing himſelf a prejudice, he pretended a violation of the truce, James's denial of certain lands of ſmall value lying on the frontiers, and his reception of diverſe Engliſh rebels: but as all this was not very capable of deceiving the world, he bethought himſelf of reviving the Kings of England's quondam pretenſions to the ſovereignty of Scotland. To that purpoſe, he ſet out a very ample declaration, wherein was inſerted the memorial largely treated of under the reigns of Edward I, and Henry VII, containing the pretended proofs of the homage Scotland had formerly done to England. This declaration was however ſo ambiguouſly expreſſed, that it plainly appeared Henry was willing to have it in his power to quit his pretenſions without injuring his honor. It is intirely needleſs to repeat the contents of this memorial. It will ſuffice to obſerve, that the Engliſh writers ſpeak of it as if the ſovereignty of the Kings of England over Scotland was there demonſtrated, and that barely quoting it ſufficed to ſilence all reply. Doctor Burnet, tho' a Scot, ſeems to give into this opinion univerſally ſpread in England, ſince he ſpeaks of this memorial in his hiſtory of the reformation, without making the leaſt remark. Perhaps he did not think proper to combat the ſentiments of the Engliſh without any neceſſity, with regard to his hiſtory.

He revives England's pretenſions to the ſovereignty of Scotland. Declaration on that head. Hall. fol. 247. Burnet.

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War with Scotland. Hollingſh. Herbert.

Henry publiſhed not his declaration 'till his army was juſt entering Scotland. His deſign was to ſurpriſe the Scots, which he believed the more eaſy, as there appeared not any juſt cauſe of rupture between the two kingdoms: but King James, having intelligence that levies were making in England, put himſelf in a poſture of defenſe, in caſe he ſhould be attacked. In the interim, he diſpatched away two embaſſadors to the King his uncle, in order to content him, if poſſible, or at leaſt to gain time 'till the King of France could ſend him aſſiſtance. Theſe embaſſadors were, on frivolous pretexts, long detained at the Engliſh court, nor did Henry, while buſied in making his preparations, vouchſafe them any anſwer; nay, they were not ſuffered to return but with his army, which was to enter their country under conduct of the duke of Norfolk, and where they were as priſoners. Two other embaſſadors of Scotland, who were going to London, meeting the Engliſh army on their march, were alſo detained 'till the army arrived at Berwick.

Buchanan.

Mean while King James, hearing the duke of Norfolk was marching towards the north at the head of twenty thouſand men, ſent to the frontiers a body of ten thouſand, commanded by George Gordon, expecting the reſt of the troops which, from different quarters, were marching to join him. But Gordon was not able to hinder the duke of Norfolk from entering Scotland, about the end of October, and ravaging the country north of the Tweed. After this ſhort expedition, the Engliſh army retired to Berwick, the ſeaſon, already very rigorous, having prevented their advancing farther. During this, King James ordered lord Maxwell to march with fifteen thouſand men, while the Engliſh were retiring to Berwick. The Scots pretend that, on notice of Maxwell's approach, the Engliſh retreated in ſuch confuſion, that they might have been eaſily defeated, had Gordon ventured to attack them; and that James was violently inraged againſt him for miſſing this blow. However this be, James perſonally heading his army, held a council of war, and appeared fully reſolved to give battle, let what would be the conſequence: but himſelf alone was of that opinion. On the contrary, the danger to which the kingdom would be expoſed, in caſe of a defeat, was ſtrongly repreſented to him. In ſhort, as he would not alter his reſolution, the generals and nobles told him, they would not obey him, if, without any neceſſity, he obſtinately expoſed the realm to ſo manifeſt a hazard. This oppoſition threw him into a fury. He ſwore he would puniſh their diſobedience, and called them all traitors, ſince they hindered him from obtaining, as he thought, a moſt certain victory. This notion had been put into his brain by cardinal Beaton, who aſſured him, "That he could not "poſſibly be vanquiſhed by ſuch heretics as the "Engliſh." The truth is, James had been ſomewhat diſordered in his intellects ever ſince he had unjuſtly put to death a nephew of the duke of Albany, whoſe apparition was continually preſent to his imagination. Wherefore, being exceſſively irritated to be thus diſobeyed, he left the command of

Hall. Stow. Buchanan. Burnet.

Hall. Buchanan. Leſley.

The Scotiſh King reſolved to fight.

The nobles refuſe to follow him. Buchanan.

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of his army to lord Maxwell, with orders to march towards the enemy, and remained himſelf within diſtance to join him, in caſe there was occaſion to ingage. But a few days after, as he was highly inſenſed againſt his generals, and withal greatly diffident of their loyalty, he gave to Oliver Sinclair, his favorite minion, a commiſſion in form to take on him the command of the army. The new general, very unfit for ſuch a ſtation, repairing to the camp, cauſed his patent to be publicly read, which gave univerſal offenſe, and bred ſuch diſcontent among the troops, that they began to diſperſe, when a band of five hundred Engliſh cavalry appeared on a hill, where they were poſted to obſerve the enemies motions: this ſight increaſed the confuſion among the Scots, who imagined the whole Engliſh army was approaching to give battle. In this condition, being without a general, ſince Maxwell's commiſſion was revoked and none would obey Sinclair, they choſe to retreat, but in a panic which permited them not to look behind and obſerve the inconſiderable number of their enemies. That body of Engliſh cavalry, obſerving this their diſorderly and precipitate flight, cloſely purſued them, and, without meeting any reſiſtance, ſlew great numbers, took priſoners ſeven lords, two hundred gentlemen, eight hundred ſoldiers, with twenty-four pieces of ordnance. Never was victory obtained with ſuch facility. Among the chief priſoners were the earls of Glencairn and Caſſilis, lord Maxwell, and Oliver Sinclair, the King's favorite.

He gives the command of his army to Sinclair. Buchanan. Burnet. Leſley.

The Scotiſh army ſhamefully routed. Buchanan.

Hall. Stow. Hollingſh. Burnet.

The tidings of this diſaſter caſt King James into a deſperate melancholy, to which he was already too much inclined. He imagined his generals and nobles had betrayed him, and under this prepoſſeſſion determined on puniſhing the majority of them capitally. His vexation was ſtill augmented on being informed, that a herald ſent by the duke of Norfolk had been aſſaſſinated by a certain Engliſh refugee. With terror he meditated on the fatal conſequences which might attend this accident, after his recent misfortune. So, imagining it would be impoſſible to free himſelf from his preſent perplexity, he was unable to reſiſt this exceſſive grief, which brought him to his grave the fourteenth of December 1542. His death happened ſeven days after the birth of a Princeſs named Mary, of whom his Queen was delivered, and who was his ſole heir. A little before he, in one day, loſt two ſons.

The King of Scotland's death. Buchanan. Hall.

Birth of Princeſs Mary. Buchanan.

Henry, ignorant of what paſſed in Scotland, had ordered the Scotiſh Priſoners to be brought to London, where they arrived the nineteenth of December. Next day they were conducted thro' the city from the Tower, where they had been confined, into the King's preſenſe at Weſtminſter. At firſt, he reproached them, for having, by their pernicious counſels, perſuaded their King to quarrel with him; and told them, they juſtly bore the puniſhment of a war raiſed by themſelves. Nevertheleſs, as he intended to make uſe of them to procure ſuch a peace as he deſired, he concluded his diſcourſe with ſome obliging expreſſions, and granted them more liberty, by diſtributing them under the cuſtody of diverſe of the nobility (1). The earl of Caſſilis had the good fortune to fall into the hands of the archbiſhop of Canterbury, and to receive from him, during his ſhort ſtay at London, ſuch inſtructions as induced him to imbrace the reformation at his return to Scotland.

Henry orders the priſoners to be brought to London. Hall. Stow. Hollingſh. Herbert.

Hollingſh. p. 959. Burnet.

In a few days, advice of the Princeſs Mary of Scotland's birth, and of her royal father's death arriving together, Henry judged it a favorable juncture to unite Scotland with England, by matching his ſon Edward with the new Scotiſh Queen. He had the captive lords ſounded; and, finding them inclined to ſecond the overture, ſet them at liberty, on condition they would give hoſtages for their return, in caſe the projected alliance did not ſucceed. This condition being accepted, they were conducted to Newcaſtle, whence they proceeded homewards; having previouſly delivered the promiſed hoſtages. We ſhall ſoon ſee what was the iſſue of this project.

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He projects a match between his ſon and the new Queen of Scotland; and diſmiſſes the priſoners. Hall. Stow. Hollingſh.

The Engliſh parliament aſſembling the twenty-ſecond of January, granted the King a ſubſidy, as well for his charges in the Scotiſh war, as for his other occaſions. Herein the meaning was a war with France, whereof there was no longer room to doubt, ſince King Francis was on the point of concluding a league with the Emperor. The union which was in agitation between theſe two Monarchs, was like to be ſo favorable to the adherents of Rome and the old religion, that they queſtioned not but the deſtruction of the reformation in England approached. Nevertheleſs, at this very juncture, they had the mortification to ſee paſſed an act of parliament which greatly checked their promiſing expectations. This act, moved and finally obtained by Cranmer, ran, That lords, gentlemen and merchants, might have in their houſes the Bible in Engliſh, with certain other books of religion, mentioned in the act, for the inſtruction of their families: but it was expreſly forbid to print, ſell, buy, or keep any other religious books; and to preach or ſpeak againſt the ordinance of the year 1540. There was alſo a very conſiderable clauſe in this ſtatute, viz. That the offenders, if eccleſiaſtics, ſhould not be condemned to be burned 'till the third offenſe; and the puniſhment of lay-men, not extend beyond the forfeiture of goods and chattels (2). Moreover, the act allowed the party accuſed to bring witneſſes for his own purgation, which had never been practiſed before in the caſe of hereſy. Laſtly, it was inacted, that the accuſed ſhould be tried within a year at fartheſt after the indictment. But on the other hand, the law of ſix articles was confirmed, and the parliament left it in the King's power to annul or alter the act at his pleaſure. By this laſt clauſe Henry ſtill continued to be maſter of the lives of the reformed, ſince, by repealing this act, he could proſecute them upon the former ſtatutes.

An' 1543. Henry's parliament grants him a ſubſidy. Herbert. Burnet.

Act allowing the Bible in private houſes. Burnet.

Advantageous clauſe to perſons accuſed of hereſy.

Power granted the King to repeal this act.

Fifteen days after the parliament broke up, King Henry concluded with Charles V a league, which however was not publiſhed 'till June. It was not the intereſt of the Engliſh that their King ſhould join with the Emperor to augment his power; he being already but too potent. It would, on the contrary, have been much properer to have aſſiſted France, in order to keep the balance even: at leaſt, it is undeniable, that a neutrality would have been advantageous to England; but Henry's paſſion ran counter to the intereſt of his realms. He was extremely diſſatisfied with France on ſeveral accounts. Firſt, he obſerved in him a great indifference for his concerns, ever ſince he had not needed his aſſiſtance. Secondly, he now was convinced that all his promiſes to renounce, like him, the Papal authority, tended only to amuſe him: he knew Francis had on diverſe occaſions condemned his conduct with reſpect to religion, and ridiculed his marriages. Thirdly, he paid neither the yearly penſion of a hundred thouſand crowns, nor that of ten thouſand for the ſalt of Brouage, tho' bound by ſundry treaties: as for the debt of two millions,

Henry concludes a league with the Emperor. Rym. Fœd. Vol. XIV. p. 768. February 11. Hall. Herbert. Burnet.

Reaſons of Henry's being diſpleaſed with Francis. Herbert. p. 236.

(1) Beſide the noble Scots already mentioned, were the lords Gray, Oliphant and Somerville.
(2) And perpetual impriſonment.

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Francis indeed could produce acquitances for good part of that ſum; but then Henry had received no money, the acquitances being in lieu of the ſuccors he had voluntarily promiſed to lend him in his former wars; nevertheleſs, a very large debt ſtill remained wholly unaccounted for, and the debtor ſeemed never to think of giving him the leaſt ſatisfaction. Moreover, Henry had preſented the King of France with what was due to him from the Emperor, ſolely on condition he would perform the treaties, and complained that Francis had not been punctual. But what moſt offended Henry, was the obſtacles Francis had raiſed him in Scotland, by means of a faction which openly oppoſed his deſigns. Here was ſufficient cauſe for a breach, had the nation's intereſt been the ſame with the King's: but, in contrarieties of this kind, it rarely happens that the peoples advantage prevails over the Sovereign's. Henry reſolved therefore to make the King of France ſenſible, that it would have been worth his while to have expreſſed for him a greater regard, and to this end choſe to be reconciled with the Emperor, and join in a league with that Monarch.

The advantages of this league on the Emperor's ſide.

Charles V wiſhed nothing more ardently. He readily comprehended that, with the aſſiſtance of England, he ſhould ſoon bring the King of France to reaſon, and deſtroy all his hopes of recovering Milan by arms. His conſtant dread of Henry's uniting with France and the German Proteſtants, cauſed him to conſider the alliance with England as what would inable him to accompliſh his ambitious projects. He found his account much better in hindering Francis from ſeting foot again in Italy, and in cruſhing the Proteſtants, than in executing, or rather in trying to execute the Pope's ſentence againſt Henry; which enterpriſe, very probably, would not have concluded to his honor: beſide the death of his aunt, Queen Catherine, had greatly diminiſhed, and it may be intirely ſtifled his deſire to revenge her wrongs. So, at the very time he was complaining to all the Princes of Europe, that Francis held private intelligence with the Infidels, he ſcrupled not to court the alliance of an excommunicated King who, according to the principles of the Romiſh church, ought not to have been looked with leſs horror than the Turk. A ſingle difficulty only retarded the concluſion of this alliance. The Emperor would have Mary, Queen Catherine's daughter, acknowledged for legitimate, which Henry obſtinately refuſed: nay, he could not grant it without being himſelf the condemner of his divorce from Catherine, and of his whole procedure on that occaſion. He promiſed however that, purſuant to the power granted him by parliament, he would give Mary a place in the ſucceſſion; but would never conſent this article ſhould be inſerted in the treaty. The Emperor's friends in England adviſed him to be ſatisfied with this verbal promiſe, apprehenſive as they were that the league, whence they expected great advantages, would by this obſtacle be procraſtinated. Bonner, biſhop of London, who was diſpatched into Spain to negociate this buſineſs, moſt zealouſly labored its accompliſhment, in hopes that a union between the Emperor and King Henry would re-eſtabliſh religion in England on the ſame foot as before the divorce.

Difficulty on the concluſion of this league. Burnet.

It is removed.

Treaty of league between the Emperor and Henry. Rym. Fœd. Vol. XIV. p. 768. Herbert. p. 236.

The treaty was therefore concluded at London, the eleventh of February 1543. It contained a league for England only, with what Henry held in Picardy; and, on the Emperor's part, for the Netherland Provinces under his dominion (1), without any mention of Spain or Germany. The league was to this effect:

That the Emperor and King of England ſhould ſend embaſſadors to the King of France, to reproach him, that ſolely by his inſtigation the Turks had invaded Chriſtendom: that therefore the two confederate Monarchs exhorted him to break his alliance with the Infidels, to hold them for enemies, and renounce his correſpondence with them: that they moreover demanded he ſhould make ſatisfaction to the Chriſtians for what damages they had received thro' his calling in upon them thoſe barbarous enemies: that he ſhould put a ſtop to the hoſtilities he had commenced in diverſe quarters, that the Emperor might apply himſelf to the defenſe of Chriſtendom: that he ſhould cauſe the town of Maran, taken by the Turks, to be reſtored to King Ferdinand; and to the Emperor Caſtronovo, which they had beſieged with the aid of twelve French gallies: that he ſhould repair the loſſes the Germans had ſuſtained by the Turkiſh invaſion. Laſtly, that he ſhould ſatisfy the King of England for whatever he owed him, and give him ſecurity for the payment of the hundred thouſand crowns.

After theſe preliminaries, the two confederate Monarchs agreed, that they would not make peace or truce but on theſe conditions. That Francis ſhould pay the King of England all arrears whatever, and, for ſecurity of the annual penſion, ſurrender into his hands Ponthieu, Boulogne, Montreuil, Ardres and Terouenne, free from all homage, for which however Henry ſhould conſent, that the yearly revenues thence ariſing ſhould be in lieu of the penſion. Moreover, that Francis ſhould reſtore to the Emperor the duchy of Burgundy.

That if the King of France ſhould delay ten days to accept theſe conditions, the two confederate Monarchs ſhould proclaim war againſt him, with a declaration, That they would never make peace 'till the King of England was in poſſeſſion of Normandy, Guienne, and the Gallic crown; and the Emperor of Abbeville, Amiens, Bray, Corbeil, Peronne, Ham, St. Quintin, and the whole duchy of Burgundy.

Laſtly, they agreed, that each ſhould take the field, and invade France with twenty-five thouſand men, whereof five thouſand ſhould be cavalry (2).

Theſe were vaſt projects: but theſe Princes were too wiſe to imagine that, with twenty-five thouſand men each, they were able to conquer France. It therefore ſeems they agreed in the treaty to bring into the field ſo ſmall a number of troops, only to ingage Francis to make preparations anſwerably: and indeed we ſhall ſee hereafter that they invaded France with more than a hundred thouſand men.

Henry's chief aim.

One of the principal reaſons why Henry joined in a league with the Emperor, was to find the King of France ſo much imployment at home, that it ſhould not be in his power to break his meaſures for the union of Scotland with England, by a marriage between Mary and Prince Edward. Henry had this affair extremely at heart, and very juſtly, as may readily be ſuppoſed: but unluckily for him, there was in Scotland a dowager Queen of the Lorrain family, and a cardinal archbiſhop of St. Andrews, both which perſons, being devoted to France and the Pope, labored with their utmoſt might to

(1) The places and dominions mentioned on King Henry's part, are, the kingdoms of England and Ireland, the iſlands of Wight, Jerſey, Guernſey, and Man; the caſtle and earldom of Guiſnes, and the towns of Calais and Berwick: and on the Emperor's part, are named, the kingdom of Spain [regna Hiſpaniarum] the provinces of Brabant, Flanders, Holland, Zealand, Hanault, Artois, Limburg, Luxemburg, Namur, Friſeland, the countries of Dureſſel, Utrecht, and Mechlin. Rym. Fœd. Vol. XIV. p. 769, 770.

(2) And alſo each of them ſhould fit out ſhips, with two or three thouſand armed men.

defeat

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defeat his projects. As the Scotiſh affairs will be very ſoon intermixed with thoſe of England, it is abſolutely neceſſary to turn our eyes towards what paſſed in that country, after the demiſe of James V, without which it would be very difficult rightly to comprehend the ſequel.

Affairs of Scotland. Buchanan. Burnet.

On James V's deceaſe, the ſituation of Scotland was but very indifferent. The late King had not any way ſettled the regency during his daughter's minority. Princeſs Mary's next immediate heir was James Hamilton, earl of Arran, a perſon of a very mean genius, a lover of books and eaſe, but little capable of managing the public affairs, and ſtill leſs thoſe of war (1). He had ſhewn ſome inclination for the new religion, and thereby rendered himſelf as much ſuſpected and odious to the clergy, as agreeable to thoſe who had imbraced the reformation. The dowager Queen, the cardinal of Lorrain's and duke of Guiſe's ſiſter, had for the Reformed a mortal averſion. This averſion was cheriſhed by cardinal Beaton, archbiſhop of St. Andrews, a man violent and cruel, who had already given diverſe inſtances of his innate inhumanity towards thoſe who imbraced the new doctrine. Moſt of the nobles who, by their counſels, could have ſupported the ſtate in ſuch a juncture, were either ſlain in the late rout, or priſoners in England: but even had they been living, or in Scotland, it would have been very difficult to ſucceed. There had long been ſuch a diviſion among the grandees, that what one moved was ſure to be oppoſed by another. This was the conſequence of the factions raiſed by the Kings of France and England in the kingdom, and which were continued by different opinions in religion. To all theſe evils was added that of a war againſt a powerful neighbor, who had juſt gained a very conſiderable advantage, and could eaſily improve the conſternation all Scotland was under.

Amidſt this confuſion cardinal Beaton, ſeeing none able to withſtand him, formed the deſign of ſeizing the regency. To this end, he forged a will for the late King, wherein he was appointed regent, or viceroy, during Mary's minority, with three counſellors, or aſſiſtants, of whom the earl of Arran was one, and cauſed it to be publiſhed, againſt the parliament ſhould meet and confirm it. Mean while he ſtrove by all imaginable means to gain proper perſons to ſupport him, as well among the comonalty as the grandees. The firſt who declared for him was the Queen dowager.

Buchanan. Hall. Hollingſh.

But while the cardinal was laboring to ſtrengthen his party, the friends and relations of the earl of Arran were earneſtly ſolliciting him, not to yield the regency to one who had not thereto any right or title. They repreſented to him, that the will whereon the cardinal grounded his pretenſions was a forgery, becauſe the King never ſo far eſteemed that prelate as to commit to him the regency in prejudice of the Princes of the blood: that it was a contrivance to deſtroy the Hamiltons with their whole party, and obſtruct the reformation's progreſs: that the cardinal was known to be a man of ill principle, of little or no conſcience, cruel and ſuperſtitious, and if once he had the power in his hands, the flames of perſecution would quickly be kindled throughout the realm, not only againſt the Reformed, but againſt all in general who would not implicitly and abſolutely ſubmit to his orders; and that infallibly thoſe of the blood royal, and the prime nobility would be firſt ſacrificed to his ambition and jealouſy. The earl of Arran was of a pacific diſpoſition, and without any aſpiring thoughts. Had he followed his own inclination, he would have left his eminence in a quiet injoyment of the authority he had uſurped: but his friends, having as we may ſay compeled him by their remonſtrances, he determined on proſecuting the right due to his birth, by demanding the regency, and expoſing the fallacy of that imaginary will whereon Beaton reſted.

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During theſe tranſactions, the priſoners, who had been releaſed, came to Scotland, and with them Archibald Douglaſs earl of Angus, and William Douglaſs his brother, who had been fifteen years exiles in England. By their arrival, the earl of Arran's party was conſiderably ſtrengthened, whereas the cardinal loſt many followers, who had joined with him more thro' fear than affection. It was no longer ſcrupled to diſcourſe publicly, that the earl of Arran's right was indiſputable, even had the King capriciouſly diſpoſed of the regency in favor of the cardinal; which however was not credible. The parliament meeting in March, the will was examined, and the forgery being detected, the cardinal was removed, and the earl of Arran declared regent in a manner unanimouſly. Nor was it without reaſon that moſt of the peers and other grandees were deſirous to free themſelves from cardinal Beaton's domination. Before the parliament's convening, was found a memorandum, written with the King's own hand, wherein were ſet down the names of three hundred of the nobility and prime gentry, all whom he had reſolved to diſpatch. As moſt of theſe proſcribed perſons were either of the Reformed, or at leaſt favorers of the reformation, it was not doubted that the cardinal had mainly contributed to put King James upon this inhuman reſolution, by repreſenting to him, that thoſe who had refuſed to fight againſt the Engliſh, were the King of England's ſecret partiſans, and favored the novel opinions. Certain it is, that abundance of the grandees were of the reformed religion, or well-wiſhers to the reformation. The earl of Arran was of this number, and on that account was ſo well ſupported when he demanded the regency, becauſe thoſe of the new religion intended to make him their protector. But this was a moſt indifferent choice; the earl's unactive and timorous diſpoſition rendering him very unfit to ſupport thoſe inclined to put themſelves under his protection.

Hall. Stow. Hollingſh. Herbert.

Buchanan.

While the parliament ſat, Henry ſent to Scotland an embaſſy to propoſe the marriage of his ſon Prince Edward with the young Scotiſh Queen, according to the agreement with the captive lords. The embaſſador was furniſhed with a good ſum of money to facilitate the negociation, Henry knowing experimentally how efficacious the ſaid means was in that country. The Dowager and cardinal Beaton imployed their whole credit and addreſs to get the overture rejected: but as their party was not ſtrong enough to balance the King of England's, his eminence made it his buſineſs to confound all the conferences held on this occaſion, by tedious harangues, puzzling cavils, and invectives againſt the adverſe faction, with deſign to excite differences and diſputes which would obſtruct the concluſion of this affair. His artifices being at length perceived, he was confined to a chamber 'till the debates were ended. The moment Beaton no longer appeared, King Henry's propoſition was without much difficulty accepted, and the parliament appointed embaſſadors to prepare for London, there to treat with the King concerning a peace and the marriage. George Douglaſs, brother of the earl of Angus, and ſome others of the nobility, were charged with this negociation, which finally terminated

Henry propoſes to the Scots a match between their young Queen with Prince Edward.

Buchanan. Hall. Herbert.

Buchanan. Herbert.

The King's propoſal accepted.

Treaty between England and Scotland.

Rym. Fœd. Vol. XIV. p. 781, 796. Herbert. Burnet.

(1) This is Buchanan's character of him. Rapin.

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minated in two treaties concluded at London the first of July 1543. The first was to settle a lasting and advantageous peace between the two kingdoms. The second, for the marriage of Prince Edward with the young Queen of Scotland. Henry did his utmost to have Mary put into his hands: but the Scotish embassadors firmly refusing their consent, it was at length stipulated, that she should not be brought into England 'till she had completed her tenth year: that, in the interim, the parliament of Scotland should appoint four nobles to take care of her education, and Henry might add a fifth of his own nation to convey his advices to the governors (1): that the Scotish parliament should give King Henry six hostages of distinction, for security that the marriage should be accomplished.

Buchanan.

This business concluded, the cardinal had a little more liberty granted him, by being given in custody to the lord Seaton: but that nobleman suffering himself to be corrupted by his prisoner, afforded him means to make his escape. No sooner was he at liberty, but he put in practise his whole stock of artifice and industry to break the treaties with England, wherein he was powerfully assisted by the Queen dowager. As they were both most zealously attached to France and the ancient creed, they could not, without excessive reluctance, behold the alliance lately made with a Prince whom they looked on as a heretic, and whose interests had for some time been contrary to those of Francis I. They plainly perceived this alliance might very possibly produce great alterations as well in church as state, and would infallibly destroy the ancient union between France and Scotland. To prevent this, Beaton assembled, at his house, the chief ecclesiastics, and representing to them that religion was in danger, he obtained a large contribution to assist him in its support. This money served him to maintain his creatures, and gain some of the contrary party. In a word, he so well conducted his cabals, that he soon put things in extreme confusion. By his sollicitations and intrigues he so managed, that the prisoners, who had been released, determined on not returning to redeem their hostages. The earl of Cassilis alone could not be prevailed with on any consideration to falsify his plighted faith. In short, the cardinal's party being grown very numerous by his liberalities, strongly opposed sending the hostages promised to the King of England by the treaty. Moreover the cardinal resolving, at any rate, to set the two nations at variance, caused Henry's embassador to be highly affronted by some of his party, and his servants to be insulted: but the English minister, knowing how ardently the King his master wished the treaties might be executed, bore all with patience, for fear of raising some unseasonable quarrel, which he found was Beaton's design. Thus the cardinal had brought matters to such a pass, that in vain the regent, who wanted resolution, tried to stop these violent proceedings, since his commands were openly disobeyed.

Cardinal Beaton breaks these measures.

His party stronger than the regent's.

The day whereon the three hostages were to be delivered being come, the English embassador demanded them of the regent, complaining withal of the affronts he had received. The regent told him, "he was extremely sorry any disrespect had "been shewn to his person and character, and "would give him, at a more convenient season, "what satisfaction he desired: that he was himself "witness of the troubles raised by the cardinal, "and how contemptible the authority of the go"vernment was rendered by that prelate's cabals: "as for the hostages, it was no longer in his power "to put them into his hands, since it was ob"structed by the cardinal and his whole party, "who were now grown too strong to be con"strained." The embassador was sufficiently convinced of the truth of what the regent said; and, as he saw little appearance of a change in favor of the King his master, he contented himself with summoning the prisoners to return to England according to their promises: but in that also he had no better success. They refused to return, tho' they were released only on parole. The earl of Cassilis alone, abhorring the base perfidy of his fellow-prisoners, set out for London, and put himself into King Henry's hands. This action met with its deserved reward. The King received him most courteously, applauded his fidelity, loaded him with rich presents, and dismissed him without ransom. Mean while, Henry finding his party in Scotland was neither very numerous, nor sufficiently firm to his interest, he determined on proclaiming war with that kingdom. He might easily have made a conquest of it some months before, would he have taken advantage of the Scots consternation on their defeat, and the death of their Sovereign.

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The prisoners, Cassilis only excepted, refuse returning to England.

The Queen and cardinal, having gained their point, as to a rupture with England, studied means of procuring the kingdom's government by supplanting the earl of Arran, head of the contrary faction. Indeed, they were not much in dread of the said earl, as they had very recently demonstrated: but he bore the title of regent and, very possibly, by the counsels of the able men of his party, and the King of England's assistance, he might in the end find means to render himself formidable. The war Henry had just proclaimed against Scotland afforded them a favorable opportunity to execute their project. They represented to the King of France, "that it was in a manner "impossible for Scotland to maintain a war against "England, without a powerful aid from him: "that the earl of Arran, regent of the kingdom, "favored the English; and, instead of opposing, "would infallibly make use of them to establish "his authority, and accomplish the young Queen's "projected marriage: that, probably, this mar"riage would break the alliance between France "and Scotland, and produce a lasting union be"tween Scotland and England: that he might "plainly see how much he himself was interested "in a war which, as it would most certainly be "unsuccessful, would occasion his losing Scotland: "that they in reality perceived how difficult it was "for him to assist them, when he needed his whole "force to oppose the Emperor; but they had de"vised a very proper expedient to gain time, in "breaking the measures of the adverse party. The "expedient was, that he should send over Mat"thew Stuart, earl of Lenox, who was in France, "that they might set him in opposition to the Ha"miltons, who were his avowed enemies on ac"count of their killing his father: that imme"diately on this nobleman's arrival in Scotland, "he would be acknowledged for head of the "party against the regent, and, by the assistance "they were ready to lend him, would become so "superior that it would not be possible for the re"gent to execute his designs in favor of England." The better to intice Lenox to Scotland, they put him in hopes of marrying the dowager Queen, and of being seated on the throne in case the young Queen died before she married. They told him, this would be so much the easier, as before Mary's

The Queen's and cardinal's artifices to seize the government. Buchanan. Burnet.

They send for the earl of Lenox from France to set him up against the regent.

(1) The King might send a nobleman and his wife with other persons, not exceeding twenty, to wait on her. And for performance of the marriage, six noblemen were to be sent from Scotland for hostages. Rymer's Fœd. Vol. XIV. p. 794. Burnet, Vol. I. p 323.

birth

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birth, the late King had deſigned him for his ſucceſſor, tho' farther removed than the earl of Arran, whom he deemed ſpurious, by reaſon of his father's illegal marriage. Theſe remonſtrances had the deſired effect. Francis I, glad to ſtrengthen his party in Scotland without being forced to furniſh ſupplies, ſpeedily diſpatched away the earl of Lenox, with aſſurances of his protection.

Beaton hinders the regent from having the young Queen's perſon in his power.

Mean while the regent, having ſome intimation of this ſcheme, reſolved to ſupport his authority by making himſelf maſter of the Queen's perſon, then in the caſtle of Limnuch or Linlithgoe (1): but as he kept not his deſigns ſufficiently ſecret, the cardinal, who had information, came to Linlithgoe well attended, in order to prevent the Queen's removal. Not long after, the earl of Lenox arrived from France, and, after ſaluting the regent, withdrew to his own houſe, where he aſſembled his friends with them to conſult how they ſhould proceed. He acquainted them with the motives of his return, and the hopes given him of being put in poſſeſſion of the regency, the dowager Queen and even the Scotiſh crown, in caſe of the young Queen's failure. The friends he conſulted being all ill-wiſhers to the regent, they unanimouſly adviſed him to improve the preſent opportunity, and each made him offers of his perſon, eſtate, vaſſals, and friends. The earl being hereupon reſolved to purſue his point, drew together four thouſand men, and puting himſelf at their head came to the Queen, under color of guarding her againſt all attempts of the regent, as apprehenſive ſhe might be delivered up to the nation's adverſaries. In reality, the earl of Arran had determined on making ſure of her perſon, nay, was preparing to execute his deſign: but when he found himſelf prevented, and conſidered the Queen could not be got out of Lenox's hands without coming to open war, he ſent to treat of accommodation. Lenox conſented, on condition the Queen ſhould, for the future, reſide in Sterling caſtle, and four neutral lords, whom both parties could equally truſt, appointed to guard her, and take care of her education. The four peers (2) being choſen and approved the Queen was crowned at Sterling caſtle, where a few days after (3) ſhe was crowned.

The earl of Lenox arrives and oppoſes the regent's deſigns. Buchanan.

The regent ſides with the Queen and cardinal. Buchanan.

The regent, perceiving the adverſe faction grew daily ſtronger, judged himſelf unable to weather the ſtorm which was gathering againſt him: ſo, his courage and reſolution failing him when moſt needful, he choſe to give way to the torrent, rather than attempt making a reſiſtance which he thought would prove fruitleſs. Perſuaded as he was, that he ſhould be too weak to oppoſe the Queen-mother and cardinal, he believed it behoved him to alter his meaſures, and join with them in a ſtrict union: but even in this he met with difficulties which he could not ſurmount, without acting contrary to his conſcience. He had hitherto in a manner openly profeſſed the new religion: but the Queen and cardinal, as they could not reſolve to receive him into their amity while he was ingaged in the party of the reformed, managed him ſo well that they finally prevailed on him to abjure, in the Franciſcans church at Sterling. By this action he loſt all his old friends, and was reduced to depend on the contrary party, with whom the cardinal had more power than himſelf. From thenceforward he was wholly guided by the counſels of that prelate, who was actually regent, while the perſon who bore that title was merely a ſhadow of authority.

He abjures at Sterling.

When the Dowager and cardinal were poſſeſſed of the government, they were puzzled concerning the earl of Lenox, to whom they were no longer willing to perform their promiſe: wherefore their chief care was to rid themſelves of this nobleman, who greatly imbaraſſed them. This to effect, they agreed on requeſting the King of France to recall him, and that, while King Francis's anſwer was expected, the Queen ſhould continue cheriſhing his hopes, but withal ſhould uſe a diverſity of artifices to delay her nuptials, on which topic the earl began to be exceſſively urgent with her. This project was executed as it had been reſolved. The Queen for ſome time amuſed her lover, who, not ſuſpecting what was contriving againſt him, imployed his time in procuring her diverſions, imagining that would accelerate his matrimonials; but the Queen ſtill found ſome freſh excuſe to poſtpone them. This behavior at laſt bred in him ſuſpicions, which were confirmed by ſome friend of greater penetration, or better informed than himſelf. He learned, that the Queen and cardinal had writ to the French court, that nothing could be more prejudicial to the King's intereſt than Lenox's continuance in Scotland, ſince they had gained the regent to their ſide.

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The Queen and cardinal attempt ſending back the earl of Lenox to France. Buchanan.

They prejudice the King of France againſt him.

Lenox was ſo inſenſed at being thus impoſed on, that he ſwore to be revenged, and, without taking leave of either Queen or cardinal, retired to Dunbarton. In the interim, King Francis, who was not yet informed of the alterations in Scotland, remited over to the earl of Lenox thirty thouſand crowns to be diſtributed among thoſe of the party, or to gain ſome of their adverſaries. By theſe means the court of France had long maintained a faction in Scotland, while the court of England uſed the ſame methods by way of counter-balance. This money arriving when Lenox was at Dunbarton, he ſent part to thoſe peers who had care of the young Queen, and gave ſome to his own friends: but the cardinal got none, tho' he had flattered himſelf with having the beſt ſhare, and expected it with impatience. This diſappointment ſo nettled him, that he perſuaded the regent to raiſe an army and ſurpriſe Glaſgow, whither Lenox with his money had withdrawn. The preparations which were making at court, tho' under other pretenſes, giving the earl of Lenox ſuſpicion they were deſigned againſt him, he reſolved to put himſelf in a defenſible poſture; nor was it very difficult for him to aſſemble a body of forces: the cardinal had many enemies, and the regent had loſt his friends ſince they had been by him forſaken; inſomuch that the regent's levies were made very ſlowly, while the earl's viſibly increaſed. Within few days, he raiſed ten thouſand men, and notified to Beaton, that he would ſpare him the pains of coming to Glaſgow. The cardinal received this defiance with a ſeeming contempt, and pretended to purſue his enterpriſe; tho' coming to a battle was what he leaſt deſigned, not having ſufficient reliance on the experience of the regent, who was no warrior. Beſide, he foreſaw that, by prolonging the time, he ſhould oblige the enemy to diſmiſs his troops, as not having wherewithal to keep them long on foot.

He takes arms.

What his eminence had foreſeen came to paſs. Lenox finding his treaſury exhauſted, and the deſertion in his army very conſiderable, was at length forced to accept the offered accommodation. He repaired to Edinburg, where he was outwardly reconciled with the regent and cardinal; after which they went together to Sterling. But a few days after, having notice that the court had ill deſigns againſt him, he privately withdrew, and returning

Peace concluded much to his diſadvantage.

(1) Under her mother's care. Buchanan.
(2) William Graham, John Ereſkin, John Lindſey, and William Levingſton. Ibid.
(3) Auguſt 21. Ibid.

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to Glaſgow, furniſhed the biſhop's palace with a gariſon and ammunition, and ſhut himſelf up in Dunbarton. There he was informed, that the King of France had been ſo prejudiced againſt him, that there was no hope of obtaining his future aſſiſtance. Such was the ſituation of the Scotiſh affairs, when Henry reſolved to renew the war againſt that kingdom. We muſt now turn to the tranſactions of England.

King Henry's ſixth marriage. Herbert. Hollingſh. Burnet. * John Nevil.

In July, Henry married his ſixth wife, the lady Catherine Parr (1), lord Latimer's * relict; verifying what was only ſaid in raillery on the act paſſed in 1541, that the King muſt marry a widow. The new Queen was a favorer of the reformed: but ſhe was to proceed with the utmoſt caution, not to offend a huſband whoſe abſolute will it was that none ſhould believe but what was believed by himſelf. For this reaſon ſhe durſt not, juſt after her marriage, intercede for three Proteſtants who were burned at Windſor (2), at the inſtigation of Gardiner biſhop of Wincheſter. This prelate never miſſed any opportunity to exaſperate the King againſt ſuch as would not ſubmit to the act of ſix articles: but he expreſſed not a like zeal againſt thoſe who were ſtill attached to the Pope. However, this affair was carried farther than he deſired, ſince it occaſioned the diſcovery of a plot formed to ruin ſeveral families at Windſor on falſe accuſations. Henry was ſo offended at theſe diabolical practiſes, that he would have the matter thoroughly ſcrutiniſed. The iſſue was, that the contrivers of this conſpiracy (3) were mounted on horſes, with their faces towards the tails, thus led about and then pilloried. Gardiner is ſaid to have a great ſhare in this ſcheme: but he was very crafty, and well knew how to conceal the hand which gave the blow, when he judged it dangerous to expoſe it.

Proteſtants burned at Windſor. Hall. Stow. Burnet. Fox.

Plot diſcovered and puniſhed. Burnet. Herbert.

Combination againſt Cranmer. Burnet.

The reformation's adverſaries might eaſily perceive Cranmer was the perſon who moſt obſtructed the execution of their deſigns, and that they ſhould never ſucceed while he was in the King's favor: and therefore they reſolved to apply themſelves firſt of all to work his deſtruction, after which they imagined the ruin of his whole party would follow of courſe. In this enterpriſe occurred two oppoſites, whereof one ſeemed to promiſe good ſucceſs, and the other rendered the execution extremely difficult. The firſt was, King Henry ſeemed abſolutely determined not to ſpare ſuch as were deemed heretics, that is, thoſe who did not intirely conform themſelves to the declaration of faith lately publiſhed: now, it was univerſally known that the archbiſhop was of this number, tho' he uſed great caution not to give his enemies any advantage, either by word or deed. The ſecond was, Henry's particular eſteem for this prelate, againſt whom diverſe fruitleſs attempts had been made: nevertheleſs, his enemies fancied, if they could convince their Sovereign, that Cranmer's opinions were widely different from his, it would in ſome meaſure inſenſe him; which once effected, they hoped Henry would require of him, as of all his other ſubjects, a blind ſubmiſſion, and that Cranmer's oppoſition would deſtroy the King's affection for him. The buſineſs therefore was to inſpire that Prince with ſuſpicions, which ſhould induce him to examine what were the archbiſhop's real ſentiments in religion. To this end, no opportunity was neglected to inſinuate to the King that he chaſtiſed heretics to very little purpoſe, while their chief ſupporters were ſuffered to live unmoleſted. Henry perceiving this to be leveled at Cranmer, made no anſwer; and was in hopes his ſilence would be a ſufficient demonſtration that they in vain ſtrove to inſenſe him againſt that prelate: but theſe inſinuations were ſo often repeated, that he at length ſeemed to give ear to them, in order to diſcover the real drift. He therefore liſtened to whatever was alledged againſt Cranmer, and required the intended articles of accuſation, with the names of his accuſers. The duke of Norfolk, the biſhop of Wincheſter, and their party, imagined the archbiſhop ruined, ſince his Majeſty vouchſafed to examine his conduct: but they took care not to make themſelves parties, their deſign being to ſeem no way concerned, in order to ſtrike the ſurer. They cauſed therefore the accuſation to be drawn by ſome prebendaries of Canterbury, and certain Kentiſh juſtices of peace, whom they perſuaded to be his accuſers. The articles being put into Henry's hands, he croſſed the Thames in his barge to that prelate's palace at Lambeth. When Cranmer had notice of the King's approach, he haſted down to his ſtairs to receive him, and by his order entered the royal barge. Henry being alone with the prelate, began to lament the growth of hereſy in his realms, and told him, he was indeavoring to find out the chief incouragers of it, to puniſh them according to the utmoſt rigor of the law, concerning which he was come to aſk his opinion. The archbiſhop, without any concern, replied, that his zeal was laudable; but intreated him, for God's ſake, to conſider well what hereſy was, leſt, inſtead of puniſhing heretics, he fought againſt the Almighty. After ſome converſation on this ſubject, Henry at length told him, he was the man who was accuſed of being the protector and chief incourager of the heretics, and then gave him the articles of accuſation againſt him. Cranmer, having peruſed them, fell on his knees, and frankly acknowledged to the King, he was ſtill in the ſame ſentiment he was of when he oppoſed the ſix articles; but that he had not acted or ſaid any thing againſt them. Then he humbly deſired to be tried by the laws, becauſe he was ſure he ſhould never be convicted of tranſgreſſing them. Whereupon the King aſked him, whether it was true that he was married. Cranmer owned it, but ſaid he had ſent his wife to Germany on paſſing the act of ſix articles. Henry, who had long ſeen about him only ſuch as diſſembled their thoughts, was charmed with the archbiſhop's candor and ſincerity. Inſtead of being diſpleaſed with his confeſſion, he could not forbear admiring his ſteadineſs, which made him dare the greateſt danger he had ever been in, and that he ſo wiſely allied it with ſuch inviolable regard for the laws. Wherefore he gave him a very ſenſible proof of his eſteem and affection, in diſcovering to him the combination of his adverſaries againſt him, naming his accuſers, and injoining him to proſecute them. Cranmer would have declined it; but the King told him poſitively he would be obeyed, and that he ſhould himſelf nominate his judges. Had Cranmer been vindictive, he had a fair opportunity of being revenged on thoſe who ſought his ruin, and particularly on Gardiner, principal author of the conſpiracy, as appears in letters under his own hand: but he ſhewed ſuch ſingular backwardneſs to puſh this affair, that at length the King was tired with preſſing him, ſince he ſeemed ſo very unwilling: mean while, he had not the leſs value for him. Shortly after, one of his ſecret enemies, known for ſuch by the King, tho' he himſelf had no ſuſpicion of him,

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Henry feigns to liſten to the accuſation.

He informs him of the whole plot, and orders him to proceed againſt his accuſers.

Cranmer excuſes himſelf.

Henry gives him another mark of his eſteem.

He is accuſed to the King.

(1) Daughter of ſir Thomas Parr of Kendal, on July 12. Stow, p. 584.

(2) July 28. Namely, Anthony Perſone a prieſt, Robert Teſtwood a ſinging man, and Henry Filmer a taylor. John Marbeck another ſinging man was alſo condemned, but pardoned afterwards. He was the firſt who compiled an Engliſh concordance. Hall, fol. 256. Burnet, Vol. I. p. 326.

(3) Doctor London prebend of Windſor, and William Symonds. Ibid.

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desiring his assistance in a suit he had at court, he went immediately and spoke to the King in his behalf. The King surprised to see him speak for this person, asked him if he knew him well; and upon this answering, that he took him for his friend; "No (replied the King) he is your mortal enemy, "and I command you, when you see him next, to "call him knave." Cranmer modestly answered, such language did not become a bishop; but the King insisted on his compliance. Nevertheless Cranmer found means to be excused, and Henry, satisfied with admiring his goodness, would not press him any farther. Thus the plot, contrived for the archbishop's destruction, served only to indear him the more to King Henry, and demonstrate to his enemies how dangerous it was to attack him.

The Queen's brother created earl of Essex. Herbert. * Of Horton.

The twenty-third of December, the King created lord Parr, the Queen's brother, earl of Essex (1), and confered on sir William Parr, her uncle, the title of lord Parr *, with the office of chamberlain to the Queen (2).

Continuation of the war between the Emperor and France. Du Bellai. Mezerai. Stow.

While all this passed in England, the war between the Emperor and King Francis was carrying on in several places. In the begining of the campain, Francis had some advantages in the Netherlands, where he took Landrecy, Emery, Bapaume, Maubeuge and Luxemburg. But the Emperor arriving towards the end of summer with a strong supply of Spanish troops, Francis, being inferior in number, was obliged to keep at some distance. This furnished Charles with opportunity to invest Landrecy, which siege he was however forced to raise on Francis's finding means to throw in succors; but he made himself amends by taking Cambray.

Siege of Nice by the French and Turks.

At the same time, the Turkish admiral Barba-rossa, coming to Marseilles, the begining of July, with a hundred and ten Ottoman gallies, found there count D'Enghien, of the Bourbon family, with twenty-two French gallies. After their junction, they went together and attacked Nice, the tenth of August, and on the twentieth became masters of the town. But the castle made so brave a defense, that Barba-rossa, finding he lost both time and reputation before the place, retired and wintered in Provence, from whence he returned to Turky early in the spring. I shall say nothing of the war in Piedmont, because it produced no remarkable event (3).

AN' 1544. The Emperor's and Henry's vast projects. Rym. Fœd. Vol. XV. p. 1, 2. Hall. Stow. Hollingsh.

During this whole campain, Henry assisted the Emperor only with a small body (4) of troops, commanded by sir John Wallop: but they both formed vast projects for the next year. They intended to enter France, the one by Champagne, the other by Picardy, at the head of two armies, each forty thousand strong, and to join about Paris. To execute this project it was necessary to act with union and a perfectly good intelligence; wherefore Henry could not dispense with the promise he had made his Imperial Majesty, of giving Princess Mary a place in the succession. The parliament meeting the fourteenth of January 1544, immediately passed an act, settling the order of those who could pretend to the crown after King Henry's decease. I have often observed, that the parliament was held in subjection, and did nothing but what the King pleased. Diverse instances have been seen, but none more flagrant than the following. In this act Prince Edward was ranked first, with his issue. Next, the heirs-male by his Majesty's present or future marriages, with their issue. Then, Princess Mary and her line. Lastly, Princess Elizabeth and her heirs. But there was no mention of Henry's divorces from his Queens, mothers to these two Princesses: so, notwithstanding the acts which approved and confirmed these divorces, and were never repealed, the parliament seemed to consider these Princesses as legitimate, tho' they had before been declared spurious, and as such excluded the succession. On the other hand, to convince them, they were indebted to their royal father for his favor, the act rendered them obnoxious to such limitations or conditions, as the King should please to declare by his letters patent, on pain of forfeiting the right conceded them: moreover, in case of disobedience on their part, or if they died issueless, the parliament impowered his Majesty to settle the crown on any other, by his letters patent, or his last will signed with his own hand. Was not this considering these two Princesses as bastards, since their title to the succession was made dependent on the King their father's pleasure? Without pretending to question the right of the King and his parliament, who represent the whole nation, to settle the succession as they judge requisite, I cannot forbear remarking, that this right was carried on this occasion as far as it can be stretched. Supposing these two Princesses illegitimate, the parliament invested Henry with the power of calling them to the throne, contrary to the laws and customs of the realm since the conquest. On the other hand, supposing them legitimate, they left the King free to exclude them from the succession, contrary to the same laws and customs, since it was in his breast to impose on them conditions impossible to be performed. This was a power no King of England had ever injoyed, and which demonstrates that this act flowed not so much from the parliament as from the Sovereign himself. To palliate in some measure these contradictions, care was taken in the act not to mention the King's divorces from his two Queens, Catherine and Ann: only every one was free to guess the motives of this act, which was not very difficult, since there was no other than that of complying with the King's will. By a clause in this statute, all persons were obliged to take a new oath against the bishop of Rome's authority; which whosoever refused, or should violate any of the articles of this act, was to be adjudged a traitor.

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Remarks on this act.

A new oath ordained. Rym. Fœd. Vol. XV. p. 21.

By another act passed in the same session, the title of King of England, France and Ireland, Defender of the Faith, and Supreme Head of the Churches of England and Ireland, was annexed for ever to the crown of England.

The King's title settled for ever.

Parliament. Act to settle the succession. Herbert. Burnet.

By another it was inacted, that no person should be indicted on the statute of six articles, but on a presentment by the oaths of twelve men, before commissioners appointed by his Majesty: that no person should be imprisoned but on an indictment; and lastly, that the presentment should be made within forty days after the pretended offense was commited, otherwise it would be rejected. Hereby the ecclesiastical courts were in some mea-

Act to limit the ecclesiastical courts jurisdiction.

(1) He had married Ann daughter and heir of Henry Bourchier earl of Essex. Stow, p. 585.

(2) Also some of the Irish nobility who came and submited to King Henry, June 3, were, on July 1, advanced to the following honors; namely, William Boruck, or Bourk, alias Macwilliam, was created earl of Clanrickard, and baron Dunkellyn. Mawer Obrien, earl of Tomon, or Thomond, and baron Inisykwyne. And Conaught Obrien, baron of Ibrackayn. Sir Conaught O-Neal came also and made his submission to King Henry, and was created earl of Tyrone, Septemb. 1. Rym. Fœd. Vol. XIV. p. 797, 803. Vol. XV. p. 7. Hall, fol. 247, 256.

(3) This year, the first cast pieces of iron, both cannons and mortars, ever made in England, were manufactured at Buckstead in Sussex, by Peter Baud, Ralph Hoge, and Peter van Colen. Stow, p. 584. Hollingsh. p. 960.

(4) Six thousand men. Hall, fol. 256.

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ſure tied up from oppreſſing the ſubjects on pretenſe of hereſy, ſince the ſame privileges were allowed for that crime, as were injoyed by the Engliſh with reſpect to all other delinquencies.

The parliament declares the King clear of all debts,

Laſtly, the parliament granted the King a ſubſidy, in a manner unheard of before, by injoining that thoſe who had lent him money ſhould be obliged to forgive the debt (1). However unjuſt this act was, with reſpect to the particular perſons who had lent the money, the parliament was not ſorry the King deſired it, in order to put a ſtop to the cuſtom of loans, which in time would have rendered parliaments uſeleſs.

and revive the authority to appoint commiſſioners.

The power formerly granted the King of appointing commiſſioners to examine all canons and conſtitutions eccleſiaſtical was alſo revived, and to make the neceſſary alterations, which the King had hitherto neglected.

Lord Wriotheſley made chancellor. May 3.

Before the end of the ſeſſion, Thomas Wriotheſly, a ſtrenuous ſtickler for the ancient creed, was made lord chancellor, inſtead of lord Audley deceaſed.

War in Piedmont. P. Daniel.

In the begining of this year, King Francis ſent into Piedmont count D'Enghien, who was only twenty-two years of age, to take command of the army in the room of Boutiers, whoſe ſucceſs had not been extraordinary. This young Prince, on the fourteenth of April, ingaging marquis Del Guaſto, at Ceriſoles, obtained over him a ſignal victory, which coſt the Imperialiſts ten thouſand men, beſides the wounded and priſoners. In the conſternation Del Guaſto was under after loſing this battle, he would have found it very difficult to keep Milan for the Emperor, had not count D'Enghien been ſtoped in the midſt of his career by expreſs orders. As King Francis was informed, that Charles V and the King of England were to join and invade him, in the center of his dominions, with an army of eighty thouſand foot, and twenty thouſand horſe, he deemed it more neceſſary to provide for the defenſe of his kingdom, than to think of making conqueſts in Italy. For this reaſon he ordered count D'Enghien to ſend him twelve thouſand men of his army. This diminution diſabled the youthful general from reaping any other advantage by his late victory than the capture of Carignano, which he reduced to King Francis obedience.

Battle of Ceriſoles. P. Daniel. Herbert.

Francis recalls his troops from Italy.

War with Scotland. Buchanan. Herbert.

Mean while, the formidable armies which were to invade France not being yet ready, Henry reſolved to imploy part of his troops to finiſh the Scotiſh affair, which he had ever at heart. Tho' he had declared war againſt Scotland, it was not to make conqueſts on that kingdom, but ſolely to compel the Scots, by the terror of his arms, to agree to the marriage of their Queen with the Prince his ſon. He could not conceive, that, in their then circumſtances, they could flatter themſelves with the hopes of ſucceſs, in a war ſo unequal, and capable of ruining Scotland in a ſingle campain: but cardinal Beaton, a moſt obſtinate man if any ever was ſuch, who governed in the regent's name, choſe rather to expoſe the kingdom to become a prey to the Engliſh, than conſent to a peace which could not be made without ruining his fortune; wherefore Henry, finding it neceſſary to preſs him more cloſely, reſolved to ſend into Scotland part of the troops deſigned againſt France. The earl of Hertford (2), and ſir John Dudley lord Liſle, high-admiral, were appointed for this expedition. The former led the army to Newcaſtle, where the admiral arrived with a fleet, and two hundred tranſports, whereon the forces imbarked. Hertford, landing near Leith, took that town without difficulty, and then marched directly to Edinburg, of which capital, with like facility, he became maſter. The regent and cardinal had not provided for their defenſe, imagining King Henry's menaces would not produce any effects. The city of Edinburg was ſacked and burned; but the Engliſh attacked not the caſtle, for fear of being ingaged in a too tedious ſiege. After this, they returned to Leith, and burning the town retired to Berwick the eighteenth of May (3). Had Henry been diſpoſed to improve his advantages, he muſt infallibly have ſubdued all Scotland, conſidering the great conſternation of the Scots on this invaſion: but two reaſons prevented him. The firſt, that he wanted his troops to ſend them to France, whither he alſo deſigned to paſs over in perſon. The ſecond, that his aim was only to let the Scots ſee what they were to expect, if they did not ſpeedily reſolve to execute the treaty for their Queen's marriage; and he ſcarce doubted but this method would ſucceed: mean while, it could not but ſeem ſomewhat ſtrange, that he ſhould court the young Queen of Scotland, for the Prince his ſon, in a manner ſo extraordinary; and the world was of opinion, that he had either done too much, or did not do enough.

Hall. Stow. Hollingſh. Herbert.

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The earl of Lenox ſides with Henry. Buchanan. Stow.

Tho' Henry had withdrawn his army from Scotland, he had not however relinquiſhed his project of haraſſing the Scots, in order to extort their conſent to the alliance. To this end, he improved a certain opportunity to excite the regent and cardinal freſh diſturbances. The earl of Lenox, as I ſaid, having quited the court, was retired to Dunbarton, whoſe governor was devoted to him; but he there found himſelf greatly imbaraſſed. His friends in France had informed him, that their King was greatly inſenſed againſt him, and accuſed him of having laviſhed away the monies remited him to maintain war againſt the Engliſh. This was in effect what had been hinted to Francis by the Queen dowager, the regent, and the cardinal, who were ſeconded by the cardinal of Lorrain and duke of Guiſe: thus the matter is repreſented by the French hiſtorians. The earl, willing to clear himſelf, had diſpatched a perſon into France, to inform King Francis of what had paſſed in Scotland ſince his arrival, and acquaint him with the preſent ſituation of affairs: but that Monarch, prepoſſeſſed by the cardinal of Lorrain, refuſed to give the meſſenger audience, nay, was going to order him to priſon. Lenox, finding himſelf thus abandoned both by the King of France, and thoſe who had at firſt joined him in Scotland, ſent to aſk King Henry, if he would be pleaſed to receive him into his ſervice, together with his intimate friend the earl of Glencairn. Henry received the overture more favorably than the two earls durſt have expected. He promiſed them his protection, on certain conditions, which he would ſettle with them, if they would ſend to England ſome truſty perſon. Thereupon the earl of Glencairn repaired to Carliſle, with Lenox's brother the biſhop of Cathneſs, and two others. In a few days after their arrival, they concluded with the King's commiſſioners a treaty, wherein the earls of Lenox and Glencairn promiſed;

Rym. Fœd. Vol. XV. p. 19.

Conventions between Henry and the earl of Lenox. Ibid. p. 22. May 17.

I. That they would cauſe the pure word of God to be preached in their territories.

II. That, to the utmoſt of their power, they ſhould hinder the young Queen from being carried out of Scotland, and uſe their indeavor to deliver her into the hands of the King of England.

(1) Nay, thoſe who had got payment, either in whole or in part, of the ſums ſo lent the King, were to repay what they had received to the Exchequer. Such an act paſſed in the 21ſt year of this King's reign. Burnet, Vol. I. p. 330.

(2) Edward Seymour, young Prince Edward's maternal uncle.

(3) See the detail of all this in Hall, fol. 258; and Hollingſh. p. 963.

III. That

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III. That they would assist King Henry with their forces, to procure him (1) the direction of the government of Scotland, and the title of protector of the realm.

IV. That the bishop of Cathness, and Hugh Cunningham, should be given in hostage to the King of England.

Henry, on his part promised:

1. That his army should not oppress their lands.

2. That he would constitute the earl of Lenox regent of the kingdom, on condition he should not transact any thing of moment without his concurrence.

3. That he would, out of the crown-revenues, allow him what should be reasonable to support the dignity of regent.

4. That, in case the young Queen should die, he would support the earl of Lenox in obtaining the crown against all pretensions of the earl of Arran.

5. That he would give the earl of Glencairn a yearly pension of a thousand crowns.

6. That he would consent, that his niece Margaret Douglas should espouse the earl of Lenox, provided she were willing.

This treaty was signed at Carlisle the seventeenth of May, while the English army was quiting Scotland, and retiring to Berwick.

Other conventions. Ibid. p. 29. Herbert.

Some days after, the earl of Lenox came to the English court, where the foregoing treaty was confirmed the twenty-sixth of June, with the following additional articles:

That the earl of Lenox should surrender to the King the castle of Dunbritton and the isle of Bute.

That if he married Margaret Douglas, he should assign her a very honorable dower.

That the King ingaged, on his part, to aid him with five hundred men, to give him a pension of seventeen hundred marks (2) for himself, and one of a hundred marks for George Striveling, governor of Dunbritton.

The earl of Lenox tries in vain to surrender Dunbritton to the King. Buchanan. Herbert.

In consequence of this treaty, Lenox repaired to Dunbritton with thirteen ships, and about six hundred men. On his arrival, he went to the castle with a few followers, to persuade the governor (3) to deliver the place to King Henry: but that officer, prefering his duty to his affection for the earl, refused to admit the English. This attempt failing, the earl ravaged the isles of Arran and Bute, where he met with no opposition. Then he made a descent upon Kintyre, and, after plundering some villages, sailed to Bristol, where he expected the return of King Henry, who was in France.

Another English invasion in Scotland. Buchanan.

Mean while, the earl of Arran and cardinal Beaton prosecuted, with the utmost rigor, the earl of Lenox's friends, and confiscated their estates. But a fresh invasion of the English, who, tho' few in number, took Jedburgh, Kelso, and Coldingham, caused them to cease these proceedings, and raise an army to inable them to repulse their enemies. The Scotish army, amounting to eight thousand men, being ready to march, the dowager Queen, regent and cardinal led them to Coldingham, where the English, on retiring, had left a garison. But while they were imployed in this siege, the regent, understanding the English were marched from Berwick to relieve the town, was seized with such a panic that, speedily mounting his horse, he fled all alone to Dunbar. This hasty flight threw the whole army into such a consternation, that there was no hindering the soldiers from disbanding. The earl of Angus alone resolved to stay with a few men, and carry off the artillery, which was on the point of being deserted. The Scots being dispersed, the English most unmercifully ravaged Teviot, Merch, and Lauderdale, forcing the inhabitants to swear allegiance to the King of England. Buchanan adds, that the earl of Angus reviving the regent's courage, they assembled some troops, and geting the English into an ambush, cut off eight hundred (4), and took a thousand prisoners. But there is not any such passage mentioned in the English histories.

HENRY VIII. AN' 1544.

l. 15.

While the King of England was imploying himself against Scotland, 'till matters were in a readiness to commence the war in France, the Emperor was at Spire, where he had called a diet, to obtain some assistance from the Princes of Germany. The protestants at first greatly scrupled assisting him while he left them exposed to the insults of their enemies: but the moment they obtained a decree, that they should not be disturbed in the exercise of their religion, they granted whatever was required. This was the utmost of their requests, and it was deemed a signal favor to grant it, even with such limitations and ambiguous clauses as would one day render it fruitless. So the diet broke up about the end of May, to the mutual satisfaction of the states of the Empire. The Pope alone was offended at the decree in favor of the Protestants, and to prevent their long injoying this toleration, granted 'till the council should meet, he fixed the opening of the council of Trent to the twenty-fifth of March 1545.

Diet of Spire favorable to the Protestants. Sleidan.

Opening the council of Trent fixed to March 25, 1545.

Charles V takes Luxemburg. Du Bellai.

While the Emperor was at Spire, he caused siege to be laid to Luxemburg, which surrendered about the end of May. He then put himself at the head of his army, in order to commence executing the projects concerted with Henry. Since concluding the treaty in February last year, whereby they were each to bring into the field only twenty-five thousand men, they had stipulated to augment the number of their forces, to invade France with two armies; which together were to make upwards of a hundred thousand, and to join in the neighborhood of Paris. The Emperor's first exploits, 'till the King of England's arrival, were taking Commercy and Ligny in Le Barrois: after which, he entered Champagne, and besieged St. Didier the eighth of July. This place, tho' weak, held out above six weeks, and then was taken by a false intelligence sent the governor.

The designs of the Emperor and Henry.

The Emperor besieges St. Didier.

The duke of Norfolk joins count De Bure. Rym. Fœd. Vol. XV. p. 40. Hall. Stow.

The war with Scotland having prevented Henry from being ready so soon as he had promised, it was about Whitsuntide before he imbarked part of his army for Calais, under conduct of the duke of Norfolk. As for himself, he still remained in England with the rest of his troops 'till the middle of July (5). Norfolk, being got over, joined count De Bure, who commanded ten thousand of the Imperialists, and they in conjunction besieged Montreuil. Seemingly, this was done by the consent of Charles, who at the same time laid siege to St. Didier. He was in hopes that place would detain him but few days, and then, he should march to Paris, while Henry advanced to join him. Had this scheme been executed answerably to agreement, Paris, and the whole country as far as the Loire, would have been in the utmost danger, since Francis had not above forty thousand men.

They besiege Montreuil. Herbert.

The siege of St. Didier breaks the two confederate Monarchs measures.

(1) The possession of Jedburgh, Kelso, Roxburgh, Hume castle, the Hermitage, the Mers, and Teviotdale. Rym. Fœd. Vol. XIV. p. 24.

(2) Six thousand eight hundred Scotish marks. Ibid. p. 31. (3) His own lieutenant. (4) Two hundred Buchanan l. 15.

(5) Before his departure, he appointed Queen Catherine regent of the kingdom; and named for her assistants, the archbishop of Canterbury, lord chancellor Wriothesly, the earl of Hertford, the bishop of Westminster, and sir William Petre. Rym. Fœd. Vol. XV. p. 39.

Henry VIII. An' 1544.

But the Emperor was prepoſterouſly bent on the ſiege of St. Didier, which detained him more than ſix weeks. In the interim Henry, arriving at Calais (1) with the reſt of his army, found that Charles's deſign was to leave him to march alone to Paris, and keep the King of France imployed, while he purſued his affairs in Champagne. So perceiving that, inſtead of marching to the rendezvous, his Imperial ally was buſying himſelf in a ſiege, he ordered likewiſe Boulogne to be inveſted, and the twenty-ſixth of July repaired to that ſiege. By this means their project was ſuſpended, while they ſeparately amuſed themſelves with reducing towns. This error proved the ſafety of France. From thenceforward theſe two Princes mutually charging each other with non-performance of agreements, had no longer any reciprocal confidence: and therefore the Emperor, by indirect means, cauſed a peace to be offered to Francis, while Henry more openly granted a paſs for French embaſſadors to come and treat with him, a league diſtant from his camp.

Henry arrives at Calais.

Suſpects the Emperor, and beſieges Boulogne. Rym. Fœd. Vol. XV. p. 53, &c. Hall. Stow. Herbert.

The Emperor privately, and Henry openly, offer peace to Francis.

Mean while, the Emperor having finally reduced St. Didier, about the middle of Auguſt, ſent to Henry to march towards Paris, as was agreed. Henry anſwered, that ſince he had allowed his Imperial Majeſty time to take St. Didier, it was but reaſonable he ſhould wait 'till himſelf had taken Boulogne, which could not be long. After the reduction of St. Didier, Charles advanced to Chateau-Thierri, and filled Paris with terror and confuſion: but Henry's anſwer convincing him it would be very difficult to execute their projects during the remainder of that campain, he renewed with Francis his private negociation, which had been ſuſpended. Soon after, he concluded with France a ſeparate peace, ſigned at Crepy the nineteenth of September, not only without including Henry, but even without acquainting him of it, for fear of prevention.

Charles takes St. Didier; and calls on Henry to march to Paris.

Henry chuſes rather to take Boulogne. Rym. Fœd. Vol. XV. p. 50. Herbert.

Treaty of Crepy between the Emperor and France. Du Bellai. Herbert. Mezerai.

Henry was not much ſurpriſed at Charles's procedure. He ought not to have expected leſs from ſuch a friend, who was reconciled to him only in order to do his own buſineſs. It is certain, that Charles V never did, any more than Maximilian and Ferdinand his paternal and maternal grandfathers, much pretend to ſincerity; nor was integrity his predominant virtue. Henry did indeed complain of his breach of faith: but it was no great difficulty for Charles to alledge ſundry reaſons, little capable however of balancing the oath he had taken, not to conclude either peace or truce without his ally's concurrence. But theſe oaths are generally ſo ill kept in moſt leagues, that they ſeem to be conſidered only as a ſort of form, not much to be relied on. Luckily for Henry, Boulogne had capitulated the fourteenth of September, before the treaty of Crepy was ſigned (2).

Henry in vain complains to the Emperor.

Rym. Fœd. Vol. XV. p. 56.

Boulogne ſurrenders by capitulation.

Charles fancied he had given a very maſterly ſtroke, in freeing himſelf from the burden of war, and leaving Francis and Henry imbroiled. It was in reality a great advantage, had it not been acquired by a falſification of ingagement. Immediately after concluſion of the treaty, he ſent orders to count De Bure to raiſe the ſiege of Montreuil, which obliged Henry to recall the duke of Norfolk. In the ſituation of Henry's affairs, he had nothing to do but retire, leſt the Dauphin, who was advancing by long marches, ſhould compel him to fight with great diſadvantage, or retreat with precipitation. Beſide that the Dauphin was at the head of forty thouſand men, he would have found the Engliſh army conſiderably diminiſhed, as well by their loſſes at two ſieges, as by the large gariſon they were obliged to leave at Boulogne. So, having well ſtored that place, and left admiral Dudley governor, Henry departed for England, the thirtieth of September, while his troops were returning to Calais.

The ſiege of Montreuil raiſed. Stow. Hall. Herbert. Hollingſh.

The Dauphin marches againſt Henry, who retires to Calais. Stow. Herbert. Hollingſh.

Henry VIII. An' 1544.

The Dauphin arrived a few days after, but did not think proper to purſue the Engliſh, who were too far before him, and too near Calais for him to expect to overtake them. He therefore contented himſelf with attempting to ſurpriſe Boulogne, the breaches whereof the Engliſh had not time to repair. He was very near ſucceeding in his enterpriſe. The French were already maſters of the lower town, where all the Engliſh ordnance lay, when a ſally from the upper town forced them to retreat in diſorder. Marſhal Montluc in his commentaries, ſpeaks of this action in a different manner from the Engliſh hiſtorians, tho' he agrees with them that the French were repulſed. Some days after, a conference was held at Calais, to indeavor a pacification between the two Kings: but the aim of the French being to perſuade the Engliſh to reſtore Boulogne on the bare hopes of a peace, we are not to wonder that the conference ſhould be fruitleſs.

The Dauphin fails in his attempt to ſurpriſe Boulogne. Du Bellai. Rym. Fœd. Vol. XV. p. 57. Herbert. Hall.

Comment. of Montluc. Herbert.

Conference for a peace ineffectual. Rym. Fœd. Vol. XV. p. 57. Herbert.

Henry, at his return to England, took great care to put in a poſture of defenſe the places on the Thames, and on the ſouthern coaſt (3), imagining Francis would not fail invading him the year inſuing. At the ſame time he ſent into Scotland the earl of Lenox, who took Dumfreis.

Henry fortifies his maritime places. Herbert.

This year, moſt part of the colleges, collegiate churches, and hoſpitals were ſurrendered to the King by acts and deeds ſeemingly voluntary, but which were no more ſo than thoſe ſigned by the abbots and priors, when they reſigned their monaſteries.

Colleges and hoſpitals reſigned to the King. Rym. Fœd. Vol. XV. p. 65.

An' 1545.

In the begining of the year 1545, marſhal De Biez incamped near Boulogne, in order to raiſe a fort at Portet to command the harbor of Boulogne. But the earl of Hertford, who had ſucceeded Dudley, ſallying with a band of forces, diſlodged the marſhal from his poſt, and forced him to defer his project 'till another ſeaſon.

Preparations of France againſt England. Du Bellai. Mezerai. Herbert. Hall. Stow.

Mean while, Francis was preparing to make a grand effort againſt England, in hopes of recovering Boulogne, and even Guiſnes and Calais, in order to expel the Engliſh from France. With this view, in the ſeveral ports of France, he equiped one hundred and fifty great ſhips, and ſixty ſmaller, with ten hired of the Genoeſe: he had moreover ordered twenty-five gallies from the Levant, in imitation of Lewis XII, who, on a like occaſion, had cauſed four to be brought down thence. At the ſame time, he prepared to raiſe an army forty thouſand ſtrong, wherewith he intended to join twelve thouſand Landſquenets levied in Germany. His deſign was to attack Boulogne by land, and ſo block it up by ſea that it ſhould be impoſſible for the Engliſh to relieve it. To execute this project, he ſent a re-inforcement to marſhal De Biez, ordering him to build at Portet the fort he had been conſtrained to leave unfiniſhed, being unwilling to approach Boulogne before this fort was in a ſtate of defenſe. The marſhal, giving him hopes that the work would be finiſhed by mid-Auguſt, he came about the end of June to Havre de Grace, to give orders for a naval expedition. His ſhips and gallies arriving ſoon after, he commanded the fleet to ſail towards England: but, on its departure, he had the mortification of being eye-witneſs to the burning of one of his capital ſhips named The Grand Carraçon, which took fire while her anchor was weighing.

Hall. Burnet. Herbert.

(1) July 14. The ſhip which carried the King had ſails of cloth of gold. Herbert, p. 245.
(2) See a very full account of the ſiege of Boulogne in Rym. Fœd. Vol. XV. p. 52, &c. and Herbert, p. 245.
(3) Graveſend, Tilbury, Dover, Portſmouth, &c. Herbert, p. 249.

Admiral

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Admiral Annebaut, who commanded the fleet, arrived, the eighteenth of July, at the Iſle of Wight, in ſight of Portſmouth, where lay the Engliſh fleet of ſixty ſhips only. Notwithſtanding the diſproportion between the two navies, the Engliſh approached the French; but after a ſlight ſkirmiſh retired behind the ſands, with deſign to draw after them the enemy. The French admiral, conſulting how they might be attacked, was told it was a mere impoſſibility, becauſe the channel which led to the place where they lay was ſo narrow that four ſhips could ſcarcely ſail a-breaſt; that beſide there was no venturing among the ſands without pilots. Theſe difficulties obliged the admiral to content himſelf with provoking the Engliſh to fight, by means of the gallies, in order to draw them from their poſt. At firſt the gallies, favored by a great calm, annoyed the Engliſh ſhips: but the land-breeze ariſing deprived them of their advantage, and obliged them to row off, for fear of being run down by the large ſhips. The Engliſh did not purſue them very far, their deſign being to decoy the French among the ſhoals, with which they were unacquainted.

Expedition of the French fleet. Du Bellai. Hall. Stow.

At length, the French perceiving the Engliſh would not loſe the advantage of their poſt, landed at three places in the Iſle of Wight: but all this ended only in firing a few villages. It was moved in a council of war, to fortify and keep the iſland; but it was impracticable, chiefly by reaſon of the time which ſuch a project would neceſſarily require. The admiral was therefore ſatisfied with ordering a deſcent on the coaſt of Suſſex, imagining the King, who was at Portſmouth, would ſend out his fleet to aſſiſt the country; but he was miſtaken. The Engliſh navy ſtill lay behind the ſands, and the deſcents made by the French in three different places gained them no conſiderable advantage, becauſe the coaſts were well guarded. Mean while, the Engliſh fleet daily increaſing, conſiſted now of a hundred ſail. So, Annebaut, ſeeing little hope of making much progreſs, retired towards France, after having watered at the Iſle of Wight, not without loſing ſome ſoldiers and officers.

Deſcent of the French on the Iſle of Wight; Hall. Herbert. Stow.

and in England.

The French fleet retires.

Some days after, a ſouth wind blew the French back towards the Engliſh coaſt, and put their fleet in confuſion, which the Engliſh reſolved to improve if the wind continued favorable: and indeed the two fleets ingaged for two hours; but as the wind was very variable, each indeavored to gain it, not being however too venturous. Finally, they parted without much loſs on either ſide; and thus terminated the greateſt effort France had ever made at ſea.

It is driven on the coaſt of England.

A ſhort ingagement.

The attempt to fight the Engliſh fleet, or to ravage the coaſt, was not however the principal motive of this powerful armament: recovering Boulogne was the King of France's main view, and the fleet was properly intended only to block up that place by ſea: but as the Landſquenets were not yet arrived, and the fort which marſhal De Biez was building not finiſhed, Francis was exceedingly vexed to ſee the time inſenſibly ſlide away. At length, hearing the Landſquenets were on the borders, he ſent to view the fort, which, contrary to his expectation and marſhal De Biez's promiſe, was yet very far from being completed: beſide, it was ſeated in a place different from what was directed, and commanded not the harbor. The marſhal alledged, that had it been at Portet, the gariſon would have wanted water; but he affirmed, the fort he was raiſing at Outreau would be finiſhed in eight days; whereupon, the King ſent him his whole army, of which he gave him the command, and remained himſelf at Chateau-Montier, about ten leagues from Boulogne.

The deſign of beſieging Boulogne and Guiſnes miſcarries by De Biez's fault. Herbert.

Marſhal De Biez lay incamped near the fort 'till it was finiſhed, his deſign being to throw in ten thouſand men to awe the gariſon of Boulogne while he beſieged Guiſnes: but the engineer had ſo ill contrived his work, that, after much time imployed thereon, he was forced in a manner to re-commence. This occaſioned a delay which broke all the meaſures had been taken. Mean while, the King haſtened the work the more, as he knew that ten thouſand Landſquenets, and a body of four thouſand cavalry, raiſed for the ſervice of England, were marching for Picardy. In ſhort, the marſhal, perceiving the ſeaſon would be too far advanced before his fort could be rendered defenſible, pretended to have certain intelligence, that the King of England deſigned to land a ſtrong army at Calais, to relieve Boulogne by land: this is at leaſt what Du Bellai imputes to him in his memoirs. However the marſhal, leaving the fort unfiniſhed, incamped on mount Lambert, to be ready to oppoſe the ſuccors: but the Engliſh appeared not. As for the Landſquenets, ſent for by Henry from Germany, they returned home, becauſe they received not on the borders the money they expected. Mean while, the French army continued incamped, without undertaking the ſiege either of Guiſnes or Boulogne, tho' Francis had, for that purpoſe, made ſuch vigorous efforts.

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Herbert. p. 250.

Mean time, the duke of Orleans died at Chateau-Montier, to the great grief of his royal father, who, by his death, ſaw his peace with the Emperor very much ſhaken, ſince it was properly founded on that Prince's life, as will inſtantly be made manifeſt.

Death of the duke of Orleans. Mezerai.

The French army being incamped on mount Lambert, within cannon-ſhot of Boulogne, there were ſkirmiſhes every day in the ſpace between the mount and the town. In one of theſe conflicts, the duke d'Aumale, known afterwards by the name of the duke of Guiſe, was wounded with a lance, which entering at the corner of his eye, came out behind his head. This wound, tho' by all deemed mortal, was nevertheleſs cured by the extraordinary ſkill of Ambroſe Paré, the King's ſurgeon, who was even forced with pincers to draw out the head of the lance which remained in the wound. The ſcar in the duke's face gained him the ſurname of Le Balafré *.

A terrible wound cured by Ambroſe Paré. Du Bellai.

* An eſcar, chiefly in the face.

The ſeaſon was now ſo advanced that the ſiege of Boulogne was not practicable; ſo Francis was forced to be contented with ordering marſhal De Biez to ravage Terre d'Oye, appertaining to the King of England: but the ſudden rains made the country ſo watry, that the marſhal was ſoon obliged to retire with his army. Indeed, the inhabitants were great ſufferers, becauſe the gariſon of Calais, which ſhould have protected them, were utterly unable to reſiſt ſuch numerous forces. On the other hand, Briſſac, afterwards marſhal of France, defeated a body of two thouſand Engliſh. Theſe were all the damages Henry ſuſtained during this campain, from an army two hundred thouſand ſtrong, which had put his enemy to a prodigious expenſe. In all likelihood this expenſe, and the ill ſucceſs of the campain, contributed moſt to the peace which was ſoon after concluded.

The French army ravage Terre d'Oye. Herbert.

Beſide that France was exhauſted, Francis had ſtill another inducement to ſtrike up a peace with England. He was apprehenſive of being ſpeedily conſtrained to renew the war with Charles V. By the treaty of Crepy, it was agreed, that the duke of Orleans ſhould eſpouſe one of the daughters, either of the Emperor or of the King of the Romans, and, on account of this marriage, ſhould have the duchy of Milan, or the earldom of Flanders. In conſideration of ſo advantageous a ſettlement for the duke his ſon, Francis had reſigned more than twenty places which he held in Piedmont or Montferrat, and relinquiſhed the intereſt

Francis's motives to make peace with Henry.

HENRY VIII. AN' 1545.

treſt of his brother-in-law, the King of Navarre. So, the hopes of the advantages this marriage was to procure vaniſhing by his ſon's death, Francis was to find ſome other means to obtain them, or break a treaty now become uſeleſs. For this reaſon, being deſirous to know Charles's intentions, he ſent admiral Annebaut to Antwerp, to offer him to renew the treaty of peace on other conditions, ſince the death of the duke of Orleans had rendered ineffectual thoſe of the treaty of Crepy. But Charles plainly intimated that, by the death of that Prince, he preſumed himſelf freed from his ingagement, when he told the embaſſador, that he would not attack the King of France if he was not firſt attacked. Francis eaſily judged by this anſwer, he ſhould infallibly have a war with the Emperor. This, added to the little progreſs he had made during the laſt campain, made him deſirous of a peace with England: but as he was unwilling to ſue for it, he applied to the Princes of the Smalcaldic league, who offered to become mediators. This mediation ſeemed the leſs precarious, as the Proteſtants themſelves were highly concerned to procure a peace between the two Kings. They ſaw themſelves on the brink of being attacked by the Emperor, ſince he had made peace with France, and knew moreover he was negociating a truce with the Turks. Nothing therefore could be more for their advantage, than a good underſtanding between France and England, that both Kings might be able to protect them. They ſent therefore to France, Chriſtopher de Veninger, John Bruno of Nidepont, and John Sturmius; and to England, Lewis Bambach, and John Sleidan, to perform the office of mediators between the two Kings, in the name of the league. Theſe embaſſadors, meeting the plenipotentiaries of France and England between Ardres and Guiſnes, inſtantly found it was no eaſy matter to make peace. Francis inſiſted, that Henry ſhould reſtore Boulogne, and Scotland be included in the peace; but Henry abſolutely rejected both theſe articles: whereupon only a truce was negociated, but with no better ſucceſs, becauſe Henry would never agree that the Scots ſhould be compriſed in the treaty. This appears in the original inſtructions ſent to ſir William Paget, one of the Engliſh embaſſadors, and inſerted in Rymer's collection of public acts. We find alſo in his inſtructions, that ſir William Paget attempted to bribe Bruno, one of the German mediators, with the offer of a conſiderable penſion, and, in all appearance, the mediator liſtened to his propoſals. Mean while, to obtain the better terms, Henry feigned a deſire to be reconciled with the Emperor, and even ſent in embaſſy to him the biſhops of Winchester and Weſtminſter: but this was merely to give Francis a jealouſy.

Herbert.

He gains the Proteſtant Princes to negociate for him; Sleidan. p. 16.

who ſend embaſſadors to France and England. Sleidan. Herbert. Burnet.

Difficulties of a peace,

and of a truce.

Vol. XV. p. 82, 83.

Cranmer procures biſhopricks for his friends. Burnet. Fox. Herbert.

Cranmer took the advantage of Gardiner's abſenſe to advance the reformation, which he knew that prelate would, to his utmoſt power, oppoſe. Some vacant biſhopricks were, by his means, given to perſons who favored the reformation, and he had thereby among the biſhops a much ſtronger party than ever; nay, he founds means afterwards to obtain the King's conſent to ſome alterations advantageous to the reformed religion. But Gardiner, who was then at Bruges with the Emperor, having thereof notice, wrote to King Henry, that the Pope and Emperor being joined in a league againſt the Proteſtants of Germany, the leaſt innovation in

Gardiner breaks his meaſures.

England; with reſpect to religion, would be apt to induce them to give the King of France all the ſatisfaction he could deſire, to ingage him in their league, in order to act againſt him in concert. This occaſioned Cranmer's meeting with more difficulties than he expected.

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In Auguſt, this year, that prelate loſt a good ſupport by the death of Charles Brandon, duke of Suffolk, who had always continued in the height of favor (1). He was Cranmer's friend, and would willingly have agreed to a farther reformation; but he was too much a courtier to attempt directly to oppoſe the King's will. However, as Henry was not always in the ſame diſpoſition, with regard to religion, this duke did the reformed good ſervice whenever he found King Henry any way diſpoſed in their favor.

Death of the duke of Suffolk. Hall. Stow. Hollingſh.

The war with Scotland was faintly continued on both ſides. Henry's deſign was only to terrify the Scots, and induce them to execute the treaty concerning their Queen's marriage. On the other hand, the Scots had no thoughts of invading England. Nevertheleſs, Francis, who, as was obſerved, had formed vaſt projects againſt England, ſent betimes to the regent an embaſſador, named La Broſſe, to aſſure him of his protection, and a powerful aid, which was inſtantly to depart. Beſide that a diverſion in Scotland could not but be advantageous to him, he was alſo excited by the Lorrain Princes, who were deſirous to ſupport the Queen their ſiſter. So, cauſing the noble M. de Lorge, count de Montgommery, to imbark with five thouſand men, he ordered him to uſe his utmoſt indeavors to perſuade the Scots to make a powerful diverſion on the frontiers of England. Montgommery arriving in Scotland the ſecond of July, joined his troops with the Scots, and both making together fifteen thouſand men, advanced towards the Tweed. For ſome days ſeveral parties paſſed the river, and did ſome damage to the Engliſh. But the French general could never prevail on the Scots to venture with the whole army beyond the Tweed. On the contrary, on news that the earl of Hertford was advancing at the head of twelve thouſand men, they haſtily retired, and preſently after diſbanded, according to cuſtom. This is what paſſed in Scotland, worth notice, during the campain of 1545.

Continuation of the war with Scotland. Buchanan. Herbert. Hollingſh.

Hall. Stow. Hollingſh.

The parliament of England meeting the, twenty-third of November, the convocation continued for two years, the ſubſidy given the King for ſix (2). At the ſame time, the parliament did, by a particular act, ſuppreſs all the colleges and hoſpitals, and gave their lands to the King. The motive, or rather pretenſe of this ſuppreſſion was, the abuſe of theſe foundations. The parliament deſigned it alſo towards the expenſe of the King's wars with France and Scotland: but this not ſufficing, the commons granted him moreover a large ſum, and as only for that purpoſe they were convened, they were diſmiſſed the twenty-fourth of December. Before they broke up, King Henry repaired to the houſe of lords in great ſolemnity, and made a fine ſpeech, ſaying, among other things, that never had Prince a greater affection for his people, or was more beloved than himſelf. He added many ſuch expreſſions, which tho', generally ſpeaking, very remote from the truth, were however received by the people with loud acclamations.

The parliament grants Henry a ſubſidy, and lands of the colleges, &c. Herbert. Burnet. Hall. Stow.

The King's ſpeech to the parliament. Hall. Stow. Hollingſh. Herbert.

During this year, the German Proteſtants began to feel the effects of Charles V's recent pacification

Affairs of Germany. Sleidan.

(1) He died Auguſt 24, and lies buried in St. George's chapel at Windſor, by the door of the choir near the place where Henry VI is interred. He had four wives. His third was Mary daughter of Henry VII, and widow of Lewis XII of France. He had a ſon by her, who died before him, and two daughters. His two other ſons by his laſt wife, died without iſſue, 5 Edward VI. Dugdale's Baron. Vol. II. p. 300.

(2) Six ſhillings in the pound.

with

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with France, and of the truce he was juſt concluding with the Turk. Hitherto they had been treated with ſome gentleneſs: but his Imperial Majeſty repairing to Worms, where the diet of the Empire was held, gave them flatly to underſtand, that he could not any way diſpenſe with their ſubmiting to the council, which was to meet at Trent. This convinced them there was really a deſign to reduce them by violence; and the rather, as a repeated rumor was ſpread of a league between the Pope and Charles, which muſt needs be againſt them. Their ſuſpicions were farther confirmed by a ſermon preached, by a certain Franciſcan, before that Monarch, to whom, in very ſtrong terms, he repreſented, That he could not diſcharge the duty of a good Emperor, except, to the very extent of his ability, he labored the Lutherans extirpation. They alſo knew that Charles wrote to the King of Poland, to excite him againſt them. Moreover, he ſummoned the archbiſhop of Cologn, to appear before him within thirty days, becauſe he had imbraced the reformation, and tried to introduce it into his dioceſe. All this evidently demonſtrated what they were to expect: nevertheleſs, as the Emperor had not yet concluded the truce with Sultan Sulyman, and as matters were not quite ripe, he ordered a new diet to be held at Ratiſbon the inſuing January: but the better to amuſe the Proteſtants, he decreed, that the divines of both parties ſhould repair to Ratiſbon, a month before the diet, and hold a free conference, that ſomething might be afterwards ſettled in points of religion. The Roman Catholics approved not this conference, and the Proteſtants were ſtill leſs pleaſed with it, becauſe they foreſaw that the ſtiffneſs of the divines of both ſides, on the articles which would be the ſubject of their conference, would furniſh his Imperial Majeſty and the diet with a pretext to refer the deciſion to the Trentine council. The diet breaking up the eighteenth of Auguſt, Charles returned to the Netherlands. Some time after, he received advice of a truce concluded with the Ottomans. He thereby found he was at full liberty to make war upon the Proteſtants, and under that pretenſe to ſet about the execution of his project of rendering himſelf abſolute in the Empire.

Remark on the council. Sleidan. Herbert.

It was, properly, at the inſtance of the Proteſtants only that the council was to meet: but it was very far from being ſuch a council as they had required. They expected it to be held in Germany, in ſome unſuſpected place, and it was convened at Trent, a city appertaining to the King of the Romans, whom they juſtly conſidered as their enemy. Their deſign was to combat the Papal authority; and it was the Pope who was to preſide by his legates. They intended to make appear, that the Romiſh clergy had corrupted religion, both in doctrine and diſcipline; and it was the Romiſh clergy who were to aſſiſt as judges: nay, it was uncertain whether they ſhould be allowed to produce their reaſons. Mean while, it was pretended, that thro' great condeſcenſion a council was called for their ſakes, and at their ſollicitation. It is therefore no wonder, they ſhould refuſe to ſubmit to ſuch a council, which they dreaded as much as they wiſhed for one free and impartial. Thus did both the Emperor and the Proteſtants proceed directly contrary to the ſteps they took at the begining. The Proteſtants rejected a council, after deſiring it with great earneſtneſs, and the Emperor, after amuſing them ſeveral years on that account, did, with all his power, preſs the meeting of the Trentine council, of whoſe authority he intended to make uſe to oppreſs them. His Beatitude would gladly not have had any council; but, finding he was too far ingaged with the Emperor to recede, had fixed the opening to the fifteenth of March. After that, he put it off, becauſe on that day there were too few biſhops at Trent: but he had a far more cogent reaſon. He was very glad to wait the iſſue of the diet at Worms, in hopes that vigorous reſolutions would there be taken againſt the Proteſtants, which would ingage both parties in open war, and furniſh him with a pretenſe, either to delay opening the council, or remove it to ſome town in Italy. But the Emperor, who had already laid his ſcheme of uſing the council's authority to proceed againſt the Proteſtants, finally obliged the Pontif to order it to be opened at Trent the thirteenth of December. That day the legates (meeting in the cathedral) declared, the council was aſſembled for three cauſes, viz. To exterminate hereſy, reform diſcipline, and ſettle a laſting peace among Chriſtian Potentates. This firſt ſeſſion was properly held only for opening the council. There were ſo few prelates at Trent, that it would have been ridiculous for ſo ſmall a number of perſons to pretend to make decrees on the articles for which the council was convoked.

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Opening of the Trentine council. F. Paul. Vargas. Herbert.

AN' 1546.

The Proteſtants beholding a council opened quite different from what they had required, readily foreſaw no good was thence to be expected. They had the more reaſon to be apprehenſive, as the Kings of France and England, being at war with each other, there was not from them any hope of aſſiſtance. Mean while, tho' the German mediators had not ſucceeded in their negociation, the peace between France and England was not remoter. The reaſon was, both Kings were equally concerned to terminate a war which only did them damage, without the leaſt proſpect for either to reap any conſiderable advantage. The war continued however during the winter of the year 1546. The earl of Surrey, ſon of the duke of Norfolk, who commanded at Boulogne, having intelligence that the French were conducting a convoy to the fort of Outreau, ſallied out with part of the gariſon to intercept it: but he ſucceeded ſo ill that, far from taking the convoy, he was himſelf defeated, and forced to retreat in the utmoſt diſorder. This news extremely troubled King Henry, who was not accuſtomed to ſuch tydings. Whether he thought it owing to the earl's imprudence, or ſuſpected him of ſome ſecret deſign, he recalled him immediately, and ſent lord Gray to command in his ſtead. A few days after, he ordered the earl of Hertford to depart with about ten thouſand men, for fear the French ſhould ſeize ſome poſt, and cut off the communication between Boulogne and Calais; and in reality that was their deſign: but Hertford, preventing them by two days only, poſted himſelf at Ambleville, where he ran up two forts which ſecured the communication. The French having miſſed their aim, incamped on Mount Lambert; and as the two armies were not far diſtant, ſkirmiſhes occurred daily, tho' none very conſiderable. It was equally the intereſt of both Kings not to run any great hazard, for fear of breaking off the negociation of the peace, which was treating between Ardres and Guiſnes.

Henry and Francis wiſh for a peace. Rym. Fœd. Vol. XV. p. 8ρ. Stow. p. 591. Hollingſh. Herbert.

Hall. Herbert.

Francis wiſhed for a peace, becauſe his exchequer was drained by his vaſt and perpetual expenſes from the begining of his reign, and particularly by the naval armament of the former campain: beſide, as he was juſt entering on a war with the Emperor, he wanted ſuch a friend as the King of England. In fine, he perceived that, after his fruitleſs efforts to recover Boulogne, it would be very difficult to reduce that place by force. Henry was no leſs deſirous of peace, on diverſe accounts. Firſt, he was grown ſo corpulent and unwieldy, that it was a trouble for him to move: nay, he had occaſion for a machine with pullies to hoiſt him to and from his chamber. This made him extremely uneaſy, and gave him ſuch a diſtaſte for buſineſs, that it was not willingly

Reaſons of both Kings for a peace.

Burnet.

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willingly if he attended to affairs. Secondly, he had no farther thoughts of making conqueſts in Picardy: his ſole aim was, to procure what was due to him before Boulogne ſhould be reſtored, which was to him of little uſe, ſince Calais ſufficed for all his purpoſes. But he had ſtill a more urgent motive to renew his old friendſhip with Francis. He ſaw Charles, with his Sanctity's aſſiſtance, juſt ready to make war on the Proteſtants, and much queſtioned their ability to withſtand him. In this belief, he feared that the Emperor, after ſubduing Germany, would turn his arms againſt England, with all the forces of the Empire, Spain, Italy, and the Netherlands. He could uſe the pretenſe of executing the Pope's ſentence, and even cauſe a like ſentence to be paſſed by the Trentine council. It was therefore not at all advantageous to Henry to be at variance with France. It was rather his intereſt to have Francis's friendſhip, as it was very commodious for Francis to be ſecure of Henry's aſſiſtance, in caſe the Emperor ſhould think of turning his arms againſt France.

Difficulties of the peace.

The obſtacles to the concluſion of this peace, conſiſted in Henry's demanding his due, and Francis's want of money to give him ſatisfaction. Beſide, Francis inſiſted upon Boulogne, and upon Scotland's being included in the treaty. Theſe difficulties would have been ſufficient to hinder the peace from being concluded, had not more urgent motives induced the two Kings to ſeek expedients to ſurmount them. Henry at laſt conſented to the article concerning Scotland, and as to the reſt, a method was found to content both. Henry was to keep Boulogne 'till he was paid, and Francis promiſed to diſcharge the debt in eight years. All being thus adjuſted, the peace was ſigned the ſeventh of June. The treaty ran:

Treaty of peace between France and England. Rym. Fœd. Vol. XV. p. 95. June 7. Hall. Stow. Herbert. p. 255.

That the King of France ſhall pay regularly the penſion, due by the treaty of Moore, of the thirtieth of Auguſt 1525, confirmed by diverſe ſubſequent treaties: as alſo the penſion of ſalt contained in the treaty of the twenty-fifth of April 1527, valued afterwards at ten thouſand crowns yearly. But as Henry pretends the ſaid penſion, given in lieu of the ſalt, is to be perpetual, and as on the contrary Francis maintains, that it is to ceaſe on Henry's demiſe, it is agreed, that the diſpute ſhall be amicably decided by umpires; and if the penſion ſhall be found to be perpetual, Francis ſhall pay it to Henry and his ſucceſſors for ever.

Moreover Francis ſhall pay to the King of England, on the feaſt of St. Michael 1554, or within a fortnight after, the ſum of two millions of crowns de ſoleil, as well for arrears of the ten thouſand crowns penſion, as for Henry's expenſe in the ſiege of Boulogne, undertaken ſolely to procure his money, and in keeping and maintaining that place.

As to that article of the five hundred thouſand crowns, which Henry preſented to Francis on condition he punctually obſerved the treaties, as the two Kings differ in the point of fact, it is agreed, the diſpute ſhall be decided by commiſſioners appointed on both ſides within ſuch a time, or by four impartial lawyers, in caſe the commiſſioners conclude not the matter.

It is farther ſtipulated, that the King of England ſhall keep Boulogne with its territories, the limits whereof are ſettled by the treaty, 'till he receives whatever is due to him.

That when the whole debt ſhall be diſcharged, Boulogne ſhall be reſtored to the King of France, and nothing faſtened to the ground ſhall be impaired or carried away.

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That from the date hereof, to the ſurrender of Boulogne, neither of the two Princes ſhall raiſe any fort or new fortification within the territory of Boulogne; but thoſe already begun may be finiſhed.

The Emperor was included by both parties in the peace. As for Scotland, Henry agreed, it ſhould be included, on condition the Scots gave him no freſh cauſe to make war upon them; and in caſe they did, they were to be deemed no otherwiſe included than according to the treaty of the fifth of April 1515.

Henry's advantages in this treaty.

Henry could ſcarcely expect greater advantages than thoſe he received from this peace, which ſeemed to ſecure him not only the payment of what was due to him, but alſo the yearly and perpetual penſion of a hundred thouſand crowns. But the moſt ſolemn treaties are not always ſufficient ſecurity for the performance of what Sovereigns promiſe. It will appear in the ſucceeding reigns, that Francis's ſucceſſor did not only violate this treaty with reſpect to Boulogne, and the ſums for which his father was bound, but that even the penſion was never placed to account in the treaties he made with England.

The peace proclaimed at London. Hall. Stow.

The Peace was very ſolemnly proclaimed at London the thirteenth of June, with a general proceſſion, wherein were carried all the richeſt ſilver croſſes, and the fineſt copes worn, for the greater pomp. But this was the laſt time theſe things appeared in public. Soon after, Henry called all this, together with the church-plate, into his treaſury and wardrobe, without giving any other reaſon than his will and pleaſure.

Henry calls in all the church-plate. Stow.

Charges of the late war. Herbert. p. 256.

It is ſaid, the late war with France coſt Henry five hundred eighty-ſix thouſand ſeven hundred and eighteen pounds ſterling, and the charges of keeping Boulogne eight years amounted to ſeven hundred fifty-five thouſand eight hundred thirty-three pounds. So large a ſum, which was not to be reimburſed ſooner than in eight years, had conſumed whatever had been granted by the parliament, and received from the chapels, colleges and hoſpitals. So that, early in the new year, Henry was forced to lay a tax upon his ſubjects, under the name of Benevolence (1), as appears in Rymer's collection.

Vol. XV. p. 84. Strype.

Henry ſtands godfather to the Dauphin's daughter. Hollingſh.

This pacification reſtored between the two Kings the good underſtanding which had been ſome years interrupted, rather by the artifices of the Emperor and his party in England, than for any juſt cauſe. Catherine di Medicis, Dauphineſs of France, being at this time delivered of a Princeſs, and King Henry requeſted to ſtand godfather (2), he named her Elizabeth. Very ſoon after, theſe two Monarchs ſent embaſſadors to each other, to receive the oaths relating to the peace, and choſe for theſe embaſſies their reſpective high-admirals (3). It is reported that, while admiral Annebaut was at London, he commenced a negociation concerning religion, and that both their Majeſties deſigned to aboliſh the maſs in their dominions (4). With regard to King Henry, there is ſome probability, that he would have advanced the reformation had he ſurvived; nay, it is certain that, on account of this negociation, he ordered Cranmer to ſet down in writing how ſuch a change might be effected, and to ſtrengthen all with arguments and paſſages from the Scriptures: but this project ſoon evaporated in ſmoke. According to appearances, Francis had

Embaſſy from France. Hall. Stow.

Project of aboliſhing the maſs. Burnet. Vol. I. p. 340. Herbert.

Francis's deſign.

(1) This benevolence amounted to ſeventy thouſand ſeven hundred and twenty three pounds. Strype's Mem. Vol. I. p. 390.

(2) Sir Thomas Cheiny, treaſurer of the houſhold, and warden of the cinque-ports, ſtood, as King Henry's proxy. Hollingſh. p. 973.

(3) The Engliſh admiral, John lord Liſle, was accompanied by Cuthbert biſhop of Durham, and ſeveral other lords. The French embaſſador landed at Greenwich, Auguſt 19. Hall, fol. 262.

(4) The maſs was to be changed into a communion, and Cranmer was ordered to draw a form of it. Fox. Burnet, Vol. I. p. 340.

entered

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entered into this negociation only becauſe he deſired to be in ſtrict union with Henry, and knew experimentally, that the bare propoſal of conforming himſelf to his ſentiments in point of religion was a moſt effectual method to ſucceed: but it is not likely he really intended to admit of any reformation in his kingdom; and indeed, at this very time he was kindling the flames of perſecution all over France againſt the Reformed, of whom fourteen this year were burned at Meaux, and many more at Paris, and in other places; not to mention the maſſacre of Cabrieres and Merindol, for which none were puniſhed. The cardinals of Lorrain and Tournon, his chief miniſters, were too inveterate againſt the Proteſtants for any to imagine that, while they were in favor, the King ever ſeriouſly thought of aboliſhing the maſs in France.

Charles V prepares to attack the Proteſtants. Sleidan.

Before the peace between England and France was ſigned, the Proteſtant Princes of Germany ſeeing themſelves at the point of being attacked by the Emperor (who had at laſt taken off the maſk, ſince his peace with France and truce with the Turks) ſent to Henry Prince Philip *, brother to the elector Palatine, to deſire aſſiſtance. It appears in the King's letter to this Prince, extant in Rymer, that Henry had ſent for him; and lord Herbert affirms, that Philip aimed at eſpouſing Princeſs Mary. However this be, the King anſwered his demand of aid by ſeven propoſitions, containing the terms on which he was willing to enter into a defenſive league with the Proteſtants. But as his propoſitions tended only to render him head and ſole director of the league, they thought not proper to put themſelves blindly into his hands. They only told him, if he would depoſite ſomewhere in Germany a hundred thouſand crowns to ſerve for the defenſe of the league, they would prefer his alliance to that of Francis. But finding they offered no advantage for himſelf, he had no ſuch zeal for the Augſburg confeſſion (from which he was yet very remote) as to ingage in its protection without reaping any benefit. The truth is, the Proteſtants were perſuaded he had no deſire to be really united with them, but intended only to incourage them, leſt they ſhould ſubmit to the Emperor, as alſo to hinder them from puting themſelves under the protection of King Francis, with whom he was not yet in peace. For the ſame reaſon it was that, under color of continuing the negociation with the count Palatine, he retained Prince Philip at his court 'till he ſaw the peace with France was near a concluſion.

* Or nephew, according to lord Herbert. Negotiation of the Proteſtants with Henry. Vol. XV. p. 88. Herbert.

League between the Pope and Emperor againſt the Proteſtants. Sleidan.

It was now ſome time ſince the Pope and Emperor had formed the project of a league againſt the Proteſtants of Germany. They had agreed on all the articles; but Charles had thought fit to defer the ſigning, that he might ſay, he did it merely in his own defenſe. Finally, about mid-June, he ſent the cardinal of Trent to Rome, where the league was ſigned the twenty-ſixth of the ſame month. His Holineſs ingaged, for ſix months, to find twelve thouſand foot, five hundred horſe, and two hundred thouſand crowns, for the war in Germany. Moreover, he gave the Emperor a moiety of one year's revenue of the benefices in Spain, with power to alienate a hundred thouſand crowns-worth of church-lands. This was a demonſtration that it was a religious war, tho' Charles affected to publiſh the contrary.

The German war.

The Emperor having notice; that his Sanctity's troops were begining to march; that count De Bure had forwarded his levies in the Netherlands; and duke Maurice of Saxony, whom he had ingaged in his party, was ready to act when there ſhould be occaſion, aſſembled his army about Ratiſbon. His deſign was to meet the Pontif's forces, then traverſing Tirol, under conduct of Octaviano Farneſe. At the ſame time, to prevent this junction, the elector of Saxony and the landgrave of Heſſe marched the ſame way, with an army forty thouſand ſtrong. Without entering into a detail of this firſt campain, I ſhall only ſay in general, that the Proteſtants, tho' ſuperior in number, could not hinder either the Italian or Netherlandiſh troops from joining the Emperor. The different tempers of the elector of Saxony and the landgrave of Heſſe did not a little contribute towards their taking wrong meaſures. In ſhort, the campain laſting 'till November without either of the two armies deſiring to ingage, the elector of Saxony received the ill news, that the King of the Romans and duke Maurice were deſtroying his country with fire and ſword. This obliging him to march, with part of the army, to the relief of his ſubjects, the landgrave, become too weak by this ſeparation, choſe likewiſe to retire into his dominions. Thus the Emperor meeting with no more oppoſition, took Francfort, Ulm, and ſeveral other towns belonging to the league, which furniſhed him with the monies he wanted for the maintenance of his army.

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Continuation of the council of Trent. F. Paul. Herbert.

While the war was carrying on in Germany, the council languiſhed at Trent, and proceeded very ſlowly. Beſide that the members were very few, they were wholly dependent on the legates, who durſt not themſelves undertake any thing without orders from Rome. But it was the Pope's intereſt to prolong matters, becauſe he hoped time would procure him at laſt ſome occaſion to diſſolve the council, or remove it to Italy. Thus the council was merely a vain name, made uſe of by the Pope and Emperor for their own private views, and to caſt a miſt before the eyes of the public.

Perſecution in Scotland. Buchanan. Burnet.

Religion began alſo to cauſe troubles in Scotland, or at leaſt to produce the ſeeds thereof, by the deſpair to which thoſe who imbraced the reformation were driven. Since cardinal Beaton and the earl of Arran had injoyed the peace procured them by the King of France, they thought only of being revenged on their enemies. Religion furniſhed them with a pretenſe, becauſe the oppoſite faction almoſt wholly conſiſted of the Reformed. In the courſe of this year 1546, they put to death ſeveral perſons for religion at Perth, St. Andrews, and other places (1). The regent ſuffered himſelf to be ſo led by the cardinal, that he gloried in delivering to the flames thoſe whom he had formerly conſidered as his brethren. Among thoſe who were ſacrificed to the furious paſſion of this cardinal, a miniſter named Wiſhart (2), who ſuffered martyrdom at St. Andrews, was particularly remarkable. This man being condemned to the fire, the regent, at the inſtance of one of his friends, would have ſaved his life, and to that end ſent a note to the cardinal, deſiring him to ſuſpend execution: but the barbarous prelate, without regarding the regent's requeſt, not only cauſed the ſentence to be executed, but would alſo feed his eyes with the ſad ſpectacle, ſiting in ſtate at a great window of his caſtle. It is ſaid, that this miniſter, before he was delivered to the flames, told the executioner, "That within "few days, the prelate who beheld him with ſuch "pride from yonder high place, ſhould lie in the "ſame as ignominiouſly as now he was ſeen proudly "to reſt himſelf." This prediction proved but too true for the cardinal. Very ſoon after he was mur-

Wiſhart's martyrdom. Buchanan. Burnet.

His prediction concerning Beaton.

The cardinal murdered. Buchanan.

(1) Some of the Scotiſh prieſts were ſo ignorant, that they maintained, the New Teſtament was lately written by Martin Luther, and therefore they deſired only the old. Buchanan, l. 15.

(2) Mr. George Wiſhart, of a very worthy family. M. Rapin names him (barbarouſly enough) Sephocard. See his ſtory in Burnet and Buchanan.

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dered in his own palace, and his body thrown into the ſtreet, from the very window whence he looked on while Wiſhart was burning.

The ſtate of religion in England.

As for England, religion was ſtill on the ſame foot his Majeſty had been pleaſed to eſtabliſh it. The reformation had made ſome progreſs, but was far from being brought to perfection; and yet the Reformed could not forbear hoping the King himſelf would carry it much farther. In this belief, they judged it prudent not to irritate him, and that they effectually conſulted the welfare of their religion by remaining in ſilence, and waiting for better times. This is the true reaſon why fewer perſons ſuffered for religion in England than in France. It is not to be queſtioned that, had there not been hopes of a farther reformation, many people would have openly declared the opinions which theſe hopes induced them to conceal. For much the ſame reaſon, thoſe who retained all the tenets of the old religion, durſt not directly oppoſe the King, for fear their oppoſition ſhould carry him beyond the bounds he ſeemed to have preſcribed to himſelf. Hence reſulted a blind and univerſal compliance with Henry's will, and the exceſſive power he had acquired over all his ſubjects, of which he made a very ill uſe.

Henry much troubled with a ſore leg and his corpulency.

He had been troubled for ſome time with an old ſore in his leg, which was grown very painful. This, added to his extraordinary corpulency, which rendered him in a manner unable to ſtir, made him ſo froward and untractable that none approached him without trembling.

He grows cruel. Herbert, p. 263.

He had been always ſtern and ſevere, but was incomparably more ſo towards the cloſe than begining of his reign. Flattery had ſo corrupted his judgment and ſenſe, that he deemed it a moſt unpardonable crime to contradict his opinions, tho' he changed them himſelf very frequently. I have obſerved, that he treated with admiral Annebaut of aboliſhing the maſs, and changing it into a communion, after the manner of the Proteſtants: and yet, not long after,

Shaxton accuſed of denying the real preſenſe; Burnet.

Shaxton, who had reſigned the biſhoprick of Saliſbury, and been long a priſoner for refuſing to conform to the ſix articles, being accuſed afreſh of denying the real preſenſe in the ſacrament, Henry would have him tried according to the rigor of the law, and he was condemned to be burned. But this man, who had braved the incommodities of a tedious impriſonment, could not with like firmneſs behold the puniſhment prepared for him. The King having ſent the biſhops of London and Worceſter to perſuade him to recant, he was prevailed on, and abjuring his pretended hereſy, Henry granted him his pardon. He became afterwards a cruel perſecutor of the Reformed.

and condemned to be burned.

He abjures and is pardoned. Burnet, Vol. I. p. 340.

Ann Aſkew burned. Hall. Burnet. Strype.

This example was not capable of moving Ann Aſkew, who was accuſed of the ſame crime, and rigorouſly proſecuted, tho' ſhe had good friends at court, where ſhe was well known (1). She firmly perſiſted, notwithſtanding all the promiſes to ſave her life in caſe ſhe would recant (2). Some court ladies, touched with campaſſion for her, having ſent ſome money for her ſubſiſtence when in priſon, were the occaſion of her being more cruelly tormented (3). Chancellor Wriotheſley, a great enemy to the earl of Hertford, hoping to draw from the priſoner ſomething againſt that nobleman, or his counteſs, cauſed her to be tortured: nay, it is reported that he would needs be preſent himſelf and, obſerving the executioner was moved with pity to the ſufferer, threw off his gown, and taking upon him the honorable office, drew the rack ſo violently that he almoſt tore her aſunder. But this is a fact which ſcarce ſeems credible (4). However, this unhappy gentlewoman, with her bones diſlocated, was carried in a chair to the place of execution and burned, together with four men condemned for the ſame crime (5). But, by way of addition to their ſufferings, they were made to hear a ſermon preached by Shaxton their falſe brother, who upbraided them with obſtinacy in very bitter and abuſive terms. All this was not capable of ſhaking their conſtancy, which indured to their lateſt breath.

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Fox.

Hall. Stow.

Deſigns againſt Cranmer and the Queen. Burnet, Vol. I. p. 342, &c.

The enemies of the reformation perceiving Henry inſenſed againſt the Sacramentarians, thought it a favorable opportunity to ruin the Queen and archbiſhop of Canterbury, whom they conſidered as the grand protectors of the Reformed. Among the ſupporters of the old religion the chiefs were chancellor Wriotheſley, the duke of Norfolk, his ſon the earl of Surrey, Bonner biſhop of London, Gardiner biſhop of Wincheſter; and theſe had undoubtedly, among the courtiers and the King's ſervants creatures who failed not being ſerviceable on occaſion: but whatever project they formed they ſtill found in their way the archbiſhop of Canterbury who, having great influence over Henry, commonly broke their meaſures. In order therefore to be intirely freed from this formidable opponent, they reſolved to complain of him openly to the King, and accuſe him of being the head and protector of the Sacramentarians, and of all in general who rejected the ſix articles. This reſolution was executed. The perſon who took upon him to addreſs King Henry on this ſubject, told him, there were evident proofs ready of what was alledged againſt the ſaid prelate, and if he were ſent to the Tower ſo many witneſſes would appear againſt him, that even his Majeſty would be ſurpriſed. Henry was not ignorant that Cranmer had a ſecret diſlike to the ſix articles, as he had himſelf frankly acknowledged; but he really loved him, and therefore would not expoſe him to a trial which muſt have been fatal to him: beſide, he was much diſpleaſed that ſuch pains was taken to ruin a perſon for whom he had ſo often and ſo loudly declared. However, reſolving to ſee how far his enemies malice would be carried, he conſented that he ſhould be the next day ſummoned before the council, and ſent to the Tower, if they ſaw cauſe. But not long after *, the King ſent for Cranmer, and telling him what had been determined on, aſked him, what defenſe he deſigned to make? Cranmer thanked his Majeſty, and requeſted him that, ſince he was to be queſtioned on his ſentiments in religion, ſuch judges might be aſſigned him as underſtood thoſe matters. The King replied, he went the wrong way to ſave his life, for moſt certainly his

Cranmer openly accuſed. Burnet.

* In the night. The King gives him a ſenſible mark of his affection.

(1) She was nobly deſcended (being ſiſter of ſir Francis Aſcue, or Aſcough, of Lincolnſhire) and educated beyond what was uſual in that age to thoſe of her ſex. But ſhe was unfortunately married to one Kyme, who, being a violent papiſt, drove her out of his houſe, when he found ſhe favored the reformation. Burnet, Vol. I. p. 341.

(2) Upon her examination, being aſked by the lord mayor of London, whether the prieſts cannot make the body of Chriſt? She wittily replied, I have read, that God made man, but that man can make God, I never yet read. Strype's Mem. Vol. I. p. 387.

(3) Being aſked what favor or incouragement ſhe had from any in the court, ſhe would confeſs nothing, but that one in a livery brought her ſome money, which he ſaid came from two ladies in the court. This made the chancellor put her to the rack. She had been oft at court, and was much favored by many great ladies there; and it was believed the Queen had ſhowed kindneſs to her. Burnet, p. 341.

(4) Why not? What is incredible in one agitated with a zealous frenzy?

(5) John Laſcelles a gentleman (probably the ſame who accuſed Catherine Howard) Nicolas Otterden and —— Belenian two prieſts, and John Adlam a taylor. Hall, fol. 263. Strype, Vol. I. p. 388.

enemies

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enemies had witneſſes ready to convict him in ſuch manner, that the judges would be forced to condemn him; and therefore ſince he took ſo little care of himſelf, he himſelf would look to it. So he ordered him to deſire the council, to uſe him as a privy-counſellor, and as they would expect to be uſed in the like caſe, that is, that his accuſers might be brought face to face before he was ſent to the Tower; and if his requeſt was not granted, he was to appeal to the King. At the ſame time he took off his ring, and giving it to him, ſaid, if his appeal was rejected, he ſhould ſhew the council that token of his protection. Next morning Cranmer, coming to the council-door, was ſo long kept waiting in the lobby, that the King hearing of this diſreſpect, ſent word, that he ſhould be preſently brought in (1). It happened as the King foreſaw; ſo that Cranmer was forced at laſt to produce the King's ring, which terribly mortified his enemies. Then they all roſe up, and went and informed the King of what had paſſed, who told them, he thought he had a wiſer council than now he found they were; and, laying his hand on his breaſt, ſwore, that he took the archbiſhop to be the loyaleſt ſubject he had. The duke of Norfolk, willing to excuſe the council, ſaid, They deſigned the archbiſhop no harm, but only to vindicate his innocence by ſuch a trial as would have freed him from all aſperſions. But the King, looking ſternly at him, anſwered, "He would not ſuffer men who were ſo "dear to him, to be thus handled, with impunity: "that he was no ſtranger to the factions which were "among them, and their malice towards each "other, which he would either extinguiſh, or very "ſpeedily puniſh." Then he commanded them all to be reconciled to the archbiſhop. They immediately obeyed, tho' but exteriorly: but as for Cranmer, he cordially forgave them, as he afterwards plainly evidenced.

Henry mortifies Cranmer's enemies.

The Queen is accuſed, who happily brings herſelf off. Herbert. Burnet.

Seemingly, ſo great a mortification ſhould have made theſe men more cautious: but the ardency of their deſire to ſucceed in their projects would not ſuffer them to deſiſt, with regard to the Queen. They perceived, if the King had oppoſed their accuſation of Cranmer, it was not to obſtruct the execution of the law of ſix articles, but from a pure motive of affection for that prelate: that therefore their proceedings could not have diſpleaſed him as to the thing, but only in reſpect of the perſon. This made them think they ſhould find it eaſier to deſtroy the Queen, becauſe King Henry would never willingly ſuffer that his own wife ſhould differ from him in matters of religion. Catherine Parr, who was then on the throne, had gained the King's affection by her extraordinary care of him, and by daily giving him freſh marks of her gratitude. She was in her heart a Proteſtant, and even ſometimes took the liberty to have ſermons preached in her privy-chamber, before ſome of her ladies. This reached Henry's ears, but he took thereof no notice: nay, he ſuffered her to diſpute with him upon religion, imagining ſhe did it only for inſtruction; but at length theſe diſputes having been carried too far, he expreſſed his diſpleaſure, and even began to look more coldly on the Queen than heretofore. This made her enemies fancy it a fair opportunity to work her ruin, while, ignorant of their deſigns, ſhe was ſeeking occaſions to inſpire her royal conſort with favorable ſentiments of the reformation.

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It was to Gardiner that King Henry firſt vented his diſpleaſure with the Queen: nor could he have pitched on a man more partial. Gardiner failed not to cheriſh the King's reſentment, by agravating Queen Catherine's obſtinacy, and her pains to inſtill her notions into the ladies who ſerved her. The chancellor, who was alſo let into the ſecret, confirmed what Gardiner had urged, and hinted to his Majeſty, that the Queen had incouraged Ann Aſkew in her perverſeneſs, and even inſinuated that ſhe was conſpiring againſt the ſtate. In ſhort, they went ſo far, that articles were drawn againſt her, and ſigned by his Majeſty. The chancellor puting this paper careleſly in his pocket, droped it, and the perſon who found it carried it to the Queen, who ſeeing the King's hand to ſuch a paper, concluded herſelf ruined: however, being adviſed by one preſent to indeavor appeaſing the King, ſhe entered his chamber with a ſettled countenance, as if ſhe knew nothing of what had paſſed. Henry received her kindly, and began to diſcourſe of religion. She anſwered, theſe matters were above her, and ſhe ought of him to learn what ſhe was to believe. "Not ſo, by St. Mary (ſaid the "King) you are become a doctor, and able to "inſtruct us." Catherine feigning to be ſurpriſed at his manner of ſpeaking to her, replied with great mildneſs; "She ſaw with grief he was "was offended at the freedom ſhe had ſometimes "taken to diſpute with him in points of religion; "but ſhe had done it innocently, with the ſole "view of diverting him, knowing what pleaſure "he took in talking of thoſe things, which none "underſtood better than himſelf; her chief aim "having been, not only to make him forget his "pain by ſuch ſort of diſcourſes, but alſo to "receive inſtruction herſelf; and indeed ſhe had "profited much: and if ſhe had ſtarted objections, "it was only to give him occaſion to clear the diffi-"culties which ſurpaſſed a woman's comprehen-"ſion." "And is it even ſo (ſaid Henry) then "we are friends again." So he imbraced her moſt affectionately, and ſent her away with very tender aſſurances of his conſtant love to her (2). On the morrow, which was the day appointed for conveying Queen Catherine to the Tower, Henry going to take the air in his garden, ſent for her, and preſently after came in the chancellor, with a detachment of the guards *. But the King immediately advanced towards him, and after a little diſcourſe, was heard to call him, in a very angry tone, Knave, Fool, and Beaſt. He then returned to the Queen, who, ſeeing him in a paſſion with the chancellor, indeavored to appeaſe him: but Henry anſwered her, that none had leſs reaſon than herſelf to plead for him.

Herbert. Burnet. Burnet. * Forty.

Henry begins to hate the enemies of the reformation.

Theſe two attempts, againſt the archbiſhop and Queen Catherine, not only proved unſucceſsful, but alſo extremely prejudicial to the enemies of the reformation. From thenceforward Henry could not indure them, being ſatisfied their chief aim was to overthrow whatever he had eſtabliſhed. Gardiner was immediately diſgraced, and the King would not ſuffer him to be preſent in the council (3).

Burnet. Gardiner's diſgrace.

Henry reſolves on the duke of Norfolk's and earl of Surrey's death.

But a greater ſtorm fell on the duke of Norfolk, and his ſon the earl of Surrey. Henry, in a manner

(1) Dr. Buts, the King's phyſician, who loved Cranmer, went and told the King what a ſtrange thing he had ſeen: The Primate of all England waiting at the council door among the footmen and ſervants. Whereupon Henry ſent to the board to have him brought in immediately. Burnet, Vol. I. p. 343. Herbert. Stow.

(2) Whether the King had really deſigned her ruin or not, is differently repreſented by the writers who lived next that time. Some, ſays lord Herbert, believed it was not ſo much the King's intention to uſe the rigor of the law, as to deter her from reading forbiden books, p. 263. Hollingſh. Burnet.

(3) Tho' it appears by Gardiner's ſubmiſſion, extant in our records, that not long after he fell into the King's diſpleaſure, yet whether on this occaſion, or that he was a ſpecial friend to the duke of Norfolk (who was now alſo in diſgrace) or any other cauſe, is not there determined. However, the King excluded him from the number of thoſe whom he appointed his executors, and counſellors to his ſon Edward VI. Herbert, p. 263.

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ſuffocated with fat, and perceiving his leg grew viſibly worſe, plainly ſaw he had not long to ſurvive. In this belief, he conſidered the duke of Norfolk and his ſon the earl of Surrey as two peers extremely capable of greatly imbroiling the Prince his ſucceſſor, during his minority. The duke of Norfolk was as it were head of thoſe who favored the Pope and the old religion, tho', like a good courtier, he had outwardly complied with all the King's innovations. Henry was contented with this external compliance, tho' he knew he was ever attached to the Pope, whoſe party was ſtill very powerful in England, and that his ſon the earl of Surrey was in the ſame ſentiments. This ſufficed to inſpire him with a juſt fear, that after his deceaſe, theſe two noblemen, aſſiſted by the Pope, the Emperor, and their partiſans, would labor to ſet the crown on Princeſs Mary's head, and ſo what he had been at ſuch pains to eſtabliſh, during his reign, would be utterly ſubverted; and, in reality, he had no room for doubt, if that party prevailed, they would deem his divorce with Catherine of Aragon abſolutely null: in which caſe, Mary was his only lawful iſſue, and the Prince his ſon a baſtard. He could not hope for a remedy to this evil from the parliament, having by long experience learned with how much facility that body, conſiſting of ſo many members, was carried away with the prevailing party. He therefore thought the beſt and ſhorteſt way to prevent theſe miſchiefs, and free himſelf from his apprehenſions, was not to leave behind him theſe two noblemen, whom he believed capable of diſturbing his ſon's minority, and even of depriving him of the crown. For this ſole reaſon their ruin was reſolved; but then ſome pretenſe was to be found, which is ſeldom wanting to thoſe who have the power in their hands. As ſoon as it was perceived that Henry's affection for the father and ſon was grown cold, certain perſons were ready to inſinuate to the Monarch, that they had pernicious deſigns againſt the ſtate (1), and only waited his death to put them in execution: that the earl of Surrey had refuſed ſeveral good matches, ſince the loſs of his counteſs, and it was generally (2) reported he aſpired to Princeſs Mary: that it was not without ſome private reaſon he uſed the arms of St. Edward the Confeſſor, tho' his father had taken them out of his 'ſcutcheon, but however the duke himſelf had left one quarter blank, in order to reſume that at a proper ſeaſon. On theſe general accuſations, Henry ordered them to be arreſted, and ſent to the Tower. That done, care was taken to acquaint the public, that all who had any thing to alledge againſt the priſoners, ſhould have a favorable hearing, and the King would pardon all perſons concerned in any conſpiracy with them, who would make a diſcovery (3).

Herbert. Burnet.

They are ſent to the Tower. Herbert. Stow. Burnet.

Some time before this affair commenced, Henry reſtored the two univerſities of Oxford and Cambridge, to all their eſtates, rents, and privileges, tho' by that act of parliament which gave Henry the lands of the colleges, they were to be ſuppreſſed. It might be thought not a little ſtrange that the parliament ſhould not diſtinguiſh theſe two univerſities from the reſt of the colleges, conſidering their antiquity, and the advantages the kingdom had thence received, and daily did receive, had it not been already frequently ſeen, that they had long acted ſolely by direction from court. There is ſome appearance that Henry remained long doubtful, whether he ſhould diſſolve or preſerve theſe two univerſities, ſince having received their humble petitions the begining of the year, he made them wait for his anſwer 'till October: nay, it was diſcourſed at court for ſome time, of making great alterations in their charters. But at length, the King reſolved to continue them on their primitive eſtabliſhment. Not long after, viz. on the nineteenth of December, he founded Trinity college in Cambridge, which is one of the nobleſt foundations of that kind in Europe.

The univerſities are preſerved. Herbert. Burnet.

Rym. Fœd. Vol. XV. P. 106.

Mean while, diligent ſearch was, by King Henry's order, making for whatever could ſerve to form an impeachment againſt the duke of Norfolk, and the earl his ſon; the King, who found himſelf near his end, being abſolutely determined they ſhould quit the world before him. In this interval, he ordered his will, made juſt before his late expedition to France, to be brought him, and peruſing it, cauſed Gardiner's name to be eraſed from among the number of counſellors appointed for a council of ſtate, during Edward's minority. Sir Anthony Brown, who was preſent, would have ſpoken in the biſhop's behalf (4): but Henry anſwered, he knew Gardiner, and tho' he himſelf could govern him, yet none of thoſe who were to come after him would be able to do it.

The King ſtrikes Gardiner out of his will. Burnet. Vol. I. p. 349.

This will, extant in Rymer's collection of public acts, bears date December 30, 1546, and the King's name is at the bottom, with thoſe of ten witneſſes: but it is not eaſy to be aſſured of its being ſigned with the King's own hand. This was afterwards queſtioned. Mr. Rymer, who collected the records, would have obliged the public had he ſet this matter beyond diſpute, and informed us, whether he had the original in his hands, and if ſo, whether the King's name was in his own hand-writing. This he might have eaſily known, by comparing his name on the will with his uſual ſignings, of which doubtleſs he had by him ſeveral (5). The importance of this inquiry conſiſts in that the act of parliament, impowering the King to ſettle the ſucceſſion, ordered it ſhould be by letters patent under the great ſeal, or by his laſt will, ſigned with his own hand. Now it happened afterwards, that the Scotiſh line, not being placed in their proper order, queſtioned the validity of the will, maintaining that Henry had not ſigned it with his own

Vol. XV. p. 110.

(1) Their chief accuſers were ſome of their own family. The ducheſs, daughter of Edward Stafford duke of Buckingham, had, for above four years, been parted from the duke her huſband; his daughter, Mary ducheſs of Richmond, was become her brother's mortal enemy. From theſe two ladies came the firſt information againſt thoſe unfortunate lords, as appears from lord Herbert, p. 263, 264.

(2) Henry Howard earl of Surrey had married Frances, daughter of the earl of Oxford, by whom he had two ſons, Thomas and Henry, and three daughters. The duke of Norfolk would have allied himſelf to the Seymour family, by ingaging his ſon to marry the earl of Hertford's daughter, to which his ſon would not conſent; and the ducheſs of Richmond, his daughter, to ſir Thomas Seymour. Ibid.

(3) This year, in the latter end of March, the public ſtews, which had long been allowed by the ſtate, were ſuppreſſed. Stow, p. 591. They were a continued row of houſes along the Thames ſide in Southwark, eighteen in number, and diſtinguiſhed by ſigns. In the reign of Henry II, there were ſeveral regulations made concerning theſe houſes, to be ſeen in Stow's Survey of London, Book IV. p. 7.

(4) Thinking it was only an omiſſion. Burnet, Vol. I. p. 349.

(5) Some gentlemen were deputed in Queen Anne's reign, by perſons of the firſt rank in the kingdom, to go to the chapter-houſe of Weſtminſter abbey, to ſearch for the original will among the records of the Exchequer. They found one conſiſting of ſeveral ſheets of ſoft coarſe paper, tacked together with a braid of green and white ribband; the writing of a mean and ſlovenly character. The will was ſigned on the top of the firſt, and the end of the laſt page, with the King's hand-writing, as pretended, but the character was fairer than ever he could make, and the hand ſtiff, like a counterfeit hand. Upon comparing his name on the will, with his ſtamp and his uſual hand-writing, it agreed with neither. See Acta Regia, p. 348. Vol. III.

hand-

HENRY VIII. AN' 1546.

hand-writing. Indeed it could, againſt this pretenſion, be alledged that, as the will was dated a month before Henry's death, there was no reaſon to ſuppoſe him then not able to ſign it. On the other hand, it is not impoſſible that, having ordered his will to be tranſcribed the thirtieth of December, he delayed to ſet his hand, and ſo was prevented by death. But there is moreover a ſtrong preſumption he did not ſign it with his own hand; that is, according to appearance, he was unable to write ſeveral months before his deceaſe, by reaſon his fingers were ſo ſwelled that he could not hold a Pen. This conjecture is confirmed by two papers in Rymer's collection, both prior to the will.

Vol. XV. p. 100.

The firſt is a power of the thirty-firſt of Auguſt 1546, given by Henry to three of his miniſters (1) to ſign, in his name, all the royal commiſſions and acts of grace.

Ib. p. 100.

The ſecond is a like power of the ſixteenth of October following, to ſome of his council, to put the King's ſtamp to, and ſeal with his ſignet, all acts to which his Majeſty's hand was required (2). The reaſon alledged for theſe powers was taken from the multiplicity of affairs wherewith the King was burdened: but as he had never fewer than at that time, there is abundance of probability this was only a cloke to hide his indiſpoſition. However, as this diſpute, which concerned only the royal family of Scotland, was terminated by the acceſſion of that family to the throne of England, it is now of no conſequence; and therefore it ſuffices to mention wherein it conſiſted (3).

Order of the ſucceſſion.

Here follows the manner in which Henry ſettled the ſucceſſion, purſuant to the power given him by act of parliament, in the year 1543.

I. Prince Edward and all his poſterity.

II. The children King Henry might have by his preſent Queen, or any other whom he ſhould eſpouſe after her,

III. Princeſs Mary and her iſſue, provided ſhe married with the aſſent and conſent of the executors of his laſt will and teſtament, or of the major part of thoſe who ſhould then be living, given under their hands and ſeals. This conſent of the executors was a condition ſo annexed to the right he granted Mary to ſucceed in her turn, that without it his intent was ſhe ſhould intirely forfeit her title to the crown.

IV. Princeſs Elizabeth on the ſame condition with Mary.

V. Frances Brandon, eldeſt daughter of his ſiſter Mary and the duke of Suffolk.

VI. Eleanor Brandon, Frances's younger ſiſter.

If all theſe perſons ſhould happen to die iſſueleſs, or their iſſue come to fail, it was the King's pleaſure that the crown ſhould go to the next rightful heirs. Hereby he could mean only Mary, the young Queen of Scotland, grand-daughter of his eldeſt ſiſter Margaret, who ought naturally to have preceded the children of the King's younger ſiſter Mary.

That in caſe Mary performed not the condition required of her, the crown ſhould devolve to Elizabeth, as if Mary had died without heirs.

In like manner, if Elizabeth neglected performing the ſame condition, his intent was, that the crown ſhould devolve to Frances Brandon, as if Elizabeth had died without iſſue.

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He appointed for executors of his laſt will thirteen lords, moſt of whom were privy-counſellors, as the archbiſhop of Canterbury, chancellor Wriotheſley, the earl of Hertford, young Edward's uncle, &c. Theſe thirteen (4) executors were alſo nominated for the Prince his ſucceſſor's privy-council, 'till he had completed his eighteenth year. Moreover, he named certain perſons who were to be called to the council on extraordinary occaſions.

Executors.

He ordered his executors to pay firſt all his debts, and then to make good all the grants he had made to diverſe particular perſons.

Debts.

He conſtituted the Prince his ſon heir to all his goods, plate, jewels, money, cannons, ammunition, ſhips, with all thereto appertaining, and injoined him to be guided by the advice of thoſe who were appointed for his privy-counſellors, 'till he had attained to eighteen years of age.

Heir.

He alloted to his daughters Mary and Elizabeth, 'till their marriage, a yearly penſion of three thouſand pounds ſterling, and to each a portion of ten thouſand pounds, or more, if the executors thought proper.

Legacies.

He left his Queen a legacy of three thouſand pounds, either in jewels or plate, as ſhe pleaſed, and a thouſand pounds in ready money, beſide her dower.

Finally, he gave five hundred marks to each of his executors who were peers, and to each of the others three hundred.

The greateſt ſingularity in this will is, Henry's paſſing over in ſilence the poſterity of his eldeſt ſiſter Margaret, or at leaſt his placing them after the line of his youngeſt ſiſter Mary: beſide, the clauſe in his will which ſaid that, after the poſterity of Eleanor Brandon, the crown ſhould devolve to the next heir, muſt have been favorably explained for this firſt branch, ſince the general words were liable to ſundry interpretations. This was the effect of the power the parliament had given this Prince to ſettle the ſucceſſion, or rather to unſettle and put it in a moſt horrible confuſion, had not divine Providence been more careful of it than he. No other reaſons for his proceedings can poſſibly be deviſed, than his hatred of the Scots, and his apprehenſion that the kingdom of England would one day fall under the dominion of a Prince or Princeſs of that nation; which nevertheleſs all his precautions could not prevent.

Remark on Henry's ſettlement of the ſucceſſion.

AN' 1547. The earl of Surrey beheaded. Herbert. Stow. Burnet. Hollingſh.

While King Henry's will was by his order tranſcribing, the duke of Norfolk's and earl of Surrey's proceſs was forming with great warmth. The King being determined on diſpatching theſe two noblemen, there was no poſſibility of ſaving them. The ſon was firſt brought to his trial, at Guild-Hall, before the lord chancellor, the lord mayor, and other commiſſioners, and put upon an inqueſt of commoners, becauſe he was not a peer of the realm, the duke his father being living. Several

(1) Sir Anthony Denny, John Cate, Eſq; and William Clerc, Gent. Rymer, Vol. XV. p. 101.

(2) There is the like order before, dated October 12. 1545. Ibid. p. 81.

(3) Maitland ſecretary to the Queen of Scotland, accounted the ableſt man of his nation at that time, in a letter to ſir William Cicil, afterwards lord Burlegh, ſays, "The King neither ſigned the will, nor ordered the ſtamp to be put to it. He had been "oft deſired to ſign it, but always put it off: but when he ſaw his death approaching, one William Clarke, ſervant to Thomas "Henneage, put the ſtamp to it, and ſome gentlemen who were waiting without, were called in to ſign as witneſſes. For this "he appealed to the depoſition of lord Paget, and deſired the marquis of Wincheſter and Northampton, the earl of Pem-"broke, ſir William Petre, doctor Buts, &c. might be examined, and their depoſitions entered in the Chancery. He alſo appeal-"ed to the original will, by which it would appear, that it was not ſigned but ſtamped on only; and therefore not being accord-"ing to the act of parliament, was of no force." Burnet, Vol. I. p. 349; and Collect. p. 267.

(4) Sixteen were named, of whom ſeven were lords or biſhops, viz. the archbiſhop of Canterbury, lord chancellor Wriotheſley, earl of Hertford young Edward's uncle, lord St John, lord Ruſſel, viſcount Liſle, biſhop Tonſtal. The reſt were, ſir Anthony Brown, ſir Edward Montague, juſtice Bromley, ſir Edward North, ſir William Paget, ſir Anthony Denny, ſir William Harbard, ſir Edward Wootton, and his brother the doctor.

were

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were examined, whoſe depoſitions lord Herbert has inſerted in his hiſtory: but there appears nothing ſufficient to convict him of high-treaſon, of which he was accuſed. What was chiefly urged againſt him was, his giving St. Edward's arms, from whence it was infered that he aſpired to the throne. However, Henry being reſolved he ſhould die, he received ſentence of death, and was beheaded the nineteenth of January (1).

Herbert, p. 263, 264.

The duke of Norfolk tries in vain to obtain his pardon

Herbert. p. 265. Burnet.

Mean while the duke of Norfolk neglected no means to obtain the King's pardon. He knew him well enough to be ſenſible, that nothing but a blind and abſolute ſubmiſſion was capable of appeaſing him. To this end, he wrote him a moſt ſubmiſſive letter, declaring he could not call to mind he had ever offended him, and ſupplicated him for God's ſake to let him know the cauſe of his diſgrace: moreover he intreated, likewiſe that his accuſers might be brought face to face before his Majeſty, or at leaſt his council, that his cauſe might be maturely examined. He knew not, he ſaid, that he had offended any man, otherwiſe than in appearing ſomewhat zealous againſt the Sacramentarians: but therein he had only complied with his Majeſty's ſentiments and orders. He concluded with conjuring him to be ſatisfied with taking all or part of his lands and goods as he pleaſed, leaving him only a ſubſiſtence.

This letter produced a quite contrary effect to what the duke expected. By clearing himſelf, he accuſed the King of injuſtice, an offenſe which would not have been eaſily pardoned, even had not his deſtruction been reſolved. The duke, finding his Sovereign would not be moved, did on the twelfth of January, before the lord chancellor and ſeveral other privy-counſellors, ſign a writing, wherein he confeſſed, that on ſeveral occaſions he had been guilty of high-treaſon, in concealing from his Majeſty, that his ſon the earl of Surrey bore the arms of St. Edward the Confeſſor, which appertained to the King only: that himſelf had borne in the firſt quarter of his arms, ever ſince his father's death, the arms of England, with a difference of the argent labels, which were the proper arms of the King's eldeſt ſon, and of no other: that he owned this to be high-treaſon by the laws of the realm; and that he ſigned this ſubmiſſion without compulſion*, and threw himſelf intirely on the King's mercy.

* Or advice.

He is attainted in parliament. Burnet.

Very probably, the duke was induced of himſelf, or by the advice of his friends, to make this confeſſion, in the belief he ſhould never obtain his pardon except he confeſſed himſelf guilty, that the King might have room to ſhew mercy: but it was all to no purpoſe. His ruin was determined, and the King was not accuſtomed to deſiſt from ſuch reſolutions, when once taken. Mean while, as it might readily be perceived that the peers, who were Norfolk's proper judges, could not condemn him on the evidences which were to be produced againſt him, the King thought he ſhould more eaſily compaſs his ends by an act of attainder. So the parliament meeting at this time, a bill of attainder was brought into the houſe of lords, and read thrice, on the eighteenth, nineteenth, and twentieth of January, and paſſed. In all likelihood, the duke's confeſſion under his own hand contributed very much towards paſſing the bill: at leaſt it ſerved to excuſe thoſe who durſt not oppoſe it. The bill, being ſent down to the commons, was read thrice, and returned likewiſe paſſed on the twenty-fourth of January. According to the method too frequently practiſed in this reign, it contained only general accuſations, without ſpecifying any thing except the duke's bearing the arms of England, with three labels argent. It was very ſtrange that no notice ſhould 'till then be ever taken of his arms which he had ſo long borne in the ſight of Henry himſelf, and his whole court, which he had received from his anceſtors, and for which he had the heralds opinions. The bill having paſſed in both houſes, the lord chancellor, earl of Hertford, and ſome other peers were commiſſioned under the great ſeal to give the royal aſſent (2): which done, a warrant was diſpatched to the lieutenant of the Tower, to take off the duke's head the twenty-nineth of January: but, happily for him, King Henry died the night before, and the council judged it not adviſeable to commence a new reign with the execution of one of the nation's principal nobles. It is to be obſerved, that during all the proceedings of both court and parliament againſt the duke of Norfolk and earl of Surrey, the archbiſhop of Canterbury withdrew to Croydon, without once appearing at court. As thoſe two noblemen were juſtly deemed his moſt inveterate enemies, he would not be accuſed of being concerned in what was tranſacting againſt them.

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Rym. Fœd. Vol. XV. p. 218.

He eſcapes narrowly.

Cranmer retires to Croyden during the duke's proceſs. Burnet.

While theſe proceſſes were forming, the King was confined to his bed by a mortal indiſpoſition which brought him inſenſibly to his end: however, no conſideration of the account he was on the point of rendering to his Creator, was capable of moving him to uſe compaſſion towards two illuſtrious perſonages of one of the moſt ancient families in England, who had done him ſignal ſervices, and who had not thitherto been ever guilty of any crime meriting ſuch exceſs of ſeverity. On this occaſion, as on many others, paſſion and policy had in this King's mind the prevalency over juſtice and mercy. He was at any rate reſolved to ſacrifice theſe perſons to his ſon's ſafety, and by their death to eſtabliſh all the innovations which he had made in religion, being perſuaded they would imploy their utmoſt efforts to deſtroy them. The ſequel evidently demonſtrated he was not miſtaken with regard to the duke of Norfolk who ſurvived him. This lord's life, preſerved merely by a kind of miracle, plainly ſhewed how vain are humane precautions, when contrary to divine decrees.

King Henry's end approaches.

King Henry's illneſs perpetually augmented, and none durſt warn him of his near diſſolution. Every one dreaded leſt a Prince, who was always approached with trembling, would look on this charitable warning as a crime, and puniſh it according to an act of parliament, whereby ſuch as ſhould preſume to foretel the King's death, were adjudged traitors. But finally ſir Anthony Denny, one of his privy counſellors, had the courage and charity to inform him, that he had but few hours to live. The King thanked him, and expreſſed his great grief and horror for all the diſorders he had commited.

He is warned of his impending diſſolution. Burnet.

Shews ſigns of repentance. Ibid.

(1) Henry Howard (eldeſt ſon of Thomas third duke of Norfolk, by Elizabeth daughter of Edward Stafford duke of Buckingham) died much pitied, being a man of great parts and high courage, with many other noble qualities. His ſentence was generally condemned as an act of high injuſtice and ſeverity, which loaded the Seymours with a popular odium which they could never overcome. Sir Richard Southwel depoſing, that he knew certain things of the earl, which touched his fidelity to the King; the earl vehemently affirmed himſelf a true man, and offered to fight in his ſhirt with his accuſer. As to his giving the arms of the Confeſſor, he ſaid he did it according to the opinion of the King's heralds. His ſiſter Mary, ducheſs of Richmond, being examined, confeſſed that the earl her brother ſhould ſay, Theſe new men (meaning the Seymours) loved no nobility, and if God called away the King, they ſhould ſmart for it; with ſome other paſſionate words and circumſtantial ſpeeches, little for his advantage. He lies buried at Framlingham in the county of Suffolk. Herbert, p. 263, &c. Burnet, Vol. I. p. 345, &c. Dugdale's Baron. Vol. II. p. 275.

(2) Which they did January 27. Journals Parl.

Where-

BRITISH
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MUSEUM

EDWARD THE VI^th KING OF ENGLAND, FRANCE, AND IRELAND, &c.

To the R^t Hon.^ble Sir FRANCIS CHILD, Kn^t
Lord Mayor of the City of LONDON
in the Year 1732, Knight of the Shire for
the County of Middlesex in the first
Parliament of King GEORGE II, and
President of Christ's-Hospital
of which this Prince was
the Royal Founder;
this Plate is humbly
Inscribed

By his most obedient Servant
I. Mechell.

Place before this Reign.

H. Holbin pinx. R. Shepshanks

Henry VIII. An' 1546.

Hereupon, Denny aſked him if any eccleſiaſtic ſhould be ſent for; and he replied, that if any, it ſhould be the archbiſhop of Canterbury: but Cranmer, being then at Croydon, could not arrive before the King was become ſpeechleſs. He had but juſt time to deſire him to give ſome ſign of his dying in the faith of Chriſt. The King ſqueezed his hand, and preſently after expired, in the night between the 28th and 29th of January 1546-7, in the fifty-ſixth year of his age, having reigned thirty-ſeven years and nine months. His death was kept private three days: probably, the council took time to conſult, whether the duke of Norfolk ſhould be executed. Finally, after three days, the lord chancellor ſignified to both houſes, that the King was dead and the parliament thereby diſſolved (1).

Henry VIII. An' 1546.

Sends for Cranmer, but cannot ſpeak.

His death.

Herbert. Burnet.

which is concealed. Burnet.

(1) The curious may find King Henry's character drawn at length by lord Herbert. But it may not be amiſs to inſert here what is ſaid of him by biſhop Burnet. Hiſt. Ref. Vol. I. at the end. "King Henry VIII (ſays that prelate) is rather to be "reckoned among the great than the good Princes. He exerciſed ſo much cruelty to men of both perſuaſions, that the writers "of both ſides have laid open his faults, and taxed his cruelty. But as neither of them were much obliged to him, ſo none "have taken ſo much care to ſet forth his good qualities, as his enemies have done to inlarge on his vices. I do not deny that "he is to be numbered among the ill Princes; yet I cannot rank him with the worſt."——Of him the famous ſir Walter Raleigh ſaid, "He was a Prince, who never ſpared man in his anger, nor woman in his luſt."——This King's remains lye interred at Windſor, under a ſtately monument, begun in copper gilded, but never finiſhed. See the model of what it was to have been in Speed, p. 784.

END of the FIFTEENTH BOOK.

BOOK XVI.

Containing the Reigns of EDWARD VI and MARY I.

EDWARD VI. The Twenty-firſt King of ENGLAND, ſince the CONQUEST.

Edw. VI. An' 1547.

EDWARD VI, only ſon and ſucceſſor to Henry VIII, was in his tenth year, *ſince October, when, by the death of his royal father, he aſcended the Engliſh throne. His majority was, by the deceaſed King's will, fixed to his eighteenth year; but he died before he attained it, after a ſhort reign of ſix years. The hiſtory therefore of theſe ſix years, as may readily be ſuppoſed, will not be ſo much the hiſtory of King Edward himſelf, as of his governors and miniſters. There was reaſon to hope extraordinary matters from this young Prince, had it pleaſed God to bleſs him with a longer life. He had a moſt excellent memory, a wonderful ſolidity of mind, and was withal laborious, ſparing no pains to qualify himſelf for the well-governing his realms. At eight years of age, he wrote Latin letters to his father; French was as familiar to him as Engliſh: he learned alſo Greek, Spaniſh, and Italian. After that, he applied himſelf to the liberal ſciences, wherein he made a very ſurpriſing progreſs (1.) Cardan, who ſaw him in his fifteenth year, ſpeaks of him as the wonder of the age. The teſtimony of this Italian philoſopher was the leſs ſuſpicious, as it was after the young Prince's deceaſe that he publiſhed his praiſes, and in Italy, where his memory was odious.

* Nine years and three months.

His diſpoſition and good qualities. Hayward. Burnet. Strype's Mem.

As ſoon as Henry VIII had reſigned his laſt breath, the earl of Hertford, and ſir Anthony Brown, were by the council ſent to give young Edward notice of it, and conduct him to London. He was then with his ſiſter, Princeſs Elizabeth, at Hertford, whence the deputies attended him to Enfield. Here they informed him of the King's death, and paid their obeiſance to him as their Sovereign. After that, they waited on him to the Tower of London, where he was received by the council in a body, and proclaimed King the ſame day, being January thirty-one 1547.

Edw. VI. An' 1547.

He is informed of his father's death. Edw. Jour. Strype. Hayward. Burnet.

On the morrow, the council met to ſettle a form of government during King Edward's minority: nor was there much to be debated. The parliament had impowered the late King, not only to ſettle the ſucceſſion by his will, but alſo to appoint what form of government he ſhould think moſt proper, 'till his ſucceſſor was capable of holding the reins himſelf: wherefore all they had to do, was to open his will and obey the contents. There it appeared, that Henry had nominated ſixteen perſons to be his executors, regents of the kingdom, and his ſon's governors, viz.

Thomas Cranmer, archbiſhop of Canterbury.
Lord Wriotheſley, chancellor.
Lord St. John, maſter of the houſhold.

King Henry's will opened. Ibid.

(1) He continued under the care of women 'till he was ſix years old; and then he was put under the government of ſir Anthony Cook; of Dr. Richard Cox, maſter of Eaton ſchool, who was his preceptor for manners, philoſophy, and divinity; and of ſir John Cheeke, profeſſor of the Greek tongue in Cambridge, who was his maſter for the Latin and Greek languages; as John Belmain was for the French. Burnet. Vol. II. p. 2. Strype's Mem. Vol. II. p. 8, 9.

Edw. VI. An' 1547.

Lord Ruſſel, privy-ſeal.
The earl of Hertford, lord-chamberlain.
Viſcount Liſle, lord-admiral.
Cuthbert Tonſtal, biſhop of Durham.
Sir Anthony Brown, maſter of the horſe.
Sir William Paget, ſecretary of ſtate.
Sir Edward North, chancellor of the court of Augmentations.
Sir Edward Montague, lord chief-juſtice of the common-pleas.
Judge Bromley.
Sir Anthony Denny, Sir William Herbert, } Chief Gentlemen of the Privy-Chamber.
Sir Edward Wotton, treaſurer of Calais.
Doctor Wotton, dean of Canterbury and York.

As for Stephen Gardiner, biſhop of Wincheſter, I have in the preceding reign obſerved, that, tho' he was originally among the regents, his name was eraſed,

The regents power by the will.

Theſe ſixteen, or the majority of them, King Henry had impowered to execute his will, and to adminiſter the national affairs as they ſhould judge requiſite. On this general clauſe, which gave the regents a power unlimited, were afterwards grounded many innovations which ſeemed very repugnant to what Henry had ordained, He gave them however no power to ſubſtitute others in the room of ſuch as ſhould die, but it rather appeared his intention was that the vacancies ſhould not be filled up. This conſequence was naturally drawn from his commanding the Princeſſes his daughters, not to marry without the written conſent of ſuch of the executors as ſhould then be living. It might thence be likewiſe infered, that he deſigned not that any of the regents ſhould be deprived of their dignity.

Burnet.

Burnet.

Beſide the ſixteen, who were to exerciſe the ſovereign authority during Edward's minority, King Henry appointed a privy-council who ſhould be aſſiſting to them, namely:

Henry Fitz-Alan, earl of Arundel.	Sir Ralph Sadler.
William Parr, earl of Eſſex.	Sir Thomas Seymour.
Sir William Petre, ſecretary of ſtate.	Sir Richard Southwell.
Sir Richard Rich.	Sir Edward Peckham.
Sir John Baker.	Sir Thomas Cheyney*,
	Sir John Gage †,
	Sir Anthony Wingfield ‖,

* Treaſurer of the houſhold.
† Controller.
‖ Vice-chamberlain.

The late King's will being thus known, the council reſolved on a perfect compliance, and that very day the regents, as well as the counſellors, entered on their offices. I have already hinted, that the hiſtory of this reign relates leſs to Edward himſelf, than to his governors, and therefore it will be neceſſary to give the characters of ſuch of the regents and counſellors as had moſt ſhare in the tranſactions of thoſe times.

Characters of ſome of the regents and counſellors.

Of Cranmer.

The character of Cranmer, archbiſhop of Canterbury is ſufficiently known by what has been ſaid of him in the foregoing reign. I ſhall only add two particulars. The firſt, that he was not very fond of meddling with politics, for which he was none of the propereſt, by reaſon of certain maxims of candor and ſincerity, which he followed, and which were very oppoſite to thoſe generally obſerved in the government of ſtates. What I would ſecondly obſerve with regard to Cranmer is, that he was ſuperlatively zealous to promote the reformation. Since he was no longer reſtrained by ſuch a maſter as Henry, he was ſo far from concealing his opinions, that he even labored with his whole power to eſtabliſh them by public authority. He was as it were the firſt mover of whatever was done with regard to the reformation, but his zeal was tempered with a maxim which he believed intirely requiſite; namely, to proceed leiſurely, and retrench firſt the groſs abuſes, that the people might be gradually accuſtomed to theſe changes, before the tenets of greater conſequences were touched. Beſide that this courſe ſeemed to him the moſt natural, he went upon another reaſon no leſs important, and which it will be proper briefly to explain.

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In the late reign it has been ſeen, that Henry VIII left not his ſubjects free to approve or reject the alterations he had been pleaſed to make in religion: they muſt abſolutely either conform to them, or reſolve to part with eſtate, liberty, and even life itſelf. Hence the church of England abounded with multitudes, who outwardly imbracing the eſtabliſhed opinions, were not however inwardly perſuaded of their verity. This was the caſe with diverſe prelates, and many other dignified eccleſiaſtics; but it was the inferior clergy who were chiefly infected with this hypocriſy. Moſt of theſe were no other than monks for whom the court of Augmentations, and the poſſeſſors of abbey-lands, had procured benefices to eaſe themſelves of the burden of their maintainance, to which they were obliged on ſuppreſſing the monaſteries. Theſe men were ſtill bigoted to the errors deſigned to be reformed. Cranmer thought it therefore neceſſary to gain a little time, in order to change the clergy, by filling the vacant livings with perſons well inclined to the reformation. Herein he met with great oppoſition from the zealous, who wiſhed to bring the reformation to perfection at once, without regarding this mundane ſagacity, which they believed little ſuitable to the ſpirit of true religion.

Burnet.

Of chancellor Wriothesly.

Hayward.

Chancellor Wriotheſley was of a quite different character from that of Cranmer, and moreover his ſentiments in religion were utterly repugnant to the reformation. He was exceſſively ambitious, highly conceited of his merit, haughty, imperious, and extremely angry that his counſel was not always followed. This rendered him very troubleſome in the council, where no one could oppoſe his opinion without being liable to be treated with bitter and offenſive language: but he ſhewed his heat and paſſion chiefly on matters touching religion. Tho' he had outwardly complied with the late King's innovations, he was however ſtrongly attached to the Romiſh creed. Of this he had given evident proofs in the affair of Ann Aſkew, in his project to ruin the Queen, and on diverſe other occaſions: wherefore ſuch of the regents as deſired to promote the reformation, were from him to expect inceſſant oppoſition. Since the duke of Norfolk's impriſonment, the chancellor was conſidered as the head of the Popiſh faction. Accordingly, he looked on the reformers, and in particular Cranmer, as his enemies; as, on their part, they could not without great mortification behold him in a ſtation which inabled him to countermine their deſigns. Luckily for them, their party was ſtrongeſt, both among the regents, and in the council.

Of the earl of Hertford.

Burnet.

Dugdale.

Heylin.

Edward Seymour, earl of Hertford, was of a noble and ancient family, which came over with William the Conqueror. Henry VIII having eſpouſed Jane Seymour on the tragic cataſtrophe of Queen Ann Boleyn, ſir Edward Seymour, the new Queen's brother, was ſoon after created lord Seymour, then viſcount Beauchamp, and earl of Hertford. From that time he conſtantly held ſome honorable imploy at court, as well while the Queen his ſiſter lived, as after her deceaſe. King Henry always expreſſed for him a ſingular eſteem, and imployed him in diverſe military expeditions, which he diſcharged in ſuch manner as ſtill augmented the regard and affection of his royal maſter. He was mild, affable, munificent, courteous, and guided in all the tranſactions of his life, by the principles of honor, virtue and religion; qualities rarely met with in wordly perſons. In a word, he had many fine and noble qualifications, with few failings. Among his faults, ſome charge him with immoderate ambition: but, very ſeemingly, this ambition was rather the effect of his zeal

for

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for religion, than a natural failing, as will hereafter appear. It is alſo ſaid, that he had no very able head-piece, and was therefore deemed properer to execute than adviſe. In the late reign he feigned himſelf to be of the King's religion, becauſe there was too much danger in oppoſing it: nor was it he alone who took that courſe; this being a reproach which may be made to all the Engliſh who lived in that reign, excepting ſome few, of both parties, who ſuffered death for reſiſting the will of that imperious Monarch. However, the earl of Hertford was inwardly a ſtanch Proteſtant, and conſequently a great friend of Cranmer. This drew on him the hatred of the oppoſite faction, and particularly of the chancellor, who had already attempted his ruin. He ever ſhewed exceſſive zeal for the reformation, and to him and Cranmer is properly due the glory of whatever was done, in favor of religion, during the reign of Edward VI. At King Henry's death he was lord-chamberlain. He was one of the regents named in that Prince's will, and, what ſtill inhanced his credit and authority, he was the new King's uncle.

Of Dudley, viſcount Liſle. Hayward.

John Dudley, viſcount Liſle, was ſon of Edmund Dudley, whom Henry VIII, in the begining of his reign, cauſed to be executed, for having been Henry VII's inſtrument in his oppreſſions of the people. Henry VIII, feeling ſome remorſe for Dudley's death, was pleaſed, and poſſibly thought himſelf bound, to make his ſon a ſort of reparation, by creating him lord Dudley, and afterwards viſcount Liſle: thus the father's downfal gave riſe to the ſon's fortune. After Henry VIII had given him a place in his favor, he made a conſiderable figure at court. He was honored with ſeveral imployments, and always behaved to the King's ſatisfaction. He ſignaliſed himſelf chiefly in the wars by his bravery and conduct. Twice he ſerved as lieutenant-general under the earl of Hertford, in Scotland and Picardy, and had the honor of having a great part of the ſucceſs aſcribed to him, tho' he commanded not in chief. Afterwards, being governor of Boulogne, by a vigorous ſally from the upper town he repulſed the French, who were already maſters of the lower town. The inſuing year he commanded, as admiral, the fleet deſigned againſt France, and, after the French had refuſed to fight, made a deſcent upon the coaſt of France, and carried off a great booty. In ſhort, he was conſidered as one of the ableſt generals then in England. Very probably, had Henry VIII ſurvived, he would have advanced his fortune ſtill farther, ſince, with the qualifications of a ſoldier, he had alſo thoſe of a complete courtier. But, on the other hand, for his morals, he had nothing praiſe-worthy. He exceſſively loved pleaſure, and even ſometimes ran into ſhameful debaucheries: beſide, he was not over and above ſcrupulous with regard to honor and virtue. As his ambition was boundleſs, he ſtuck not at uſing any means whatever to accompliſh his ends. It may eaſily be judged, that one of this character had not much at heart the concerns of religion. During Henry VIII's life, he confined himſelf exactly within the limits that Prince had preſcribed. Afterwards, in the reign of Edward VI, he openly declared for the reformation, becauſe it was then the only way to pleaſe the King, and advance his own fortune: nevertheleſs, when among thoſe of the Popiſh faction, he muſt needs have expreſſed himſelf not their enemy, ſince the court of France believed him very far from being a Proteſtant: this is, at leaſt, what Thuanus aſſerts in his hiſtory. Hence it may be preſumed, he conſidered religion only as a means to raiſe himſelf, and had made it a rule to follow that which was moſt in vogue: wherefore, how zealous ſoever he appeared for the reformation, he was never looked on as one of its protectors, becauſe he was thought to act merely thro' policy. The figure this peer made, during the reign of Edward VI, ingages me to be thus circumſtantial in his character.

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Cuthbert Tonſtal, biſhop of Durhan, was counted a perſon of great abilities. He had been imployed by Henry VIII in ſeveral embaſſies, commiſſions, and negociations, and at length rewarded with the biſhoprick of London, and afterwards promoted to the See of Durham, the richeſt and moſt conſiderable in England, on account of the dignity of Palatine thereto annexed. While Henry VIII lived, Tonſtal like the reſt conformed to the religion of the Sovereign; but it might be diſcerned that, with no ſmall regret, he beheld the creed which, from his youth, he had profeſſed, undergoing ſuch gradual changes. He would have gladly conſented to the reforming ſome of the moſt notorious abuſes, but thought his Majeſty went too far; however, for fear of incurring the royal diſpleaſure, he ſubmited to what was injoined. He was nevertheleſs conſidered as one of the chief favorers of the ancient belief, and ſo much the more formidable to the reformers as he wanted neither learning nor capacity. Notwithſtanding Cranmer had a friendſhip for him, on account of his mild and peaceable temper, which afforded hopes of his being reclaimed.

Of Tonſtal. Burnet.

Sir William Paget, ſecretary of ſtate, was a very able politician, and for religion, of the reformers principles; by which means he had contracted a ſtrict friendſhip with Cranmer and the earl of Hertford.

Of Paget.

We have little occaſion to dwell on lord St. John, lord Ruſſel, or the other regents, becauſe they were wholly guided by theſe already characteriſed. But ſome of thoſe privy-counſellors, appointed to aſſiſt the regents, muſt neceſſarily be mentioned.

The earl of Arundel, a peer of a very ancient family, was not greatly pleaſed at being only among the counſellors, while diverſe of his inferiors were inveſted with the dignity of regents. On the other hand, he was no well-wiſher to the reformation. Theſe two reaſons cauſed him willingly to concur with all the intrigues tending to produce any change either in church or ſtate. But he had the misfortune always to labor for others.

Of the earl of Arundel.

William Parr, earl of Eſſex, the dowager-Queen's brother, was a perſon of ſlender merit. He made however ſome figure in this reign, and was often imployed, becauſe he had the addreſs conſtantly to ſide with the predominant party.

Of the earl of Eſſex.

Sir William Petre, ſecretary of ſtate, was expert in the diſcharge of his office. He was become in a manner neceſſary, and therefore had a great ſhare in the moſt ſecret tranſactions of Edward's court.

Of Petre.

Sir Richard Rich, by profeſſion a lawyer, was a good courtier, who by his pliant temper found means to raiſe himſelf to the chancellorſhip.

Of Rich.

Sir Thomas Seymour, King Edward's maternal uncle, and the earl of Hertford's younger brother, deemed himſelf unhappy, on account of the diſtinction King Henry had made between his brother and himſelf, being only of the council, while his elder was a regent. His being uncle to the King ought, in his opinion, to have procured him greater honors. He had a boundleſs ambition joined to a high conceit of his own merits: wherefore the rank given him by the late King, in his will, not being capable of ſatisfying him, he wanted to mount higher, which occaſioned his downfal, as will appear in the ſequel.

Of ſir Thomas Seymour.

The form of the government was no ſooner ſettled, according to Henry's laſt will, but a change was propoſed. Some of the regents intimated, that it could not but occaſion great trouble and perplexity, if the people, and particularly foreign miniſters, muſt neceſſarily apply to ſixteen perſons of equal autho-

The election of a protector propoſed. Feb. 1. Hayward. Burnet.

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authority, and moved, that one ſhould be choſen to be head and preſident, with the title of Protector. They added that, by this means, affairs would be more ſpeedily diſpatched, and yet nothing changed in the eſtabliſhed form of government, becauſe the perſon raiſed to that dignity ſhould not tranſact any thing without concurrence of the majority of his fellow-regents.

The lord chancellor opposes it in vain.

Chancellor Wriotheſley readily comprehended that this motion was made to his prejudice. As, by his office, he was next the archbiſhop of Canterbury, who did not much interfere in ſecular affairs, he was in hopes of becoming head of the regency. But he ſaw plainly that, if a protector was elected, the choice would not fall on him, but this dignity would be confered on the earl of Hertford, the King's uncle, who was not his friend: wherefore he ſtrenuouſly oppoſed it, declaring the regents had no power to depart from the late King's will, authoriſed by act of parliament. But matters were ſo well laid before-hand, that, ſpite of his oppoſition, it was forthwith reſolved, that one ſhould be raiſed over the reſt, and ſtiled, "Protector of the "King's realm, and Governor of his perſon." However, it was with the expreſs condition, that "He ſhould do nothing without conſent of the "other regents." Then the choice fell, as was eaſy to be foreſeen, on the earl of Hertford, who ſeemingly had procured this motion to be made by his partiſans.

Burnet. Stow. Ed. Jour. Strype.

The earl of Hertford choſen.

Reaſons for and againſt the election of a protector.

Indeed it was natural enough to elect for protector the King's uncle, and the perſon of the whole kingdom moſt concerned for his preſervation. Nevertheleſs many were of opinion that the regents had made a falſe ſtep in the very dawn of their adminiſtration, for the reaſon alledged by the lord chancellor. It might however be urged in their excuſe, firſt, that they had given no particular authority to the protector, and conſequently the form of government eſtabliſhed by the late King was not altered: ſecondly, that the will, impowering the regents, or the major part of them, to adminiſter the young King's affairs as they ſhould judge proper, whatever ſhould be determined by a majority of votes was deemed agreeable to the late King's will.

New dignities confered. Hayward. Burnet. Heylin. Stow.

While all requiſites for Henry VIII's obſequies and the new King's coronation were preparing, the regents were intent on a buſineſs which concerned themſelves in particular, or at leaſt the principal of them. Henry, not long before his deceaſe, had reſolved to confer new honors on diverſe of thoſe he had nominated regents and counſellors: he had even ſettled the revenues or penſions he deſigned to beſtow on theſe new lords, to inable them to ſupport their dignities. But as ſome had refuſed them becauſe they thought theſe penſions too ſmall, the affair was ſuſpended, both by reaſon of this objection, and of the King's ſickneſs and death: however, he had in his will ordered, that whatever he had promiſed ſhould be made good. This was ſufficient to put the regents on performing the ſaid ingagement, eſpecially as to them the benefit was chiefly to redound. But as the late King's intentions and promiſes appeared not in writing, recourſe muſt be had to the teſtimony of thoſe to whom he imparted his mind, who depoſed what they had heard from his mouth. On their teſtimony therefore, the earl of Hertford was made duke of Somerſet; the earl of Eſſex, marquis of Northampton; viſcount Liſle, earl of warwick; chancellor Wriotheſley, earl of Southampton; ſir Thomas Seymour, lord Sudley; Rich, Willoughby, and Sheffield, had the title of Barons, with the names of their families (1).

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Feb. 15, 16. Dugdale.

Alienation of the chantry-lands. Burnet.

As Henry VIII left not his coffers replete, expedients were to be deviſed to find the revenues and penſions aſſigned the new peers. No better was found than to alienate five or ſix thouſand pounds per annum of chantry-lands. Theſe promotions, with the revenues annexed, were not univerſally approved, becauſe they were all in favor of the regents themſelves, or the counſellors. Many thought, theſe lords acted too greedily at the begining of their regency, and that they ought to have waited 'till the King was of age. The protector eſpecially was obnoxious to much envy, by procuring for himſelf the two great offices of lord-treaſurer and earl-marſhal, vacant by the duke of Norfolk's attainder. The firſt was confered on him the tenth of February, and the other the ſeventeenth of the ſame month (2).

The protector made lord-treaſurer and earl-marſhal Rym. Fœd. Vol. XV. p. 124.

Thomas Seymour made high-admiral. Ib. p. 127. Edw. Journ.

The ſame day his laſt patent was diſpatched, his brother Thomas Seymour, juſt created baron of Sudley, was made high-admiral of England (3). Thus, about a fortnight after Henry's death, the Seymour family was advanced to ſuch grandure that it ſeemed ſcarcely poſſible to make thereto any addition. Happy might they have lived, would they have been contented! But we ſhall ſee hereafter that, by indeavoring to riſe ſtill higher, the two brothers fell into a gulf of misfortunes, which might have been avoided by a ſmall ſhare of moderation.

* Feb. 16. Henry VIII's funeral. Hayward. Burnet. Strype.

Henry VIII's funeral obſequies were performed with great pomp and magnificence at Windſor *. He had himſelf ordered his body to be there interred. The day before, his corpſe was brought to Richmond (4), and as the motion cauſed ſome watry matter to run thro' the coffin, it was reported to be blood, and that a dog licked it up. This was ſaid with deſign to verify the prediction, of that fryer who told Henry, in a ſermon, that the dogs ſhould lick his blood as they had formerly licked Ahab's. But beſide that ſeveral affirmed, it was not blood which ran from the coffin, the report of its being licked up by a dog was intirely groundleſs.

The ceremony being over, Edward's coronation was ſolemniſed, the twentieth of February, with the

(1) Sir William Paget, ſir Anthony Denny, and ſir William Herbert, being required to declare what they knew of the King's mind; Paget, whom he had moſt truſted, declared that, when the evidence appeared againſt the duke of Norfolk and his ſon, the King intended to beſtow their lands among ſome new peers he deſigned to create. Then he ordered him to write in a book ſuch as he thought meeteſt. Which done, the King aſſigned to each ſuch a portion of lands, out of the duke of Norfolk's eſtate, as he thought fit. Paget told him it was too little, and being ordered to acquaint with it thoſe who were to be advanced, many thought ſo too, and deſired to remain as they were. The duke of Norfolk hearing of this, and fearing if his lands were thus divided, they would never return to his family, ſent to deſire the King, that he would be pleaſed to ſettle all his lands on the Prince, for, ſaid he, according to the phraſe of thoſe days, They are good and ſtately geer. Whereupon the King reſolved to reward his ſervants ſome other way, ſo ordered the book to be thus filled up. The earl of Hertford to be earl-marſhal and lord-treaſurer, and to be duke of Somerſet, Exeter, or Hertford, and his ſon to be earl of Wiltſhire, with 800 l. a year in land, and 300 l. a year out of the next biſhop's lands that fell. The earl of Eſſex to be marquis of Eſſex, and ſo on, with yearly revenues to them. And the King having promiſed to give the earl of Hertford ſix of the beſt prebends ſhould fall in any cathedral. except deanries and treaſurerſhips; at his deſire the King agreed, that a deanry and a treaſurerſhip ſhould be inſtead of two of the ſix prebendaries. All this Denny and Herbert confirmed, for they then waited in his chamber; and when Paget went out, the King made Denny read over the book, and Herbert obſerving the ſecretary had remembered all but himſelf, the King bid Denny to write 400 l. a year for him. Burnet, Vol. II. p. 6, 7.

(2) On the 6th of February the lord protector knighted the King, being authoriſed thereto by letters patent. So it ſeems that, as the laws of chivalry required that the King ſhould receive knighthood from the hand of ſome other knight, it was judged too great a preſumption for his own ſubjects to give it, without a warrant under the great ſeal. Burnet, Vol. II. p. 8. Strype p. 15.

(3) Ireland, Calais, Boulogne, and the Marches. Rym. Fœd. Vol. XV. p. 127.

(4) To Sion, where they lay the firſt night.

uſual

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usual formalities (1). Lord Ruſſel acted as high-ſteward, by virtue of a patent which impowered him to exerciſe the ſaid office, for that day only. Henry Grey, marquis of Dorſet, had acted the day before as high-conſtable, by virtue of a like patent which limited the exerciſe of his office to the nineteenth of February, the day preceding the coronation, from ſun-riſing to ſun-ſeting. Seemingly, the office of high-conſtable was neceſſary only for certain preparatives, ſince it was to end before the coronation ceremony (2).

Edward VI. crowned. Rym. Fœd. Vol. XV. p. 129, 130. Edw. Jour. Strype.

A general amneſty. Hayward.

On the coronation-day, a general pardon was granted to all perſons, excepting the duke of Norfolk, cardinal Pole, Edward Courtney eldeſt ſon of the marquis of Exeter, and three others (3).

The chancellor's diſgrace. Hayward. Burnet.

I have before obſerved, that chancellor Wriotheſly, the new earl of Southampton, was ambitious, proud, haughty, and very troubleſome in the council, and moreover, a great enemy to the reformation and the Reformed. All theſe reaſons made the protector and moſt of the regents wiſh to be rid of him. They were ſo fortunate as that he himſelf afforded them a plauſible pretenſe. Reſolving to apply himſelf chiefly to ſtate-affairs, he had, on the eighteenth of February, put the great ſeal to a commiſſion directed to the maſter of the rolls, and three maſters of chancery, impowering them to execute the lord chancellor's office in the court of chancery, in as ample a manner as if he himſelf were preſent. This being done by his own authority, without any warrant from the lord protector and the other regents, his enemies failed not improving this occaſion to work his ruin. Complaint of what he had done being brought before the council, it was ordered, that the judges ſhould give their opinions in writing. Their anſwer was; that the chancellor being only intruſted with his office, could not commit the exerciſe thereof to others, without conſent of the King, or regency; that by ſo doing he had, by the common law, forfeited his place, and was liable to fine and impriſonment at the King's pleaſure. This anſwer being communicated to him in full council, he flew into a great paſſion with the judges, and even talked very magiſterially to the regents, the council, and the protector. He told this laſt in particular, that he held his chancellorſhip by indiſputable authority, ſince he held it of the King himſelf, whereas it was very queſtionable, whether he himſelf was legally protector. But his haughtineſs, inſtead of extenuating his offenſe, only ſerved to render him more criminal. Submiſſion might have mitigated his puniſhment, but by that vehemency of heat he gave the council room to treat him with the utmoſt ſeverity. He was immediately confined to his houſe, with a command not to ſtir 'till farther orders. Then it was debated what chaſtiſement he merited. No ſcruple was made as to depriving him of the chancellorſhip: but as to the regency, the point was not ſo clear, becauſe it was uncertain, whether the late King had placed him among the regents as chancellor, or as a particular perſon, like diverſe others who were not in any office. For this reaſon it was not thought proper to turn him out of the regency; but to render it uſeleſs to him, he was left under arreſt, and the great ſeal taken from him, and given to lord St. John*, 'till another chancellor ſhould be appointed. So the earl of Southampton remained a priſoner 'till the twenty-nineth of June (4), when he was diſcharged from his confinement, on entering into a recognizance of four thouſand pounds, to pay what fine ſhould be on him impoſed.

Burnet. Vol. II. Coll. p. 96.

Feb. 28.

March 6.

Hayward.

* Sir William Pawlet

After the protector was freed from this troubleſome opponent, he thought only of ingroſſing the ſole management of affairs, and to be effectually protector, whereas hitherto he had injoyed only the empty title, without any peculiar authority. To attain his ends, he repreſented to the regents and council, that ſeveral perſons doubted whether they could, by their ſole authority, name a protector: that the French embaſſador in particular had inſinuated a diſtruſt, that he could not ſafely treat with him, without knowing firſt whether he was duly authoriſed, ſince his title might be conteſted for want of authority in thoſe who had confered it. Upon this foundation, he deſired that he might be allowed to prepare letters patent, under the great ſeal, eſtabliſhing him protector of the realm, and the King's governor. His requeſt appearing reaſonable, it was granted, and probably he was left to draw the patent, wherein very ſeemingly he uſed ſome deceit. What gives occaſion for this ſuſpicion, is, that the patent aſſigned him prerogatives unthought of by the regents when they made him protector. There was no mention of the condition upon which he had been choſen: on the contrary, the King gave him ample power to do every thing as he in his wiſdom ſhould think for the honor, advantage and proſperity of his perſon and realms. Moreover, he appointed him a council, impowering him, with ſo many of them as he ſhould judge requiſite, to annul and change what they thought proper, reſtraining the council to act only by the protector's advice and conſent. It is true, this council conſiſted of the ſame perſons who before compoſed the regency and council, except the earl of Southampton. Fifteen of theſe were before regents of the kingdom, executors of Henry's will, and governors to the young King, but by this patent were only become mere counſellors to the protector, each according to the rank his office or birth gave him, without the protector's being obliged to follow their advice.

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The protector's ambition. Burnet.

King Edward nominates the protector by patent. Rym. Fœd. Vol. XV. p. 174. Burnet.

Remarks on the patent.

The other regents become mere counſellors to the protector.

It is, as I ſaid, very probable that the protector uſed ſome fraud on this occaſion: nor is it indeed any way likely the other regents ſhould ſo eaſily concur to be deprived of their whole authority; nay, in the ſequel we ſhall have evident proofs that they had no ſuch intention. Thoſe hiſtorians who have attempted to juſtify all the duke of Somerſet's actions, in order to preſerve to him the character of a true reformer, have very lightly touched on this point, whereas his adverſaries have expatiated thereon, by way of evidence that he was ſtrongly poſſeſſed with ambition. However, as the fact is certain, his motive only can be the ſubject of conjecture; ſome aſcribing it to his exceſſive ambition; others believing him not to have ſought being maſter of the government with any other view than that of more effectually promoting the reformation: there is at leaſt abundance of probability that Cranmer and ſuch of the regents as favored the reformation, were convinced that Somerſet's advancement would be greatly advantageous to religion.

Remarks on the protector's conduct.

After the patent was drawn, and the great ſeal thereto affixed, the protector had all the power. He governed with abſolute authority, without the clog of counſellors, ſince he was not obliged to conſult any who were not at his devotion. But on

He becomes abſolute maſter of the government. Burnet.

(1) Forty knights of the Bath were made on this occaſion, and fifty five knights of the carpet. See Strype's Mem. Vol. II. p. 23. and Repot. p 30.

(2) A new form was drawn for the coronation of this King, which the curious may ſee in Burnet, Vol. II. Collect. p. 92, &c.

(3) Dr. Richard Pates, Mr. Forteſcue, and Mr. Throgmorton. Hayward, p. 276.

(4) Not ully, as our author miſtakes. See Burnet, Vol. II. p. 17.

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the other hand, this and ſuch-like ſteps drew on him the envy and hatred of many, and particularly of the nobility, who finally made him ſenſible of the effects. Certainly much was to be urged againſt this patent, which deſtroyed the form of government eſtabliſhed by Henry VIII, purſuant to act of parliament, which the King himſelf had no right to annul.

Treaties with France. Rym. Fœd. Vol. XV. p. 135, 139. p. 126.

On the preceding day, two new treaties were concluded with France. The firſt was a renewal of alliance between Francis I and Edward VI, without prejudicing the ancient alliance between France and Scotland, and the treaties between Charles V and England. The ſecond concerned the articles which had not been explained in the late treaty of peace, namely, the bounds of the Boulogne territory, and ſuch fortifications as both Kings were making near that place. As to the boundaries, there was no great difficulty in ſettling them, becauſe, as England was to keep Boulogne but eight years, it was not very material whether its territory was a little more or leſs extended. But as to the fortifications, it was not ſo eaſy. While the late peace was negociating, Henry VIII, finding it would be in his power to preſcribe almoſt what terms he pleaſed, ordered the governor of Boulogne to begin fortifying Boulemberg, Blackneſs, and Ambleteuſe. At the ſame time he gave inſtructions to his plenipotentiaries, to inſert in the treaty, that neither of the two Kings ſhould be allowed to make new fortifications in or about Boulogne, but only to finiſh ſuch as were begun. This was done according to his deſire. However, ſince the treaty, the French had attempted to fortify St. Etienne, Portet, and La Pointe: whereupon diſputes aroſe between the embaſſadors appointed to ſettle the limits of Boulogne; but as the two courts were equally deſirous to avoid all occaſion of rupture, it was finally ſtipulated, that the Engliſh might continue the works begun: that the French ſhould have the ſame liberty with regard to the fortifications of St. Etienne, but ſhould diſcontinue thoſe at Portet and La Pointe. This treaty, and that other which renewed the alliance between the two crowns, were ſigned at London the eleventh of March. But King Francis died the thirty-firſt of the ſame month, before he had ratified them, leaving Henry II for his ſucceſſor.

Death of Francis I.

Henry II. refuſes to ratify the treaties. Rym. Fœd. Vol. XV. p. 149. Burnet.

On news of Francis's death, a courier was diſpatched to Nicholas Wotton, embaſſador in France, with a commiſſion to receive the new King's ratifications, and ſee him ſwear to the treaties. But the Gallic court was intirely changed by Henry's acceſſion to the crown. The cardinal of Lorrain, and his brother the duke of Guiſe, managed all as they pleaſed, and it was not their intereſt that their Sovereign ſhould preſerve a good intelligence with England. Beſide their being ſtrongly attached to the Romiſh Pontif and creed, they were contriving means to prevent England from imploying her arms to accompliſh the match between Edward and their niece the young Queen of Scotland. They therefore inſinuated to Henry II, that it was his chief concern to recover Boulogne at any rate, leſt the Engliſh ſhould make uſe of that place to fruſtrate or diſconcert his future ſchemes. Henry, liking the propoſal, refuſed to ratify the treaties, and diſowned the embaſſador ſent to London by his father to conclude them. So, there not only remained occaſion of quarrel between the two crowns with reſpect to the limits of the Boulogne territory, and the new fortifications; but alſo, in refuſing to confirm the alliance, Henry ſhewed his intention to break the peace.

This was the firſt ill effect of the death of Francis I and Henry VIII; but it was not the only one: Germany, as well as England, ſuffered by the loſs of theſe two Kings. The Proteſtants, who had been roughly handled by Charles V, in the laſt campain, found themſelves wholly deprived of the aſſiſtance they expected from France and England. Henry II's miniſters judged it not proper he ſhould be ingaged in a war with the Emperor in ſupport of the Proteſtant religion: but, as policy ſeemed to require that he ſhould oppoſe that Monarch's progreſs, they perſuaded him of the neceſſity of firſt recovering Boulogne; after which, it would be ſtill time enough to protect Germany, in caſe the Emperor ſhould there grow too powerful. As for the court of England, there was no likelihood that they would, during a minority, undertake to ſupport the Proteſtants, eſpecially as France declined being concerned with them. Mean while, the Princes of the league having ſent to Edward for aid, fifty thouſand crowns were privately given them, with great caution, for fear of offending the Emperor. It is very true, the protector was inclinable to ſupport them: but it was not yet convenient to do it openly. The reformation was to be put on a good foot in England, before any thoughts of protecting it in foreign countries.

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Affairs of Germany. Strype. Vol. II. p. 55, &c. Burnet.

Affairs touching the reformation in England.

Henry VIII's death was for England a ſort of criſis with regard to religion. It was in the hiſtory of his reign obſerved, that he ſteered a middle courſe in that reſpect. He reformed ſome things, but left others untouched. In general, the reformation he had begun may be ſaid to concern only the articles which were directly or indirectly contrary to his temporal ſovereignty or eccleſiaſtical ſupremacy. He was ſo rigorous, that he would never allow his ſubjects to differ in opinion from him, or at leaſt not to ſhew it openly: ſo all were under conſtraint; there being ſcarce one who did not believe either more or leſs than himſelf. No ſooner was he in his grave, but every one aſſumed the liberty of delivering his ſentiments in religion, tho' the laws made in his reign were ſtill in force: but ſome change was expected. If, on one hand, the Reformed grounded their hopes on Cranmer and the earl of Hertford, the adverſe party flattered themſelves that chancellor Wriotheſley, Tonſtal, and ſome others, would uſe their utmoſt indeavors to reſtore religion to its ancient ſtate, or at leaſt would hinder the reformation from making farther progreſs. The earl of Hertford's promotion to the protectorſhip, and the chancellor's diſgrace, gave all the advantage to the Reformed, who, ſeeing themſelves ſupported by the protector and the archbiſhop of Canterbury, entertained great hopes that the work of reformation would viſibly advance. This gave them the boldneſs openly to ſhew, and even publicly to preach their ſentiments (1). On the other hand, the contrary faction, finding the times not favorable, ſtrenuouſly urged, that religion ſhould be left in its preſent ſtate 'till the King was of age. They ſaid, ſince no alterations could be made but in name of the King, as ſupreme head of the church of England, it was neceſſary at leaſt to wait 'till he was capable of judging for himſelf: but to this the reformers would not agree. They on the contrary maintained, that the royal authority was the ſame, whether the King was or was not a minor. They the more earneſtly oppoſed this maxim of their adverſaries, as it influenced not only the affairs of religion but the government itſelf.

Burnet.

The reformers party was ſo ſtrong, that it was very difficult for their enemies to reſiſt them. King Edward himſelf was at their head. Tho' at the

(1) By way of example to the whole realm, evening prayer began to be read in Engliſh, in the King's chapel, on Eaſter-Monday. Stow, p. 594.

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age he was then of, our ſpecies ſcarcely begin to make uſe of their reaſon, he made very conſiderable progreſs in the ſtudy of religion, by the care of Dr. Cox his preceptor, who was in the reformers ſentiments. The duke of Somerſet, Cranmer archbiſhop of Canterbury, Holgate archbiſhop of York, Holbeach biſhop of Lincoln, Goodrick biſhop of Ely, Dr. Ridley, and Latimer (who was freed from his impriſonment) were the main ſupporters of this party; and properly thoſe whom Burnet ſtiles, in his hiſtory, the Reformers. In the other faction were Princeſs Mary, Wriotheſley earl of Southampton, Tonſtal biſhop of Durham, Bonner of London, Gardiner of Wincheſter, with ſeveral other biſhops, and the major-part of the inferior clergy, conſiſting, as has been obſerved, of the ſuppreſſed monks and fryers, who had obtained livings. But it is certain that, tho' this latter party was as numerous as the other, they came abundantly ſhort of them in capacity and erudition: beſide, the government was in the hands of their antagoniſts. The ſaid party's power was alſo greatly diminiſhed from another cauſe, viz. the generality of them had made it a rule to oppoſe to their utmoſt the intended alterations, but, when effected, to pay them a ſeeming compliance. This conduct, tho' beneficial to particular perſons, was however detrimentral to the whole party, as it intimated, that they loved their religion only when attended with temporal bleſſings. The prelates and other eccleſiaſtics were properly the eſtabliſhers of this maxim, thro' fear of loſing their benefices.

Vol. II. p. 25.

Reſolution to puſh the reformation. Burnet. Vol. II. p. 26, &c. Fox. Strype. Vol. II. p. 46, &c. Heylin.

The preſent juncture being ſo favorable for the reformation, the protector, and ſuch of the council as were of his ſentiments, reſolved to improve it. To that end, they ordered a general viſitation of all the churches, and appointed viſitors, with power to aboliſh certain groſs abuſes introduced into the divine ſervice, and particularly with regard to images. With this viſitation commenced the execution of a deſign already formed of perfecting the reformation, which was properly but juſt begun in the late reign. As doctor Burnet, afterwards biſhop of Saliſbury, has given as full account of theſe matters as can be deſired, in his excellent Hiſtory of the Reformation in England, it will be needleſs to deſcend to particulars, whereof a much more ſatisfactory view may be taken in that illuſtrious author's elaborate performance. Wherefore, without diſcourſing of religion in the ſequel any farther than will be juſt requiſite towards comprehending our hiſtory, I ſhall confine my ſelf chiefly to the political affairs of this reign (1). The firſt which offers in the year 1547, is the war with Scotland.

Sequel of the affairs of England with Scotland. Rym. Fœd. Vol. XV. p. 131, 142. Buchanan.

Henry VIII had left his affairs with Scotland in ſuch a ſituation, that the agreed-on match between Edward and the young Scotiſh Queen, was to be relinquiſhed, or the treaty executed by dint of ſword. The party againſt the marriage in Scotland was ſo powerful, that the others ſcarce dared diſcover their contrary opinions. Had the buſineſs been left to the deciſion of the two kingdoms proper forces, in all appearance Scotland would have been conſtrained to a ſubmiſſion: but the King of France took care not to abandon the Scots. He was highly concerned to prevent the King of England's becoming maſter of Scotland. Herein his ſentiments agreed with thoſe of the two Lorrain Princes, brothers of the dowager Queen of Scotland. This it was which gave the protector moſt diſturbance, eſpecially as Henry II had now declared, that he would aſſiſt the Scots to the utmoſt of his power. Mean while, the projected marriage was ſo advantageous to England, that it well deſerved ſome efforts to accompliſh it. Beſide, Henry VIII had, on his death-bed, ſo expreſly injoined, that all poſſible means ſhould be uſed to effect it, that the protector thought he could not be excuſed from taking ſome ſteps, to ſhew he intended to execute his orders. He therefore reſolved to carry war into Scotland. Indeed, it was a very extraordinary way of wooing the young Queen for King Edward. But in this the protector and council purſued the maxim of Henry VIII, who conſtantly flattered himſelf, that the inconveniencies, perils and calamities of a war would finally compel the Scots to execute the treaty. It was therefore with this view that they reſolved on a war with Scotland, and not with any deſign to make a conqueſt of that kingdom.

Hayward. Hollingſh. Burnet.

War with Scotland reſolved.

All being prepared, and the protector ready to depart and head the army, the French embaſſador ſollicited his conſent to a negociation, to attempt bringing matters to ſome accommodation before hoſtilities commenced. The protector, who was willing to manage France, complied with his requeſt, and the conference began the fourth of Auguſt. Tonſtal, who was firſt plenipotentiary for England (2), had orders to yield every thing, provided the Scotiſh commiſſioners had power to agree to the marriage; otherwiſe he was to break off the congreſs. This condition rendered the negociation ineffectual, becauſe the Scots had nothing like it in their inſtructions. So the protector departing in Auguſt, entered Scotland the ſecond of September, with an army of fifteen thouſand foot, and three thouſand horſe (3), the earl of Warwick being his lieutenant-general. He took in his march ſome caſtles, and particularly that of Broughty (4) near the Tay's mouth, where he left a gariſon of two hundred men. A few days after, he came within ſight of the Scotiſh army, thirty thouſand ſtrong (5), with thirty pieces of cannon, who expected him on Pinkey-plain, very near Muſſelburgh.

Conference for a pacification ineffectual. Burnet.

The protector enters Scotland. Hollingſh. Hayward.

Buchanan. Burnet.

The duke of Somerſet, as I ſaid, had undertaken this war very unvoluntarily, and purely to avoid the blame of not indeavoring to match his young maſter advantageouſly: nor did the view of that hoſtile army, ſo ſuperior to his own, increaſe his deſire to decide the affair by way of arms. Wherefore, to evade a deciſion ſo hazardous, he wrote to the earl of Arran, regent of Scotland, conjuring him to reflect on the torrent of innocent blood which was juſt on the point of being ſacrificed; and, to convince him of his own readineſs to accommodate matters, he made him this propoſal, viz. That he would retire to England with his army, if the Scots would agree that the young Queen ſhould be bred up in Scotland 'till ſhe came of age, and give ſecurity that ſhe ſhould not 'till then be contracted to any foreigner. This offer might have been accepted without any detriment, either to the Queen or kingdom of Scotland. Firſt, this condition obſtructed not the Queen's eſpouſing a Scotiſh grandee. Secondly, the very worſt could befal the Scots, was, when the Queen came of age, to be in the ſame ſituation as at preſent. Laſtly, the King of Eng-

He offers a peace to the regent of Scotland. Hayward. Buchanan. Hollingſh. Strype. Burnet.

(1) This year, the book of Homiles, compoſed by archbiſhop Cranmer, was publiſhed, and printed twice by Grafton. Strype's Mem Vol. II. p. 31.

(2) The other was ſir Robert Bowes. Burnet, Vol. II. p. 31.

(3) According to King Edward's journal, the Engliſh army conſiſted of thirteen thouſand foot, and five thouſand horſe, (p. 4.) Hollingſhead (p. 980) gives the particulars.

(4) Brochty-Crag, a fort in the county of Angus. Camden. Hollingſhead ſays, it was not taken 'till September 21. p. 990. Edw. Journ. ſays, it was after the battle.

(5) So Buchanan ſays, l. 15. But in King Edward's journal it is ſaid, that it conſiſted of thirty-ſix thouſand at leaſt, p. 5.

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land or the Queen might die during this interval, and of courſe the death of either ended the quarrel. But the French faction was ſo prevalent in the council of Scotland, that this advantageous offer was moſt haughtily rejected: nay, a rumor was ſpread among the Scotiſh troops, that the protector of England would not hearken to any mention of a pacification, except the Queen was put into his hands.

His offer rejected.

Diſpoſition of the two armies. Patten. Hollingſh. Hayward.

The two armies were parted by the river Eſke. The Engliſh lay incamped two miles on the ſouth-ſide, and the Scots along the banks, on the north: ſo, had the Scots been willing to avoid a battle, very probably, the Engliſh would never have attempted to paſs the river in their ſight. Mean while the protector, having formed the deſign of approaching the Scots, and gaining a riſing ground, on the left, which commanded their camp, moved forward with his whole army: but the Scots, having thereof notice, immediately paſſed the river, and poſſeſſed themſelves of that poſt. The protector, having miſſed his aim, marched to the right towards the ſea, in order to incamp on a little hill not far from the river. This march made the Scots imagine he was approaching the ſea, to put his ordnance and baggage on board the fleet, which was entered the Frith, that he might retreat the more eaſily. The whole Scotiſh army were ſo poſſeſſed with this notion, that they conſidered the Engliſh as already vanquiſhed thro' terror. Mean while, the protector had poſted himſelf on the hill, and made ſome intrenchments before his camp. This confirmed the Scots in their opinion, that it was only a feint to retire in the night: ſo, reſolving to hinder the Engliſh from executing this imaginary deſign, they advanced in good order to join battle. The protector hearing of their march, inſtantly drew up his army, part on the hill, and part on the plain, and expected them. He had advantageouſly poſted his artillery, in a place which commanded the whole plain, and, on the other ſide, his fleet was near enough to fire upon the enemy in flank: nay there was a galliot which, being lighter than the other ſhips, came very near the land, and greatly annoyed the Scotiſh army.

The protector's march. Hayward.

Hollingſh. Hayward.

Battle of Pinkey won by the Engliſh. Patten. Hollingſh. Hayward. Buchanan. Burnet.

On the tenth of September the two armies ingaged. I ſhall not recite the particulars of this incounter. Beſide that the hiſtorians agree not in the principal circumſtances, few perſons are really capable of giving a juſt account of what paſſes on theſe occaſions, and of pointing out the chief cauſes of gaining or loſing a battle. It belongs only to generals themſelves to be good hiſtorians on ſuch ſubjects. I ſhall therefore content my ſelf with obſerving the ſucceſs of this. After a very obſtinate fight, the Scots were routed, leaving fourteen thouſand dead on the ſpot, and, in their enemies hands, fifteen hundred priſoners, of whom eight hundred were gentry (1).

Loſs ſuſtained by the Scots. Hollingſh. Hayward.

Great conſternation in Scotland. Hollingſh. Hayward. Buchanan. Burnet.

This terrible loſs threw all Scotland into the utmoſt conſternation. The regent and dowager, after gariſoning Edinburg caſtle, retired to Sterling with the remains of their army, abandoning their frontiers to the ravages of the Engliſh. A few days after, the protector took Leith, and the Engliſh fleet, commanded by lord Clinton, burned ſeveral maritime towns in the county of Fife, with all the ſhips in their harbors. Then, the Engliſh army marched towards Edinburg, and entering without any oppoſition, plundered that capital. Such was the terror throughout Scotland, that had the protector improved his ſucceſs, by beſieging Edinburg-caſtle, there is ſcarce room for doubt of his either conſtraining them to relinquiſh the young Queen, or his conquering the kingdom: but affairs, which concerned him in particular, cauſed him to abandon this enterpriſe, juſt as he was about reaping the fruits of his victory. While he was buſied in Scotland, his brother the admiral cabaled againſt him in England, and had actually made ſuch progreſs that the protector was on the brink of utter ruin, at the very inſtant while Edward's arms were triumphing under his conduct. The intelligence he received, occaſioned his imagining that he could not too ſpeedily reach the court, in order to break his brother's meaſures. This was the real motive of his haſty return, which however was colored with other pretexts.

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The protector improves not his victory.

He returns to England. Hollingſh. Burnet. Heylin.

The eighteenth of September he ſet out for England, having imployed only ſixteen days in his expedition, from his entering Scotland; and, if we may credit the Engliſh writers, loſt in all no more than ſixty-two men (2). In his return, he marched thro' the counties of March and Tiviotdale, and leaving a gariſon in Hume-caſtle, appointed ſir Ralph Palmer to be governor of Roxburrough, which place he ordered ſhould be repaired.

Is by the populace aplauded, but envied by the grandees. Burnet.

The protector's glorious campain, in Scotland, reminded the Engliſh of ſeveral noble exploits performed by him under the late reign. This gained him great applauſe from the commonalty, but withal envy from the nobles, who, if Sir John Hayward is to be credited, had no great eſteem for him. This contraſt between the nobles and people proved greatly to his detriment. It created in him too much reliance on popular favor, and induced him to affect a ſuperiority over all his peers, both by external pomp, and by aſſuming the ſole adminiſtration of affairs. As, by the royal patent, he was not obliged to follow the council's advice, he generally conſulted only his creatures, and neglected the others, as if no ſuch perſons exiſted. At firſt, this deportment ſeemed ſomewhat ſtrange in one who, very far from being naturally imperious and arrogant, was rather modeſt, affable and courteous. No other reaſon can be given, but his ardent zeal to promote the reformation. This was, doubtleſs, what occaſioned his judging it neceſſary to remove from the adminiſtration thoſe who were not led by the ſame zeal as himſelf, in order to leſſen the oppoſition, as far as he was poſſibly able. Beſide, he had paſſed the beſt part of his life in the court of Henry VIII, where he had ſeen the regal authority carried to the greateſt height; and, as Henry had ſucceeded by uſing rigor, he deemed it requiſite to purſue the ſame maxims. The reformation was certainly the ſole object this protector had in view, and all his proceedings in public affairs, both foreign and domeſtic, tended properly to that point.

Bonner and Gardiner ſent to priſon. Burnet. Strype.

The commiſſioners, appointed to viſit the churches, having made their report, it was found, that all the biſhops had complied with the council's order, Bonner of London, and Gardiner of Winchester only excepted. Theſe prelates had given advantage againſt themſelves, not by direct oppoſition, but by ſcruples and cavils, which plainly evidenced

(1) It was a wonder to ſee, but (ſays Hollingſhead, from Patten) as they ſay, many hands make light work, how ſoon the dead were ſtark naked, even from as far as the chace went to the place of the onſet, whereby the perſonages of the enemies might by the way be eaſily viewed and conſidered; the which, for the talneſs of their ſtature, cleanneſs of ſkin, bigneſs of bone, with due proportion in all parts, was ſuch as the beholders, if they had not ſeen it, would not have believed there had been ſo many of that ſort in all their country. Among them lay many prieſts and kirkmen, as they call them, of whom it was reported, that there was a whole band of three or four thouſand; but it was found afterwards not to be altogether ſo.

(2) Under ſixty, ſays Hayward, p. 287. But Buchanan (l. 15.) affirms, that the Engliſh loſt about two hundred horſe in the firſt charge.

how

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how averſe they were to all reformation. They inſiſted chiefly on the above-mentioned maxim, that it was not lawful to make any alterations in religion during the King's minority. As this principle might have had pernicious conſequences, with reſpect to the government, it was made a pretenſe to commit them to priſon (1), notwithſtanding their outward but moſt equivocal ſubmiſſion. The truth is, as ſeveral acts in favor of the reformation were intended to be paſſed in the next parliament, which was ſummoned to meet the fourth of November, the reformers greatly rejoiced at being freed from the troubleſome oppoſition of theſe two prelates.

Princeſs Mary complains of the ſteps taking to promote the reformation. Burnet. Strype.

Princeſs Mary was alſo diſpleaſed with the inſtructions given to the viſitors, and the deſign of advancing the reformation. She wrote on this occaſion to the protector, expreſſing her diſlike to all the innovations then making, and of thoſe propoſed to be made during the King's minority. The protector returned her a very ſtrong anſwer, and did not think himſelf obliged to conform to her ſentiments.

Lord Rich made chancellor. Burnet. Rym. Fœd. Vol, XV. p. 164.

Some days before the parliament met, lord Rich was made chancellor. The third of November, the day before opening the parliament, the protector, by a patent under the great ſeal, was warranted to ſit in parliament on the right hand of the throne, under the cloth of ſtate, whether the King was preſent or not, and moreover was to have all the honors, privileges, and prerogatives which any of the Kings of England's uncles, or any protectors had ever injoyed *. This procedure was a clear demonſtration that the duke of Somerſet's intention was, not only to be ſuperior to all, but even to deſtroy by degrees the very remembrance of the form of government eſtabliſhed by Henry VIII. Tho' he had not neglected cauſing this patent to be approved by the council before it was ſealed, that was not ſufficient to juſtify him intirely. It was well known the King did nothing but by his direction; that the council was at his beck; and that it would have been not a little dangerous for the counſellors directly to oppoſe a patent which concerned him in particular.

* With a non-obſtante to the ſtatute of precedence.

Parliament. Journ. Par. Burnet.

The parliament aſſembling the fourth of November, paſſed ſeveral material acts, relating ſome to the ſtate, and others to religion. Moſt certain it is that, in England, the number of thoſe who wiſhed a reformation was very conſiderable. However, it muſt not be imagined that then, any more than at this day, all the parliament did was conformable to the nation's univerſal ſentiment. The peoples repreſentatives, as they are at preſent, were elected without any inſtructions concerning the points to be debated in parliament, nay even without the peoples having thereof any knowledge. Thus, the houſe of commons had, as I may ſay, by a majority of votes, with concurrence of the lords and aſſent of the King, a power unlimited to determine whatever they deemed requiſite for the kingdom's welfare. There was not therefore, in order to obtain what the court deſired, any neceſſity of having the peoples general conſent, but only the majority of voices in both houſes. Hence it is eaſy to conceive, that the court uſed all imaginable means to get elected ſuch members as were in their ſentiments. This is now, and ever will be, practiſed

Remark on this parliament.

'till ſome cure is found for the inconvenience. I call it inconvenience, becauſe it happens ſometimes that the parliament paſſes acts contrary to the general opinion of the nation. Of this one may readily be convinced, by what paſſed in the parliaments held under Edward VI, and Queen Mary his ſiſter. In the reign of Edward, Popery was utterly extirpated; and under Mary it was abſolutely re-eſtabliſhed. In one or other of theſe reigns therefore the parliament muſt have acted contrary to the peoples ſentiments, ſince one cannot poſſibly be perſuaded, that a whole nation ſhould, in an inſtant, have thus changed from white to black. I pretend not by this remark, to weaken the proceedings of Edward VI's parliament in favor of the reformation: what I advance is leveled as much againſt that of Queen Mary, as againſt this. My deſign is only to obſerve, that the determination of a parliament is not always a convincing proof of the whole Engliſh nation's concurrence. The reaſons therefore which may be drawn from the pretended conſent of all England, repreſented in parliament, either for or againſt the reformation, ſeem to be of very little weight. Each of the two parties will always ſay, and perhaps very juſtly, that the parliament which oppoſed them, was a parliament devoted to the King and Miniſtry.

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The preſent parliament was, in all appearance, directed by the duke of Somerſet, ſince it ſo readily favored all his deſigns. I ſhall content my ſelf with relating the ſubſtance of the chief acts paſſed this ſeſſion, without inſiſting much thereon, becauſe doctor Burnet has ſpoken of them ſo accurately and fully in his Hiſtory of the Reformation, that to repeat what he has advanced would be wholly ſuperfluous. Vol. II. p. 40, &c.

Act for repealing ſeveral ſtatutes.

The firſt ſtatute repealed ſeveral acts paſſed in the late and ſome former reigns: namely,

I. All acts declaring any thing to be treaſon but what was in the ſtatute of 25 Edward III. This ſtatute of King Edward had long ſerved for the ſtandard of treaſon, 'till, during the civil wars between the houſes of York and Lancaſter, and more particularly in the reign of Henry VIII, the liſt of treaſonable offenſes was greatly augmented: and and therefore, the parliament very juſtly reduced theſe offenſes within their old bounds, that the ſubjects might not be liable to ſo many rigors.

II. This ſtatute alſo repealed all acts, declaring that to be felony which was not ſo before the rupture with the Pope (2). Alſo,

III. The act which made the King's proclamations of equal authority with acts of parliament. Had this ſtatute continued, parliaments would have become uſeleſs.

IV. Two acts concerning the Lollards (3).

Act of the fix articles repealed.

Laſtly, By the ſame ſtatute, the law of ſix articles was likewiſe repealed.

By another (4), the King's eccleſiaſtical ſupremacy was again confirmed, inflicting diverſe great penalties on ſuch as ſhould call it in queſtion. It was alſo declared high-treaſon in any of the heirs to the crown, nominated in Henry VIII's will, and in their abetors, to attempt diſordering the ſucceſſion, as regulated by that Prince.

It was likewiſe inacted, that all ſhould injoy the benefit of the clergy (5), and the privilege of ſanctu-

(1) To the Fleet. Burnet, p. 37. Gardiner was impriſoned, June 31, and releaſed about the end of the year. Strype, p. 68.
(2) Or rather, all acts made upon this head ſince April 23, 1 Henry VIII.
(3) Thoſe of 5 Richard II, and 2 Henry V. (4) Article of the ſame ſtatute.
(5) Benefit of the clergy was an ancient liberty of the church, confirmed by diverſe parliaments. When a prieſt or one within orders was arraigned of felony before a ſecular judge, he might pray his clergy, that is, to be delivered to his ordinary, to purge himſelf of the offenſe objected. But the ancient courſe of the law in this point of clergy is much altered; for clerks be no more delivered to their ordinaries to be purged, but now every man, tho' not within orders, is put to read at the bar, being found guilty, and convicted of ſuch felony as this benefit is granted for, and ſo burned in the hand, and ſet free for the firſt time, if the ordinary's deputy, ſtanding by, do ſay, Legit ut Clericus.

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ary (1), excepting only aſſaſſines, poiſoners, and four ſorts of thieves (2).

An act paſſed in Henry VIII's time, impowering his ſucceſſor to annul laws made during his minority 'till his twenty-fourth year, was likewiſe explained; and it was declared, that this act ſhould only take place for the future, and not for the paſſed.

With regard to religion, ſeveral acts were made which cauſed very great alterations. Firſt, private maſſes were aboliſhed, and the cup given in the communion.

Another act impowered the King to nominate to the vacant Sees by his letters patent, and ſo aboliſhed the method of chuſing biſhops by Congé d'Eſlire (3), which was only a mockery, ſince theſe pretended elections were all made by the court's direction.

The eccleſiaſtical courts juriſdiction was alſo greatly abridged, by taking from them the cognizance of matrimonial and teſtamentary cauſes, which were removed to the civil courts.

Statute againſt vagabonds.

Then the parliament paſſed a very remarkable act againſt vagabonds. It was inacted, that if any perſon ſhould any where loiter without work, or without offering himſelf to work three days together, he ſhould be adjudged to be a ſlave * to the perſon who ſhould preſent him to two juſtices of peace, and be branded on the face † with the letter V imprinted with a hot iron. This law was thought very ſevere in a country like England, where ſlavery ſeems inconſiſtent with the privileges of its people. But herein the court, who governed the parliament, had in view only the monks, who being no longer in the monaſteries, and little inured to labor, could not think of working for their livelihood. Theſe men imployed themſelves ſolely in roaming from houſe to houſe to rail and cabal againſt the government, and inſpire people with the ſpirit of rebellion: ſo the court, judging it to be the effect of their idleneſs, and that if they betook themſelves to ſome buſineſs they would at length loſe this habit, reſolved to make them work, how unwilling ſoever they might be. Mean while, as the law was general, it occaſioned great murmurs among the people; wherefore it was never ſtrictly executed, and even repealed by another parliament.

* For two years.

† Or the breaſt.

Several indowments given to the King Statutes. Strype.

Laſtly, the parliament gave Edward all the lands deſigned for the maintenance of chantries, chapels, and colleges, which were not poſſeſſed by Henry VIII, and all revenues given for obits, anniverſaries, lights in the churches, together with all guild lands which any fraternity injoyed on the ſame account. This act did not paſs without great difficulty. Cranmer himſelf oppoſed it to the utmoſt of his power (4), not from any deſire to re-apply thoſe indowments as deſigned by the donors, but becauſe he hoped to find ſome favorable opportunity of converting them to other uſes beneficial to religion, whereas, being once in the King's hands, the church was deprived of them for ever. But all oppoſition was in vain. The nobility barked, as I may ſay, for the church-lands, which they obtained of the court on very eaſy terms. Beſide, the executors of the late King's will wanted theſe lands to diſcharge his debts and legacies. It is true, there was in the act a clauſe importing, that theſe lands ſhould be converted to the maintenance of grammar-ſchools and preachers; but it was never put in practiſe (5).

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The parliament ended with a general amneſty, wherein were excepted priſoners in the Tower, and thoſe who had abſented themſelves from the kingdom. As Gardiner was not in the Tower, he injoyed the benefit of this amneſty.

General pardon, of which Gardiner has the benefit. Strype.

I juſt mention the reaſon which obliged the protector to quit Scotland and return to court, with a precipitation not a little prejudicial to the King's affairs. But it is now requiſite to be ſomewhat more particular on that affair, before I conclude the year 1547, becauſe its breaking out was during this ſeſſion.

Cabals of the admiral againſt his brother the protector. Burnet. Hayward.

Among all the protector's emulators, not one was more paſſionate againſt him than his brother, admiral Thomas Seymour. He was of a fiery, proud, and haughty diſpoſition. True it is, he was counted to have a greater ſhare of ſenſe than his brother, and to be more capable of managing great affairs: but this opinion might be owing to the faction he had made among the nobility, who loved not the protector. However this be, the admiral could not bear the difference King Henry had put between him and the duke of Somerſet, tho' they were both uncles to the young King. He thought himſelf, by his birth and natural qualifications, as worthy as his brother of having a ſhare in the adminiſtration of public affairs. Preſently after Henry's deceaſe, he gave proofs of his ambition, in making his addreſſes to Princeſs Elizabeth: but finding he was not like to ſucceed, he turned his eyes towards the dowager Queen, Catherine Parr, and ſo gained her affections that he privately married her, without communicating it to the duke his brother, then in the protectorial dignity. Theſe nuptials were ſo ſuddenly after Henry's demiſe that had Queen Catherine become pregnant ſo ſoon as ſhe might have done, there would have been room to queſtion, whether her child was the King's or the admiral's. Having kept his marriage private for ſome time, he found means, unknown to the protector, to procure a letter from the King, recommending him to Catherine for a huſband. He thereupon declared his marriage, without uſing any ceremony with his brother: and here commenced their difference. But the protector, who was a perſon of ſingular moderation, prevented their quarrel from breaking out, tho' he ſtill continued highly diſguſted with his brother. The admiral's envy was greatly increaſed by the duke his brother's promotion, who from a nominal was become a real protector. This envy, added to his natural diſpoſition, carried him at length to form the project of ſupplanting him, by inſinuating himſelf into the King's favor, and forming a party among the nobility. It is not to be doubted, the protector's ſecret enemies cheriſhed the admiral's ambition by the praiſes they gave him, confirming him in his prepoſſeſſion againſt the duke his brother. About Eaſter he began his cabals, with gaining the King's ſervants to his intereſt, that they might continue their young maſter in a good opinion of him. By their means he ſo ordered it, that Edward often came to his houſe to viſit his mother-in-law. It was there he moſt ſedulouſly made his court, and even ſupplied his Majeſty's privy purſe with where-

Burnet.

(1) As before the reign of Henry VIII.

(2) Burglarers, highway-men, cattle ſtealers, and church or chapel-robbers.

(3) But the fees, uſually paid on the collation to a biſhoprick, were retained. They amount to 331 l. Collier's Eccl. Hiſt. Vol. II. p. 236.

(4) As did alſo the biſhops of London, Durham, Ely, Norwich, Hereford, Worceſter, Chicheſter.

(5) This is a miſtake. There were ſchools founded by King Edward, at St. Edmundſbury in Suffolk, Spilleſbury and Louth in Lincolnſhire, Chelmsford in Eſſex, Sedberg in Yorkſhire, Shrewſbury, Eaſt Ratford in Nottinghamſhire, Birmingham in Warwickſhire, Morpeth in Northumberland; as alſo at Macclesfield, Nun-Eaton, Stourbridge in Worceſterſhire, Bath, Bedford, Guildford, Graham, Thorne, Giggleſwick, St. Albans, Tunbridge, Southampton, Stratford upon Avon, &c. which were moſtly indowed out of the chantry lands. Strype's Mem. Vol. II. p. 535, &c.

withal

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withal to make his domeſtics ſmall preſents (1). This greatly pleaſed the young King, who found himſelf freed from the trouble of aſking his governor for money, and of being accountable to him for what he did with it. All this could not be done without the protector's knowledge. He therewith taxed his brother, who denied all, but ſo haughtily that the protector might eaſily comprehend he little regarded his diſpleaſure. However he was unwilling to quarrel with him openly, hoping he might in time be reclaimed.

Burnet.

The protector was no ſooner departed for Scotland, but the admiral renewed his cabals with leſs reſerve than before. He diſtributed money to ſeveral perſons, and never ceaſed making his court to young Edward: nay, unknown to his brother, he even obtained a new and more ample patent for the office of high-admiral, with two hundred marks added to the ſalary. Sir William Paget, who was devoted to the protector, and perhaps had orders to obſerve the admiral's movements, ſeeing how he increaſed in favor with the King, thought himſelf obliged to diſcourſe him on that ſubject. But not being ſatisfied with the admiral's anſwer, he ſpeedily advertiſed the protector of all proceedings; and on this intelligence it was that he ſo abruptly ended his campain in Scotland and haſtened to court, in order to fruſtrate his brother's projects.

Rym. Fœd. Vol. XV. p. 157. Aug. 30.

The admiral aims at ſupplanting his brother, and gains the King to his ſide. Burnet.

The protector's arrival ſufficed not to interrupt the admiral's deſigns. He rather made greater haſte to put them in execution, not to give his brother time to prevent him. He had gained ſome privy counſellors, ſeveral peers of diſtinction, and many members of parliament. In fine, he perſuaded the King, that the two offices of protector and governor of his royal perſon gave the duke of Somerſet too much authority, and that it was proper to part them, and confer the ſecond on him, in order to balance the protector's power. The young King was much better pleaſed to have for governor an uncle who had for him all imaginable condeſcenſion, than one who was much leſs complaiſant, and kept him more dependent. So his years not allowing him to make other reflections, he wrote with his own hand a meſſage to the houſe of common, deſiring them to conſtitute the admiral governor of his perſon. The admiral himſelf was to have carried this meſſage: but the ſcheme took vent before his deſign could be executed. The council, being hereof informed, deputed ſome lords to argue the caſe, and diſſuade him from farther proceedings; but thoſe deputies returned not with the ſatisfaction was expected. On the contrary, inſtead of regarding their remonſtrances, he replied in menaces (2): whereupon, he was ſent for on the morrow, by order from the council, but refuſed to obey. At laſt, he was threatened to be turned out of all his offices, commited to the Tower, and proſecuted on the act of parliament which made it death for any perſon to diſturb the government. This menace frightened him. He plainly ſaw, tho' he had the King on his ſide, that the young Prince, who was but juſt entered his eleventh year, would not have reſolution enough to ſupport him, contrary to the advice of the protector and council; nay, it was hinted to him, there was no likelihood the parliament would give ear to meſſages from a minor King, but would doubtleſs ſuppoſe him to have been impoſed on. He therefore choſe to ſubmit to

His deſign diſcovered.

The council threaten him.

the protector and council, and to be reconciled to his brother, who deſired only to reclaim him by lenity. However this reconciliation was not perfect. Soon after he made appear that, he had not relinquiſhed, but only poſtponed his deſign 'till a more convenient ſeaſon: and, in reality, he never ceaſed indeavoring, as well perſonally as by thoſe whom he had gained, to infuſe into the King a diſlike of the protector, and his other miniſters. This induced the protector to place ſpies about him, to be informed of his proceedings, conſidering him as a very dangerous enemy.

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This year the face of affairs in Germany was intirely changed. The Emperor defeated and took priſoner John Frederic, elector of Saxony, and declared his couſin Maurice elector, who at the ſame time took poſſeſſion of the electoral dominions. After this diſaſter, the landgrave of Heſſe, finding himſelf unable to maintain the war, made with Charles the beſt terms he could, and came to him on the faith of a ſafe-conduct, which expreſly ran, that he ſhould not be liable to any impriſonment. But, by a groſs and moſt notorious knavery, was inſerted the German word ewig, which ſignifies perpetual, inſtead of emig, which implies any: by which baſe fraud he was detained and thrown into priſon, not to be releaſed but at his Imperial Majeſty's pleaſure.

Affairs of Germany. Sleidan. April 24. Burnet.

The impriſonment of the two heads rendered the Proteſtant party very feeble, and the Emperor's triumphant. The archbiſhop of Cologn, who had imbraced the Proteſtant religion, was conſtrained to renounce his dignities of archbiſhop and elector of the Empire. After that Charles made ſundry alterations tending to deſtroy the reformation, or rather under that pretext to render himſelf abſolute in Germany. On this account, even his Sanctity conceived of him a jealouſy. As, after Charles's victory, his embaſſadors were for carrying themſelves too magiſterially at Trent, the Pontif ordered the council to be removed to Bologna, under the feigned pretenſe of Trent's being infected with the peſtilence.

Hitherto Germany had ſerved for ſanctuary to many Proteſtants perſecuted elſewhere: but ſince the Emperor's victory, they were no longer ſafe in any part of that country. For which reaſon many repaired to England, where they perceived the reformation to be in a proſperous way. Among theſe were Peter Martyr, Bucer, Ochinus and Fagius, to whom Edward gave penſions and benefices, as appears in Rymer.

Several German reformers come into England. Vol. XV. p. 170, 192, 193. Burnet.

Tho' Henry II had refuſed ratifying the two treaties concluded at London in March, the Engliſh notwithſtanding carried on the fortifications of Bullenberg, purſuant to an article of the treaty of peace, as has been obſerved. But after ſeveral complaints from France, Henry ſent ſo rough a meſſage by his embaſſador, that the protector, rather than hazard a rupture with France, ordered the works to be diſcontinued, before the fort was finiſhed.

Affairs of France. P. Daniel. Burnet.

An' 1548. Progreſs of the reformation. Burnet. Fox. Heylin.

In the begining of 1548, the council made ſeveral alterations, with reſpect to religion. Carrying candles on Candlemaſs-day, aſhes on Aſh-Wedneſday, palm on Palm-Sunday, with the rites uſed on Good-Friday and Eaſter-day, were prohibited (3). Moreover, it was left to peoples choice to go to confeſſion or to neglect that practiſe, hitherto deemed a duty indiſpenſible. Some days after, it was

(1) Particularly, the firſt time Latimer preached at court, the King ſent to the admiral to know what preſent he ſhould make him: Seymour ſent him 40 l. but ſaid, he thought 20 l. was enough to give Latimer, and the King might diſpoſe of the reſt as he pleaſed. And alſo, at Chriſtmaſs, the admiral gave Mr. Cheek (afterwards ſir John) the King's tutor 20 l. and 20 l. for Edward to diſtribute among his ſervants. Burnet, Vol. II. p. 54. Strype, p. 78.

(2) He told them, if he were croſſed in his attempt, he would make this the blackeſt parliament ever was in England. Burnet, Vol. II. p. 53.

(3) All wakes and plough-mondays were alſo ſuppreſſed. Ibid. p. 59.

ordered,

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ordered, that all images in general ſhould be removed from the churches. As England was then divided into two parties, ſome approved, and others cenſured theſe changes: but the council, in ſpite of all oppoſition, cauſed their orders to be confirmed by the King's proclamation, in virtue of his ſupremacy. Only Gardiner biſhop of Winchester openly oppoſed theſe innovations, on the maxim, that no alteration in religion could be lawfully made 'till the King's majority. He was not the only perſon who indeavored to inſtil this notion. All thoſe of his party labored that way, but had not the courage to do it publicly: whereupon he was commanded to appear before the council; and as he offered to ſubmit to whatever ſhould be preſcribed him, he was ordered to preach at St. Paul's upon certain points, whereof one of the chief was, that the King's authority was the ſame during his minority as when of age. He preached; but ſo little to the council's ſatisfaction, that it was reſolved to ſend him to the Tower. This ſeverity produced a great effect, in that all the friends of the Romiſh church determined on conforming, at leaſt externally, to what ſhould be injoined by public authority, when they found one of their chief ſupporters was not ſpared.

Fox. Burnet.

Gardiner commited to the Tower. Burnet.

Mean while, the Scotiſh war gave the protector no ſmall anxiety. He evidently found it was ridiculous to think of accompliſhing Edward's marriage with the Scotiſh Queen by the way of arms, in ſpite of the dowager Queen, the regent, and the council. Moreover, he knew France was preparing to ſend them a powerful aid; and therefore he perceived it would be very difficult to ſucceed in this enterpriſe: beſide that this war would, moſt probably, occaſion a rupture with France. In ſhort, nothing was more repugnant than a war to his deſign of perfecting the work of reformation. He would have been glad the regent of Scotland had accepted a ten years truce, which he offered him: but the Scots would not hearken to it, becauſe France had promiſed them effectual aſſiſtance. The protector was therefore, even againſt his will, conſtrained to continue the war: but as he would not himſelf command the army, he gave the conduct thereof to Francis Talbot, earl of Shrewſbury, whom he appointed his lieutenant. On this occaſion he plainly ſhewed, that his meaning was to ſtretch the prerogatives of the protectorſhip as far as poſſible, ſince he would have the earl take from him his commiſſion. However, as the patent, obtained the twelfth of March laſt year, did not ſo clearly give him the power of nominating his lieutenants, he got another drawn up, wherein his prerogatives were more fully explained and inlarged. In this, the King ſaid, that having, by his letters patent of the twelfth of March, appointed his uncle, the duke of Somerſet, protector of the kingdom and governor of his perſon, his intention was, that the clauſes therein contained ſhould be underſtood in the ampleſt ſenſe, and the moſt favorable to the duke: that however, as the generality of the terms might occaſion ſome doubts, he declared that he conſtituted him his lieutenant-general, and captain-general throughout his whole dominions, with power to order his ſubjects to take arms whenever he ſhould think proper, and to appoint lieutenants to command in his place, both by ſea and land. It cannot be denied, all this was very contrary to the late King's eſtabliſhment, and conſequently to the act of parliament by which it was previouſly authoriſed. All the favors granted by King Edward to any but the protector, could be juſtified by the protector's and council's advice. But thoſe done to the protector himſelf, muſt have been aſcribed wholly to the perſuaſions of the perſon who received them: nay, in favors which were ſomewhat extraordinary, this rendered in ſome meaſure ridiculous ſuch patents granted by his Majeſty, who was made to ſay, he granted them to the protector by advice of the protector himſelf.

The protector tries in vain to make a truce with Scotland.

Patent inlarging the protector's prerogatives. Rym. Fœd. Vol. XV. p. 174.

Edw. VI. An' 1548.

Mean time, in the begining of ſpring, while the Engliſh court was conſidering whether the war with Scotland ſhould be continued, the regent of that kingdom had opened the campain with the ſiege of Broughty caſtle (1), which, tho' a fortreſs of very little conſideration, held him buſied three whole months, and all to no purpoſe. On the other ſide, while he imployed his whole force on this ſiege, the Engliſh took the caſtle of Hadington, and fortified it with all poſſible diligence. By means of this place, ſituated in one of the moſt fertile counties of Scotland, they made excurſions to the very gates of Edinburg, only twelve miles diſtant. They alſo took Lauder, and made there ſome works.

The regent of Scotland beſieges Broughty. Buchanan. Burnet. Hayward.

The Engliſh take Hadington. Hollingſh.

About the end of May, the Scots received from France a ſuccor of ſix thouſand French and Germans, commanded by Deſſé d'Eſpanvilliers. After theſe new troops were ſomewhat refreſhed, the regent joined with them eight thouſand Scots, and with theſe forces the two generals beſieged Hadington (2). During this ſiege it was that, after diverſe conferences between the French and Scots, it was determined to ſend the young Queen of Scotland into France. Many Scots however greatly diſliked that reſolution. They affirmed, when the Queen ſhould be in France, there would be no way to make peace with the Engliſh; whereas, without any prejudice either to Queen or kingdom, the ten years truce offered by the Engliſh might be accepted. This argument was combated by others, who maintained, that the aim of the Engliſh in this war being only to marry Queen Mary to King Edward, they would have no farther inducement to continue it, when once that expectation was deſtroyed. Nevertheleſs, it was eaſy to ſee that, by delivering up Mary to the French King, they were going to make that ally their maſter. But beſide its being by the French declared, that France would not ingage to aſſiſt Scotland on any other terms, the Queen-mother paſſionately deſired her daughter ſhould be at the Gallic court where her brothers the Princes of Lorrain were in a manner omnipotent. Moreover, the whole body of eccleſiaſtics earneſtly urged the Queen's being ſent over to France, thro' dread ſhe muſt finally be delivered to the Engliſh, and that their religion would be exterminated by her marriage with Edward. In ſhort, to win the regent, the King of France ingaged to confer on him the title of duke of Châteleraut, with lands to the yearly value of twelve thouſand livres. All this produced the reſolution of tranſporting Queen Mary into France, by the ſame ſhips which had brought over the auxiliaries: but, to avoid incountering the Engliſh fleet, this convoy made the tour of Scotland, by the north (3), and landed the Queen in Bretagne. During this interval, admiral Seymour, who in perſon commanded the naval forces, made ſeveral deſcents in Scotland, where he was always repulſed with loſs, and at laſt returned to England without having done the Scots any conſiderable damage.

The Scots have aid from France.

They beſiege Hadington;

and reſolve on ſending the Queen over to France. Buchanan. Burnet. Hollingſh. Hayward.

Buchanan. Burnet.

At length, the Engliſh army, ſeventeen thou-

(1) With eight thouſand men. Sir Andrew Dudley was governor. Hollingſh. p. 993.
(2) Sir James Wilford was governor. Ibid.
(3) By the iſles of Orney, and came to Dunbritton, where the Queen was received on board.

ſand

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The earl of Shrewſbury raiſes the ſiege of Hadington. Buchanan. Hayward. Burnet. Hollingſh. and retires to England. Buchanan.

ſand ſtrong (1), entered Scotland, under command of the earl of Shrewſbury. At his approach, the French and Scots raiſed the ſiege of Hadington, and retired: ſo, the general eaſily ſupplied the place with proviſions, and then marching towards the enemies, who lay intrenched in a very advantageous poſt, offered them battle; but, after facing them about an hour, finding they would not move from their intrenchments, he re-conducted his troops into England. It is no eaſy matter to gueſs what could be the motive of this abrupt retreat, which gave the Scots opportunity to make great progreſs during the remainder of this campain. No ſooner was the Engliſh army retired, but Deſſé attempted to ſurpriſe Hadington. He was at the gate, and juſt entering, when a French deſerter, who had fled thither, gave fire to a cannon, which diſcharging among the thickeſt of the French troops, ſo diſcouraged them, that they retreated with precipitation. Then Deſſé marched and fortified Leith, then only a village, but now a very conſiderable town. His deſign was to recover Broughty caſtle; but receiving expreſs orders to make an inroad into England, he advanced as far as Newcaſtle, without meeting any reſiſtance, and returned loaded with ſpoil. It is not known what was become of the Engliſh army, led by the earl of Shrewſbury into Scotland, and conſiſting part of Engliſh and part of Landſquenets. Theſe laſt were German troops, who had ſerved the Elector of Saxony, and the Landgrave of Heſſé, and having no leader in the Empire, had offered themſelves to the protector, who had entertained them in his ſervice. This had raiſed great murmurs againſt him; the Engliſh naturally loſing all patience when they ſee among them foreign forces, generally too much devoted to the King. It was eaſy to perceive the protector's aim was to ſtrengthen himſelf perſonally with the aid of theſe foreigners.

General Deſſe enters England. Buchanan. Burnet.

Germans in the Engliſh ſervice. Burnet.

Sequel of the Scotiſh affairs. Buchanan. Burnet.

Before the cloſe of this year, the dowager Queen of Scotland, complaining to the French court of the conduct of Deſſé, who behaved with great arrogance, and ill-treated the Scots, had him recalled, and his place was ſupplied by De Thermes. The new general was accompanied with Montluc biſhop of Valence, who, being returned from his embaſſy at Conſtantinople, was ſent to be chancellor of Scotland: but the Scots were ſo diſguſted at ſeeing that eminent dignity in the hands of a foreigner, that the King of France ordered his removal and return. They began to repent ſending their Queen to France, when they found that regard which the French uſed to have for their nation begining to be on the decline.

Quarrels between the Emperor and his Holineſs. Sleidan. Burnet.

During this year, 1548, the Pope and Emperor had great differences concerning the council's tranſlation. Charles V, as I obſerved, uſed the pretext of religion to render himſelf abſolute in the Empire. The council aſſembled at Trent, a city in Germany, as the Proteſtants had required, furniſhed him with a color to compel them to ſubmit to its decrees. He was not ſorry at their refuſal to conform: but deſired they ſhould have no other reaſons than thoſe which they drew from religion itſelf, becauſe then the pretenſe of conſtraint remained intire: but by tranſlating the council to Bologna, a city of Italy, and appertaining to the Pope, this ſame pretenſe was taken from him, becauſe the Proteſtants had cauſe to complain of non-execution of the diet's decrees. On the other hand, his Beatitude, finding that, by the ſucceſs of one campain, Charles V was become in a manner abſolute in the Empire, grew jealous of his power, fearing it would reach alſo thro' Italy, and be very detrimental to the Holy See. For this reaſon, he was far from ſorry to have him always at variance with the Proteſtants of Germany, that his affairs there might obſtruct his forming new projects. Theſe different intereſts were the cauſe that the Emperor and Pontif could not agree. The Emperor proteſted againſt the council's tranſlation to Bologna, and his Holineſs rejected the proteſtation.

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Interim granted to the Proteſtants. Sleidan. Burnet.

Soon after Charles, deſirous the Holy Father ſhould be convinced he could do without him, ordered the drawing up certain articles of agreement, which were ſtiled The Interim, becauſe the form of religion therein contained was to laſt only 'till a general council ſhould meet in ſome town of Germany. The framers of theſe articles, by Charles's order, took care to ſet them forth in the ſmootheſt terms poſſible: but, in the main, they contained the doctrines of the Romiſh church, tho' ſomewhat diſguiſed. The only conſiderable ſoftenings were, that marriage ſhould be no bar to prieſt's orders, and the communion in both kinds not refuſed to thoſe who deſired it. This work being finiſhed, the Emperor ſummoned a diet to Augſburg, where this Interim was propoſed. The elector of Mentz (without being commiſſioned ſo to do) thanked the Emperor for it, in the diet's name; and his Imperial Majeſty, interpreting that as the whole body's aſſent would not afterwards receive the proteſtations of ſeveral towns of the Empire againſt the Interim. The Roman court was likewiſe thereat highly diſguſted, becauſe, without conſulting his Sanctity, the Emperor had preſumed to diſpenſe with the marriage of prieſts, and communion in both kinds. This occaſioned many troubles in Germany, and obliged numbers of divines and others, who diſliked the Interim, to abſcond or retire elſewhere, not to be expoſed to the reſentment of that victorious Monarch, who was bent at any rate to have his Interim univerſally received. At this diet, Maurice of Saxony was ſolemnly inveſted with the electorate, of which John Frederic had been deprived.

Parliament which forwards the reformation. Burnet. Statutes.

While Charles V was laboring to deſtroy the reformation in Germany, it was daily advancing in England. The parliament, which met the twenty-fourth of November, was almoſt wholly taken up with matters of religion. By an act made this ſeſſion, prieſts were allowed to marry. Another confirmed the new liturgy, about which commiſſioners, appointed for examining and reforming the ſeveral offices, had been imployed the whole ſummer. This new liturgy retrenched diverſe abuſes, both in the common ſervice, and all the other offices, and gave the whole a turn favorable to the reformation. It is the ſame the church of England makes uſe of at this day, a few alterations excepted.

AN' 1549.

The protector and Cranmer are blamed by the zealous of their party. Burnet,

The protector and archbiſhop of Canterbury were the chief ſupports, and moſt zealous promoters of the reformation, tho' always in purſuance of the maxim they had eſtabliſhed, namely, to advance gradually. Whatever reaſons they had thus to proceed, the zealous of the reformed party liked it not, as being apprehenſive leſt, by ſome ſudden and unexpected revolution, the work would be left unfiniſhed. They were not ignorant that the protector was hated and envied by many of the nobles, and that the Romiſh party in general had for him a mortal averſion. This ſufficed to create a dread, that his enemies would at length prevail over him; the adminiſtration wherewith he was intruſted being of ſuch a nature, that it was ſcarcely poſſible he ſhould avoid rendering himſelf in ſome meaſure obnoxious. They had the more reaſon to be alarmed, when they beheld him obliged to ar-

(1) King Edward's Journal (p. 5.) ſays twenty-two thouſand.

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rest his own brother, who had now formed a party to supplant him.

The admiral's project againſt the protector. Burnet. Hayward. Strype.

Tho' the admiral had already undergone a ſufficient mortification, he ceaſed not however his practiſes againſt the protector, ſpite of the warnings given him from time to time, that they would in the end prove his ruin. The Queen his ſpouſe dying in September laſt year 1548 (1), he would have renewed his addreſſes to Princeſs Elizabeth; but met not from that Princeſs with the incouragement he had expected: nay, even could he have obtained her conſent, that would not have been ſufficient without the protector's and council's approbation. The late King's will expreſly debared her from the ſucceſſion if ſhe married without the executors concurrence; ſo the admiral, having little hope of ſucceeding in this ſcheme, turned his thoughts another way, in order to gratify his ambition. It is pretended, he formed a deſign to carry away the King, diſplace the protector, and ſeize the government himſelf, and for that purpoſe had already liſted ten thouſand (2) men in ſeveral places. However this be, he loudly and publicly exclaimed againſt the protector, charging him with inſlaving the nation by means of the foreign troops in his ſervice. It is alſo ſaid, that the protector, being informed of his whole procedure, bore all with exemplary patience and moderation, and declined coming to extremity, 'till he was evidently convinced that one of them muſt neceſſarily periſh. But, to confeſs the truth, there is no great reliance on what the hiſtorians report of the admiral's private deſigns, or of the protector's forbearance. The reaſon is, as ſome make it their buſineſs to blacken the protector's reputation as much as poſſible, ſo others do the like to juſtify all his actions. Thus much is certain, the admiral was not ſatisfied with his ſituation, but ſtrove to ſupplant his brother, and put himſelf in his place: but we cannot be ſo poſitive as to the means whereby he intended to execute his deſigns.

Strype. Burnet.

He is ſent to the Tower. Informations againſt him. Hayward. Burnet. Stow. Strype.

At length the council, being informed he was projecting ſome miſchief againſt the government, ſigned a warrant to commit him to the Tower: which done, commiſſioners were appointed to receive the depoſitions of thoſe who appeared as witneſſes againſt him. The report made by theſe commiſſioners was, that the admiral was charged with having, in conjunction with diverſe other perſons, formed a conſpiracy againſt the government (3), and of commiting many miſdemeanors in the diſcharge of the admiralty: that he was accuſed of protecting pirates, and with refuſing juſtice, whether to private perſons or to Princes themſelves, who complained to him of theſe outrages, by which the King was in danger of a war. It is ſaid, before he was brought to his trial, the protector indeavored more than once to perſuade him to reſign his office, and withdraw from court; but to no purpoſe: ſo his accuſation was drawn, conſiſting of thirty-three articles, whereon ſome of the council were ordered to interrogate him; but he refuſed to anſwer, demanding a legal open trial, and to be confronted with his accuſers. Next day, all the privy-council went in a body to the Tower to examine him: but he ſtill refuſed to anſwer, inſiſting on his firſt demand; which was not thought proper to be granted. It is ſomewhat ſurpriſing that, as (if the council-book may be credited) the particulars of this charge were manifeſtly proved, not only by witneſſes but by letters under his own hand, they ſhould yet refuſe trying him according to the national laws, and bringing his accuſers face to face; even tho' he was a peer of the realm, lord high-admiral of England, and the King's uncle. At laſt, finding he could not obtain this favor, or rather juſtice, he deſired the articles of his accuſation might be left with him, and ſaid, when he had conſidered them he would anſwer: yet even this was denied him. I know not whether it was lawful then to leave with the party accuſed the articles of his charge, and to allow him time to examine them: but as for bringing his accuſers face to face, it is evident that could not be refuſed without injuſtice, tho' this pernicious cuſtom had been introduced in the late reign. Nay, it ſeemingly ought to have been aboliſhed during a minority, or practiſed againſt any other rather than againſt the King's uncle.

Burnet. Vol. II. p. 98.

Burnet. Vol. II. Coll. p. 158. He refuſes to anſwer.

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Burnet, p. 98.

His accuſation brought before the parliament.

However, the council having made their report to the King, it was debated, whether the admiral's affair ſhould be brought before the parliament, and a bill put in for attainting him; to which all the counſellors agreed, the protector himſelf not excepted. Herein, undoubtedly, their deſign was to preſerve intire the King's reputation, and to throw on the parliament the odious part of this proſecution. King Edward, who believed his uncle guilty, conſented likewiſe that he ſhould be delivered up to parliamentary juſtice. Before the two houſes proceeded againſt him, ſome of their members were ordered to take his defenſe. He gave anſwers to the firſt three articles, and there made a ſudden ſtand, and would not go any farther. This being reported, the bill of attainder very readily paſſed the upper houſe (4): but in the houſe of commons the oppoſition was much greater. They could not forbear exclaiming againſt attainders in abſenſe, and the irregular manner of judging the accuſed, without confronting them with the witneſſes, or hearing their defenſe. Perhaps they would have thrown out the bill on this ſingle conſideration, had not the King ſent them a meſſage, that he did not think the admiral's preſenſe neceſſary, and that it was ſufficient they ſhould examine the depoſitions produced in the houſe of lords (5). When the King had thus notified his pleaſure, the commons, in a full houſe of four hundred, paſſed the bill, not above ten or twelve voting in the negative. Very probably, they were convinced the depoſitions were true, and the point in queſtion being only an irregularity, which was even become a cuſtom, they judged it not a proper ſeaſon to put a ſtop to it. However this be, the royal aſſent being given to the act, the admiral was beheaded the twentieth of March (6).

He ſtill refuſes to anſwer. He is attainted. Burnet. Vol. II. Coll. p. 163.

Burnet.

and executed.

The protector's conduct greatly cenſured. Burnet.

This tragedy was not acted without giving occaſion to ſevere cenſures upon the protector's conduct. It was ſaid, if the admiral was guilty, it

(1) She died in child-bed, not without ſuſpicion of poiſon from her huſband, that he might be at liberty to make his addreſſes a ſecond time to the lady Elizabeth. Stow, p. 596. Burnet, Vol. II. p. 97. Strype, Notes on Hayward, p. 301.

(2) Not two thouſand, as M. Rapin miſtakes. See Burnet, Vol. II. p. 97.

(3) Particularly with ſir William Sharington, vice-treaſurer of the mint at Briſtol, who was to have furniſhed him with 10000 l. monthly, and had already coined about 12000 l. of falſe money, and clipped much more, in all 40000 l. Burnet, Vol. II. p. 97. Strype, Vol. II. 122, &c.

(4) The Journals of Parliament obſerve, That the lord protector was preſent at each of its readings.

(5) On the fourth of March, a meſſage was ſent from the King, that he thought it not neceſſary to ſend for the admiral: and that the lords ſhould come down and renew before them the evidence they had given in their own houſe. Which was done. Burnet, Vol. II. p. 99.

(6) As for his behavior on the ſcaffold, Latimer, in his fourth ſermon ſays, "That he died very dangerouſly, yrkſomelye, "horryblye: ſo that his end was ſuitable to his life, which was very vicious, profane, and irreligious." Strype, Vol. II. p. 126, 127. Cranmer's hand, as well as the lord protector's was to the warrant. Burnet, p. 100.

was

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was only againſt his brother whom he would have ſupplanted, and that, moſt apparently, it was this ſame brother who was his adverſary, and had brought him to the ſcaffold. It was farther urged, that the council would never have proceeded ſo rigorouſly againſt the admiral, had they not thought it agreeable to the duke his brother, or been afraid of diſpleaſing him by a refuſal. The King himſelf, then only twelve years old, would never have been induced to compel, as I may ſay, the houſe of commons to overlook the irregularity of thoſe proceedings, had he not been ſollicited by the protector to take a ſtep ſo extraordinary. It is therefore very difficult to juſtify the duke of Somerſet's proſecuting to death his own brother, for crimes commited againſt his perſon only: nor was it indeed ever clearly proved, that he had formed any ill deſign either againſt King or ſtate, as he proteſted with his lateſt breath. But this is not the only inſtance of plots againſt miniſters having been counted high-treaſon. For my own part, I cannot help ſuſpecting that they who then thought of ruining the protector, feigning to be his friends, moved him with all their power to be revenged on his brother, and were ready to ſerve as inſtruments of his vengeance, to render him odious. Some ſay, the firſt occaſion of this quarrel between the two brothers ſprang from the ducheſs of Somerſet's envy to the admiral's conſort, Queen Catherine Parr, of whom ſhe pretended to take place, as the protector's lady. But it is extremely improbable that ducheſs ſhould be ſo void of judgment, or ſo ignorant of the Engliſh cuſtoms, as to diſpute precedence with the Queen-dowager (1).

Sanders. Hayward.

Before the parliament broke up, a ſubſidy was given the King to aſſiſt him in the conqueſt of Scotland, which in the act is ſtiled, a part of his dominions. Then the houſes thanked him for the great happineſs they injoyed under him, and for applying all his indeavors to the advancement of the true religion. The clergy alſo granted him a ſubſidy, after which the parliament was, on the fourteenth of March, prorogued to the fourth of November.

Subſidy granted to King Edward.

Preſently after, the council appointed commiſſioners to eſtabliſh the new liturgy in all the churches. It was every where received without oppoſition, except by Princeſs Mary, who would never ſubmit to this innovation. The King and council ſeemed determined on uſing compulſion: but on the Emperor's interceſſion, it was, for reaſons of ſtate, thought adviſable to promiſe leaving her for ſome time undiſturbed. He afterwards pretended that the promiſe was made without any reſtriction.

The new liturgy univerſally eſtabliſhed. Burnet. Princeſs Mary refuſes it.

At this time, the council having information of diverſe German Anabaptiſts being come over to England, and fearing they might ſpread their errors, commiſſioned Cranmer and ſome others to draw up informations againſt thoſe people, and bring them to trial. A wretched Engliſh woman, Joan Bocher, commonly called Joan of Kent, who had ſuffered herſelf to be ſeduced, being invincibly obſtinate, was pronounced a heretic, and as ſuch delivered over to the ſecular arm, and ſentenced to the fire. But when the King was moved to ſign the warrant for her execution, he could not be prevailed on to do it. He thought the ſentence very unjuſt and cruel. Archbiſhop Cranmer, who had over him great influence, was imployed to perſuade him to ſign. At length, the young King, ſilenced rather than convinced by Cranmer's reaſons (2), ſet his hand to the warrant, with tears in his eyes, telling him, if he did wrong, ſince it was in ſubmiſſion to his authority, he ſhould anſwer for it to God. Whatever the archbiſhop's arguments were, it may be affirmed, this was not one of his brighteſt actions. He would doubtleſs have done better, not to have concerned himſelf in this affair, ſo little becoming a Proteſtant biſhop. Accordingly this proceeding has been often objected to him, and even ſerved for foundation to very diſadvantageous reflections on the reformation and its partiſans. Two years after a German was alſo burned on the ſame account.

A female Anabaptiſt condemned to be burned. Rym. Fœd. Vol. XV. p. 181. April 12. Stow.

Fox. Burnet.

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The King ſigns her warrant with tears Burnet.

While all England ſeemed to receive ſubmiſſively whatever came from court, the leaven of diſcontent was fermenting in the kingdom, and on the point of producing great alterations. The chief occaſion ſprang from the peoples not being able to gain their livelihood with the ſame eaſe as formerly. This affected all in general, as well of the new as of the old religion: but the prieſts, the ſuppreſſed monks, and they who were ſtill attached to the Romiſh creed, took thence occaſion to inflame the diſcontent univerſally ſpread among the populace, in order to incite them to a rebellion: moreover, the duke of Somerſet's enemies were not ſorry that the people appeared diſſatisfied with the government. But before I ſpeak of the inſurrections in diverſe parts of England, during the courſe of this year, it will be neceſſary to make known the cauſes.

Complaints of the people againſt the nobles. Hayward. Burnet.

After the ſuppreſſion of abbies, great numbers of Monks, diſperſed in the kingdom, were forced to work for their living, their penſions being either ill-paid, or not ſufficient for their ſubſiſtence: ſo, the work being divided among ſo many, the profit was much leſs than before. Beſide, while the monaſteries were on foot, their lands were let at eaſy rents to farmers, who were obliged to keep imployed a multitude of hands, to cultivate the eſtates they farmed: but after theſe lands became poſſeſſed by the nobility and gentry, the rents were much raiſed, whence the farmers, to make them turn to better account, were forced to imploy fewer hands, and lower the wages. On the other ſide, the proprietors of thoſe eſtates finding, ſince the laſt peace with France, the woollen trade flouriſhed, took to breeding ſheep, becauſe wooll brought them in more money than corn; and had therefore their grounds incloſed. Hence aroſe ſeveral inconveniencies. Firſt, the price of corn was inhanced, to the great detriment of the meaner ſort of people. Next, the landlords, or their farmers, needed very few people to look after their flocks in theſe incloſures; conſequently great numbers loſt the means of geting their livelihood; and the profit of the lands, which before was ſhared among many, was almoſt wholly ingroſſed by the landlords. This occaſioned numberleſs complaints and murmurs among the commonalty, who perceived they were like to be reduced to great miſery: nay, diverſe ſmall pamphlets were publiſhed, ſhewing the miſchiefs of theſe proceedings; but the nobility and gentry ſtill went on the ſame courſe, without concerning themſelves about what might inſue. The protector openly ſided with the complainants;

Occaſion of theſe complaints. Burnet.

(1) This ſtory was firſt forged by Sanders, whence Hayward had it; for it is not to be found in Stow, Hollingſhead, or the King's Journal.

(2) King Edward thought it a cruelty too like that which the Reformers had condemned in Papiſts, to burn any for their conſcience. He aſked Cranmer, What my lord? Will you have me ſend her quick to the devil in her error? So that Cranmer himſelf confeſſed, that he had never ſo much to do in all his life, as to cauſe the King to ſign the warrant, ſaying, that he would lay all the charge upon Cranmer before God. But to bring him to a compliance, Cranmer argued from the law of Moſes, by which blaſphemers were to be ſtoned. He ſaid, he made a difference between errors in other points of divinity, and thoſe directly againſt the Apoſtles creed; that theſe were impieties which a Prince, as God's deputy, ought to puniſh. Strong arguments indeed for the monſtrous doctrine of perſecution! Burnet. Fox.

whether

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whether to mortify the nobles, by whom he was not beloved, or becauſe he foreſaw what ill conſequences might ariſe from this popular diſguſt. The inhabitants about Hampton-court complaining laſt year to the council, concerning a park incloſed there by Henry VIII, the protector gave them ſatisfaction, and the park was intirely laid open. Since the ſaid preceding year, he had appointed commiſſioners to examine, whether thoſe who had purchaſed the abbey-lands kept hoſpitality, and performed all the conditions on which theſe lands were ſold them (1): but he met with ſo many obſtacles in the execution of this order, that it had no effect: mean while, the protector thereby drew on himſelf the farther hatred of the nobility and gentry, whoſe intereſt it was to continue theſe abuſes: nay, it happened in the laſt parliament, that the lords paſſed an act for impowering all perſons, if they pleaſed, to incloſe their reſpective grounds. But the bill was thrown out by the commons; and yet the lords, and others, continued incloſing their lands. This bred a general diſcontent among the people, who imagined, there was a ſettled deſign to ruin and reduce them to bondage. Whereupon the common people roſe in Wiltſhire*: but ſir William Herbert diſperſed them, and cauſed ſome to be hanged. About the ſame time, happened the like inſurrections in Suſſex, Hampſhire, Kent, Gloceſterſhire, Suffolk, Warwickſhire, Eſſex, Hertfordſhire, Leiceſterſhire, Rutlandſhire, and Worceſterſhire.

Strype. Vol. II. p. 92. Burnet.

Rym. Fœd. Vol. XV. p. 134.

Jour. Parl. Burnet.

* And Somerſetſhire. Hollingſh. Fox. Hayward. Burnet. Inſurrections in ſeveral counties.

The protector perceiving the flames were kindling throughout the whole realm, ſent to acquaint the mutinineers that he was ready to redreſs their grievances, and by that means put a ſtop to their fury. To make good his promiſe, he brought the affair before the council, hoping ſome expedient would be found to ſatisfy thoſe male-contents: but the oppoſition he there met with was ſuch, that he thought himſelf obliged to take care of it by his ſole authority: ſo, contrary to the whole council's ſentiment, he iſſued a proclamation againſt all new incloſures, and granted a general pardon for whatever was already tranſacted. He moreover appointed commiſſioners, with a very extenſive power, to hear and determine cauſes touching incloſures*, and adminiſter ſtrict juſtice to the people. Theſe commiſſioners were loudly exclaimed againſt by the nobility and gentry, who openly complained, that the protector groſly invaded their property, and would ſubject them thus to a deſpotic domination; nay, they directly oppoſed the commiſſioners when they offered to execute their commiſſion. For this reaſon, the protector, who every where, found opponents, could not render juſtice to the people ſo amply as he deſired. So, the male-contents, finding the court performed not what was promiſed, roſe again in ſeveral places, and particularly in Oxfordſhire, Devonſhire, Norfolk and Yorkſhire. Thoſe in Oxfordſhire were immediately diſperſed by the lord Gray.

The protector tries in vain to redreſs the people's grievances. Hollingſh. Burnet. Strype.

* As alſo highways and cottages.

The people riſe again. Hayward. Burnet. Edw. Jour.

The inſurrection in Devonſhire was more conſiderable and dangerous. That county abounding with ſuch as had only complied outwardly with the innovations in religion, the prieſts and monks glided in among them, and did their utmoſt to foment the rebellion. They gathered firſt into a body on the tenth of June, and were very ſpeedily ten thouſand ſtrong. The protector at firſt neglected this affair in expectation theſe revolters would as eaſily diſperſe as thoſe in the other counties had done; but finding at length that they perſiſted in their rebellion, he ſent againſt them lord Ruſſel, with a ſlender force. This commander, who found himſelf too weak to attack them, kept at ſome diſtance* and offered to receive and ſend their complaints to the council: but this proceeding, which was a plain evidence of his fear, ſerved only for their farther incouragement. At the ſame time they ſet at their head Humphrey Arundel, a Corniſh gentleman, who was come to join them. Mean while, to ſhow they had not taken arms thro' mere caprice, they ſent to the King's general their demands, which ſufficiently made appear that religion was the chief motive of their revolt. They are compriſed in theſe fifteen articles.

The inſurrection in Devonſhire. Hollingſh. Burnet. Hayward. Fox. Edw. Journ.

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* At Honiton.

The rebels demands. Burnet, Vol. II. p. 115.

I. That all the general councils, and the ancient canons of the church ſhould be obſerved.

II. That the act of ſix articles ſhould be again in force.

III. That the maſs ſhould be celebrated in Latin, and the prieſts alone ſhould receive.

IV. That the elevation and adoration of the ſacrament ſhould be reſtored, and thoſe who refuſed conforming, ſuffer as heretics.

V. That the euchariſt ſhould be adminiſtered to the people only at Eaſter, and then but in one kind.

VI. That baptiſm ſhould be adminiſtered at any hour, and at all times.

VII. That holy bread, holy water, and palms be again uſed, and images ſet up, with all the other ancient ceremonies.

VIII. That the new liturgy ſhould be aboliſhed, and all the offices, as likewiſe the proceſſions, reſtored.

IX. That all preachers before their ſermons, and prieſts in the maſs, ſhould pray for the ſouls in purgatory.

X. That reading the Bible ſhould be prohibited the laiety.

XI. That Dr. Moreman and Mr. Criſpin ſhould be reſtored to their livings.

XII. That cardinal Pole ſhould be re-poſſeſſed of his eſtates, benefices, &c. and made of the King's council.

XIII. That gentlemen might have only one ſervant for every hundred marks of yearly rent.

XIV. That a moiety of the abbey-lands ſhould be taken from the poſſeſſors, and adjudged to two of the chief abbies in each county; and all the church-boxes, for ſeven years, ſhould be given to the ſaid houſes, that devout perſons, who ſhould pray for the King and the commonwealth, might therein reſide.

XV. That for their particular grievances they ſhould be redreſſed, as Humphrey Arundel and the mayor of Bodmyn ſhould inform the King and council.

They are rejected. Burnet, Vol. II. p. 116.

Theſe extravagant demands were rejected with indignation. However, to ſhew the unreaſonableneſs thereof, the archbiſhop of Canterbury was ordered to draw up to each its reſpective anſwer. This he did with great ſolidity, not without reproaching them for being miſled by ignorant ruſtics. When the rebels found that the court granted not one of their demands, reduced them to eight, which were no better liked than the former: nevertheleſs, to convince the public of the juſtice of this refuſal, the council thought fit to anſwer theſe demands in the King's name. But this ſufficed not to reclaim thoſe revolters, whoſe obſtinacy grew the more dangerous, as there were at the ſame time the like riſings in Norfolk and Yorkſhire, and

Fox. Hollingſh. Hayward.

(1) The commiſſion was to inquire, whether deans and chapters founded by King Henry VIII, and Edward VI, and to whom diverſe manors, lands, tenements, &c. had been given, on condition that they ſhould give and diſtribute yearly among poor houſholders and other poor people, certain ſums of money, and ſhould alſo imploy other ſums in repairing the highways, did obſerve thoſe conditions? But ſeveral lands being afterwards taken from them, the inquiry ceaſed.

the

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the King of France was entering the Boulonnois with a body of forces. Mention ſhall be made of the rebels in other counties when we have done with thoſe of Devonſhire.

They beſiege Exeter. July 2. Hayward. Burnet. Hollingſh. Fox.

The negociation breaking off in July, the rebels beſieged Exeter, where they met with more reſiſtance than they expected from a place defended only by the citizens. As they had no artillery, they ſet fire to one of the gates, in order to ſtorm it as ſoon as the violence of the flames was over: but the inhabitants, inſtead of quenching the fire, fed it with much fuel, 'till they had raiſed a rampart within the gate. The beſiegers having miſſed their aim, made a mine; but the citizens found means to countermine, and ſpoil their powder. At length, finding they could do nothing by force, they turned the ſiege into a blocade, in hopes that the want of proviſion would compel the beſieged to ſurrender. But the citizens indured extreme famine for twelve days, with invincible reſolution (1).

Lord Ruſſel beats the rebels, and relieves Exeter. Burnet. Hayward. Fox. Hollingſh.

Mean while, lord Ruſſel, who had but few troops, being too near the rebels, would have retired at a greater diſtance, for fear of being incloſed: but he found they were poſſeſſed of a bridge behind him, over which he was neceſſarily to paſs in order to be out of danger. As there was no other road, he briſkly attacked the guard, conſiſting of two thouſand men, and after a ſlight conflict became maſter of the bridge (2). This trial convincing him they were not ſo formidable as he apprehended, he reſolved to fall on them as ſoon as he had received a ſupply which he expected from Briſtol. Soon after, lord Gray joining him with ſome forces, and Spinola with a body of Landſquenets, he marched directly to the rebels. He found poſted on the ſide of a river a body of them who would have oppoſed his paſſage; but inſtantly attacking them, he cut off upwards of a thouſand, and then purſued his march to Exeter. At his approach, the rebels raiſed the blocade, and divided themſelves into ſmall parties, which one after another were eaſily diſperſed. Arundel their leader, the mayor of Bodmyn (3), and ſome others, were hanged ſoon after. Thus ended the inſurrection in Devonſhire (4).

Hayward. Hollingſh. Edw. Jour.

Ket's rebellion in Norfolk. Nevil de Fur. Norf. Hollingſh. Burnet. Edw. Jour.

The riſing in Norfolk was no leſs dangerous. One Ket, a tanner, headed the rebels, who quickly became twenty thouſand ſtrong. The marquis of Northampton was ſent againſt them with eleven hundred men only (5), a number too ſmall to terrify ſuch multitudes: wherefore he had orders to keep at ſome diſtance, and only indeavor to intercept their proviſions. Ket, on his march for Norwich, was advanced as far as a certain mountain * very near the ſaid city, where he erected a ſort of tribunal to adminiſter juſtice as a Sovereign, under an old oak, thence ſtiled, The Oak of Reformation. This was becauſe theſe talked only of reforming the ſtate, religion being neither the cauſe nor pretenſe of their riſing. Their deſign was to deſtroy the gentry, and ſtation about the King ſome of their own body, as his governors and directors.

* Mouſhold hill.

The marquis of Northampton, neglecting to obſerve his orders, marched on to Norwich, and even entered the city: but, as the rebels had correſpondents there, he was attacked the next day, and glad to eſcape, leaving dead on the ſpot a hundred of his men, with thirty priſoners. This repulſe obliged the court to ſend thither thoſe forces deſigned againſt Scotland, under command of the earl of Warwick; which army conſiſted of ſix thouſand foot and fifteen hundred horſe. With this conſiderable body the earl of Warwick entered Norwich, where he waited for a favorable opportunity to attack the rebels. As they had themſelves waſted the circumjacent country, and the earl never failed to cut off their convoys of proviſions, they were finally obliged to decamp. Warwick followed cloſe at their heels, and without allowing them time to put themſelves in order, fell upon them, killed two thouſand, and took many priſoners, among whom was their captain Ket, who on a gibbet at Norwich expiated his diſloyalty.

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The marquis of Northampton unſucceſsful. Hollingſh. Fox. Hayward. Edw. Journ.

The earl of Warwick diſperſes the rebels. Burnet. Aug. 27.

Edw. Jour.

At the ſame time when the male-contents of Norfolk began to riſe, thoſe of Yorkſhire alſo took arms; but their number never exceeded three thouſand. They at firſt commited ſome outrages, but at length accepted the offer of pardon ſent them. Some of the moſt ſeditious afterwards indeavoring to revive the rebellion, were taken and hanged at York.

The Yorkſhire rebels accept a pardon. Hayward. Hollingſh.

The protector's conduct during theſe commotions. Burnet.

During theſe troubles, the protector by his whole procedure ſhewed a manifeſt unwillingneſs to come to extremities with the rebels; whether he was perſuaded the people had reaſon to complain, or was deſirous of ingratiating himſelf with the commonalty, ſince he was hated by the nobility: nay, when all was quiet, he moved in council, that a general amneſty might be proclaimed for reſtoring the kingdom's tranquillity. But this was ſtrongly oppoſed. Many of the council were for laying hold on this occaſion to curb the inſolence of the populace: but the protector, being of a different ſentiment, did, by his ſole authority, iſſue a general pardon for whatever had been tranſacted before the twenty-firſt of Auguſt, and excepted only a few of the rebels in priſon. He had, by virtue of his patent, power to act thus; but it inflamed the hatred of the nobles, and alſo drew on him the reſentment of a good part of the counſellors, who could not but be diſguſted at finding themſelves conſulted only for form, and that their opinions were of no weight.

The King of France enters the Boulonnois. Mezerai. Burnet. Strype.

While the court was imployed in queling thoſe inſurrections, freſh troubles unexpectedly aroſe from another quarter. Henry II, finding it a promiſing juncture, entered the territory of Boulogne at the head of an army, tho' there had not been any declaration of war between the two crowns ſince the laſt formal pacification. No treaty was ever more expreſs than that, wherein Francis I and Henry VIII agreed, that Boulogne ſhould be reſtored to France in eight years, on payment of two millions of gold crowns to the King of England. But Henry II was no ſooner ſeated on the Gallic throne, than he formed the deſign of recovering Boulogne before the time appointed, and without paying the ſum

(1) They were much incouraged by a certain aged citizen, who brought forth all his proviſions, and told them, that for his part he would feed on one arm, and fight with the other, before he would conſent to put the city into the hands of the ſeditious. Hayward, p. 295. Compl. Hiſt. Vol. II.

(2) The rebels loſt ſix hundred men.

(3) Boyer, mayor of Bodmyn, was baſely uſed. Sir Anthony Kingſton, provoſt marſhal of the King's army, ſent him word he would come and dine with him upon ſuch a day. The mayor received him and his company with many ceremonies of entertainment. A little before dinner ſir Anthony took the mayor aſide, and bid him get a pair of gallows erected againſt they had dined, for execution muſt that day be done in the town. His orders were obeyed; and after dinner the mayor ſhewing him the gallows, Kingſton aſked him, whether he thought them ſtrong enough? And upon his ſaying, yes, doubtleſs; he bid him go up and try, and ſo hanged him indeed. Hayward, p. 295.

(4) During theſe inſurrections, and undoubtedly upon account of them, the lords-lieutenants of the counties were firſt inſtituted. Their commiſſions are dated July 24, and run, that they ſhould inquire of all treaſons, miſpriſions of treaſon, inſurrections, riots, &c. levy men, and fight againſt the King's enemies, &c. Strype's Mem. Vol. II. p. 178.

(5) Fifteen hundred horſe, and a ſmall band of Italians, ſays Hollingſh. p. 1033, and Hayward, p. 297. But King Edward's journal has 1060 horſemen, p. 7.

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ſtipulated. His pretext was, that Henry VIII had unjuſtly made war upon Francis I, when Francis was imployed againſt Charles the Emperor. Thence he infered, that he might himſelf improve a favorable opportunity to repair the loſs ſuſtained by the King his father. It is not neceſſary to examine here Henry's grounds, I mean, the pretended injuſtice done to his predeceſſor: it ſuffices to obſerve that, according to this maxim, the moſt ſolemn treaties are to go for nothing: nevertheleſs, this maxim is but too much in vogue, and, as if it were a truth not to be conteſted, proves a moſt inexhauſtible ſourſe of wars among Sovereigns.

His troops repulſed at Bullenberg. Thuanus. A ſea-fight. Edw. Jour. Stow.

However this be, Henry ſeeing that the commotions in England preſented him with a fair opportunity to execute his deſigns upon Boulogne, took ſeveral caſtles in the Boulonnois. Then, he ordered the fort of Bullenberg to be attacked, where his forces met with a vigorous repulſe. At the ſame time happened a naval ingagement between the French and Engliſh near Jerſey, each claiming the victory (1), as is often the caſe in ſuch incounters. At length, Henry beſieged Boulogne in September, and the Engliſh, believing they could not keep Bullenberg, carried away their cannon, and blew up the fortifications. The plague, which raged in the French camp, obliging Henry to retire, he left the management of the ſiege to Gaſpar de Coligni, baron de Chatillon, who, after ſome fruitleſs attempts, was finally obliged to turn it into a blocade.

Siege of Boulogne, turned into a blocade.

War with Scotland. Buchanan. Burnet.

The war with Scotland was not ſucceſsful to the Engliſh during this campain. De Thermes, who had ſucceeded Deſſé, took Broughty caſtle. On the other hand, the protector, finding himſelf obliged to imploy the forces deſigned for Scotland againſt the rebels of Norfolk, and not even daring to ſend that army far from the center of the kingdom, he finally determined on demoliſhing Hadington; which was done the fifteenth of September.

The protector thinks of reſtoring Boulogne. Burnet. His reaſons.

Mean while, the war commenced by the King of France gave the protector great uneaſineſs. He had certain advice that Henry II was entered into a treaty with the German Proteſtants, and had promiſed them a powerful ſuccor, as ſoon as he had recovered Boulogne. Hence it was eaſy to comprehend, that he would make a ſtrong effort the inſuing campain, and that England, in order to oppoſe him, would be obliged to make a conſiderable armament. But the King's exchequer was very low, and there was danger of raiſing new commotions in demanding freſh ſubſidies of the parliament. On the other hand, as the protector was fervently zealous for the reformation, he plainly ſaw nothing could be more to its advantage than the union of France with the German Proteſtants: but he was ſorry it was to coſt the Engliſh Boulogne. The protector alſo conſidered, if the war with France ſhould be of any long continuance, there was ſome reaſon to apprehend the Romiſh party would excite diſturbances in the realm. In that caſe, he foreſaw how difficult it would be to maintain three wars at once. Laſtly, there was another reaſon which concerned him in particular, and made him deſirous of a peace with France, namely, the war might give his enemies too great advantage, on account of the ſiniſter events it might produce, whereas a peace inabled him to parry their blows. He was not ignorant there was a ſtrong faction already formed againſt him, as well by reaſon of the envy at his greatneſs, and of his diſobliging the nobility and gentry in the affair of incloſures, as on account of his having groſly injured many of the counſellors, in depriving them of the dignity of regents, and reducing them to the bare ſtate of privy-counſellors. Among theſe, the chief were, the earl of Southampton (who had reſumed his place in the council) and the earl of Warwick. This latter was exceſſively ambitious; he both envied and very little regarded the protector. As of all the peers who had moſt acceſs to the court, he deemed himſelf the only perſon fit to ſucceed him in the adminiſtration of the government, he reckoned, if he could but ruin him, he ſhould infallibly profit by his diſgrace. On this account, he had formed even in the council a ſtrong party, of which the protector had ſome knowledge, but which he ſaw himſelf unable at once to ruin.

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Burnet.

All theſe conſiderations induced the protector to determine on propoſing to the council the reſtitution of Boulogne to France. He ſeconded his motion with all the reaſons he thought moſt plauſible, adding that, by concluding a peace with France, England would at the ſame time be freed from a burdenſome, and withal a fruitleſs war with Scotland, ſince it was not poſſible to obtain the end propoſed in begining it. This propoſal was by the council received with tokens of indignation, and conſidered as a real cowardice. It was a point of too great nicety for the protector to determine it by his own authority: and therefore, tho' he manifeſtly ſaw the faction againſt him would carry it, he was willing his propoſal ſhould be debated in form. The reſult of this debate was, that Boulogne ſhould not be reſtored, but that the Emperor's alliance ſhould be indeavored, for the ſecurity of that place. Paget was appointed for the embaſſy, becauſe, being devoted to the protector, the ill ſucceſs which was expected from this negociation was deſigned to be thrown upon him, in order to blacken the protector himſelf.

He propoſes it to the council. Burnet.

It is rejected.

Paget ſent to the Emperor. Burnet.

Several reports are ſpread againſt the protector. Burnet Vol.II.p.134.

The duke of Somerſet's adverſaries being bent on executing the conſpiracy they had formed againſt him, began with ſpreading reports to deſtroy his reputation. It was ſaid, he was crueler than any wild beaſt, ſince he ſcrupled not ſacrificing his own brother to his boundleſs ambition: that he was the cauſe of the inſurrections this ſummer, by countenancing the commonalty, and giving it as his opinion that they were unjuſtly oppreſſed: that he afterwards favored the male-contents, to the utmoſt of his power, during their actual rebellion; and, when their fury was ſomewhat curbed, granted them a general pardon, contrary to the council's opinion: that, to ſupport himſelf in the poſt he had uſurped, he entertained foreign troops, having extorted the council's concurrence: that he was raiſing a much larger and more ſtately palace than the King's, and had demoliſhed diverſe churches for the materials, and alienated church-lands to ſupply the expenſe (2): that he had the raſhneſs and preſumption to ſtile himſelf "by the grace of God, Duke of Somerſet," as if he was a ſovereign Prince: that he had appropriated to his own uſe the monies raiſed by the ſale of chantry lands: that he had broke thro' the eſtabliſhment ſetled by the late King, by ſeizing the regency alone, and excluding the other executors, who had no leſs right than himſelf: that he had ill-provided the forts of the Boulonnois, that their loſs might render a peace with France abſo-

(1) In King Edward's Journal it is ſaid, that the French loſt a thouſand men, p. 6. The French attempted at the ſame time to land in the iſlands of Jerſey and Guernſey, but were repulſed.

(2) This was Somerſet-houſe in the Strand, which ſtill bears his name. To make room, he pulled down the houſes belonging to the biſhops of Worceſter, Lichfield and Landaff, together with the pariſh-church. And for a farther ſupply of ſtone, timber, lead and iron, he took down at St. Paul's a cloyſter, two chapels, and a charnel-houſe, and moſt part of the church of St. John of Jeruſalem near Smithfield. Hayward, p. 303. Stow, p. 596.

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lutely neceſſary: that he had demoliſhed Hadington in Scotland for the like reaſon: that he had moſt preſumptuouſly aſſumed the government of the kingdom, and procured the King's letters patent to countenance his ambition: that beſide, he uſed his power tyrannically, rejecting the council's opinions, and acting on many occaſions by his own authority. To conclude, Paget being returned from his embaſſy, without ſucceeding in the negociation, it was rumored, that he had the protector's orders to repreſent the impoſſibility of ingaging the Emperor in the defenſe of Boulogne, that it might give a color to the baſe project of ſurrendering that place.

Burnet.

He uſes precautions which ſerve his enemies for a pretext. Burnet.

As it was impoſſible all theſe reports ſhould be publiſhed and the duke not hear of them, and gueſs the authors, the whole month of September paſſed in diſputes and feuds, the adverſe faction ſeeking only ſome occaſion of quarrel to execute what they had reſolved. Mean while, the protector, ſeeing his enemies acting in a manner openly, apprehended their having formed a ſcheme to carry off the King, and to that end had corrupted thoſe about him. For this reaſon, to ſecure himſelf againſt ſuch a deſign, he placed his own ſervants about the King (1), with injunctions to watch narrowly what occurred. This proceeding furniſhed his adverſaries with the pretenſe they were ſeeking.

The preſident and ſeveral counſellors meet and make reſolves againſt the protector. Edw. Jour. Hollingſh. Burnet. Vol.II.p.135. Hayward.

On the ſixth of October lord St. John, preſident of the council, the earls of Southampton, Warwick, and Arundel, ſir Edward North, ſir Richard Southwel, ſir Edmund Peckham, ſir Edward Wotton, and doctor Wotton, met at Ely houſe in Holbourn (2), and ſat as the King's council. Secretary Petre being ſent to them, in the King's name, to aſk the reaſon of their meeting, they conſtrained him to ſtay with them. Being thus met, they conſidered the ſtate of the kingdom, and loaded the protector with the blame of all the pretended diſorders, and recent loſſes in France, urging, that none of this would have happened had he followed the council's advice. Then they declared, they had that very day intended to confer with him, but underſtanding his having armed his ſervants, and many others whom he had placed about the King, judged it not prudent to expoſe themſelves to his violences. This done, they ſent for the lord-mayor, aldermen, and common-council of London, with the lieutenant of the Tower, and expreſly charged them not to acknowledge the duke of Somerſet for protector. The lieutenant of the Tower promiſed to obey: the mayor and aldermen anſwered more cautiouſly; but, moſt undoubtedly, the majority of them were already gained, as it evidently appeared two days after.

Burnet. Stow.

The protector removes the King to Windſor. Hollingſh. Ed. Jour.

On Somerſet's firſt notice of what the counſellors were about, he removed the King to Windſor, and armed ſuch as he could aſſemble there or at Hampton-Court. This furniſhed his enemies with a freſh occaſion to complain, that he had carried the King to a place deſtitute of proviſions fit for him; ſo they took care to ſend him what he might want from London. The ſame day, being the morrow after their meeting, they were joined by ſeven others of the counſellors, namely, the lord chancellor Rich, the marquis of Northampton, the earl of Shrewſbury, ſir Thomas Cheney, ſir John Gage, ſir Ralph Sadler, and the lord chief juſtice Montague.

The counſellors of London complain of it. They are joined by ſeven more.

They write to the King. Edw. Jour. Burnet. Vol.II.p.137. and Collect. p. 183.

Whereupon they wrote to the King a letter full of expreſſions of their duty, complaining of the duke of Somerſet's not liſtening to their counſels, and of his gathering a force about his perſon, to make him believe they had ill deſigns againſt him, tho' they had nothing in view but his proſperity and welfare. They wrote alſo to the archbiſhop of Canterbury, and to Paget, injoining them to ſee that the King's own ſervants, and not thoſe of the duke of Somerſet's, ſhould attend on his royal perſon.

Edw. VI. An' 1549. Ib. p. 187.

They win the common-council of London to their ſide. Stow. Hollingſh. Burnet.

On the eighth of October, they went in a body to Guild-Hall, where the common-council was aſſembled. They declared, they were ſo far from having any ill deſigns againſt the King (3), that their ſole aim was to deliver him from the power of Somerſet, who regarded only his own particular intereſt. Whereupon the common-council readily declared, they would ſupport them to the utmoſt of their power.

The protector loſes courage. Burnet.

The duke no ſooner heard that the city of London, and the lieutenant of the Tower had forſaken him, but he was utterly diſpirited. He called together the few counſellors then about the King, and proteſting, he had no deſign againſt any of the council, offered to ſubmit to the judgment of two of thoſe there preſent, and two of thoſe at London. This offer occaſioned him to loſe five other counſellors, who, ſeeing him thus condeſcending, judged it not prudent to expoſe themſelves for the ſake of a perſon whom they believed already ruined. So, notwithſtanding they approved not the proceedings of thoſe at London, they joined them on the morrow, being the ninth of October. Theſe five were, lord Ruſſel, lord Wentworth, ſir Anthony Brown, ſir Anthony Wingfield, and ſir John Baker, ſpeaker of the houſe of commons.

Five counſellors forſake him.

He is declared by the council unworthy to be protector. Burnet.

From that day, the duke of Somerſet's affairs hourly declined, every one abandoning him when he himſelf ſo viſibly deſpaired of maintaining his ground: nay, on information given in to the privy-counſellors his enemies, that he had ſaid, if they had any deſigns againſt his life, the King ſhould die firſt, and boaſted, it was in his power to carry the King out of the kingdom, they declared him unworthy of the protectorſhip, tho' they had no proofs of his ſpeaking theſe words. After that, they publiſhed a manifeſto, to inform the public of the reaſons of their conduct. Then, they wrote to the King, that his royal father having appointed them executors of his will, and regents of the kingdom, they had choſen the duke of Somerſet to exerciſe the office of protector, with the expreſs condition, that he ſhould do nothing without their advice; which condition he had not obſerved, but had made himſelf abſolute maſter of the government: wherefore they judged him unworthy of that honor, and prayed his Majeſty's leave, to diſcharge the office commited to them by the late King, and that the forces gathered about his perſon by the duke of Somerſet might be diſmiſſed.

The council publiſh a manifeſto, and write to the King to juſtify their proceedings. Burnet. Vol. II. Coll. p. 185. Hollingſh. Fox. Hayward. Stow.

Of all the privy-counſellors, only the archbiſhop of Canterbury and Paget continued with the King; and they, ſeeing the impoſſibility of withſtanding the oppoſite party, adviſed his Majeſty and the duke to gratify the council in their requeſt. The King conſenting, the counſellors at London had notice of it by a meſſenger. As they had foreſeen that Somerſet would be obliged to ſubmit, they had already ſent deputies to Windſor, with a charge to take care the ſaid duke ſhould not withdraw, and that ſome of his confidents ſhould be put under arreſt. On the twelfth of October, the counſellors, Somerſet's enemies, came in a body to the King, who received them graciouſly, and aſſured them, he took all they had done in good part. Next day they proceeded to the examination of the duke's friends, who were ſent to the Tower, except Cecil, who

The King approves of the council's proceedings. Burnet. Hayward.

They come to Windſor. Edw. Jour. Hollingſh. Stow.

(1) Who then was at Hampton-Court. Burnet, p. 135.
(2) Which was then the reſidence of the earl of Warwick They met there privately armed. Hollingſh. p. 1057.
(3) Or intending to alter religion. Burnet, p. 136.

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had his liberty. On the fourteenth, they called the duke of Somerſet before them, and cauſed to be read to him his accuſation, conſiſting of many articles, whereof theſe are the principal, viz.

I. That he had not obſerved the condition on which he had been made protector.

II. That he had treated with embaſſadors without notifying it to the council, and by his own authority had diſpoſed of governments and biſhopricks.

III. That he had held a court of Requeſts in his own houſe.

IV. That he had imbaſed the coin.

V. That he had iſſued proclamations in the affair of incloſures, againſt the mind of the whole council.

VI. That he had not taken care to ſuppreſs the late inſurrections, but had even ſupported and incouraged them.

VII. That he had occaſioned the loſs of the forts in the Boulonnois, by neglecting to furniſh them with proviſions and ammunition.

VIII. That he had indeavored to inſtil into the King a bad opinion of his counſellors, by perſuading him they intended to deſtroy him, and had even ordered ſome perſons to put the King continually in mind thereof, leſt he ſhould forget it.

IX. That he had cauſed the lords of the council to be proclaimed traitors.

X. That he had, maliciouſly, not only put the King in great fear, by carrying him ſo ſuddenly to Windſor, but caſt him into a dangerous diſeaſe.

XI. That he had armed his friends and dependants, and left the King's ſervants unarmed; and that he intended to flee to Jerſey or Guernſey.

He is commited to the Tower. Burnet.

On theſe accuſations, to which it was then not a time to reply by way of defenſe, he was ſent to the Tower; they whoſe depreſſion he had ſo ſtrenuouſly labored being become his proper judges. He could not indeed deny the truth of moſt of the facts wherewith he was charged: but the queſtion was, whether they were really criminal; for he was accuſed neither of fraud, nor rapine, nor extortion: but that was to be decided only by the peers of the realm, or by parliament. No ſooner was Somerſet in the Tower, but it was ordained that ſix nobles ſhould be appointed governors of the King's perſon, by two of whom, in their courſe, his Majeſty was to be conſtantly attended (1). Then it manifeſtly appeared that the earl of Warwick had been the chief promoter of the protector's ruin, ſince all the other counſellors ſuffered him, without oppoſition, to aſſume the chief adminiſtration of public affairs, tho' without any title which might give him a peculiar authority.

The council appoint ſix governors of the King. Edw. Journ.

The earl of Warwick aſſumes the chief authority.

The enemies of the reformation triumphed at the protector's fall. They were perſuaded, the earl of Warwick was, in his heart, more Catholic than Proteſtant, and his ſtrict union with the earl of Southampton confirmed this belief. Accordingly Bonner and Gardiner, then in the Tower, did thence in a letter moſt heartily congratulate him on his having delivered England from the tyrant. It was even thought, for ſome time, that the duke of Norfolk was on the point of being releaſed: but the earl of Warwick was not yet fully known. That nobleman, who was wholly ſwayed by ambition, was properly of neither religion. He was therefore far from undertaking to deſtroy the reformation, which had too many partiſans in the kingdom: on the contrary, knowing how zealous the young King was for its eſtabliſhment, he openly declared in its favor. Thus had the zealots for Pope and Popery but a ſhort rejoicing for this recent revolution at court.

The Romiſh party are no gainers by this revolution. Burnet.

Bonner, biſhop of London, had been deprived and impriſoned ſome time before this turn. His heart was well known to be ſtrongly addicted to the Romiſh creed, and to pay only external compliance to what was eſtabliſhed by public authority, while by his equivocal behavior he manifeſted a diſlike of theſe innovations: wherefore thoſe who then governed reſolved on puting him to a proof which could not fail either of giving advantage againſt him, or making him forfeit the eſteem and confidence of his party. He was ſummoned before the council, and after a declaration of the cauſes of complaint againſt him, he was ordered to preach on a Sunday at St. Paul's croſs, and to prove in his ſermon certain points, whereof one of the principal was, that "the authority of the King was the ſame "when in his minority, as when of full age." He preached the firſt of September before a numerous audience, and touched on all the points injoined him, except the laſt: nor failed he introducing certain matters offenſive to the court. The King thereupon appointed judges to proceed againſt him (2). Burnet ſays, he behaved before them more like a lunatic than a biſhop. However, he was deprived and ſent to the Tower. It was doubtleſs with joy a pretenſe was found to be rid of ſuch a prelate, who imbaraſſed the Reformers.

Bonner deprived. Fox. Burnet.

Rym. Fœd. Vol. XV. p. 191, 192.

p. 191. Sept. 8. Fox. October 1.

The earl of Southampton was no leſs deceived in his expectations than the reſt of his faction. He imagined, that having been a main inſtrument of Somerſet's ruin, he ſhould for his ſervice be rewarded with the office of high-treaſurer, or be at leaſt reſtored to the chancellorſhip: but he found himſelf greatly deceived. Rich ſtill held the great ſeal, and the treaſurer-ſhip was confered on lord St. John, who, ſome time after, was alſo created earl of Wiltſhire. It was not Warwick's intereſt, to advance to any high ſtation ſo intriguing a perſon as the earl of Southampton, who was beſide looked on as head of the party againſt the reformation. He would thereby have quite forfeited young Edward's favor, whom it was his buſineſs to perſuade, that religion was not any way concerned in what had paſſed with regard to the duke his uncle: ſo, without a moment's heſitation, he abandoned not only the earl of Southampton, but alſo the whole Popiſh faction, who had flattered themſelves with ſeeing ſome notable change in religion. Such was Southampton's indignation to be thus ſlighted, that he could not forbear cabaling againſt the earl of Warwick; but finding Warwick had intelligence of his practiſes, and being conſcious of his revengeful diſpoſition, he relinquiſhed his projects. Not long after, he withdrew from court without taking leave, and reſided at one of his manors, where he died thro' mere grief and vexation: ſome even aſſert that he poiſoned himſelf.

Burnet.

The earl of Southampton quits the court and dies. Burnet.

Mean while, the war with France gave the council no ſmall uneaſineſs. It was very evident that Henry II was reſolved to beſige Boulogne, and it was juſtly feared that place was not tenable. When the duke of Somerſet was alone burdened with that incumbrance, his enemies would have it cowardice to reſign Boulogne to avoid a war wherein they hoped to find occaſion of working his deſtruction: but when they had the reins in their own hands, they found in that affair obſtacles which they would not acknowledge while they thought the event would be laid to his charge, They deter-

The war with France perplexes the miniſtry. Burnet. Hayward. Strype.

(1) Theſe were the marquis of Northampton, the earls of Warwick and Arundel, the lords St. John, Ruſſel, and Wentworth: and theſe four knights, ſir Andrew Dudley, ſir Edward Rogers, ſir Thomas Darcy, and ſir Thomas Wroth. Edw. Jour. p. 9.

(2) Bonner, when called before his judges, ſaid of the witneſſes, that one talked like a gooſe, another like a woodcock, and that Hopper had miſ-recited his ſayings, like an aſs he was. Fox, Vol. II. p. 20, &c. and Burnet, Vol. II. p. 123.

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mined therefore on ſending Charles V a ſecond embaſſy, to perſuade him to take Boulogne under his protection, imagining Paget had magnified the difficulties. But the embaſſadors found his Imperial Majeſty extremely cold, and conſtantly alledging his alliance with France. He even told them, that ſo long as religion continued in England on its preſent footing, the Engliſh ought not from him to expect much aſſiſtance. This anſwer determined the council to make peace with France; of which reſolution we ſhall ſoon ſee the effects.

The Emperor refuſes to aſſiſt England.

The council reſolves on a peace.

The parliament meets. Burnet.

The parliament met the fourth of November, without any alteration in matters of religion being occaſioned by the duke of Somerſet's diſgrace. It was ſtill the ſame parliament that duke had called, and the council had ſtill the ſame maxims with reſpect to the reformation; the earl of Warwick's policy not permiting him therein to countenance any innovations. The parliament began with a ſevere act againſt unlawful aſſemblies, in order to prevent any more inſurrections: but by another act, the ſtatute againſt vagrants, as too rigid, and repugnant to the nation's liberties, was repealed, and a ſtatute, on that ſubject, inacted under the late reign revived.

Act againſt illegal aſſemblies.

Act againſt vagrants repealed.

An' 1550. Act of attainder againſt the duke of Somerſet. Burnet.

He throws himſelf upon the King's mercy. Stow. p. 603.

He is fined. Edw. Jour.

Burnet.

The ſecond of January 1550, a bill of attainder againſt the duke of Somerſet, with a confeſſion ſigned by his own hand, was read in the upper houſe: but as ſome of the peers ſuſpected this confeſſion to be extorted, four temporal and as many ſpiritual lords were ſent to know the truth from his own mouth. Next day, they made their report, that the duke thanked the houſe for their kindneſs, and owned he had freely ſubſcribed the paper, after having confeſſed its contents before the King and council: he however proteſted, he had no ill intention againſt either King or ſtate. Hereupon, by act of parliament, he was fined in two thouſand pounds ſterling per annum of land, with the forfeiture to the King of all his moveables, and deprivation of all his imploys. Many thought his confeſſion very ſtrange, and loudly cenſured ſo abject a procedure: but it was doubtleſs becauſe they wiſhed he had taken another courſe, which would not have failed proving fatal to him. It is certain, among the articles of his accuſation, there were ſeveral which could be juſtified only by the intention, which would have been little ſerviceable to him in the houſe of peers, moſt of whom were not much diſpoſed to favor him. For inſtance, to mention only the chief article: could he deny that, contrary to the condition whereon he was made protector, he had as it were degraded the other regents, and reduced them to bare counſellors? It is true, he might have alledged the King's patent: but it was the patent of a minor King, not eleven years of age, who, looking on him as his governor, acted only by his advice, as it was ſaid in the very patent which confered on him his authority: wherefore, the duke could never have cleared himſelf on this article, nor on ſeveral others: conſequently, his ſole remedy was to own himſelf guilty of all, and caſt himſelf on the King's mercy. Beſide, it concerned him highly to get out of priſon on any terms, ſince it was very dangerous for him to remain any longer in the hands of his enemies. Herein he was really ſucceſful enough. They who wiſhed his deſtruction, ſeeing the King had been very hardly prevailed with to conſent to his trial, thought it was not yet time to puſh their hatred any farther, 'till they had ruined him in the King's favor. He was therefore releaſed from the Tower, the ſixth of February, giving bond of ten thouſand pounds for his good behavior, and ten days after obtained his pardon. Thus his fall was not ſo complete as had been hoped by his adverſaries. He forfeited however much of the eſteem he had acquired among the people, who not penetrating the reaſons of his conduct, could not help thinking him guilty, ſince he had ſo confeſſed: but the King judged otherwiſe, ſince, on the ſixth of April following, he reſtored him to a ſeat in his council (1).

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He gets out of the Tower, and has his pardon. Rym. Fœd. Vol. XV. p. 205. Feb. 16. Stow. Edw. Jour.

Mean while, the parliament knowing the friends of the Romiſh church drew from the duke of Somerſet's diſgrace conſequences which might create pernicious effects, judged requiſite to fruſtrate their expectations. To that end was made in parliament a ſtatute confirming the new liturgy, and ordering all miſſals, breviaries, &c. to be delivered to ſuch as ſhould be appointed to receive them, and prayers to ſaints to be eraſed in all the primers ſet out by the late King. Moreover, ſuch as were poſſeſſed of any images taken from churches, were required to burn or deface them before the laſt of June. Then the parliament was prorogued on the firſt of February, after granting the King a ſubſidy, which was followed by a general pardon, in which the Tower priſoners were excepted. It was during this ſeſſion that the eldeſt ſons of peers were firſt permited to ſit in the houſe of commons (2).

The parliament confirm the new liturgy,

and order images to be deſtroyed.

On the late revolution at court occaſioned by Somerſet's downfal, the earl of Warwick was not forgetful of himſelf. The twenty-eighth of October, he was made great maſter of the King's houſhold, a new title introduced by Henry VIII, inſtead of that of ſteward of the houſhold, when he confered this office on the duke of Suffolk. But it was not ſo much by his poſts that the earl of Warwick was grown powerful and conſiderable, as on account of his directing the council, who acted only by his advice. Some of the counſellors looked on him as their friend, others as head of their party, and ſome dreaded offending him. What he had lately done, with regard to the duke of Somerſet, demonſtrated how dangerous it was to have him for enemy.

The earl of Warwick made high admiral and great maſter. Rym. Fœd. Vol. XV. p. 194, 208. He directs all affairs.

Nothwithſtanding all his greatneſs, the earl of Warwick was not a little imbaraſſed concerning the affair of Boulogne. He had himſelf much exclaimed againſt the duke of Somerſet, for propoſing to reſign that place, and ridiculed all his reaſons; and yet, for theſe very reaſons, he finally determined on doing what in another he had ſo clamorouſly condemned. But not to appear directly inconſiſtent with himſelf, he choſe to cauſe the reſtitution of Boulogne to be moved and reſolved in council, and to feign himſelf no otherwiſe concerned than in barely conforming to the ſentiments of a majority. It is no very great difficulty for one who directs any aſſembly, to procure what reſolutions he pleaſes, without acting openly: but here the difficulty conſiſted in the diſhonor of making the firſt ſtep, and the danger of expreſſing any ſort of willingneſs to ſtrike up a peace with France. The earl of Warwick ſoon found a good expedient to avoid this inconvenience, by imploying a certain Italian trader, named Guidotti, whoſe abode was at Southampton. This merchant, going to Paris on ſome pretenſe, inſinuated himſelf into the family of the conſtable, who was the King's chief favorite. In his converſation with ſome of that miniſter's officers,

He reſolves to give up Boulogne. Burnet.

Guidotti imployed in that affair. Hayward. Rym. Fœd. Vol. XV. p. 185. Burnet. Strype.

(1) This year, was publiſhed the Bible in Engliſh, reviſed by Coverdale. And alſo the form of Ordination. Strype, Vol. II. p. 202, 203.

(2) Sir Francis Ruſſel, becoming by his brother's death, heir-apparent to lord Ruſſel, it was on the 21ſt of January carried upon a debate, That he ſhould abide in the houſe as he was before. So it is entered in the original journal of the houſe of commons, communicated to doctor Burnet by Mr. Surle and Mr. Clarke, in whoſe hands it was then, and is the firſt journal was ever taken in that houſe. See Hiſt. Ref. Vol. II. p. 143.

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he ſaid, he verily believed the court of England might be eaſily brought to reſtore Boulogne for a ſum of money. The conſtable, to whom this was related, readily comprehended the meaning. He perſonally diſcourſed Guidotti, and charged him to intimate to ſome one of the Engliſh conncil, that the King of France had rather terminate the Boulogne affair by a treaty than by arms. Whereupon Guidotti took diverſe trips between London and Paris. He finally ſet the matter in ſo fair a way, that the two courts, being equally deſirous of ending it, agreed to ſend plenipotentiaries to ſome place in Picardy, to treat of a peace and the reſtitution of Boulogne (1).

Plenipotentiaries of the two courts. Edw. Jour. Burnet. Stow. Rym. Fœd. Vol. XV. p. 202.

M. de la Rochepot, of the houſe of Montmorency; Gaſpar de Coligni, afterwards admiral; with two others, were appointed by France: and the court of England made choice of lord Ruſſel; Paget, now created a baron, ſecretary Petre, and ſir John Maſon. The inſtructions of theſe latter manifeſtly evidenced that the council would have peace at any rate. The ſubſtance was:

The Engliſh embaſſadors inſtructions. Burnet. Vol. II. p. 148. and Collect. p. 198.

I. That, as to the place of congreſs, they were not to appear very difficult: but, if poſſible, they were to have it at Calais or Boulogne.

II. They might offer the reſtitution of Boulogne.

III. But then they were to demand, that the young Queen of Scots ſhould be ſent home, to accompliſh her nuptials with the King of England.

IV. That the fortifications of Blackneſs and New-haven ſhould be demoliſhed.

V. That the penſion promiſed, by Francis I, to Henry VIII, ſhould be continued, and all arrears diſcharged; but, if they could not obtain the firſt, they were to be ſatisfied with the arrears.

VI. That, as for Scotland, they ſhould affirm England could not treat without the Emperor's concurrence. But if his Imperial Majeſty would thereto agree, the King of England would reſtore all the places he held in Scotland, except Aymouth and Roxburgh.

VII. That if the French gave any intimations of King Edward's eſpouſing Henry II's daughter Elizabeth, they ſhould anſwer, they had no inſtructions on that head, and ſhould inſiſt on the King's non-age.

Conference about the peace Burnet. Strype's Mem. Vol. II. Repoſ. p. 114.

The plenipotentiaries meeting near Boulogne, thoſe of France flatly declared; that it was not to be expected the King their maſter would ſend back the Scotiſh Queen, ſince he deſigned her for his ſon the Dauphin: that as for the perpetual penſion, Francis I promiſed it when conſtrained by the poſture of his affairs, but the King his ſon never intended to be tributary to England: that however, they were ready to treat about the reſtitution of Boulogne for a ſum of money: that moreover, their royal maſter's meaning was not that the Engliſh ſhould keep any one place in Scotland. This was talking magiſterially. But Henry II had dived into the Engliſh council's intentions, and was reſolved to improve the occaſion, and if poſſible to obliterate for ever that grating claim of the Kings of England to the Gallic crown, or at leaſt to the perpetual penſion promiſed by Francis I in lieu of that pretended right. Some time after, the Engliſh embaſſadors received freſh inſtructions, impowering them to conclude a peace on terms leſs difficult to be obtained than thoſe firſt demanded. However, as the court of England would not abſolutely deſiſt from the penſion, means were deviſed to ſatisfy that court, viz. that all claims and pretenſions of the two Kings were to remain as before, except ſuch as ſhould be adjuſted by this treaty, which was at length ſigned the twenty-fourth of March, and was to the following purport:

Burnet, Vol. II. Collect. p. 201.

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Treaty between the two crowns. Rym. Fœd. Vol. XV. p. 211.

I. That the city of Boulogne ſhould be reſtored to France, with all the ordnance and ammunition found there by Henry VIII, when he took the place.

II. That, in conſideration of Henry's improvements and charges in tranſporting proviſions and ammunition, the King of France ſhould pay King Edward the ſum of four hundred thouſand gold crowns (2), half on the day of reſtitution, and the remaining moiety before the fifteenth of Auguſt.

It is to be obſerved upon this article, that the King of France very carefully avoided mentioning either the penſion ſtipulated in the laſt treaty of peace, or even what was due to the crown of England ſince the time of Charles VIII, which had afterwards been conſtantly augmented by ſeveral treaties.

III. That, for ſecurity of payment of the two hundred thouſand crowns in Auguſt, France ſhould give ſix hoſtages, and England the like number, for ſecurity of the reſtitution of Boulogne.

IV. As to Scotland, it was agreed, that the King of England ſhould deliver to the Scotiſh Queen the two forts of Lauder and Dunglaſs, with all the ordnance, except what was brought thither from Hadington.

V. That if theſe two forts remained in the King of England's power, he ſhould be obliged to demoliſh the fortifications of Aymouth and Roxburgh, which ſhould never be repaired by England or Scotland; but if he reſtored Lauder and Dunglaſs, he ſhould however be obliged to raze Aymouth and Roxburgh, provided the Queen of Scotland demoliſhed alſo Lauder and Dunglaſs, and that none of theſe four places ſhould be ever re-fortified.

VI. That the King of England ſhould make no new war upon Scotland, except he had freſh cauſe. —That is to ſay, Edward renounced his marriage.

VII. That the King of England's demands, claims, and pretenſions, as well upon France as Scotland, and all the King of France's and the Queen of Scotland's upon England, ſhould remain as before.

Thus all the pains Henry VIII had been at to ſecure a penſion, or rather a yearly tribute in lieu of the title he pretended to have to the crown of France, were rendered fruitleſs by this treaty, which contained in favor of England a mere indeterminate reſervation of the claim which had occaſioned ſuch vaſt effuſion of blood ſince the reign of Edward III. There remains to the Kings of England only the empty title of King of France, none of Edward VI's ſucceſſors having ever ſeriouſly thought of proſecuting their pretended right.

The earl of Warwick evades ſigning the ratification of this treaty. Hayward. Burnet.

The treaty being brought to London to be ratified, the earl of Warwick feigned ſickneſs, not to be obliged to ſign a peace againſt which he had ſo vehemently exclaimed: but this was only to impoſe on the public, ſince he had ſigned all the orders and inſtructions by virtue whereof the embaſſadors had concluded it.

The council's conduct cenſured.

The reſtitution of Boulogne opened peoples eyes with regard to the conduct of thoſe at the helm. They who had now actually ſurrendered that place for four hundred thouſand crowns, in lieu of the two millions Francis had promiſed to pay, were the ſame who ſome months before had reviled the protector for barely thinking on ſuch ſurrendry. The earl of Warwick, who had the chief direction of affairs, and whom it ſo much concerned to preſerve the peoples affection, finding them ſomewhat moved,

(1) For this good piece of ſervice, Guidotti had a penſion of 250 l. per annum allowed him by the court of England; and his ſon John a penſion of 35 l. 10 s. Rym. Fœd. Vol. XV. p. 227, 228. Edw. Jour. p. 11.

(2) Then of equal value with the Engliſh noble, viz. 6 s. 8 d.

judged

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judged it requiſite to divert their gloomineſs by giving them ſome ſatisfaction in other reſpects. To that purpoſe he called to a ſtrict account thoſe who had managed the King's treaſure, or been guilty of miſdemeanors in the exerciſe of their offices. Herein he had alſo another motive; namely, to pay the King's debts, which were conſiderable. In this ſcrutiny, his chief friends, who had ſerved him as inſtruments to ruin the duke of Somerſet, were leaſt ſpared. The earl of Arundel was fined in twelve thouſand pounds payable in twelve years. Southwel was impriſoned; and the reſt compounded matters with the court as beſt they could. As few were quite clear from corrupt dealings, this inquiry proved Warwick's eſtabliſhment; each dreading he would find means to be revenged on ſuch as ſhould be defective in their ſubmiſſion (1).

Inquiry of miſdemeanors Edw. Jour.

Changes in the Sees. Rym. Fœds Vol. XV. p. 219, 221, 222, 237, 240. Edw. Jour.

This year occurred diverſe changes in the biſhopricks. The See of Weſtminſter, vacant by the reſignation of Thirleby, was united to that of London, and given to Ridley biſhop of Rocheſter. Thirleby had the See of Norwich; Poinet that of Rocheſter; and, on the third of July, John Hooper was made biſhop of Gloceſter.

Polydore Virgil retires into Italy. Rym. Fœd. Vol. XV. p. 234. Burnet.

This year, Polydore Virgil, born in Italy, who had been now forty years in England, was licenſed to depart, in order to paſs the reſidue of his days in his native country. King Edward granted him the injoyment of his benefices (2), in conſideration of his having imployed the beſt part of his life in writing the hiſtory of England (3).

Before we enter on a new year, it will not be improper to make ſome mention of this year's tranſactions in foreign countries.

Death of Paul III. Spond.

Paul III dying the thirteenth of November 1549, the cardinals, who entered the conclave the twenty-ninth of the ſame month, agreed in few days to raiſe cardinal Pole to the Papal throne, and even went in the night to his chamber to pay him the accuſtomary adoration: but he requeſted them to defer that ceremony 'till morning, telling them, it ought not to be a work of darkneſs. This ſcruple, unheard of 'till then, ſeemed to them ſo extraordinary, that ſome imputed it to downright ſtupidity. Others apprehended, if Pole was Pope, he would reform the Roman court, and the college of cardinals in particular. However this be, from that moment they meditated electing another Pontif. Being then divided into three factions, they could not agree on the perſon 'till February, when they choſe cardinal de Monte, who aſſumed the name of Julius III (4).

Pole loſes the Pontificate by nicety.

Julius III. choſen Pope.

Affairs of Germany. Sleidan. Burnet.

In Germany, Charles V having, near the cloſe of July, opened the Imperial diet, would have obliged all Proteſtants to ſubmit to the determinations of the council, now removed back to Trent. Maurice, elector of Saxony, ſtrongly oppoſed it, but with ſuch caution and regard for the Emperor, that he loſt not his favor. On the contrary, that Monarch conſented, that the diet ſhould declare him general of the Imperial army, to terminate the war by the ſiege of Magdeburg, the only Proteſtant town which ſtill held out. Maurice had formed grand ſchemes, which the Emperor knew not 'till it was too late to prevent execution.

Scotland, ſince the late pacification, injoyed great tranquillity. James Hamilton, earl of Arran in Scotland, and duke of Chateleraut in France, ſtill governed that realm in quality of regent: but he was himſelf governed by the archbiſhop of St. Andrews, his natural brother, a man of a moſt debauched and infamous life. Let us examine what paſſed in England during the year 1551.

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Affairs of Scotland. Burnet.

An' 1551.

After concluſion of the peace with France and Scotland, the grand affair in England was that of the reformation, which the young King wiſhed to bring to as high a degree of perfection as poſſible. He was kept in this diſpoſition by Cranmer, and the other Reformers. The earl of Warwick appeared alſo very forward to complete this work, becauſe he thereby the farther inſinuated himſelf into his young maſter's favor. The conſtant maxim of the Romiſh party, was with their utmoſt might to oppoſe all purpoſed innovations before they were eſtabliſhed by law: but they complied with them, at leaſt externally, when there was no remedy, 'till a favorable opportunity ſhould offer to throw off the maſk. It was not poſſible to be rid of theſe hypocrites at once, becauſe they gave no advantage by their outward deportment: but care was taken to have them narrowly watched, that their falſe ſteps might be improved. By this means Bonner was laſt year laid aſide, and by the ſame method Gardiner was this year deprived, on the eighteenth of April (5).

Affairs of religion. Burnet.

Burnet. Fox.

A confeſſion of faith prepared. Burnet.

During the reſidue of this year, choſen commiſſioners were preparing a confeſſion of faith, which was the ultimate mortal wound given to the old religion: ſome places of the new liturgy were alſo corrected. But Princeſs Mary abſolutely refuſed ſubmiting either to theſe or the former changes. She continued to have maſs ſaid in her houſe, and thereby drew on herſelf great mortifications from the council and the King himſelf, who ſeemed reſolved to force her to a compliance. Hereat ſhe was ſo alarmed, that ſhe had formed a deſign to quit the land, by means of ſome veſſels which the regent of the Netherlands was to ſend upon the coaſt of England: but her deſign being diſcovered, execution was prevented, tho', moſt probably, that Princeſs would have occaſioned abundantly fewer miſchiefs and confuſions had ſhe been out of the kingdom. Seemingly, the ſcheme of her excluſion from the ſucceſſion was not yet formed, neither was King Edward's death thought ſo near as it was.

Princeſs Mary refuſes it. Edw. Jour. Fox. Burnet. Strype.

She would have quited the realm, but is prevented. Hayward. Edw. Jour. Burnet.

The earl of Warwick's ambitious project. Burnet.

This Princeſs's obſtinacy drew on her the diſpleaſure of the King her brother, who thenceforward loſt much of the eſteem and affection he had for her. In all likelihood, it was this which inſpired the earl of Warwick with the thoughts of excluding her the ſucceſſion, and of forming in favor of his own family the project hereafter mentioned. It will be however neceſſary here briefly to obſerve, that this ſcheme was, to match Princeſs Elizabeth abroad, to ſet Mary aſide, and to marry one of his ſons to Jane Grey, eldeſt daughter of Henry Grey, marquis of Dorſet, and of Frances Brandon, who was the next in ſucceſſion, after Henry VIII's two daughters.

(1) Sir Thomas Smith, ſir Michael Stanhope, Thomas Fiſher, and William Grey, each of them acknowledged they owed the King 3000 l. and ſir John Thynn ſubmited to 6000 l. fine, and then were diſcharged. Burnet, Vol. II. p. 149.

(2) Viz. the archdeaconry of Wells, and his prebendſhip of Nennington in Hereford.

(3) This year, the city of London purchaſed from the King all the liberties of Southwark, for the ſum of one thouſand marks. Stow, p. 604.

(4) He gave a ſtrange omen of what advancements he intended to make, when he gave his own hat (according to the cuſtom of the Popes, who beſtow their hats before they go out of the conclave) on a mean ſervant of his, who had the charge of his money; and being aſked what he ſaw in him to make him a cardinal? He anſwered, as much as the cardinals had ſeen in him to make him Pope. But it was commonly ſaid, that the ſecret of this promotion was an unnatural affection to him. Burnet, Vol. II. p. 147.

(5) Rather ſomewhat ſooner; for Poinet, biſhop of Rocheſter, was tranſlated to Gardiner's See of Wincheſter, March 23. Rym. Fœd. Vol. XV. p. 253. K. Edw. Jour. ſays, February 13.

At

Edw. VI. An' 1551.

At this time, the ſweating-ſickneſs broke out in England with great violence, carrying off in twenty four hours ſuch as were ſeized with it, in ſpite of all remedies (1). If we may credit the hiſtorians, this ſickneſs was peculiar to the Engliſh nation. It affected not the foreigners who were in England, and in other countries the Engliſh only had it; for which reaſon it was termed * The Engliſh Sweat. Much the like is obſervable among the Poles, who are alone ſubject to a diſtemper they call Plica (2), unknown, as is affirmed, in all other countries. The duke of Suffolk, ſon of Charles Brandon by his ſecond wife, died of the ſweating-ſickneſs, as did alſo two days after his brother, who had ſucceeded him. So, the title of duke of Suffolk being void, the earl of Warwick reſolved to procure that honor for the marquis of Dorſet, father of Jane Grey, whom he deſigned for one of his ſons. He wanted the concurrence of that peer, to ſet the crown on his daughter's head, to whom the mother was moreover to reſign her right. It is however very difficult to conceive, that the earl of Warwick ſhould have formed this project ſo early, ſince Edward was in good health, in his fifteenth year only, and very likely to have a numerous iſſue. The earl of Warwick muſt therefore have known the King's end to have been very near: and this is what would be inſinuated by thoſe who fix his forming this deſign at the time whereof I am now ſpeaking, and before King Edward was ſeized with his laſt ſickneſs, in order to make him looked on as the author of that Prince's death. Howſoever this may have been, it is pretended, that the whole procedure of this nobleman, from the death of Jane Grey's two brothers, to the end of this reign, had relation to this project; as, for inſtance, the marriage of Princeſs Elizabeth to the King of Denmark's eldeſt ſon, which he cauſed to be privately treated, but without effect.

The ſweating ſickneſs. Edw. Jour. Hayward.

* Sudor Anglicus.

Two dukes of Suffolk die of it.

The earl of Warwick links himſelf in the family of the marquis of Dorſet. Burnet.

Deſign of marrying Princeſs Elizabeth to the Prince of Denmark. Hayward.

King Edward's own marriage with a daughter of Henry II, King of France, which was negociated and concluded this year, ſeems directly contrary to the earl of Warwick's deſigns, ſuppoſing they were already formed: wherefore Burnet ſays, en paſſant, that this negociation was merely to amuſe the young King. Hayward, who wrote the hiſtory of Edward VI, ſays alſo, that after the marriage was concluded, Edward thought himſelf in perfect ſafety, tho' indeed he was in extreme danger. But whatever the earl of Warwick's motive might be, the marquis of Northampton, the biſhop of Ely, and ſome other embaſſadors, were diſpatched with a ſplendid retinue, to carry the order of the garter to Henry II, and to propoſe a marriage between his daughter, Princeſs Elizabeth, and King Edward. Henry being then at Chateaubriant, the Engliſh embaſſadors repaired to Nantes, whence they were conducted to court. The marquis of Northampton, as chief of the embaſſy, preſented to his Gallic Majeſty the collar of the order. Then the biſhop of Ely deſired him to appoint commiſſioners to treat with them on a particular affair tending to the common good of both realms. Commiſſioners being named, the embaſſadors propoſed marrying King Edward with Princeſs Elizabeth, and the treaty was ſigned at Angers, the nineteenth of July. This Princeſs's portion was to be two hundred thouſand crowns, and her dower as great as any Queen of England had ever injoyed: but the marriage was not to be contracted by words of the preſent tenſe, 'till a month after the Princeſs was twelve years of age. This prevented its accompliſhment, ſince King Edward died before that time. Some time after, Henry II ſent into England a magnificent embaſſy, whereof, marſhal de Montmorency was chief, with the order of St. Michael to King Edward.

Negociation for the King's marriage with a daughter of France. Burnet.

Edward ſends an embaſſy to France on pretenſe of carrying the order of the garter to Henry II. Edw. Jour. Hayward. Burnet.

Edw. Jour. Hayward. Burnet.

All foreign matters being done with, the earl of Warwick applied himſelf to domeſtic, or rather to his own affairs. He cauſed Henry Grey, marquis of Northampton, to be created duke of Suffolk, and himſelf duke of Northumberland. William Paulet, earl of Wiltſhire and lord-treaſurer, was made marquis of Wincheſter (3), and ſir William Herbert, earl of Pembroke. They who were on this occaſion dignified with new honors, were the intimate friends of the earl of Warwick, now duke of Northumberland, who ſought to eſtabliſh himſelf in the ſtation he poſſeſſed of chief manager of public affairs, tho' without any patent intitling him to ſuch authority.

The earl of Warwick created duke of Northumberland. Other creations. October 11. Edw. Jour. Hayward. Burnet.

Nevertheleſs, this peer could not injoy a perfect tranquillity, while he had ſtill in his ſight ſuch a rival as the duke of Somerſet, who might be one day reſtored to favor, and who was actually attempting to regain the poſt he had formerly poſſeſſed. Edward approached the term of his majority, and daily increaſed in the knowledge of affairs. Northumberland had therefore to apprehend that, when the King ſhould compare his adminiſtration with Somerſet's, he would perceive this latter had been wrongfully deprived of his dignity: beſide, Edward ſtill expreſſed much eſteem for his ſaid uncle, and thereof gave him frequent and public tokens. All this bred great uneaſineſs in the duke of Northumberland, who evidently foreſaw, that it would be in a manner impoſſible to execute his projects while he had ſuch a vigilant and formidable inſpector as the duke of Somerſet. He determined therefore to be rid of this troubleſome rival at any rate, and to effect it uſed two different methods. The firſt was to ruin him in the King's favor, by means of certain emiſſaries who beſet him perpetually (4). The ſecond was, to procure his adverſary mortifications ſufficient to induce him to take ſuch falſe ſteps as would furniſh the deſired advantage. Both theſe methods had the wiſhed ſucceſs. The King by degrees took a diſguſt at his uncle, and was thereby diſpoſed to receive any ill impreſſions againſt him. On the other hand, the duke of Somerſet could not, without exceſſive impatience, ſee himſelf daily expoſed to affronts and inſults, by ſo much the leſs tolerable as done purpoſely to inſenſe him, and by way of provocation. Few have the prudence or moderation to avoid falling into ſuch ſnares. It is pretended, that ſeeing himſelf thus puſhed, he reſolved to kill the duke of Northumberland at a viſit he was to make him. Others ſay, he deſigned to have invited him to dinner at lord Paget's, and there he was either to aſſaſſinate or poiſon him: at leaſt the hiſtorians thus ſpeak of it, becauſe the report was ſpread both before and after his diſgrace, and even imbibed by the King; and yet, his impeachment contained not

The duke of Somerſet's ruin determined. Hayward. Burnet.

Means uſed to that purpoſe.

The duke of Somerſet gives his enemies advantage.

Reports concerning Somerſet. Edw. Jour.

His enemies prepoſſeſs the King againſt him.

Treaty concerning Edward's marriage. Rym. Fœd. Vol. XV. p. 273, 293.

(1) This ſickneſs began firſt at Shrewſbury, in April, and ſpreading towards the north, ended not 'till October. Rapin. Whoever was ſeized with it, died, or recovered within nine or ten days at moſt. If he took cold, he died within three hours; if he fell aſleep within ſix hours, he died raving. It raged chiefly among young men of a ſtrong conſtitution. Edw. Jour p. 20.

(2) Thoſe who have it, loſe the uſe of their limbs, as if they had a palſy, and feel great pains in their nerves, which generally continue a whole year. After that they fall into a great ſweat at night, and next morning their hair is glued together, and has a nauſeous ſmell, which continues ever after. If they cut their hair, the humor falls on their eyes, and makes them blind. This diſtemper is infectious, and communicated by coition. Atlas. Geog Vol. I. p. 199.

(3) Our author erroneouſly ſays Wiltſhire.

(4) Some reported, That he had cauſed himſelf to be proclaimed King in diverſe counties. Hayward, p. 320.

any

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any ſuch matter, but ran only, that he intended to ſecure the duke of Northumberland's perſon. However this be, it cannot be denied, he had laid ſome ſcheme to be reſtored to his poſt, and deviſed, and alſo imparted to his confidents ſeveral expedients which were afterwards imputed to him as ſo many crimes, tho' he had not executed any. One of theſe confidents was the perſon who ruined him, being moſt apparently corrupted by his antagoniſt. This man, Palmer by name *, having been ſecretly brought to the King, told him all he knew, and probably ſo turned his diſcourſe as to make the King believe that bare projects or thoughts were fixed and determined purpoſes (1). However, the King being perſuaded his uncle would have aſſaſſinated the duke of Northumberland, the marquis of Northampton, and the earl of Pembroke, conſented he ſhould be proſecuted: ſo, the ſeventeenth of October, Somerſet was arreſted and commited to the Tower, with many others accuſed of being his accomplices. Next day, the ducheſs of Somerſet, with two of her women were taken up, and after that the earl of Arundel and lord Paget were likewiſe apprehended.

* Sir Thomas. Edw. Jour.

The duke ſent to the Tower. Edw. Jour. Hayward. Burnet.

No ſooner was the duke of Somerſet in the Tower, than his pretended crimes were every where publiſhed with circumſtances proper to amuſe the people. Theſe imaginary accuſations are the ground-work whereon all the hiſtorians, Burnet excepted, build their accounts of this event. What is moſt probable is, that the duke had projected to get himſelf declared protector in the next parliament, ſince the earl of Rutland affirmed it upon oath. As to the means he intended to uſe for that end, very likely he had deviſed ſeveral, but not yet fixed upon any, except that perhaps of ſecuring the duke of Northumberland's perſon. As the cuſtom of confronting witneſſes had been ſome time ſince laid aſide, we muſt be contented with knowing what was depoſed againſt him, yet without the leaſt poſſibility of receiving thence any convincing proof of truth in the facts. Every one is ſenſible, what great alterations confronting witneſſes is capable of producing in ſeemingly the moſt poſitive depoſitions.

Remark on the charge brought againſt him. Burnet. Hayward.

The injuſtice of not confronting witneſſes.

Depoſitions of the witneſſes. Edw. Jour. Burnet. Hayward.

Palmer depoſed, that ſir Ralph Vane was to have headed two thouſand men to ſupport the deſigns of Somerſet, who, with a hundred horſe, was to have fallen upon the guard: that being done, the duke intended to have gone thro' the city, proclaiming, Liberty! Liberty! and in caſe he failed to raiſe the people, to have fled to the iſle of Wight. One Crane affirmed the ſame, and added, that the earl of Arundel and lord Paget were privy to the conſpiracy.

Edw. Jour. Burnet.

On theſe depoſitions, the duke was brought to trial before his peers on the firſt of December, the crimes laid againſt him being put into three articles:

Articles of accuſation. Burnet.

1. That he had deſigned to ſeize on the King's perſon, and the adminiſtration of public affairs.

2. That he, with one hundred others, intended to impriſon the duke of Northumberland.

3. And that he would have excited the city of London to rebellion.

Theſe three articles, to which the duke of Somerſet's crimes were reduced, plainly ſhew there was no proof of his having intended to kill or poiſon the three lords above-mentioned, tho' the King had been made believe ſo, and a like report ſpread among the people. Of theſe three articles, the firſt and third were high treaſon, and the ſecond, concerning the duke of Northumberland, was only felony. He poſitively denied the treaſonable articles, and for the other, which was placed the ſecond in the impeachment, he proteſted, that howſoever ſuſpiciouſly he might have talked, he never had any real deſign againſt the lives of either the duke of Northumberland, the marquis of Northampton, or the earl of Pembroke.

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We muſt acknowlege, here is a difficulty not eaſily to be reſolved. The duke of Somerſet is not charged with intending to kill thoſe noblemen, and yet he juſtifies himſelf on that head. This ſeems to intimate, ſome ſuch article to have been in the indictment: and yet, Burnet, a moſt exact hiſtorian if ever any was ſuch, and who affirms, he took the accuſation from the council's records, ſets down but three articles, wherein not the leaſt mention is made of the ſaid peers who even were of the number of his judges. On the other hand, it will immediately appear, that the duke was condemned for felony; which was ſtretching the rigor of the law as far as it could go, if he was guilty only of intending to ſeize the duke of Northumberland; whereas if he had actually reſolved the deaths of theſe three lords, there was nothing in his ſentence but what was agreeable to ſtatutes of parliament. It muſt therefore be ſaid, either the celebrated hiſtorian above mentioned has not exactly related the articles of accuſation, or the peers condemned the unfortunate duke for a crime wherewith he was not legally charged. The fidelity and exactitude doctor Burnet has profeſſed, will not admit his being taxed with ſuch a fraud. But the characters of Northumberland, and moſt of Somerſet's judges, who generally ſpeaking were his profeſſed enemies, afford but too much reaſon to ſuſpect, that the fear of offending the duke of Northumberland, or ſome other motives, prevailed over juſtice.

He is acquited of treaſon, but found guilty of felony. Edw. Jour. Burnet. Hollingſh.

After the peers had heard what was depoſed againſt the duke, and alſo his defenſes, they unanimouſly acquited him of treaſon; but found him guilty of felony. In all appearance, they proceeded upon a ſtatute made in the time of Henry VII, which declared it felony to intend to take away the life of a privy counſellor. This was ſtretching very far that ſevere law, which perhaps was never executed before, eſpecially upon a duke, peer of the realm, and uncle to the reigning King: beſide his charge did not run, that he intended to kill theſe three counſellors, but only had deſigned to ſecure the duke of Northumberland's perſon. But what is moſt unaccountable in this trial, is that theſe three peers ſat as judges. Sentence being given, he aſked pardon of the duke of Northumberland, the marquis of Northampton, and the earl of Pembroke, for his evil intentions againſt them. This aſking pardon has made ſeveral believe him guilty: but it is a queſtion, whether by theſe evil intentions we are neceſſarily to underſtand a deſign to aſſaſſinate them. When thoſe preſent at his trial found him returned not guilty of treaſon, they ſhouted for joy ſo loud, that they were heard at Charing-Croſs: but this rejoicing was ſoon converted to ſorrow, on finding him convicted of felony.

Edw. Jour. Edward perſuaded of his uncle's guilt. Burnet.

It was univerſally believed the duke would be pardoned, becauſe his execution was defered near two months. But ſuch particular care had been taken to prepoſſeſs Edward againſt him, that this young Prince, who had in abhorrence the crimes he believed him guilty of, was very far from any thoughts of granting him a pardon. It appears in his journal, that one Bartuile had affirmed upon oath, that the duke of Somerſet had hired him to kill the duke of Northumberland, and that the duke himſelf had owned it at his coming to the Tower, tho' he had denied it at firſt; but it is very ſtrange this evidence was not produced at his trial. No-

(1) He afterwards denied all to the duke of Somerſet. Edw. Jour. p. 37.

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thing argues his innocence in this reſpect ſo much as the indictment itſelf, which ran, not that he had intended to aſſaſſinate the duke of Northumberland, but only had deſigned to ſeize and impriſon him. Nevertheleſs it cannot be denied that the King believed him guilty of the firſt of theſe crimes, ſince we ſee, in his letter to Barnaby Fitz-Patrick his favorite, then in France, that the duke had confeſſed it after ſentence, tho' he had before ſworn the contrary (1). But the King's belief does by no means prove the fact: it much rather ſerves evidently to prove, that Somerſet's enemies had groſly abuſed the young King, who even afterwards expreſſed great ſorrow for having conſented to his uncle's execution. The duke of Somerſet was in hopes however of undeceiving his royal nephew. He had already gained the friendſhip of chancellor Rich, who thro' a miſtake in the ſuperſcription of a note he ſent the duke, diſcovered his deſign of laboring in his behalf. This occaſioned the great ſeal's being taken from him, and given to the biſhop of Ely.

Burnet. Fuller.

The chancellor is Somerſet's friend, and is deprived of his office. Hayward. Dec. 21. Edw. Jour. Burnet.

The duke of Somerſet had no ſooner received his ſentence, than great care was taken to entertain the King with pleaſing ſhews, in order to divert him from reflecting on this ſtrange condemnation. At the ſame time, all his uncle's friends were carefully kept from approaching him. Finally, on the twenty-ſecond of January, he ſigned the order for his execution. The duke appeared ſedate and undiſturbed on the ſcaffold, and made a ſpeech to the audience. He affirmed, "he had never offended the King "by word or deed. He glorified his creator for "making him his inſtrument to promote the refor- "mation, and exhorted his hearers to perſevere "therein." When he had gone ſo far, he was forced to ſtop, by reaſon of a very great noiſe among the people, which continued ſome ſpace. A certain perſon * riding towards the ſcaffold, and crying to the people to give way, made many believe he brought a pardon. On the other ſide, a band of ſoldiers who had been ordered to attend at the execution, coming too late, cauſed others to imagine they came to maſſacre them. This bred a terrible diſorder, and fatal to ſome of the ſpectators, who were crouded or ſmothered to death. When the clamor was over, he calmly went on with his ſpeech, and ſaid, "he had always been moſt dili- "gent about his Majeſty, in his affairs both at "home and abroad; and no leſs ſedulous in ſeek- "ing the common good of the whole realm." Here again he was interrupted by the people crying out, "it was moſt true." Then "he prayed for the "King, aſked forgiveneſs of all whom at any time "he had offended, forgave all his enemies without "exception, and deſired the people to bear him "witneſs that he died in the faith of Jeſus Chriſt," When he had done ſpeaking to the people, he turned to his private devotions; after which he laid his head on the block to receive the fatal blow.

King Edward ſigns the order for beheading his uncle Somerſet. Rym. Fœd. Vol. XV. p. 295.

The duke's ſpeech on the ſcaffold. Jan. 22. Burnet. Hollingſh. Fox.

* Sir Anthony Brown.

Stow. p. 607. Fox.

The duke of Somerſet's character. Burnet.

Thus fell the duke of Somerſet, concerning whom opinions have been greatly divided. Some have repreſented him as a very wicked man, capable of perpetrating the moſt atrocious crimes; and others, as a very good Chriſtian. One may eaſily comprehend, religion alone created this diverſity. Had it not been for the prejudice religion begets in moſt men, his faults would not have been ſo agravated, which in reality, were ſome of the leaſt whereof mankind are guilty. On the other hand, without this ſame prejudice, there would not have been ſo much pains taken to color his ambition, which certainly was too much bordering on exceſs. They who have made it their buſineſs to juſtify his whole procedure, have alſo very lightly touched on the immenſe wealth amaſſed by him during his adminiſtration. Of this, Somerſet houſe, now ſtanding in London, is a moſt authentic proof. But then, his enemies have made bare accuſations, artfully ſpread among the people, and inſtilled into the King, to paſs for evidenced crimes, .tho' it manifeſtly appears, by the very articles of his indictment, that he was condemned only for intending to commit a miſdemeanor, not againſt the King or ſtate, but againſt certain particular perſons. It may therefore be affirmed, that the offenſes for which he was pardoned after his firſt condemnation, were abundantly more criminal than that for which he ſuffered death. The people, who are ſeldom miſtaken in their opinion of great men, were generally ſo perſuaded of his innocence, that many dipped their handkerchiefs in his blood, conſidering him as a ſort of martyr: nay, it happened in the begining of Queen Mary's reign, that a woman ſeeing the duke of Northumberland leading to the Tower, ſhook one of theſe bloody handkerchiefs at him, ſaying, "behold, "the blood which thou didſt cauſe to be unjuſtly "ſhed, does now apparently begin to revenge itſelf "on thee."

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Burnet. Hayward.

About a month after this execution, ſir Ralph Vane, ſir Miles Partridge, ſir Michael Stanhope, and ſir Thomas Arundel, who were ſaid to be the duke of Somerſet's chief accomplices, were put to death: but they all proteſted they had never intended to form any plot, either againſt the King or any privy counſellor. Vane added, he did not doubt his blood would make the duke of Northumberland's pillow uneaſy to him. As for Palmer, Crane, and Bartuile, who had ſerved as witneſſes againſt the duke of Somerſet, they eaſily got their diſcharge: nay, it was obſerved, there was a great intimacy afterwards between Palmer and the duke of Northumberland, which gave occaſion to believe Palmer had been corrupted to betray the duke of Somerſet, who had honored him with his friendſhip.

Execution of his pretended accomplices. Rym. Fœd. Vol. XV. p. 296. Hayward. Edw. Jour. Burnet. Strype. Hollingſh.

During the year 1551, the ſtate of the Emperor's affairs was changed in Germany, when he leaſt ſuſpected it. Maurice elector of Saxony, having formed the deſign of reſtoring his country to liberty, had ſecretly negociated a league with France and the Proteſtant Princes of Germany: but before he declared himſelf openly, he was deſirous of knowing what might be expected from England. To that purpoſe, he ſent embaſſadors to Edward, to gain him to his intereſt, and procure a ſum of four hundred thouſand crowns, by telling him it was for the preſervation of the Proteſtant religion. The embaſſadors were told; that the King would moſt willingly enter into a religious league; but did not mean to be ingaged, under that pretenſe, in a war for political differences: that if the elector of Saxony would confer more particularly with the Proteſtant Princes, and then ſend the King embaſſadors with fuller inſtructions and ſufficient powers, he ſhould have a more poſitive anſwer. Hitherto Maurice had but coldly proſecuted the ſiege of Magdeburg. But when his private affairs were ſettled, he ſo ordered it, by the help of ſome friends in the town, that the inhabitants ſurrendered by capitulation. Then he broke up his army, who parting into ſeveral bodies quartered in the territories of ſome Popiſh Princes, laying them under heavy contributions. The Catholics loudly complained of their being expoſed to theſe oppreſſions. The

Affairs of Germany. Sleidan. Burnet.

(1) The King's words, as in Burnet are: "The duke ſeemed to have acknowledged the felony, and after ſentence he had con- "feſſed it, tho' he had vehemently ſworn the contrary." So it was not the deſign of killing, (as our author has it) but the felony that the King ſaid, he confeſſed. Burnet, Vol. II. p. 181.

Emperor

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Emperor alone ſlumbered in a ſurpriſing ſecurity, without having the leaſt ſuſpicion of the Elector.

Of the Trentine council. Burnet.

The council being removed back to Trent, was opened again in May 1551. But a quarrel between his Holineſs and the King of France interrupting the ſeſſions, they were renewed in September; and tho' Henry II proteſted againſt this council, the legates continued it, and cauſed to be decided diverſe points quite foreign to our purpoſe.

AN' 1552. Parliament. Act injoining the confronting of Witneſſes. Burnet.

The parliament met the twenty-third of January, 1552. The commons, ſenſible of the horrible grievance of that pernicious cuſtom of condemning people without confronting the witneſſes, were diſpoſed to ſtop its career. To that end, a bill was prepared, condemning under various penalties, thoſe who ſhould write or ſpeak againſt the King, with a proviſo, that none but thoſe who owned their faults ſhould be attainted as traitors, on this act, except two witneſſes come, and, to their face, did aver the fact for which they were to be tried. The lords were very unwilling to agree to this proviſo, (1) as if it leſs concerned them than the commons to be freed from oppreſſion: but at length the act paſſed as drawn in the lower houſe.

The marriage of eccleſiaſtics declared valid.

In this ſeſſion alſo ſome progreſs was made in the reformation. Among other matters, eccleſiaſtics marriages were declared good and valid, which for ſome time the people had conſidered as only tolerated.

Attempts to blacken the duke of Somerſet's memory. Burnet.

The ſeſſion of parliament being ready to cloſe, and no more than a hundred and thirty-ſeven members remaining in the lower houſe, a bill was brought into the houſe of lords, to repeal the ſettlement of the duke of Somerſet's eſtate, made in favor of his children by his ſecond wife. In this bill, as its foundation, was inſerted a clauſe, that the duke of Somerſet and his accomplices were juſtly attainted: but the commons agreeing to the repeal, rejected the clauſe. This ſhews their opinion of the duke's innocence.

Another fruitleſs attempt to get the biſhop of Durham condemned. Burnet. Edw. Jour. Hayward. Strype.

In this ſame ſeſſion, the duke of Northumberland attempted to get ſentence paſſed upon Tonſtal biſhop of Durham, who had been accuſed of miſpriſion of treaſon. The lords readily paſſed the bill for attainting him, but the commons would not proceed upon it, becauſe it was intended to condemn the biſhop without confronting the witneſſes. The duke of Northumberland's aim was to have had the dignity of the Palatine of Durham, annexed to that See, confered on himſelf: we ſhall hereafter find his project attended with better ſucceſs. Mean while, having experienced how little condeſcenſion the lower houſe had for him, by reaſon this parliament had been called during the duke of Somerſet's adminiſtration, he reſolved to have another which ſhould be more at his devotion. Accordingly this, which had now ſat five years, was diſſolved on cloſing the ſeſſion. Then the council came to a reſolution to call a new parliament for the next year only, in order to have time to take the neceſſary meaſures to get elected repreſentatives who ſhould be more favorable to the court.

The parliament diſſolved. Burnet.

Alteration as to the biſhops. Burnet. Vol. II. p. 28. and III. p. 195, &c.

During this year's courſe were ſeen two conſiderable changes with regard to prelates. Firſt Heath and Day, biſhops of Worceſter and Chicheſter, were deprived, for too openly oppoſing the reformation. The ſecond change was more conſiderable. After the parliament had given the King power of nominating to the vacant Sees, his patents ran, that he appointed ſuch a one, biſhop of ſuch a See, "during his natural life." But at the time I am ſpeaking of, it was thought proper to change the words into, "ſo long as he ſhall behave himſelf well." So the biſhops made by theſe patents might be deprived of their Sees by a bare act of the King's will, without being forced to obſerve the uſual formalities in ſuch caſes.

EDW. VI. AN' 1552.

The duke of Northumberland's abſoluteneſs.

The duke of Northumberland ſtill directed the affairs of the government, tho' he had no commiſſion to diſtinguiſh him from the other privy counſellors. His proceedings againſt the duke of Somerſet inſpiring each with a dread of being expoſed to his vengeance, not a man dared openly to oppoſe him. We have ſeen that, in the late parliament, he attempted to render odious the duke of Somerſet's memory, by cauſing his ſentence to be approved by the two houſes. That project not ſucceeding, he took another method. He ordered a ſtrict inquiry to be made of all who had been inriched by the chantry-lands, given to the King during the duke of Somerſet's adminiſtration. Great numbers were found, ſome of whom were condemned in heavy fines, and others found means to purchaſe the duke of Northumberland's favor. But it was not poſſible for lord Paget to divert the ſtorm which fell upon him, the duke of Northumberland mortally hating him for having been intirely devoted to the duke of Somerſet. He was not only fined in ſix thouſand pounds, but alſo, on pretenſe that he was no gentleman (2), was degraded from the order of the garter, which he had received from Henry VIII, as if that Prince, when he gave it him, was ignorant of his pedigree. Beſide the motive of hatred and revenge by which the duke of Northumberland was furiouſly agitated, he had alſo another, which was to make way for his eldeſt ſon (3) the earl of Warwick, for whom he eaſily procured the vacant garter (4).

Inquiry of thoſe who were inriched by the chantry-lands. Burnet.

Lord Paget degraded. Edw. Jour. Burnet. Hayward. Strype. Stow.

The company of German merchants diſſolved. Burnet. Edw. Jour. Strype.

About this time, the corporation of German merchants, whoſe abode was in the Still-yard, was diſſolved, becauſe it was become detrimental to England, by ingroſſing the whole woolen trade. It was proved that, in 1551, thoſe of the Still-yard had ſhiped off no fewer than forty-four thouſand cloths, and all the Engliſh merchants together did not export eleven hundred. The regent of Flanders and the city of Hamburgh earneſtly ſollicited to have the company reſtored, but in vain. The court alſo laid a ſcheme advantageous to the Engliſh commerce, namely, to open in England two free mart-towns, Hull and Southampton: but they had neither time nor leiſure to put in execution this project.

Project of two mart-towns in England. Edw. Jour.

Cardan in England. Burnet.

This year Cardan, the famous Italian philoſopher, paſſed thro' England in his return from Scotland, where he had been to cure the archbiſhop of St. Andrews of a dropſy. His indeavors were crowned with ſucceſs, but he predicted to the archbiſhop that he ſhould be hanged. As he paſſed thro' England he waited on young King Edward, and was ſo charmed with him, that he every where ſpake of him as of a prodigy (5). It is ſaid, he caſt

(1) This does not appear. The commons rejected the bill itſelf, and then drew a new one, which was paſſed. See Burnet, Vol. II. p. 190.

(2) His father was one of the ſerjeants at mace, in the city of London. Dugdale's Baron. Vol. II. p. 390.

(3) Sir Andrew Dudley his brother. See Strype, Vol. II. p. 401.

(4) On February 2, this year, there was a king at arms appointed for Ireland, by the name of Ulſter. Edw. Jour. p. 46.

(5) After the King's death, when nothing was to be got by flattering, he wrote the following character of him: — "All "the graces were in him: he had many tongues when he was yet but a child: together with the Engliſh, his natural tongue, he "had both Latin and French, nor was he ignorant, as I hear, of the Greek, Italian, and Spaniſh, and perhaps ſome more: but "for the Engliſh, French and Latin, he was perfect in them, and was apt to learn every thing: nor was he ignorant of logic, "of the principles of natural philoſophy, nor of muſic. The ſweetneſs of his temper was ſuch as became a mortal; his gravity "becoming

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cast his nativity, and foretold to him a long and prosperous life: but, for once, the rules of his art were not just.

Affairs of Scotland. Buchanan. Burnet. Edw. Jour.

This year, the affairs of Scotland underwent some alteration. The dowager Queen had been in France on pretense of seeing her daughter, and had obtained of that court the regency of Scotland, in the earl of Arran's room. In November 1551, she returned to Scotland thro' England, where she was magnificently entertained by the King, and her charges borne to the frontiers of the two kingdoms. At her arrival in Scotland, she easily enough prevailed on the earl of Arran to resign to her the regency, according to the desire of Henry II and his ministers, the earl finding he could not keep it against their will. The archbishop of St. Andrews approved not of his brother's resigning his dignity. He cabaled against the Queen regent, who had the address to support herself by the assistance of the Reformed, promising them free exercise of their religion in their own houses. By this means, she established herself in the government, spite of all opposition from the archbishop.

Revolution in Germany. Sleidan. Burnet.

The revolution this year in the affairs of Germany was much more considerable. The elector of Saxony at length discovered his project: but not 'till after the King of France had proclaimed war against the Emperor, and constable de Montmorency taken Metz by surprise. Then Maurice assembling his forces, marched directly to Inspruck, where Charles V was, and had like to have taken him prisoner. Maurice's declaration obliged the Emperor at last to give the Protestants some satisfaction, by granting them the famous edict of Passau (1). That Monarch soon met with another mortification. He invested Metz; but, thro' the gallant resistance of the duke of Guise, who defended that place, he was constrained to withdraw. Let us return now to the affairs of England.

An' 1553. Parliament favorable to the duke of Northumberland. Strype. Vol. II. p. 394. Somerset's memory blackened.

A new parliament meeting the first of March 1553, the lower house consisted of representatives, whose majority were wholly disposed to follow the court's directions. They gave the King a very considerable subsidy, grounded on the extravagant dissipation of his treasury during the duke of Somerset's administration. This plainly evidenced the duke of Northumberland's great power and credit in the house. His said lordship procured also the bishoprick of Durham to be suppressed, having first caused Tonstal to be deprived. This See being suppressed, King Edward founded two others; one at Durham, and another at Newcastle (2). But the temporality of the bishoprick, being converted to a county palatine, was given to the duke of Northumberland. In all appearance, Tonstal was deprived, and his See suppressed, for that very purpose.

Tonstal deprived, and his See suppressed. The duke of Northumberland made count palatine Strype. Burnet.

The parliament sat but one month. It was dissolved the thirty-first of March, after the duke of Northumberland had procured a subsidy for the King, and a stain for the memory of the late duke of Somerset. The court had no farther need of a parliament, and the duke of Northumberland's interest required there should be none, when he was preparing to execute his designs.

The young King had, since January, been seized with a distemper which finally laid him in his grave (3). This prevented not his being made to sign an order for visiting the churches, and taking thence all superfluous plate and ornaments. The visitors were likewise very strictly to examine what imbezzlements had been made. All this was done under color of selling the superfluities, and giving the money to the poor, who had however the least share.

Edw. VI. An' 1553. The King's illness. Burnet. The church plate called in. Edw. Jour. Hayward. Stow.

The progress of the French in Germany begining to alarm England, the council resolved to take some measures to stop their carreer; nay, they seemed at first to have designed joining in a league with the Emperor against France: but all this ended in the offer of a mediation, which produced no effect.

The council jealous of France's progress. Burnet. Hayward. Strype.

Mean while, Edward was still afflicted with a defluxion upon his lungs, which gradually wasted him, and daily became more dangerous. Some scruple not asserting, that a slow poison was given him, and throw the suspicion on the duke of Northumberland: others content themselves with insinuating such a matter, without saying it positively; but after all, both speak only by conjecture, without giving any proof. The young King beheld death's approach without any fears as to himself, but could not, without extreme concern, reflect on the future state of religion under his sister Mary, who was to be his successor. Very probably, the duke of Northumberland, who constantly attended him in his illness, took care to increase his apprehensions purposely to lead him more easily to the point he desired. However, all hopes of the King's recovery were not given over 'till mid-May, when seemingly the physicians told Northumberland, his case was desperate. Then it was that duke married lord Guilford Dudley, his fourth son, the only one unmarried, to Jane Grey, eldest daughter of the new duke of Suffolk, by Frances Brandon, who was in Henry VIII's will next in the succession after Princess Elizabeth. At the same time, Jane's two sisters were also married, lady Catherine, the second daughter, to lord Herbert, the earl of Pembroke's eldest son; lady Mary, the third, to Martin Keys (4). These marriages were solemnised towards the close of May, when there was no farther hope of the King's recovery. At last, one day, as the young King was expressing his great concern at the thoughts, that his sister, Princess Mary, would do her utmost to destroy the reformation, Northumberland brake the ice. He represented to the King, that there was but one way to prevent the misfortunes wherewith England was menaced, in case Princess Mary ascended the throne after him: and that was, to settle the crown on lady Jane Grey, his daughter-in-law. Indeed, it was natural for Edward, in excluding Mary, to transfer the crown to his sister Elizabeth, whom he dearly loved, and who was a hearty friend to the reformation: but, very probably, the duke told him, that, as he could exclude Mary only on the specious pretense of her being illegitimate, the same reason subsisted with regard to Elizabeth, since the marriages of their mothers were equally annulled: wherefore, either the succession was to be left as settled by the

King King Edward's illness becomes very dangerous. Burnet. Hayward.

He is concerned for religion on his decease. Burnet.

His recovery despaired of.

Marriage of the duke of Northumberland's fourth son with Jane Grey. Burnet. Stow. Hollingsh. Hayward.

The duke persuades Edward to settle the crown on Jane Grey. Burnet. Hollingsh. Hayward. Strype.

" becoming the majesty of a King, and his disposition suitable to his high degree. In short, that child was so bred, had such " parts, and was of such expectation, that he looked like a miracle of a man." Afterwards he adds, " He was a marvellous " boy; when I was with him he was in the fifteenth year of his age, in which he spake Latin as politely and readily as I did. " He began to love the liberal arts before he knew them, and to know them before he could use them: And in him there was " such an attempt of nature, that not only England, but the world had reason to lament his being so early snatched away—When " the gravity of a King was needful he carried himself like an old man; and yet he was always affable and gentle as became his " age. He played on the lute; he meddled in affairs of state; and for bounty, he did in that emulate his father; tho' his father " even when he indeavored to be good, might appear to have been bad. But there was no ground of suspecting any such thing in " his son, whose mind was cultivated by the study of philosophy." Burnet's Hist. Ref. Vol. II. Collect.

(1) Securing to the several Princes and towns the free exercise of their religion.

(2) The first with 2000, and the other with 1000 marks revenue.

(3) April 2, 1552, he fell sick of the small-pox and measles, which probably might turn to a consumption. Edw. Jour. p. 49.

(4) The King's groom-porter: this lady was crooked.

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late King, or the Princeſſes were to be both excluded together. To all appearance, the young King, who found himſelf dying, and only thought of ſaving the reformation from the impending deſtruction, was prevailed with by this argument, to ſacrifice Princeſs Elizabeth: beſide, he had much eſteem and affection for Jane Grey, who was, both internally and externally, a moſt accompliſhed young lady.

The judges refuſe to draw the ſettlement. Burnet.

However this be, Edward having taken the reſolution ſuggeſted to him by the duke of Northumberland, three judges of the realm were ſent for, and required to draw his aſſignment of the crown to Jane Grey. The judges deſired a little time to conſider of it. At laſt, they anſwered, they could not preſume to do any ſuch thing, without being guilty of high treaſon: adding, that all ſuch privy counſellors as conſented to the aſſignment would be inevitably liable to the penalties expreſſed in the act of ſucceſſion. Hereat the duke of Northumberland was in ſuch a fury, that he had like to have beaten the judges; but they ſtood to what they had ſaid. On the fifteenth of June, they were again ſent for, and, by threats and the expedient of a pardon under the great ſeal, were finally prevailed on to draw the ſettlement of the crown, which was ſigned by all the judges, except Hales, who could never be perſuaded. All the privy counſellors ſet their hands to it likewiſe on the twenty-firſt of the ſame month. Cranmer was abſent that day on purpoſe to avoid ſigning; but the King ſo importuned him that he at laſt ſet his hand as a witneſs, as is pretended, and not as a privy counſellor.

They are in a manner forced to it. Burnet. Vol. III. p. 207. Col. p. 207. Hollingſh.

The ſettlement ſigned by the whole council.

Mean while, the King's diſtemper increaſing, without poſſibility of finding any remedy, the council thought fit to diſmiſs the phyſicians, and put him into the hands of a certain woman, who undertook his cure. It was ſaid, this was done by the duke of Northumberland's advice, and that the woman ſhortened the King's days: but he was already ſo far exhauſted, that it was wholly needleſs to haſten his end. True the woman, inſtead of curing, only put him to more pain by the medicines ſhe adminiſtered; and this was ſufficient to inſpire the people with violent ſuſpicions of the duke of Northumberland, who was not beloved, and was thought capable of any atrocity. At laſt the phyſicians were again ſent for: but it ſurpaſſed their ſkill to ſtop the violence of his malady, which carried him off on the ſixth of July, after his giving ſenſible proofs of unfeigned piety. Some days before Edward's deceaſe, the duke of Northumberland got the council to write to Princeſſes Mary and Elizabeth, deſiring them to come and keep the King company in his ſickneſs. His aim was to have them in his power, that they might not obſtruct the promotion of his daughter-in-law Jane Grey. The two Princeſſes, not imagining their royal brother ſo near his end, were on the road; but hearing he was expiring, turned back, and Northumberland was diſappointed of his expectation (1).

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A woman undertakes to cure the King, but cannot.

Suſpicions againſt the duke of Northumberland. Burnet. Hayward. Strype.

King Edward's death.

Northumberland attempts geting into his power Princeſſes Mary and Elizabeth. Burnet. Hayward.

They eſcape the ſnare.

(1) He was buried the 8th of Auguſt, in St. Peter's Weſtminſter, near Henry VII. The charge of his funeral amounting but to 475 l. 2 s. 2 d. Strype, p. 432. He died in the arms of ſir Henry Sidney, ſon-in-law to the duke of Northumberland. King Edward was in body beautiful, of a ſweet aſpect, and eſpecially in his eyes, which ſeemed to have a ſtarry livelineſs and luſter. He kept a book, in which he wrote the characters of all the chief men of the nation, all the judges, lord-lieutenants, and juſtices of the peace over England, marking down their way of living, and their zeal for religion. He had ſtudied the buſineſs of the mint, with the exchange and value of money. He alſo underſtood fortification, and deſigned well. He knew all the harbors and ports in his dominions, as alſo in Scotland and France, with the depth of water, and way of coming into them. He had acquired ſo great knowledge in foreign affairs, that the embaſſadors ſent into England publiſhed very extraordinary things of him, in the courts of Europe. He took notes of almoſt all he heard, which he wrote in Greek characters, that thoſe about him might not underſtand them, and afterwards copied out fair in the journal or diary he kept. This journal, written with his own hand, is ſtill preſerved in the famous Cottonian library; from whence Burnet tranſcribed and publiſhed it, in his Hiſtory of the Reformation Vol. II. In it the moſt remarkable tranſactions in his reign are perhaps as well regiſtered (ſays biſhop Nicholſon) by the young King himſelf, as by any other hiſtorian.

MARY I. Twenty-ſecond Sovereign of ENGLAND ſince the CONQUEST.

MARY I. AN' 1553.

HENRY VIII's divorces from Catherine of Aragon and Ann Boleyn; the acts of parliament confirming theſe divorces: other ſubſequent ſtatutes which ſeemed to repeal what the firſt had ordained; the power given King Henry to appoint his ſucceſſors, and to range them in what order he thought fit; and finally, that Prince's laſt will it ſelf, had alſo imbroiled the ſucceſſion affair, that it appeared full of contradiction and obſcurity. It would not have been poſſible, by the ancient laws and cuſtoms of the realm, to reſolve the queries ariſing from ſo many inconſiſtent acts, becauſe the authors of theſe new laws had not in view juſtice and equity, but only the gratifying a Prince whom to have any way contradicted would have been dangerous. Henry VIII had foreſeen the difficulties and perplexities his two divorces might one day occaſion, and even ſeemed deſirous to prevent them: but he only increaſed them by the new ſtatutes he obtained of the parliament, wherein his aim was not ſo much to procure the kingdom's welfare, as to humor his caprice and make his will a law. To ſet this matter in a clear light, it will not be unneceſſary here to inſert a brief recapitulation of that Monarch's proceedings with reſpect to the ſucceſſion.

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It has been ſeen, in the hiſtory of his reign, that after eighteen years cohabitation with his firſt conſort, Catherine of Aragon, and having by her ſeveral children, of whom only a daughter was living, he was diſpoſed to a ſeparation. He pretended his marriage was void, and becauſe the court of Rome, for reaſons of ſtate, would not condeſcend to annul it, he got a ſentence of divorce pronounced by the archbiſhop of Canterbury, before he had aboliſhed the Papal authority in his kingdom. He thereby afforded a very ſpecious pretenſe to queſtion the authority of that prelate who paſſed the ſaid ſentence. What is more, he re-married before being juridically freed from his firſt matrimonials, and by this precipitation gave freſh cauſe of diſputing the validity of his ſecond nuptials. Here are already two contradictions in theſe his two firſt ſteps. He applied to the Pope, as his proper judge,

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and, before he had ſolemnly renounced his authority, contemns it, and in ſpite of his ſaid Beatitude, whoſe juriſdiction was yet owned in England, gets himſelf divorced from Queen Catherine. On the other hand, he acknowledges the neceſſity of a judicial ſentence to juſtify his divorce, and yet he prevents the ſentence by hurrying into a ſecond marriage before its being pronounced.

In the next place, he beheaded his ſecond wife for adultery, and yet, before execution, pretended ſhe could not be his wife, and was divorced from her on a frivolous pretenſe. Theſe two divorces were confirmed by act of parliament paſſed in 1536, wherein was alſo a manifeſt contradiction. The act declared Mary and Elizabeth, born of the two firſt marriages, illegitimate and incapable of ſucceeding to the crown, and yet it impowered the King to place them on the throne, ſince, without any limitation, it inveſted him with all the authority requiſite to ſettle the ſucceſſion as he pleaſed.

There was likewiſe another contradiction in a ſtatute of the year 1540, wherein was declared, that a marriage after conſummation ſhould not be annulled on account of a pre-contract: nevertheleſs Henry's divorce from Ann Boleyn had no other motive. Thereby the King and parliament owned they had injured Elizabeth, in declaring her illegitimate. It will perhaps be ſaid, this act was not to regard what was paſſed: but, moſt certainly, it was made only with deſign to favor Elizabeth; notwithſtanding, ſhe was not reſtored by this act, but it ſtill lay in the King's breaſt either to include her in, or exclude her from the ſucceſſion.

In another act, made in 1544, was a contradiction no leſs manifeſt. By this act, the very parliament itſelf put in the line of ſucceſſion Mary and Elizabeth, after their brother Edward. Seemed not this to be making them a moſt authentic reparation, and acknowledging them legitimate? And indeed, thitherto no baſtards had ever been on the throne of England: nay, it might be queſtioned, whether it was in the parliament's power to place there ſuch; at leaſt there would have been occaſion for a very expreſs and authentic law for that purpoſe. Nevertheleſs, by a particular clauſe of this act, the King was allowed liberty to impoſe conditions on theſe two Princeſſes, without which they could have no right to ſucceed; a thing the parliament would not, nay could not have done, had they been owned for legitimate. It was not therefore on account of their natural right, but by mere favor, that they were inabled to ſucceed to the crown.

Henry followed the ſame plan in his laſt will. He put Mary and Elizabeth in the line of ſucceſſion next their brother Edward, but in ſuch a manner that he let them ſee, it was by mere grace, ſince he bound them to certain conditions, without which they were to forfeit their right. The difference he made between them and Edward ſhewed he owned them not for legitimate, and thereby afforded a pretenſe to queſtion the right he gave them. But what conduced ſtill more to imbroil the affair of the ſucceſſion was, that his will, paſſing over in ſilence the iſſue of Margaret Queen of Scotland, Henry's eldeſt ſiſter, placed next to Elizabeth the children of Mary Queen-dowager of France and ducheſs of Suffolk, the younger ſiſter. This was a manifeſt abuſe of the power granted him by parliament, and conſequently a furniſhing the Queen of Scotland with a plauſible pretenſe to demand the annulling a will which ſubverted the moſt eſtabliſhed laws of the kingdom.

Edward VI completed this confuſſion in the affair of the ſucceſſion, by conveying the crown to Jane Grey, contrary to the rights of Mary and Elizabeth. This was an act of abſolute ſovereignty very unbecoming a King of England, and one who died a minor. But moreover, in this act of conveyance there were contradictions no leſs palpable than thoſe whereof Henry VIII had been guilty. Edward owned, for good and valid, the act which declared Mary and Elizabeth illegitimate: but, at the ſame time, by his own authority, he repealed that which gave the King his father a power to ſettle the ſucceſſion. On the other hand, he followed his father's will, in giving the preference to the younger ſiſter's children; but therewith annulled the will, by excluding Mary and Elizabeth.

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Four Princeſſes might pretend to the crown.

By this brief recapitulation, it may be eaſily perceived what a door to diviſions and civil wars was opened by Henry VIII and his ſucceſſor. By the above-mentioned acts, four Princeſſes, Mary, Elizabeth, the Queen of Scotland, and Jane Grey, could lay claim to the crown on Edward's demiſe, and each could find in theſe very acts arguments to combat her adverſaries pretenſions.

Examination of Mary's right.

Mary reſted on her father's will: but ſhe received, in her opinion, a much ſtronger ſupport, tho' ſhe durſt not openly alledge it, from her natural right, and the want of authority in thoſe who annulled her mother's marriage. On the other hand, it might be objected to her, that having been declared illegitimate by act of parliament, that act was never repealed, and it was not in the King's power to place baſtards on the throne, in excuſion of the lawful heirs: that beſide it was known to the whole nation, that the parliament was far from being free when ſhe was placed in the ſucceſſion after Edward; however this act ought to have been preceded by an expreſs repeal of that whereby ſhe was declared incapable of ſucceeding.

Of Elizabeth's

The like allegation might be made againſt Elizabeth: but ſhe might reply, that her mother's divorce was grounded only on a clauſe which was afterwards declared inſufficient, and that, by the act of the year 1540, ſhe was reſtored to her rights: conſequently it was to her the crown was devolved if her ſiſter Mary was incapable of ſucceeding.

Of Mary Queen of Scotland's.

The Queen of Scotland could plead the illegitimation of Mary and Elizabeth, and affirm, it was her right to aſcend the Engliſh throne, as granddaughter to Henry VIII's eldeſt ſiſter. As to the objection of her being born out of the land, it was a groundleſs cavil, ſince in England Princes of the Blood are never deemed foreigners, tho' born out of the realm.

Of Jane Grey's.

Jane Grey had for her Edward's aſſignment, approved by the whole privy-council, and all the judges of England: but it muſt be confeſſed to be a very ill-grounded right. Herein it is certain the King, the council, and the judges had undertaken what exceeded the bounds of their power: beſide, the duke of Northumberland was known to hold the council in ſubjection, and it would have been eaſy to prove the judges were conſtrained to draw and ſign the inſtrument.

Mary and Jane Grey are the only competitors.

Had this affair been to be decided by law and impartial judges, many difficulties would doubtleſs have occurred. On the other hand, if each of the four Princeſſes who might have pretended to the crown would have maintained her right, and had been ſtrong enough to ſupport her pretenſions, to what calamities would the nation have been expoſed? But the affair took another turn, becauſe neither Princeſs Elizabeth nor the Scotiſh Queen took any ſteps towards poſſeſſing the crown. So Mary and Jane were the only competitors. This was very advantageous to Mary, becauſe her right was thereby put in the balance with only Jane's, the weakeſt of all. Undoubtedly this is what induced all the hiſtorians to declare for Mary's right, becauſe they compared it only with that of her rival. But had Elizabeth and the Queen of Scotland been each

ſupported

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ſupported with a good army, perhaps all the advantage would not have been ſo readily given to Mary. Having thus ſeen the grounds of this quarrel, let us now proceed to the deciſion.

The duke of Northumberland's error. Burnet.

The duke of Northumberland took care to conceal Edward's death, becauſe he expected Mary would throw herſelf into his hands. We muſt acknowledge that this miniſter, politic as he was, commited a very groſs error, in neglecting to ſecure Mary and Elizabeth, immediately after Edward had ſigned the conveyance to Jane Grey. He might have eaſily effected it while Edward lived: but inſtead of ſuddenly taking ſo neceſſary a precaution, he expected they would voluntarily run into the ſnare he had laid for them, by having them ſent for to keep their brother company in his ſickneſs. Mary had like to have been caught in the trap: ſhe was within half a day's journey of London, when ſhe had notice from the earl of Arundel of King Edward's death, his aſſignment of the ſucceſſion, and the deſign upon her perſon.

Mary retires into Norfolk; Godwin. Burnet. Hollingſh. Heylin. Speed.

This intelligence obliging her to take other meaſures, ſhe immediately altered her courſe, and went to Kenning-Hall in Norfolk. Thence ſhe wrote to the council a letter, which plainly evidenced her being informed of what they intended to conceal from her. She told the counſellors, ſhe thought it very ſtrange, that the King her brother being three days dead, ſhe had not been advertiſed of it by them, ſince they could not be ignorant of her juſt right to the crown: that their neglect on this occaſion was a plain intimation of ſome ill deſign againſt her; but that ſhe was ready to take all in good part, and to pardon ſuch as would have recourſe to her clemency: that, in the mean while,

and thence to Suffolk. Burnet.

ſhe required them to proclaim her Queen. After writing this letter ſhe departed from Kenning-Hall, and repaired to the caſtle of Framlingham in Suffolk. Two reaſons induced her to retire to this place: the firſt, that the duke of Northumberland was much hated in thoſe parts, ever ſince the great ſlaughter he had made of the rebels who had taken arms under Ket: the ſecond, that the caſtle of Framlingham being near the ſea, ſhe might, if the ill ſucceſs of her affairs obliged her to it, have a more eaſy opportunity of eſcaping into Flanders.

She aſſumes the title of Queen, and calls the nobles to her aid.

On her arrival at this place, ſhe took the title of Queen, and being proclaimed at Norwich, ſent circular letters to all the nobility, requiring them to aſſiſt her in maintaining her right. Let us now ſee what paſſed at London.

The duke of Northumberland abſolute in the council.

It has, in the preceding reign, been obſerved, that the duke of Northumberland was become ſo abſolute in the council that not one of the counſellors durſt oppoſe his will. Seemingly, Edward's death ſhould have freed them from their ſervitude: but as probably that duke would have more authority under his daughter-in-law Jane, than under Edward, all dreaded having him their enemy. It is not therefore to the council ſo much as to the duke of Northumberland, by whom the board was directed in all their reſolutions, that what was done in Jane's favor, after Edward's death, is to be aſcribed. This miniſter ſoon found it impoſſible to keep the King's death long concealed. Two days after, it became public in London: beſide, Mary's retreat plainly ſhewed how fruitleſs were the pains taken on that

He notifies to Jane her being Queen. Burnet.

account. Wherefore Northumberland, judging it no longer proper to make a ſecret of his deſigns, went with the duke of Suffolk to give Jane notice of her being to aſcend the throne (1), by virtue of Edward's letters patent, whereby he aſſigned her the crown. Jane was then in her ſixteenth year: but at that age, wherein human judgment ſcarce begins to be formed, hers had acquired ſuch a degree of perfection as is rarely found in one ſo immature. All the hiſtorians agree that the ſolidity of her mind, joined to a continual application to ſtudy, rendered her the wonder of her age. She perfectly underſtood French, Latin and Greek, and made uſe of theſe languages as helps to attain to the higheſt knowledge in the ſciences (2). Herein ſhe greatly reſembled her kinſman King Edward, who had for her a tender friendſhip, as on her part ſhe had for him a ſingular eſteem. She expreſſed great concern at his death, which however ſhe muſt have expected, ſince his recovery had been deſpaired of ſome time: but as ſhe knew not that his death was to procure her the crown, ſhe was exceſſively ſurpriſed at the tydings brought her by her father and the duke of Northumberland. Inſtead of receiving it with joy, as they doubtleſs expected, ſhe told them, That ſhe deſired not to inrich herſelf by the ſpoils of others: that the crown appertained to Princeſs Mary, and after her to Princeſs Elizabeth, and being acquainted, as ſhe was, with King Henry's will, ſhe was unwilling to aſpire to the throne before her turn. Againſt theſe reaſons were urged King Edward's authority, with the judges approbation, and it was indeavored to convince her, that this unanimity was a clear evidence there was not therein any thing repugnant to the national laws. Theſe arguments ſomewhat moved her, and the importunities of Guilford Dudley her huſband finally prevailed on her to receive the proffered diadem: yet was it in ſuch a manner as convinced the two dukes that ſhe did it not ſo much from a perſuaſion of the juſtice of her title, as thro' complaiſance and want of reſolution. Accordingly, the duke of Northumberland declared, in his report to the council, that ſo far was Jane from aſpiring to the crown, that ſhe was rather by inticement and force made to accept it.

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Jane's character. Godwin. Burnet.

She accepts the crown with reluctance. Godwin. Burnet.

She withdraws to the Tower with the council.

No ſooner had the duke of Northumberland obtained Jane's conſent, but it was reſolved that the council ſhould with her withdraw to the Tower, and ſhe be proclaimed. This reſolution taken, the lord mayor of London was ſent for, and being informed of the King's death, and of the ſettlement in favor of Jane Grey, the ceremony of proclaiming her was fixed to the next day, July ten, and the fifth after Edward's deceaſe. Mean while, the council wrote a reply to Mary's letter, ſigned by twenty-one counſellors, to this effect, "That Mary "could not pretend to the crown, ſince ſhe was "born of a marriage not legal and diſſolved by a "juridical ſentence, confirmed by more than one "parliament: that ſhe ought to deſiſt from her "pretenſions, and acknowledge for her Sovereign "Queen Jane, who was now on the throne by "virtue of the late King's letters patent: that if "ſhe ſhewed herſelf obedient, ſhe ſhould find the "counſellors ready to do her any ſervice, conſiſtent "with her duty to Queen Jane."

She is proclaimed at London. Burnet. Strype. Stow.

The council's anſwer to Mary. Hollingſh. p. 1085. Burnet. Heylin.

Jane was proclaimed in London with the cuſtomary formalities; but without any of thoſe joyous acclamations uſual at ſuch ſolemnities; ſo aſtoniſhed were the people to ſee proclaimed a Queen of whoſe acceſſion they had never even dreamed. Beſide, as Northumberland was extremely odious, and Jane

The people expreſs no joy at Jane's proclaiming. Godwin. Burnet. Strype.

(1) She was then at Durham-houſe, the place of her reſidence. Burnet, Vol. II. p. 234.

(2) Roger Aſcham, tutor to lady Elizabeth, coming once to wait on her at her father's houſe in Leiceſterſhire, found her reading Plato in Greek, when all the reſt of the family were hunting in the park. He aſked her, how ſhe could be abſent from ſuch pleaſant diverſion? She anſwered, The paſtimes in the park were but a ſhadow to the delight ſhe had in reading Plato's Phædon, which then lay open before her. Ibid.

was

was his daughter-in-law, when they heard her proclaimed Queen, they alſo imagined they heard that deteſted duke proclaimed chief governor; a ſound no way pleaſing to the Engliſh: nay, on this occaſion, happened a certain accident very ominous, and which confirmed the Londoners in their prejudice againſt the duke of Northumberland. A vintner's boy, having ſome way expreſſed a ſort of ſcorn at the proclamation, was inſtantly ordered to the pillory, his ears cut off, and nailed to it; which was done. This procedure, whereof the odium was caſt upon Northumberland, made it judged what was to be expected from his government, ſince this new reign began with ſuch ſeverity.

A vintner's boy puniſhed for making a jeſt of it. Burnet. Strype. Stow.

The duke of Northumberland took care not to omit the cuſtom long ſince introduced, that the new Sovereigns ſhould, in the begining of their reign, retire with their council to the Tower. He could not doubt Mary's pretending to the crown, and uſing all poſſible indeavors to take poſſeſſion, neither was he ignorant how the nobles and people ſtood affected with regard to the ſtate's then ſituation. For this reaſon he was very glad to have the counſellors in the Tower, in order to be maſter, and bring them to reſolutions agreeable to his intereſt.

Northumberland's reaſons for keeping the council in the Tower.

As the change, which ſoon after happened, proceeded from the diſpoſition of the ſeveral ſtate members, it will be abſolutely neceſſary to have a diſtinct notion how they ſtood inclined, in order to comprehend the cauſes of this revolution.

Diſpoſition of the ſtate members.

The council conſiſted of twenty-one perſons, among whom few were the duke of Northumberland's real friends; but all in general feared him. Some, as the earl of Arundel, ſtill adhered to the Romiſh creed, tho' outwardly they conformed to the novel inſtitutions. Others, as the archbiſhop of Canterbury, were ſincerely zealous Proteſtants. But the majority, without being bigots to either religion, blindly followed that which happened to be predominant: as they had eaſily imbraced that of Henry VIII, they had with the ſame eaſe followed that eſtabliſhed by Edward VI, being ready to reſume the Romiſh belief if it ſuited beſt with their temporal intereſt. This was particularly the duke of Northumberland's character: ſo, tho' he profeſſed the reformed religion, even the Proteſtants had of him but a very indifferent opinion. They were perſuaded his pretended zeal for the reformation's advancement was mere grimace, and purely the effect of his policy. This diſpoſition of the counſellors, manifeſtly evidences, that a religious zeal alone was not capable of keeping them in Jane's intereſt: no, they needed a more powerful motive. But inſtead thereof, there was a reaſon which wholly diſingaged them from her party; namely, the ſlaviſh ſubjection they were held in by Northumberland. That duke, whoſe pride was inſufferable, could not brook the leaſt contradiction. The council ſeemed to have nothing to do, but to follow his directions without examination: then, he was one of thoſe difficult taſk-maſters with whom a ſingle failure cancels all former ſervices. This the earl of Arundel in particular had ſadly experienced. Tho' he had been greatly ſerviceable to the duke in ruining Somerſet, yet afterwards, becauſe he found him not ſufficiently pliant to his humor, he got him heavily fined, under color of his having imbezzled the royal treaſure. This uſage was ſtill remembered by the earl, who only waited a proper occaſion of taking vengeance; nor were the other counſellors a whit leſs deſirous to free themſelves from the yoke of that arrogant miniſter; but they were as priſoners in the Tower, where they apprehended the leaſt falſe ſtep would coſt them their lives before the quarrel between Jane and Mary was decided, and therefore, they approved of whatever the duke pleaſed to order, and the reſolutions tending to eſtabliſh Jane on the throne were made in the council's name, tho' Northumberland was the ſole author.

Of the council.

The other peers, who had no ſhare in the government, had ſentiments much like thoſe of the counſellors. While the duke of Somerſet was protector, he was hated by the nobility, as appeared in the former reign; and therefore, to their utmoſt, they aſſiſted Warwick in working his deſtruction: but when that was effected, they ſoon perceived they were no gainers by the change, ſince it gave them a maſter abundantly more imperious and formidable than him from whom they were freed: the new miniſter treating them afterwards with ſuch haughtineſs, that they had cauſe to regret the duke of Somerſet. Conſequently, they moſt ardently wiſhed his ruin, which was not to be expected while his daughter-in-law ſhould ſit on the throne. This made them incline to Mary, tho' in reality that Princeſs was little beloved by the Engliſh.

Of the nobility.

The duke of Northumberland had been chief author of the fall of Somerſet, who was the peoples idol. This ſufficed to render him odious: beſide, he was looked on as a perſon cruel and moroſe, whoſe councils always leaned to ſeverity. On his routing the Norfolk rebels under the late reign, ſuch were his executions, that he drew on him the hatred of that whole county and Suffolk. This hatred afterwards ſpread over the kingdom, when he came to be at the head of affairs: wherefore, all in general languiſhed for deliverance from this deteſted miniſter; and that could be only by the ruin of Jane's party. The Londoners in particular hated him mortally.

Of the people.

Let us now conſider the Engliſh nation in reſpect to the two religions. Jane openly profeſſed herſelf a Proteſtant, and that ſhe was intirely convinced of the truth of that doctrine. Mary, on the contrary, was vehemently bigoted to Popery; and tho' under Edward ſhe had feigned conformity to the belief eſtabliſhed by Henry VIII, it was well known to be merely with deſign to ſilence thoſe who governed during her brother's minority. She was not only believed a ſtanch devotee to his Beatitude, but alſo zealous for all the moſt outrageous exceſſes injoined by the Romiſh church. It may eaſily be gueſſed, that all who were ſtill cordially inclined to the ancient creed, paſſionately wiſhed this Princeſs might aſcend the throne; that being the ſole means whereby they could hope to ſee their religion reſtored: whereas if Jane reigned, they could expect only a continuance of the meaſures taken to aboliſh it. The duke of Northumberland, who probably was to be Jane's prime miniſter, had even appeared zealous for the reformation: ſo, to judge of him by his former conduct, the friends of the old religion could not from him hope for any advantage. Some who knew him better than the reſt, were very ſenſible how remote he was from being a good Proteſtant: but they knew alſo, tho' he might have favorable thoughts of their religion, they could expect nothing from him but what ſuited his temporal intereſt, and that this intereſt would naturally hold him attached to the Proteſtant party: ſo, the Roman Catholics were all for Mary, and ready to lend their hands to ſet her on the throne.

Of the Roman Catholics.

The better to comprehend how the Reformed ſtood affected at this juncture, it muſt be obſerved that, to conſider England in general, it may be ſaid the nation was wholly Proteſtant. Scarce was one perſon to be found who had not ſubmited, at leaſt outwardly, to the laws made for that purpoſe in the reign of Edward: but among the great numbers deemed Proteſtants, many were only ſo in name. Some ſtill halted between the two religions: others were Papiſts in their hearts; and abundance, regarding only temporal advantages, had imbraced the

Of the Reformed.

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the reformation to make their fortunes. The ſmalleſt number was of ſuch as, truly convinced of the new religion's tenets being undeniable verities, were ready to ſacrifice their All for its ſake. None but theſe therefore were Jane's real friends. Among the others, many indeed wiſhed the reformation might prevail, and conſidered Mary's acceſſion to the throne as a calamity, but were not at all diſpoſed to hazard their lives and fortunes to prevent it. However, there was one thing wherein all the Reformed, as well the zealous as the luke-warm and timorous, were agreed; namely, in their hatred of the duke of Northumberland, and their dread of falling again under his tyrannical government. Theſe two paſſions made them look on Jane's acceſſion as a misfortune to them and the kingdom: they were the more confirmed in this opinion as, not foreſeeing what was to happen in Mary's reign, they flattered themſelves that, content with the private exerciſe of her own religion, ſhe would leave the reformation in the ſame ſtate ſhe found it, or at moſt would be ſatisfied with allowing her party liberty of conſcience; and this was what her friends every where, and on all occaſions, were extremely ſedulous to inſinuate. So Jane's cauſe muſt naturally not be well ſupported, eſpecially as, Mary not having any other competitor, the Engliſh did not believe they ought, merely thro' a principle of religion, to depart from the rules of juſtice and equity, by depriving of the crown her who had the beſt title. If their poſterity have not continued in the ſame opinion, it muſt wholly be aſcribed to the inhuman violences exerciſed on the Proteſtants, where-ever the Romiſh perſuaſion prevails.

The public hatred of the duke of Northumberland advantageous to Mary.

It is certain, tho' Mary had for her all the wiſhers to the old religion, that party would not have been able to place her on the throne, had not the peoples hatred of Northumberland determined the very Proteſtants to declare for her. Moſt of the Engliſh hiſtorians take great pains to prove the juſtice of Mary's title, and infer from thence that the Proteſtants prefered right to their own intereſt. I will not deny that ſeveral acted from that principle: but, very ſeemingly, the dread of falling again under the duke of Northumberland's domination helped Mary to more friends than the juſtice of her title, eſpecially as this title was not ſo clear but that it was liable to many objections. However this be, Mary being proclaimed at Norwich, the counties of Norfolk and Suffolk declared for her, and furniſhed her with troops. The men of Suffolk, tho' ſtrongly attached to the reformation, ſignaliſed themſelves on this occaſion. It is true, they deſired to know of her, whether ſhe would leave religion in the ſame ſtate ſhe found it; which ſhe poſitively promiſed, reſerving to herſelf the liberty of profeſſing her own creed. On theſe aſſurances, they reſolved to hazard their lives and eſtates in her quarrel. Many lords and gentlemen came alſo to Framlingham to offer their ſervice; and the earls of Bath and Suſſex, the ſons of lords Wharton and Mordant (1), with many more, raiſed forces for her.

Norfolk and Suffolk declare for her. Godwin. Burnet. Stow.

She promiſes to make no change in religion. Burnet. Strype.

Stow. Heylin.

During this, inſtructions were expediting by the counſellors for Richard Shelley, who was to go and inform Charles V of what paſſed in England. It was believed there was moſt danger from that quarter. Shelley went indeed, but the Emperor would neither give him audience, nor receive Jane's letter, to notify her acceſſion to the crown, and to deſire his friendſhip.

Jane ſends Shelley to the Emperor, who refuſes him audience. Burnet. Strype.

Mean while, the council received from all parts intelligence, that Mary's party gathered ſtrength, that ſhe had been proclaimed in many places, and had already an army which daily increaſed. Theſe ill tidings, which flowed in very faſt, obliged the miniſters to raiſe forces to oppoſe Mary's. Immediate orders were given to ſuch as were in a readineſs, to meet at Newmarket, with whom were joined ſome regiments haſtily levied at London. At the ſame time they ſent ſir Edward Haſtings, the earl of Huntington's brother, to raiſe Buckinghamſhire, and the earl of Northampton undertook alſo to raiſe Herefordſhire. The duke of Suffolk was appointed to command this army, Northumberland being unwilling to leave London, leſt his abſenſe ſhould produce ill effects: but the earl of Arundel, who wiſhed ſome occaſion to act for Mary, ſeeing the duke of Northumberland's preſenſe was an inſuperable obſtacle to the execution of his deſigns, found means to break his meaſures. He intimated to Jane, that her father would be expoſed to extreme peril; that it would be properer the duke of Northumberland ſhould head the army, and the duke her father continue with her. On the other hand, he inſinuated, or cauſed it to be inſinuated to the duke of Northumberland, that it would be very dangerous to put the army under the command of Suffolk who had never been very fortunate in his expeditions: that, on ſuch a momentous occaſion, he ought inſtantly to head the troops himſelf, and that his name alone was capable of ſtriking terror in thoſe aſſembled by Mary, in a country where he had given ſignal proofs of his conduct and valor. Jane's tender affection for her father induced her to ardently to imbrace this counſel, that all Northumberland's efforts to make her deſiſt proved ineffectual.

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The council raiſe an army, the command wheeof is deſigned for the duke of Suffolk. Godwin. Burnet. Stow.

The earl of Arundel takes meaſures againſt the duke of Northumberland.

He ſo manages that the duke of Northumberland heads the army.

At ſo critical a juncture, the duke of Northumberland was ſtrangely perplexed. He was indeed conſcious of his being much more fit than the duke of Suffolk to command the army againſt Mary, and was very ſenſible that thereon the whole abſolutely depended. But then he dreaded leaving the young Queen in the hands of the council, of whom he was not well aſſured, and who complied with him purely thro' fear: and the more, as Suffolk, the Queen's father, was reckoned no great genius. However, as it was not intirely in his choice to accept or refuſe the command, and beſide all depended on the ſucceſs againſt Mary's army, he reſolved to march. He left London on the fourteenth of July, without being wiſhed ſucceſs (as is uſual on ſuch occaſions) by the great crouds looking on as he paſſed in order to head ſix thouſand men aſſembled at Newmarket (2).

Godwin. Burnet. Stow. Hollingſh.

Tho' moſt of the counſellors had no great inclinations to favor Northumberland's deſigns, they were however obliged to uſe great caution. They ſaw themſelves as priſoners in the Tower, under direction of the duke of Suffolk, who was concerned to prevent all attempts againſt his daughter. It was neceſſary therefore to ſeem very zealous for Jane's intereſts, 'till a favorable opportunity offered to declare for Mary. To this end, they appointed Ridley, biſhop of London, to ſet out Queen Jane's title in a ſermon at St. Paul's, and to warn the people of the dangers to which they would be expoſed ſhould Mary aſcend the throne. Ridley diſcharged his commiſſion like one who was fully convinced that the reformation would greatly ſuffer under Mary's government; and therefore, he largely inſiſted on Mary's attachment to the Romiſh re-

Diſpoſition of the counſellors.

Ridley's ſermon in favor of Jane. Godwin. Burnet. Stow.

(1) M. Rapin wrongly ſays, lord Mordant. It was ſir John Mordant, his ſon.

(2) He marched out of London at the head of two thouſand horſe and ſix thouſand foot. But as he rode through Biſhopſgate ſtreet and Shoreditch, tho' there were great crouds of ſpectators, none cried out to wiſh him ſucceſs, which gave a ſad indication how ill they were affected to him. Burnet, Vol. II. p. 238.

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ligion, and informed the audience of certain paſſages between her and himſelf, and which were plain indications of her averſion to the reformation and the Reformed (1). Mary never forgave him this ſermon, which at that juncture was capable of doing her great prejudice, it being at a time when her friends were uſing their utmoſt indeavors to perſuade the people of her not being ſo zealous for Popery as ſhe was repreſented, and that ſhe would not make any alterations in the religion which was by law eſtabliſhed. Sands, vice-chancellor of Cambridge (afterwards archbiſhop of York (2) in the reign of Elizabeth) having received the ſame orders from the duke of Northumberland (3) managed it more artfully and, by keeping to more general terms, gave no offenſe to either party.

Another of Sands at Cambridge. Burnet.

Deſertion in Northumberland's army.

Mean while, the duke of Northumberland was terribly imbaraſſed. He had marched to Cambridge with ſix thouſand men (4), and from thence was advanced to St. Edmundſbury: but, inſtead of ſeeing his army increaſe by the way, as he expected, it daily diminiſhed by deſertions. On the other hand, he heard of Mary's progreſs in Norfolk and and Suffolk, and to complete his misfortunes, news was brought him, that ſir Edward Haſtings, who was to have joined him with four thouſand men he had raiſed, had declared for Mary, and proclaimed her at Buckingham. In ſhort, he was likewiſe informed, that the ſix warlike ſhips, ſent to cruiſe on the coaſt of Suffolk to prevent Mary's eſcape, had followed the example of Haſtings. All this made him reſolve on returning to Cambridge, whence he wrote to the council for a ſpeedy ſupply. But the counſellors were then otherwiſe imployed.

Haſtings declares for Queen Mary with 4000 men; Godwin. Burnet. Stow.

as do ſix ſhips of war.

The duke ſends for ſuccors. Godwin. Burnet.

Some of the counſellors reſolve to act for Mary. Godwin. Burnet.

The news they received, from all parts, of the proſperous ſtate of Mary's affairs, had now determined ſome of them to provide for their ſafety, by ſhifting ſides, while their change might be of ſervice to them. In all appearance, the earl of Arundel had already labored to take off ſome of his colegues from Jane's party. The marquis of Wincheſter, who always went with the ſtream, was eaſily prevailed on. The earl of Pembroke had been one of the moſt zealous for Jane, becauſe his ſon had eſpouſed this new Queen's younger ſiſter: but finding her affairs taking a bad turn, he reſolved, either voluntarily, or thro' Arundel's ſollicitations, to ſcreen himſelf from the impending ſtorm, in doing Mary ſome ſignal ſervice (5). Theſe three peers gained other counſellors, and they all determined to declare for Mary as ſoon as it was poſſible. The difficulty was to get out of the Tower, without giving umbrage to the duke of Suffolk. Had Northumberland been preſent, they would not have found it a very eaſy matter to ſucceed; but the duke of Suffolk was far from having his penetration. The letter lately received from the duke of Northumberland furniſhed them with the wanted pretenſe. They repreſented to Suffolk, that the readieſt way to procure the required ſuccors was applying to the mayor of London; and, to that end, it was proper the council ſhould meet ſomewhere in the city, the more eaſily to confer with the mayor concerning means of ſpeedily raiſing a body of forces: that the earl of Pembroke's houſe was convenient for that porpoſe, and there the buſineſs would be forwarded more in two hours, than at the Tower in ſix. But, as it might be objected, that the mayor and aldermen could be eaſily ſent for to the Tower, they added, that at the ſame time

They find means to go out of the Tower. Godwin. Burnet. Stow.

audience might be given to the French and Spaniſh embaſſadors, who ſcrupled to receive it in the Tower. Whether the duke of Suffolk did not ſuſpect them of any ill deſign, or durſt not at ſuch a juncture diſcover his ſuſpicions, he ſuffered the council to meet at the earl of Pembroke's (6), whom he did not miſtruſt. July 19.

They were no ſooner aſſembled than the earl of Arundel began a harangue, repreſenting to them, that now or never was the time to ſhake off the tyranny of Northumberland: that they had ſufficiently experienced his inſolence, injuſtice, cruelty and treachery to his friends, and if they were ſo unwiſe as to ſupport Jane on the throne, they would but render heavier the yoke which that duke had already laid on their necks: that the only way was to declare for Mary, and when the people ſhould ſee the council take that courſe, Northumberland would be univerſally abandoned. The council's ſudden reſolution to imbrace Arundel's propoſal evidences this affair to have been already determined among the principal members. After a ſhort debate, they ſent for the mayor and aldermen of London, and, declaring their reſolution, they went together and proclaimed Mary in diverſe quarters of the city. Then they repaired to St. Paul's, where Te Deum was ſung. The London magiſtrates ready compliance can be aſcribed only to the hatred they bore Northumberland. Let it be ever ſo much affirmed that theſe magiſtrates languiſhed for the ancient creed's re-eſtabliſhment, and therefore joyfully ſeized this opportunity to ſet Mary on the throne; it is not likely, that men placed in their offices in Edward's reign ſhould be ſo well inclined to the old religion as to come to ſo ſudden a reſolution with that view only, had there not been ſome other motive. However, they no ſooner returned from St. Paul's, but orders were ſent the duke of Suffolk, requiring him to deliver up the Tower, and that Jane ſhould lay down the title of Queen, and deſiſt from her pretenſions. Suffolk inſtantly obeyed, ſeeing no poſſibility of keeping the Tower at this melancholy juncture. As for Jane, ſhe beheld her deprivation from the royal dignity, injoyed only nine days, with more pleaſure than ſhe had conceived at her being therewith inveſted. Then the council diſpatched orders to the duke of Northumberland to diſband his army, and behave himſelf as became a loyal ſubject to Queen Mary. At the ſame time, the earl of Arundel and lord Paget were deputed to acquaint Mary with theſe tranſactions.

They declare for Mary, Godwin. Burnet.

and proclaim her at London. Godwin. Burnet. Strype. Stow.

The duke of Suffolk delivers up the Tower. Godwin. Burnet.

Jane lays down her dignity.

Northumberland ordered to diſmiſs his army.

Northumberland heard what paſſed at London before he received the council's injunction to diſmiſs his troops; and, perceiving plainly it would not be poſſible to keep his army together, anticipated the ſaid orders. His firſt thoughts were to quit the land: but it is ſaid that he was prevented by the band of gentlemen penſioners, who flatly told him, they had need of his teſtimony to juſtify their conduct. After that, he thought only of gaining Mary's favor, by expreſſing a zeal for her ſervice, as if it was likely he could deceive her by a few outward appearances. To that purpoſe, he went to the market-place in Cambridge, and proclaimed her, flinging up his hat in token of joy (7). But all this ſignified nothing. Next day, the earl of Arundel arreſted him by the Queen's order. Then appeared that proud and haughty man no leſs meanly ſubmiſſive than he had ſhewed himſelf inſolently elate during his proſperity. He fell at the earl of

He tries to eſcape. Godwin. Burnet.

Godwin.

He proclaims the Queen at Cambridge. Godwin. Burnet. Strype. Stow. Hollingſh.

(1) Namely, that he went to wait on her, and offered to preach in her houſe; but ſhe refuſed him.
(2) Not of Canterbury, according to our author.
(3) Chancellor of that univerſity.
(4) He had eight thouſand foot, and two thouſand horſe, when he arrived at Cambridge. Godwin, p. 331.
(5) Sir Thomas Cheney, warden of the Cinque-Ports, declared alſo for her. Ibid.
(6) At Baynard's caſtle. Ibid.
(7) And crying aloud, God bleſs Queen Mary!

Arundel's

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He is apprehended with his ſons and ſeveral others. Godwin. Burnet. Strype. Stow.

Arundel's feet to implore his favor, and expreſſed many other ſigns of fear, abjectneſs, and puſillanimity. This is the general character of thoſe whom fortune exalts beyond their birth and merit. Three of his ſons, namely, the earl of Warwick his eldeſt, Ambroſe and Henry, ſir Andrew Dudley his brother, John and Henry Gates, ſir Thomas Palmer, and doctor Sands, were apprehended with him, and ſent to the Tower the twenty-fifth of July. On this occaſion, a woman ſeeing Northumberland paſs to the Tower, ſhook at him a handkerchief ſprinkled with the duke of Somerſet's blood, upbraiding him with having cauſed it to be unjuſtly ſhed.

The whole kingdom declares for Mary. Burnet.

When the duke of Northumberland was in the Tower, Mary found no farther oppoſition. All Jane's adherents ſtrove to atone for their fault by a ready ſubmiſſion, and ſupplication of the new Queen's mercy. She received very graciouſly thoſe who came to pay their duty to her, tho' ſhe was determined to ſacrifice to her ſafety, or vengeance, ſome of thoſe whom ſhe deemed her chief adverſaries. Of this number were Jane Grey, the duke of Suffolk, the marquis of Northampton, Ridley biſhop of London, Cheek who had been Edward's preceptor, Robert Dudley the duke of Northumberland's ſon, Guilford Dudley Jane's huſband, Chomley and Montague judges. All theſe were ſent to or detained in the Tower by the Queen's expreſs order. But three days after, ſhe releaſed the duke of Suffolk, having pitched on him to exemplify her clemency, becauſe ſhe judged him not capable of creating her any diſquiet.

Godwin. Strype. Stow. Hollingſh.

She pardons the duke of Suffolk.

She makes her entry into London, and ſets at liberty the priſoners in the Tower. Godwin. Burnet. Strype. Stow.

On the third of Auguſt, ſhe came to London with her ſiſter Elizabeth, who had met her on the way with a thouſand horſe (1), ſhe had raiſed for her ſervice. When ſhe entered the Tower, ſhe releaſed the duke of Norfolk, Gardiner, Bonner, the dutcheſs of Somerſet, and lord Courtney, the marquis of Exeter's eldeſt ſon, whom not long after ſhe created earl of Devonſhire. Thus, without any neceſſity to draw one ſword in her quarrel, ſhe was peaceably ſettled in the throne, notwithſtanding the efforts made to deprive her of it. She owed this good ſucceſs to the general hatred of Northumberland: for it may be truly affirmed, that as Jane Grey would never have been ſtiled Queen, had it not been for this duke, ſo, had it not alſo been for him, ſhe would undoubtedly have preſerved that title. Moſt apparently, reſtoring religion to the ſtate it was in before the alterations introduced by the two laſt Kings, and perhaps taking vengeance on her enemies, were Mary's main views, when ſhe aſcended the throne: at leaſt, we ſhall ſee no other projects during the whole courſe of her reign.

Council about religion. Burnet.

As the new Queen had ſcarce any thing in her thoughts but the re-eſtabliſhment of her religion, her firſt care was to conſult her truſty friends how to effect it. She was herſelf diſpoſed to keep no meaſures, but to force the kingdom to return immediately to what ſhe termed, "the union of the Catholic church." To that end, ſhe had already determined to ſend for cadinal Pole, as legate, to reconcile England to his Sanctity the Roman Pontif: but Gardiner, who was conſidered as a man of great experience, was of a different ſentiment. He knew the reformation muſt be brought down the ſame way it was ſet up, that is, gradually, and therefore it ſufficed at firſt, to reduce religion to what it was at Henry VIII's deceaſe. This advice was moſt prudent, and withal more ſuitable to the intereſt of the perſon who gave it. He was ſenſible, the Queen had a great eſteem and affection for Pole, and was afraid this cardinal being in England, would diſpoſſeſs him of the chief place in the Queen's favor, nay, quite ruin him with her, becauſe he was not his friend. Mean while, as this counſel was not reliſhed by the Queen, it was in danger of being rejected, had not Gardiner uſed other means to compaſs his ends. He ſent a meſſenger to the Emperor, to repreſent to him, that what the Queen propoſed was too hazardous, and in caſe Pole came ſo ſoon into England, his zeal for the See of Rome would undo all, becauſe the Engliſh were not yet prepared to ſubmit to the Pope's yoke (2): that on the contrary, by this method, all things would ſucceed to the Queen's ſatisfaction, and to the advantage of religion, provided her Majeſty would be pleaſed to make him chancellor, and thereby give him the authority neceſſary to conduct a buſineſs of ſuch nicety. Probably, it was now the Emperor projected the marriage between his ſon Philip and Queen Mary, either of himſelf, or by Gardiner's ſuggeſtion. However this be, the Emperor approved Gardiner's meaſures, wrote diverſe letters to Mary, to perſuade her to moderate her zeal, leſt too much precipitation ſhould mar her deſigns. As ſhe had a great deference for his counſels, ſhe brought herſelf by degrees to comply with the projects of Gardiner, to whom ſhe finally gave the great ſeal.

Gardiner's ſentiments.

His intrigues with the Emperor. Burnet.

King Edward's funeral was ſolemniſed at Weſtminſter the eighteenth of Auguſt. The new miniſters were for having the old aboliſhed Office made uſe of on this occaſion, but Cranmer, ſupported by acts ſtill in force, ſtoutly oppoſed it, and officiated himſelf according to the new Liturgy, giving the communion to as many as were deſirous to receive it (3). But the Queen had a ſolemn ſervice in her own chapel performed with all the ceremonials of the Romiſh church.

King Edward's funeral Godwin. Burnet. Strype.

On the twelfth, the Queen in council declared, ſhe would uſe no force upon conſcience in affairs of religion. Great care was taken to diſperſe this declaration, and to magnify it as a ſignal inſtance of her majeſty's generoſity. But the Proteſtants readily diſtinguiſhed the difference between her declarations in council, and her promiſes to the Suffolk men. She had told theſe, that religion ſhould be left in the ſame ſtate as it was in at King Edward's deceaſe; but in this declaration thought it ſufficient to give a general aſſurance, that Proteſtants ſhould not be forced to imbrace the Romiſh belief: for this was the moſt natural meaning of her expreſſions. This reſtriction to her firſt promiſe could not but give them ſenſible alarms.

Mary declares that ſhe will not force any one's conſcience. Burnet.

The Roman Catholics in favor with the Queen.

Thoſe of the Romiſh faction were ſo confident of Mary's intention to reſtore their creed, that they made no difficulty of owning it publicly, and of even inveighing againſt the Proteſtant religion, tho' it had ſtill the countenance and protection of the laws. The day after Mary had made this declaration in her council, Bonner went to St. Paul's church to hear a ſermon preached by his chaplain Bourn. The preacher ſpake ſo honorably of Bonner, that he raiſed the indignation of his audience.

Bonner's chaplain preaches at St. Paul's. Godwin. Hollingſh. Burnet. Strype. Stow.

(1) Two thouſand. See Strype, Vol III. p. 14.

(2) He obſerved to the Emperor, that the Engliſh were averſe to the Papacy on a double account. The one was, for the church lands, which they had bought, and ſhould be in danger of loſing again. The other was, the fear they had of the Papal dominion, which had been for about twenty five years repreſented to them as a moſt intolerable tyranny. Burnet, Vol. II. p. 242.

(3) Day, the deprived biſhop of Chicheſter, preached the funeral ſermon, Goodwin, p. 334. And very probably performed the reſt of the ſervice; for it does not appear likely, that Cranmer ſhould be ſuffered to officiate, he being now under diſpleaſure, and about this time confined to his houſe. See Burnet, Vol. III. Collect. p. 409; and Hollingſh. p. 1089.

Then,

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Then, exagerating the pretended perſecutions ſuffered by this prelate in the late reign, he ſpake of King Edward in terms ſo injurious (1), that the hearers loſt all patience. Some reproached, and others threw ſtones at him. One even threw a dagger, which he luckily avoided, and which ſtuck faſt in the wood of his pulpit. The people became at length ſo furious, that very likely the preacher had been torn piece-meal, had not Bradford and Rogers, two eminent Proteſtant miniſters, interpoſed and conveyed him from the danger, into a neighboring houſe. What compenſation this ſervice met with will appear hereafter.

Is in danger of his life, but reſcued by two Proteſtant miniſters. Burnet.

The Proteſtants ſtill flattered themſelves that the Queen would keep her word, and even favorably conſtrued that reſtriction ſhe had added to her firſt promiſe by her declaration in council. But they were not long left in this hope. Very ſoon after, ſhe iſſued a proclamation, which but too well ſufficed to diſabuſe them. The terms were ſo artfully compoſed, that they implied abundantly more than they ſeemed to expreſs. The Queen ſaid, ſhe had the ſame belief in which ſhe had been educated from her infancy, and intended to adhere to it during her life; ſhe paſſionately wiſhed all her ſubjects would follow her example; but would uſe no force; "till "public order ſhould be taken by common aſſent." This plainly diſcovered her intention to change religion by the parliament, and that then ſhe ſhould think herſelf diſcharged from her promiſe of not forcing conſciences. Then ſhe prohibited her ſubjects from giving each other the odious appellations of Papiſt and Heretic. The Proteſtants conſidered this prohibition as leveled intirely againſt them, becauſe they clearly underſtood, that a diſobedience to it would be puniſhed in them, but not in their adverſaries. After that, all kinds of illegal aſſemblies were forbid, and this article had the ſame conſtruction with the foregoing. By another clauſe of the proclamation, it was forbid to preach without her ſpecial licenſe. A man muſt have been wilfully blind, not to ſee this was intended to exclude the Proteſtants from every pulpit. Finally, the Queen ſaid, it was her intention, no man ſhould be puniſhed for the laſt rebellion, "without her order." Hereby, ſhe left all in fears. The proclamation ended with ſaying, her Majeſty was reſolved to puniſh rigorouſly all thoſe who ſhould foment pernicious deſigns; but ſhe hoped to have no cauſe to execute the ſeverity of the law. This clauſe naturally inſpired the Proteſtants with terror, for it was eaſy to foreſee, that religion and the laws were going to be changed, and that thoſe who ſubmited not blindly to the new ſtatutes, would be conſidered as rebels.

The Queen diſcovers her intention by a proclamation. Fox. Aug. 18. Burnet. Vol. II. p. 245. Strype.

The ſame day this proclamation was publiſhed, came on the trials of the duke of Northumberland, the marquis of Northampton, the earl of Warwick, ſir Andrew Dudley, ſir John and ſir Henry Gates, and ſir Thomas Palmer. On the evidence of Palmer and ſir John Gates, King Edward had conſented to the execution of his uncle the duke of Somerſet, and they were become Northumberland's principal confidents. Mary appointed the duke of Norfolk, lord high ſteward at the trial of theſe three lords. He was ſtill under condemnation, ſince the act of attainder againſt him had not been reverſed. But the Queen had granted him a pardon, tho' in reality the ſaid pardon was not diſpatched 'till eleven days after. It was undoubtedly preſumed, that the Queen's promiſe was ſufficient, otherwiſe it is not eaſy to conceive, by what ſort of right a man under ſentence of death could preſide in a capital trial, or even give his vote (2).

The duke of Northumberland brought to his trial, with the earl of Warwick, marquis of Northampton &c. Godwin. Burnet. Strype. Stow. Hollingſh. Rym. Fœd. Vol. XV. p. 337.

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The duke of Northumberland being brought before his peers, deſired information upon two points, before he anſwered to the articles exhibited againſt him. The firſt was, whether a man acting by order of council, and under authority of the great ſeal, could be guilty of treaſon? The ſecond was, whether perſons who acted with him in the ſame affair, and were equally guilty, could ſit as his judges? This doubtleſs related to the marquis of Wincheſter, and the earls of Arundel and Pembroke, who were actually members of the council when Jane was proclaimed, and had given orders for her proclamation. After a ſhort conſultation, it was anſwered, that the great ſeal of a uſurper could give no authority nor indemnity to thoſe who acted by ſuch a warrant. To the ſecond point, he was anſwered, that none of the peers who ſat in judgment upon him having been either condemned for, or even accuſed of the ſame crime, could be deprived of their right on a bare ſurmiſe or report. It belongs to the lawyers to conſider whether theſe anſwers carry with them much ſolidity. It ſeems, as to the firſt, that if this maxim was admited in its utmoſt extent, it would draw after it very dangerous conſequences. Let us, for inſtance, ſuppoſe a uſurper on the throne of England, it is certain, the adherents to the lawful King cannot avoid great danger, which way ſoever they turn: if they obey the uſurper, they will be guilty of treaſon when the lawful King is on the throne; if they refuſe obedience, they will be puniſhed by the uſurper. That maxim, which allows that every ſubject ought to be faithful to the Prince on the throne, and who exerciſes the ſovereign power, is ſeemingly liable to fewer inconveniencies. As to the ſecond, let the peers inſiſt ever ſo much on their privileges, it is contrary to reaſon and equity, that accomplices of a crime ſhould ſit in judgment on him who commited it with them, when it is notoriouſly certain they were equally guilty: at leaſt it is very unlikely this maxim ſhould be approved by the judges of the realm, if there was the leaſt room to believe the accomplices would vote for the accuſed, which might very eaſily happen.

Burnet. Stow. Hollingſh.

The duke, ſeeing theſe two points determined againſt him, confeſſed himſelf guilty, and ſubmited to the Queen's mercy. The other two lords followed his example, and they were all three found guilty of high treaſon. Of the ſeven condemned, three were deſtined to execution, the duke of Northumberland, ſir John Gates, and ſir Thomas Palmer. The Biſhop of Worceſter * being ſent to the duke with the meſſage of death, he confeſſed to the biſhop, and declared he had always been a Roman Catholic in his heart. He made the ſame confeſſion on the ſcaffold; but it was ſtill doubted whether

Condemnation of the three lords. Burnet. Stow.

* Nicholas Heath.

Northumberland, before his execution, declares himſelf a catholic. Burnet. Fox. Strype. Stow.

(1) Bourn taking occaſion of the goſpel for that day, to ſpeak ſomewhat largely in juſtifying Bonner, who was preſent, ſaid, "That he, upon the ſame text, in that place, that day four years, had preached before, and was upon the ſame moſt cruelly "and unjuſtly caſt into the vileſt dungeon of the Marſhalſea, and there kept during the time of King Edward." The matter of this ſermon tended ſo much to the derogation and diſpraiſe of King Edward, and his words ſounded ſo evil in the ears of the hearers, that they proceeded to the extremities here related. Fox. Heylin affirms, that the preacher "inveighed in favor of biſhop Bonner." Eccl. Hiſt. p. 192. And Hollingſhead ſays, that "this matter being ſet forth with great vehemency, ſo "much offended the ears of the audience, that they could not help inſulting Bourn, for reflecting on the adminiſtration of King "Edward, whoſe memory was ſo juſtly dear to them". p. 1089.

(2) It was ſaid, the duke of Norfolk had never been truly attainted, and that the act againſt him was not a true act of parliament, ſo without any pardon or reſtitution in blood, he was ſtill duke of Norfolk. Burnet, Vol. II. p. 224.

this

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this was done in expectation of being pardoned (1) or he had really diſſembled during the whole courſe of his life. It is pretended that, to ingage him to this public declaration, he had been flattered with the hopes of pardon, even tho' his head were laid on the block. He died unlamented, his conduct not having given to any perſon whatever the leaſt cauſe to love him. His two companions were executed the ſame day, being the twenty-ſecond of Auguſt.

The deputies from Suffolk ill received at court. Burnet.

Mary's late proclamation, concerning religion, evidently demonſtrated in what ſpirit ſhe deſigned to rule: but immediately after there were more convincing proofs. The inhabitants of Suffolk, relying on her Majeſty's promiſe, and having tranſgreſſed the prohibitions contained in the proclamation, expreſs orders were ſent the magiſtrates of that county to look ſtrictly to the execution of it, and rigorouſly puniſh the diſobedient. Hereupon thoſe people, not believing Mary would falſify her word, after the great ſervice they had done her, ſent deputies to intreat her to remember what ſhe had promiſed them with her own mouth. This petition was moſt haughtily rejected, and thought the more offenſive, as it juſtly reproached the Queen with breach of formal promiſe. They were told; that ſubjects were not to controle the actions of their Sovereign; and one of them named Dobbe (2), for ſpeaking with more freedom than the reſt, was pillored.

Bradford and Rogers commited to priſon. Burnet. Fox.

A few days after Bradford, one of the two miniſters who had reſcued Bourn, was put in priſon, and Rogers his companion confined to his houſe: afterwards he was alſo impriſoned. The great changes reſolved on at court, gave the miniſtry apprehenſions of meeting with obſtacles from ſuch as had credit with the people, and therefore they were glad, on ſundry pretexts, to ſecure them. All theſe proceedings induced the Proteſtants to believe a terrible ſtorm was impending.

Prelates depoſed in King Edward's time reſtored. Burnet. Rym. Fœd. Vol. XV. p. 334, 337.

At the ſame time, all the biſhops deprived in the reign of Edward, were reſtored, by commiſſioners whom Mary appointed to examine the cauſes of their deprivation. Five Popiſh prelates, Bonner, Gardiner, Tonſtal, Day, and Heath, were ſubſtituted in the room of five Reformed (3). Gardiner was at the ſame time made chancellor, and very ſoon after a commiſſion was given him by the Queen, impowering him ſingly to grant licences to preachers, in conſequence of what ſhe had before injoined by her proclamation.

Other biſhops impriſoned. Fox. Godwin. Strype.

Some Proteſtant eccleſiaſtics, not ſubmiting to this order, were ſent to priſon. Hooper, biſhop of Gloceſter, and Coverdale, biſhop of Exeter, were of this number (4). The firſt was actually impriſoned; the latter commanded not to ſtir out of his houſe without permiſſion.

Romiſh ceremonies performed contrary to the laws. Burnet.

When the Papiſts manifeſtly perceived Mary's drift, they had not patience to wait for the reſtoration of their religion by public authority, but boldly celebrated maſs in ſeveral places, juſt as before the reformation; and tho' this was contrary to law, the court connived, and by ſilence expreſſed approbation.

At the ſame time, Mary's and her miniſtry's partiality appeared evidently in favor of the Roman Catholics againſt the Proteſtants. Judge Hales, who had alone refuſed ſigning the inſtrument which transfered the crown to Jane Grey, was thrown into the Marſhalſea, for charging the juſtices of Kent to conform to the unrepealed laws of King Edward, or rather for being a Proteſtant (5). For the ſame reaſon Montague, who had been conſtrained to aſſiſt in drawing the ſaid inſtrument, was fined in a thouſand pounds, and deprived of his office, to make room for Bromley, who had drawn and ſigned it without ſcruple.

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Injuſtices done to the Proteſtants. Burnet.

In fine, ſince the ſhort time Mary had been on the throne, Proteſtants were every where injured and oppreſſed, the magiſtrates either not daring or not caring to give them any protection. Peter Martyr, profeſſor of divinity in Oxford, finding himſelf expoſed to the inſults of ſuch as hated his religion, was finally obliged to quit the place, and retire to Cranmer: but that archbiſhop, whoſe deſtruction was reſolved, was little able to protect him. Mean time, Bonner launched out into invectives and railleries againſt Mr. Canterbury, as he was pleaſed to ſtile him, and publiſhed every where, that ſuch was his reſignation to her Majeſty's pleaſure, that he had promiſed her a ſolemn abjuration of his errors. Cranmer refuted this calumny in a writing. He called the Queen herſelf to witneſs, that he had never made her any ſuch promiſe, and offered to maintain publicly the truth of what he profeſſed, if her Majeſty would grant him leave. This writing being publiſhed, Cranmer was cited to the Star-chamber. He owned himſelf the author, tho' it was publiſhed without his conſent, and, contrary to general expectation, was diſmiſſed without incurring any penalty. But Mary was not therewith ſatisfied, tho' ſhe was counſeled to treat Cranmer with the ſame moderation, he himſelf had uſed while he was in authority. She herſelf owed him her life, which was ſpared merely by his ſolicitation, when her father Henry VIII had deſigned to put her to death (6). To this counſel was oppoſed; that if her Majeſty ſhould treat with lenity this chieftain of all the heretics, it was the direct way to render their whole body inſolent and contumacious; but that, on the contrary, her inflicting on Cranmer exemplary chaſtiſement would intimidate ſuch as durſt publicly defend hereſy. This latter advice was very agreeable to Mary, who had conceived a mortal averſion to the archbiſhop, by reaſon of the ſentence of divorce pronounced by him againſt the Queen her mother; this injury making on her a far ſtronger impreſſion than the ſignal ſervice he did her afterwards. So, three days after, Cranmer being ſummoned before the council, was commited to the Tower, on accuſation of treaſon, and of publiſhing ſeditious libels. The aged Latimer, biſhop of Worceſter in the reign of Henry VIII, was alſo ſent thither the day before.

Peter Martyr leaves Oxford. Godwin. Burnet.

Godwin. Burnet.

Cranmer cited to the Star-chamber.

Eſcapes without puniſhment. Burnet, Vol. II. p. 240, 241, 249. Godwin.

Sent to the Tower, as is alſo Latimer. Burnet.

Not long after, the court came to a reſolution of ſending away all foreigners who came over on the public faith and incouragement. Peter Martyr, and

The Reformed, who were foreigners ſuffered to leave the kingdom. Burnet.

(1) Some ſay that, having a promiſe and being put in hope of pardon, even tho' his head were on the block, if he would recant and hear maſs, he conſented thereto, and denied in words that true religion which he had before profeſſed. Fox, Vol. III. p. 16. He went to maſs in the Tower, and received the ſacrament after the Popiſh manner. He begged his life with all poſſible abjectneſs; "that he might do penance all the days of his life, if it were in a mouſe hole." Gardiner interceded for him: but the Emperor, being afraid he ſhould hinder the intended marriage between Philip and Mary, had him put out of the way. Burnet, Vol. III p. 222. He was buried in the Tower chapel. Stow, p. 613.

(2) Strype calls him Thomas Cobb. Mem. Vol. III. p. 52.

(3) The Reformed ejected biſhops were, Ridley of London; Storey, of Chicheſter; Coverdale, of Exeter; Hooper of Worceſter.

(4) Alſo Ferrar, biſhop of St. David's. He was impriſoned with Hooper.

(5) M. Rapin by miſtake ſays, he was fined a thouſand pounds, which was part of Montague's puniſhment.—Hales was firſt put into the Marſhalſea; thence removed to the Counter, and after that to the Fleet: where he was ſo diſordered at the report of the cruelties which the warden told him were contriving againſt thoſe who would not change their religion, that it turned his brains, and he attempted to kill himſelf with a penknife. He was afterwards ſet at liberty, but never recovered his ſenſes, ſo that at laſt he drowned himſelf. Burnet, Vol. II. p. 248.

(6) Her crime was, her reſolute adherence to her mother's intereſt. Idem. p. 240, 241.

a Poliſh profeſſor named John a Laſco, were included in the number (1). This was the only act of mildneſs and equity ſhewn in this reign, with reference to religion: but this ſufficiently diſcovered what was deſigned againſt the Engliſh Proteſtants. The court's daily proceedings, before the repeal of any one law, ſo intimidated thoſe who had religion at heart, that great numbers, paſſing for Frenchmen, withdrew out of England into foreign countries (2). Thoſe who made haſte to eſcape the impending ſtorm, were wiſeſt and happieſt: for ſoon after others, who had taken a like reſolution, were arreſted, by orders diſpatched away to all the ports, not to ſuffer any perſon to quit the realm, as a Frenchman, without a paſs from the French embaſſador.

But the Engliſh not permited. Burnet.

Mary rewards her friends. Ibid.

It was time now for the Queen to reward thoſe who had done her ſervice. The earl of Arundel was made lord-ſteward, ſir Edward Haſtings, a peer of the realm, and ſome others who had early declared for her, had imploys and dignities confered on them (3). But the earl of Suſſex (4), who had been her general, obtained a certain honorable privilege very unuſual in England; namely, to be covered in preſenſe of the Queen, as it is practiſed in Spain by the grandees. He had his letters patent under the great ſeal, the twenty-ſecond of October.

Is crowned. Godwin. Burnet. Stow. Hollingſh. Strype.

As the parliament had been ſummoned to meet the fifth of October, it was requiſite the Queen ſhould firſt be crowned. Her coronation ceremonies were performed the firſt of that month, with the uſual ſolemnity, by the biſhop of Wincheſter, who forgot not one of the formalities practiſed before the reformation. The ſame day was publiſhed a general pardon, but with ſo many exceptions, that few perſons could therefrom reap any benefit. All thoſe who had been arreſted before September were excepted by name.

Remits a ſubſidy granted to K. Edward. Rym. Fœd. Vol. XV. p. 335. Burnet. Strype.

Then came out a proclamation, whereby her Majeſty remited the ſubſidy granted the King her brother, by his laſt parliament, for diſcharging his debts. This was to gain the good will of the inſuing parliament, and render it ſubſervient to her deſigns with reſpect to religion. Before its meeting, the archbiſhop of York was ſent to the Tower, on a general accuſation of ſundry crimes. Six days before, John Veſey, ſome time biſhop of Exeter, but deprived in the laſt reign, was reſtored by Mary's order. This was with intent to ſtrengthen the Catholic cauſe in the houſe of peers.

The archbiſhop of York ſent to the Tower; and a deprived biſhop reſtored. Ibid. p. 340.

The court had determined on abrogating all laws made in favor of the reformation, and on re-eſtabliſhing the ancient creed. This was not to be done without the parliament's concurrence. But if elections had been left free, it would have been difficult, not to ſay impoſſible, for Mary to ſucceed in her projects. The number of the Reformed was incomparably greater than that of the Romaniſts, and conſequently the elections would ſcarce have been very favorable to her. But, beſide the ordinary ways made uſe of by Kings to have parliaments at their devotion, in this were put in practiſe all kinds of artifices and frauds, not forgeting even violence. As care had been previouſly taken to change the magiſtrates in cities and counties, and there was ſcarcely one who was not already, or had promiſed to be a Papiſt, every thing tending to the election of Catholic repreſentatives was countenanced. On the contrary, ſuch as were ſuſpected of being diſpoſed to chuſe Proteſtants, were diſcouraged by menaces, arreſts, and even impriſonments, on the moſt frivolous pretenſes. In ſeveral places, matters were carried ſuch lengths, that Proteſtants were not allowed to aſſiſt in the aſſemblies where the elections were to be made. In a word, where theſe direct means failed of ſucceſs, on account of the ſuperiority of the Reformed, the ſherifs, devoted to the court, made falſe returns: that is, they ſent to court the names of perſons as if duly elected, tho' they had but very few, or perhaps no votes. As the diſputes ariſing from ſuch elections can only be decided by the houſe of commons, it is eaſy to imagine that a houſe compoſed of ſuch repreſentatives failed not to approve all elections favorable to the court, and reject all others if ever ſo little conteſted. This is one of the greateſt abuſes belonging to parliaments, and which is but too frequent whenever the kingdom is divided by factions. By theſe methods, the court ſecured a houſe of commons prone to comply with its ſuggeſtions, and whoſe members were either intereſted in the change of creed, or who held all religions as matters of indifferency.

Methods to influence elections, and procure returns favorable to the court. Burnet.

As to the upper houſe, which cannot be thus modeled to the court's liking, to all appearance Mary had ſo ſtrenuouſly and ſo ſucceſsfully labored to ingage the peers in her intereſt, that ſhe found no oppoſition. It is very ſurpriſing that the lords, who but a few months before were all Proteſtants, and had in their whole body only ſeven or eight who uſually oppoſed the laws made in favor of the reformation during King Edward's reign, were ſo early in Queen Mary's become in a manner all zealous Catholics. I pretend not to decide in which reign they diſſembled their ſentiments; but it is too evident that, in the one or the other, they were guilty of a baſe and ſcandalous prevarication. Mean while, in order to find leſs oppoſition in this houſe, the court anticipated its care by making ſuch changes among the prelates as might beſt favor its deſigns. Beſide both the archbiſhops and the biſhops of Gloceſter and Exeter actually impriſoned, ſix others had been changed, as has been obſerved. Probably all the reſt, two excepted, were for prefering their ſees to their religion. The two I except, were Taylor of Lincoln, and Harley of Hereford, who were even thruſt out of the houſe the firſt day, for refuſing to kneel at maſs. Such was Queen Mary's firſt parliament, compoſed of a houſe of commons filled with court-creatures; and of a houſe of lords, who, thro' fear, avarice, or ambition, diſſembled their ſentiments, or, ſome few excepted, were very indifferent as to religion in general. It is eaſy to foreſee what might be expected from ſuch a parliament.

Burnet. Fox.

The parliament meets. October 5.

In the firſt ſeſſion, which held only eight days, care was taken that nothing touching religion ſhould be moved. The ſole public act was a declaration of treaſons and felonies, whereby only what was in the ſtatute of the 25th of Edward III, was to be judged treaſon; or felony only what was ſo before the 1ſt of Henry VIII. This act ſeemed unneceſſary, ſince the like had been paſſed ſince Henry's death: but as ſome crimes not contained in the ſtatute of Edward III had been ſince declared felony, the intent of this was to aboliſh the late acts. It is true, this might have been attended with ano-

Act concerning high-treaſon. Statutes.

(1) This laſt was a Pruſſian nobleman, miniſter of the German Proteſtant congregation in London.

(2) Above a thouſand. Burnet, p. 251. See the names of the chief of them in Collier's Eccl. Hiſt. Vol. II. p. 340.

(3) Sir John Gage was made lord chamberlain: ſir John Williams, who had proclaimed the Queen in Oxfordſhire, lord Williams of Tame, &c. Burnet, p. 251. Alſo September 27, the order of the garter was reſtored to William lord Paget. Strype, Vol. III. p. 34.

(4) Henry Ratcliff, of a family long ſince extinct. Heylin Eccl. Hiſt. p. 190. The right honorable Gerald de Courcy, lord Kingſale, and lord Courcy of Rynerone in the kingdom of Ireland, injoys this privilege of ſiting covered in the royal preſenſe, by a grant made from King John to the famous John de Courcy, earl of Ulſter, from whom he is deſcended; his lordſhip did, both in this and the preceding reigns, aſſert the ſaid moſt honorable and peculiar privilege. See King John's reign, p. 304.

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ther inconvenience, namely, the diſcharge of ſeveral perſons then in priſon, had not an expreſs exception been made of all who were commited before the laſt of September, who were likewiſe excepted out of Mary's general amneſty.

A private act to reverſe the marchioneſs of Exeter's attainder.

By a private act, the attainder of the marchioneſs of Exeter, executed in the reign of Henry VIII, was reverſed, and her ſon the earl of Devonſhire reſtored to all his honors. Then the parliament was prorogued from the twenty-firſt to the twenty-fourth of October.

The divorce between Henry VIII and Catherine repealed. Statutes. Burnet.

In the ſecond ſeſſions the court's deſigns appeared more manifeſtly. Her Majeſty's mother's divorce was inſtantly repealed. This act paſſed in fewer days than Henry had imployed years in proſecuting the ſaid divorce. In the preamble it was ſaid, "That the marriage of Henry with Queen Catherine was not repugnant to the divine law, and "that man ought not to put aſunder what God "hath joined: that King Henry's ſcruples had "been ſuggeſted to him by malicious perſons, and "ſupported by the deciſions of ſome univerſities, "which had been previouſly ſecured by corruption "and bribery: that Cranmer, archbiſhop of Canterbury, had raſhly pronounced ſentence of divorce, on the authority of theſe deciſions, and "other groundleſs ſurmiſes, and by a blameable "preſumption had thought himſelf more knowing "than all the other doctors." On theſe foundations, the parliament repealed the ſentence, and all ſtatutes made for its confirmation. Gardiner, chief promoter of this act, muſt have been ſtocked with a plentiful ſhare of impudence to make the parliament talk thus of Henry's divorce, in which he was principally concerned, even before Cranmer was known at court, and which he had himſelf approved, adviſed, and had even aſſiſted as judge. But ſuch was this audacious prelate's character.

The Queen jealous of her ſiſter Elizabeth. Burnet.

Princeſs Elizabeth, being thus again declared illegitimate by a ſtatute which reſtored Mary, found a very great change in the behavior of her ſaid Majeſty, who no longer expreſſed for her the leaſt affection. It is even pretended, that another ſecret cauſe alienated Mary from her, and that was, her love for the earl of Devonſhire, whom ſhe had ſome thoughts of marrying; but that this nobleman, perhaps ſomewhat too indiſcreetly, continued paying his reſpects to Elizabeth.

The maſs reſtored.

The thirty-firſt of October, the lords ſent down to the commons a bill for repealing Edward's laws concerning religion; and ſix days after the commons ſent it back with their approbation. By this act it was ordained, that no other form of public worſhip ſhould, from the twentieth of December, be allowed, but what had been uſed in the laſt year of Henry VIII. This ſhews Gardiner's influence on the parliament, ſince this act preciſely followed the plan he had propoſed.

Act in favor of the eccleſiaſtics.

Another act paſſed, decreeing the moſt rigorous chaſtiſements againſt all who ſhould moleſt any preacher for his ſermons, or diſturb him in any part of the divine ſervice. The like penalties were ordained for thoſe who ſhould profane the ſacrament, or pull down croſſes, crucifixes or images.

A bill preferred by the commons, rejected by the lords.

The commons alſo then ſent up another bill againſt thoſe who frequented not the church and ſacraments. But the lords thought not proper to go ſo far at once.

Soon after, the parliament revived a ſtatute of the preceding reign, forbiding any, to the number of twelve or more, to meet with deſign to alter the eſtabliſhed religion, and declaring the offenders guilty of felony, which is to ſay, meriting death. This act was directly contrary to that made by this very parliament, to repeal all new treaſons and felonies: but the cloke of religion covered all.

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Act againſt aſſemblies, to alter the eſtabliſhed religion.

The duke of Norfolk's attainder reverſed.

In this ſeſſion, the act of attainder againſt the duke of Norfolk, in Henry's reign, was reverſed, on pretenſe that all the neceſſary formalities had not been obſerved.

Theſe were the moſt remarkable tranſactions of this firſt parliament, which, in few days, overturned all had been done with regard to religion in the reign of Edward VI. King Henry's laws were not yet to be touched, becauſe they had difficulties concerning which the Pope was firſt to be conſulted.

Jane Grey, Cranmer, and others attainted of high-treaſon. Burnet. Stow. Hollingſh. Strype.

The third of November (1), the parliament ſtill ſiting, Jane Grey, Guilford Dudley her huſband, two other ſons of the duke of Northumberland, and Cranmer archbiſhop of Canterbury, were brought to their trial. They all confeſſed their indictments, and received ſentence of death as traitors (2). Cranmer's ſentence rendered him incapable of poſſeſſing any benefice, and conſequently the ſee of Canterbury was void in law: but two reaſons obliged Mary to diſpenſe with the ordinary forms, and leave Cranmer, tho' condemned, in poſſeſſion of his dignity. The firſt was that, deſigning to reſtore the eccleſiaſtics to all their privileges, ſhe was reſolved this prelate ſhould be canonically degraded; but this could not be done 'till Henry VIII's ſtatutes were repealed. The ſecond was that, by a refinement of ſelf-love, ſhe was willing to pardon Cranmer his treaſon, to make the world believe that ſhe did not proſecute him from any motives of private revenge: but, at the ſame time, ſhe deſtined him to the faggot, as a heretic, as ſoon as any laws ſhould be made on that ſubject; as if ſhe only acted thro' pure zeal for religion. Therefore at preſent, the archbiſhop's revenues were only ſequeſtered, and himſelf detained in priſon 'till a proper ſeaſon for his diſpatch.

Commendone's negociations in England. Burnet.

Since Mary's acceſſion to the throne, ſhe had appeared to be wholly buſied in theſe public tranſactions. But at the ſame time, ſhe was forming ſecret deſigns which were not known, 'till ripe for execution. The news of King Edward's death was no ſooner ſpread in the world, than the court of Rome conceived hopes of re-uniting England to the Holy See, and even began to project it. Cardinal Dandini, the Pope's legate at Bruſſels, as of himſelf, ſent Commendone, afterwards cardinal, to ſound Mary's inclinations. Commendone being unknown in England, eaſily concealed himſelf under a borrowed name, and repairing to London obtained of the Queen a private audience (3). This was ſoon after her arrival in that city, ſince the envoy was preſent at the duke of Northumberland's execution, which was on the twenty-ſecond of Auguſt. At this audience Mary told Commendone, ſhe deſigned the reſtoration of the Pontifical authority in England, and deſired him to intercede with his Holineſs to ſend over cardinal Pole as legate: but ſhe intimated to him, that the diſcovery of this ſecret would blaſt the deſign. The Pope communicating to the conſiſtory his intentions of ſending Pole into England, found at firſt great op-

Burnet.

The Queen demands Pole for legate. Burnet.

(1) The thirteenth, according to Stow, p. 617.

(2) Cranmer appealed to the judges, for them to declare, with what reluctancy he ſigned the inſtrument of the Queen's excluſion. Burnet, Vol. II. p. 257. If the Queen did in earneſt forgive him the treaſon, it might be owing to this appeal: that is, if ſhe forgave the treaſon in earneſt, for the taking away his life afterwards, leaves it a very diſputable point, whether this injury, added to the divorce of her mother, or his religion, wrought moſt powerfully on her reſentments.

(3 He came to Newport, where he gave out, he was the nephew of a merchant lately dead in London; and hiring two ſervants unknown to him, came unſuſpected to London. Burnet, p. 258.

poſition

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position. The cardinals feared to expoſe the honor of the Holy See, in ſending a legate without a ſolemn embaſſy from the Queen: but his Beatitude aſſuring them that he knew more of this affair than he thought fit to communicate, they concurred with him in his propoſition.

The Emperor projects a marriage for his ſon Philip with Queen Mary.

At the ſame time, Charles V was projecting a match between his ſon Philip and Queen Mary. Gardiner was in the ſecret, whether it was originally moved by him, or was only communicated to him by the Emperor. However that be, this prelate neglected no indeavors to accompliſh it. The

Cauſe of Pole's being detained. Burnet.

news of Pole's nomination to the legateſhip was equally diſagreeable to Charles and Gardiner. Commendone had doubtleſs divulged at Rome the queſtion put to him by Queen Mary, viz. if Pole might not have a diſpenſation to marry? This occaſioned a belief of its being her intention to marry him herſelf. The Emperor being thereof informed, and apprehenſive that Pole's preſenſe might obſtruct the deſign he was meditating, reſolved to uſe efforts to prevent this legation, or at leaſt to retard it as long as poſſible. On the other hand, Gardiner could not, without the utmoſt concern, think on the approach of Pole, who might intercept his views upon the See of Canterbury, and perhaps the ſmiles of his royal miſtreſs: and indeed there was danger that if this cardinal, who neither loved nor eſteemed him, ſhould inſinuate himſelf into the Queen's favor, as was very probable, he would imploy his credit to work his deſtruction. He was therefore to find ſome expedient to keep him at a diſtance, and none was more natural, than inſinuating to Mary, that this cardinal's zeal for the Holy See would prejudice the affairs of religion in England: that the people were firſt to be managed and perſuaded to acknowledge the Papal authority, to which they were extremely averſe: that beſide, Pole was not ſufficiently the Proteſtants enemy; and religion, in the preſent juncture, required to be conducted by other maxims than thoſe of his ſaid eminence. On the other ſide Charles, believing it his intereſt to keep Pole where he was, wrote in like terms to the Queen, and repreſented to her, that Pole would ruin her affairs be her in-

The Emperor propoſes it to Mary, Burnet.

tentions ever ſo good. In fine, he propoſed her marriage with his ſon, and ſupported his propoſal with ſuch reaſons as were apteſt to perſuade her. Above all, he ſet forth the neceſſity of a foreign power in reſtoring religion in England, or at leaſt of ſome alliance capable to inſpire terror into thoſe who ſhould oppoſe her deſigns: then an alliance with himſelf, Emperor and King of Spain, would doubtleſs be moſt to her advantage, as France, being in a condition to form projects in favor of the young Queen of Scots, who was to eſpouſe the Dauphin, was in intereſt concerned to raiſe and foment diſturbances in England. Mary was highly

who accepts it.

pleaſed with this propoſal, which ſeemingly was made her early in November. Beſide a zeal for religion, which might induce Gardiner to ſecond Charles V's projects, he ſaw a conſiderable advantage for himſelf, namely, the ſecuring his own credit, ſince Philip would be indebted to him for

Pole detained in Germany. Burnet.

his marriage. Mean while, Pole was to be kept at a diſtance 'till the Queen's eſpouſals were accompliſhed; and this his Imperial Majeſty effected, firſt by his own authority, detaining him in his dominions; but afterwards he got the Queen to diſpatch a courier, notifying to him, that the intereſts of religion required a ſtop to his journey, becauſe the nation was not yet diſpoſed to acknowledge the Papal authority.

Mary I. An' 1553.

While the legate was thus detained in Germany or the Netherlands, he tried ſeveral times to obtain leave to purſue his journey, but ſtill in vain. He knew not to whom this uſage was owing, and perhaps was never fully informed. However, he by letters held a conſtant correſpondence with Queen Mary on the affairs of religion, but his counſels were ſecretly oppoſed either by the Emperor or Gardiner. It was his opinion, that laying aſide all ceremony, the kingdom ſhould immediately be reconciled to the Holy See. Gardiner, on the contrary, believed the marriage ought to be concluded before the reconciliation was mentioned, that the conſideration of ſuch a powerful alliance might awe thoſe who were inclined to ſtir. He thought Pole, and would have had others think him, a weak man, a ſhallow politician, and of no uſe in the cabinet. Pole, on the other hand, believed Gardiner a very improper perſon to direct the affairs of religion, becauſe, in his opinion, he relied too much on his intrigues and the arm of fleſh. Their mutual diſeſteem at length ended in open enmity.

Oppoſite counſels given the Queen by Pole and Gardiner.

Burnet. Vol. II. p. 260, 261.

The deſign of the Queen's marriage was not conducted with ſufficient ſecreſy, to keep it from the commons. They were ſo alarmed, that they ſent the ſpeaker with twenty of their members, to requeſt her Majeſty not to match with a foreigner. This convinced Mary that ſhe muſt not expect any farther ſupplies from the commons, if ſhe refuſed gratifying them in that point: but as ſhe had no ſuch intention, ſhe choſe to diſſolve the parliament. Gardiner improved this conjuncture, to the obtaining from the Emperor conditions which he could not otherwiſe have expected. He repreſented to him, that the Engliſh were ſo averſe to this marriage, that the worſt was to be feared, except he complied with two particulars abſolutely neceſſary. The firſt was, his conſent that the treaty of marriage ſhould contain terms ſo advantageous to England, as to ſilence the moſt zealous opponents. The ſecond was, his remiting conſiderable ſums to gain thoſe who would be wanted to curb the people, or who could moſt eaſily induce them to rebel. Charles, not doubting of Gardiner's zeal for his intereſt, approved the advice, and left it intirely to him to preſcribe the conditions of the marriage; and moreover promiſed to ſend over to England twelve hundred thouſand crowns, to be diſpoſed of as he ſaw requiſite (1). Theſe particulars were printed in a little book, in form of a petition to the Queen, by the Engliſh exiles at Straſburg. The author added farther, that Gardiner denied common juſtice, in the court of Chancery, to ſuch as would not ingage to ſecond the Queen's intentions.

The common addreſs the Queen againſt her marriage. Burnet. Strype.

She diſſolves the parliament. Burnet.

The Emperor complies with whatever might forward the marriage. Burnet, Vol. II. p. 262.

While the parliament ſat, the convocation held its ſeſſions, as uſual. It is not known whether any biſhops, conſecrated in the time of King Edward, appeared in the upper houſe: if any did, the number could be but ſmall, and of ſuch too as the peers vouchſafed to admit into their aſſembly; that is, men who were not likely to oppoſe any meaſures. Care was taken to fill the lower houſe with perſons abſolutely devoted to the court; ſo that only ſix members had the inclination or courage to oppoſe the deciſion made in favor of tranſubſtantiation (2).

Diſpoſition of the clergy met in convocation. Burnet. Strype.

Tranſubſtantiation re-eſtabliſhed.

(1) This ſum was equal to 400,000 l. Engliſh, the crown being then a noble. Charles bound his ſon to repay him, when he had once attained the crown of England. The Emperor kept this ſo little a ſecret, that when, a year after, ſome towns in Germany, which had lent part of this money, deſired to be repaid; he anſwered them, that he had lent his ſon 1,200,000 crowns to marry him to the Queen of England, and had yet received of him only 300,000 crowns, but he had good ſecurity for the reſt, and the merchants were bound to pay him 100,000 l. ſterling, and therefore he demanded a little more time. Burnet, Vol. II. p. 262.

(2) In Rymer are extant about one hundred and ſixty preſentations to livings, a little before the parliament met. This diſcovers the changes made among the inferior clergy. Rapin.——December 21, maſs began to be ſung again in Latin, throughout England, as in the former times of Popery. Stow, p. 617.

Theſe

MARY I. AN' 1553.

A diſpute upon it between the Popiſh and Proteſtant clergy. Fox. Vol. III. p. 19, &c. Burnet. Hollingſh.

These ſix members demanded a regular diſputation on this topic; which was granted: but three of them declined the diſpute, well foreſeeing what would be the reſult. The other three ſtood their ground; ſo a diſputation was had. But the Papiſts, for want of ſound arguments, received thoſe of their adverſaries with hootings, reproaches, menaces, and continual interruptions, and then gave out they were worſted. This at leaſt is the account given us by the Proteſtant writers.

AN' 1554.

The Emperor ſends embaſſadors to conclude the marriage. Rym. Fœd. Vol. XV. p. 337. Godwin. Burnet. Strype.

Very early in the year 1554, a magnificent embaſſy arrived at London from Charles V, at the head whereof was count Egmont (1), to ſettle the marriage articles. The Queen intruſted Gardiner with the management of this negociation, or rather with drawing up the treaty, ſince, according to appearance, every thing material was agreed before the arrival of the embaſſadors. That able politician had a double deſign. The firſt was, to have ſuch conditions inſerted in the treaty, as the parliament might approve. The ſecond, to exclude the Spaniards from any ſhare in the adminiſtration. Charles was all compliance, doubtleſs in belief, that his ſon would find ways to elude obſervance of ſuch articles as ſhould lay him under too much reſtraint. To be convinced that this was his thought (2), let it only be conſidered, that ſo profound a politician as Charles V would never have parted with twelve hundred thouſand crowns, to procure for his ſon the empty title of King of England: for, in reality, the treaty, as will appear, promiſed him no more. In all probability, Gardiner was in a like ſentiment with that Monarch: but the buſineſs was to dazzle the parliament with conditions advantageous to the nation, for whoſe intereſts, tho' he affected great zeal, he was probably but little concerned for what might happen after his death. Mean while, he acquired a high reputation, the public aſcribing to his capacity and prudence the terms of this marriage, which ſeemed to ſecure England from all Philip's attempts. The principal articles of this treaty, which was ſigned the twelfth of January 1554, a few days after the embaſſadors arrived, were as follow:

The chief articles thereto relating. Rym. Fœd. Vol. XV. p. 337, 393, 403.

That Philip, in virtue of this marriage, ſhould jointly with Queen Mary injoy the title of King of England, while the marriage ſubſiſted; ſaving always the rights, laws, privileges, and cuſtoms of England. It was likewiſe ſtipulated, that the Queen ſhould have the ſole diſpoſal of all revenues of the kingdom, the nomination to all imployments, offices and benefices, which ſhould be confered on the natural ſubjects of her Majeſty, and no others.

That the Queen ſhould alſo bear the titles appertaining to the King her conſort.

That her dowry ſhould be ſixty thouſand florins, forty gros each, of which forty thouſand ſhould be aſſigned her upon Spain, and twenty thouſand upon Brabant, Flanders, Hainault, and Holland. That ſhe ſhould injoy this dowry in the ſame manner it was injoyed by Margaret, ſiſter of Edward IV, and wife of Charles duke of Burgundy.

That the children born of this marriage ſhould inherit their mother's eſtate, according to the cuſtom of the reſpective countries.

With regard to the father's eſtate, it was agreed, that the archduke Charles, ſon of Philip, ſhould ſucceed to the kingdoms of Spain, Naples, Sicily, the duchy of Milan, and all other properties and domains ſituate in Lombardy or Italy; but in default of Charles and his iſſue, the eldeſt ſon of Philip and Mary ſhould ſucceed to the ſame ſovereignties.

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That the firſt born of Philip and Mary ſhould inherit Burgundy and the Netherlands, from which the archduke Charles ſhould be excluded, as the children of Philip and Mary were excluded from Spain and Italy.

That the younger ſons and daughters of Mary and Philip ſhould have their appenages and portions aſſigned them in England, without prejudice however to what they might expect from Philip, their father, or Charles V, their grandfather, in the Netherlands or Burgundy.

That in caſe only daughters proceeded from this marriage, the eldeſt ſhould ſucceed to Burgundy and the Netherlands, provided that, with the conſent of the Infante Charles, her brother, ſhe married any perſon out of theſe countries, or the dominions of the Queen her mother. That, on her refuſal or neglect to perform this covenant, Prince Charles ſhould preſerve his right to the ſaid countries, with obligation however to aſſign his ſiſter a portion both from Spain and the Netherlands.

That if Prince Charles died iſſueleſs, the eldeſt ſon or daughter of Philip and Mary ſhould ſucceed as well to Spain and Italy, as the other dominions.

Laſtly, it was expreſly agreed, that in all the abovementioned caſes, thoſe children who ſhould ſucceed to either the paternal or maternal eſtates, ſhould leave them poſſeſſed of all laws, rights, privileges and cuſtoms belonging to the reſpective countries, and ſhould adminiſter the government by only natives of the ſaid domains.

Clauſe annexed to the Treaty.

By this clauſe it was expreſly ſtipulated, that, before conſummation of the marriage, Philip ſhould ſolemnly ſwear to the obſervance of the ſubſequent articles: viz.

That he would not retain any domeſtic, who was not either a native of England, or otherwiſe the Queen's ſubject, nor introduce any foreigner to give uneaſineſs to the Engliſh. That if any of his retinue tranſgreſſed this article, he ſhould be puniſhed in ſuch manner as ſhould be thought convenient.

That Philip would make no alteration in the laws, rights, ſtatutes, and cuſtoms of England.

That he would never take the Queen out of her own dominions, except at her own particular requeſt; nor carry out of England any of the children born of this marriage, without conſent of the nobility.

That if the Queen ſhould die firſt, without iſſue, he would pretend to no right upon England or its dependencies, but leave the ſucceſſion to the rightful heir.

That he would not carry out of the kingdom any jewels, or other things of much value; nor alienate any of the crown's appurtenances, nor ſuffer the ſame to be alienated by any perſon whatſoever.

That England ſhould not ever, by virtue of this marriage, be concerned directly or indirectly in any war depending between France and Spain; but that the alliance between England and France ſhould ſubſiſt and remain in full force.

That he would not give any occaſion of rupture between France and England.

Remark on this treaty.

It would not be a very eaſy matter to comprehend what advantages could accrue to England from this marriage, if the intereſts of the Sovereign and miniſtry were not commonly confounded with thoſe

(1) Of this gallant nobleman much will be ſaid in the next reign.
(2) See Strype's notes on Godwin, p. 339. Comp. Hiſt. Vol. II.

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of the kingdom, tho' frequently quite oppoſite. The court had in view the reſtoration of the Popiſh creed in England, and therefore believed they needed Spain's aſſiſtance. On the other hand, this marriage was advantageous to the chancellor, who ſecured his credit by Philip's protection. But at the ſame time England ran a great riſk of becoming ſubject to Philip, whoſe meaning it doubtleſs was not to be bound with chains of parchment.

The marquis of Northampton pardoned. Rym. Fœd. Vol. XV. p. 360.

The day after this treaty was ſigned, Queen Mary granted a pardon to the marquis of Northampton, who had been condemned with the duke of Northumberland.

Queen Mary ſuſpends the act againſt the German merchants. Ib. p. 364.

It was obſerved that, towards the cloſe of Edward VI's reign, the court had taken meaſures to prevent the company of German merchants, named The Still-yard Men, from ingroſſing the whole woolen trade, in prejudice to the Engliſh, as thitherto had been practiſed. For this purpoſe the parliament had laid a heavy duty on goods exported or imported by that company; and this act was renewed in Mary's firſt parliament. But, in the begining of this year, her Majeſty, to gratify the Hanſe towns, ſuſpended the execution of theſe acts for three years, and diſcharged the company of German merchants from payment of the extraordinary taxes impoſed on them, "all acts to the "contrary notwithſtanding." This was the firſt effect of Mary's alliance with the Emperor.

Murmurs againſt the Queen's marriage. Godwin. Burnet.

After the treaty of the Queen's marriage with Philip was made public, complaints and murmurs were every where heard. The Proteſtants in particular believed themſelves loſt, as dreading they were ſoon to ſee erected in England a Spaniſh inquiſition: but they were not the only murmurers. Independently of religion, the generality of people could not but apprehend King Philip's introducing into England the Spaniſh tyranny, whereof both the Indies, the Netherlands, the kingdoms of Naples and Sicily, and the duchy of Milan, afforded recent inſtances. In a word, few perſons could believe that his Imperial Majeſty had agreed to the articles ſtipulated in the treaty, with any deſign to obſerve them. At laſt, theſe murmurs grew into a conſpiracy againſt the Queen, of which the marriage was either the cauſe or pretenſe. The duke of Suffolk, ſir Thomas Wyat, and ſir Peter Carew formed the deſign of a general inſurrection. Carew was to act in Cornwal, Wyat in Kent, and the duke of Suffolk in Warwickſhire, which is in the center of England.

Wyat's conſpiracy. Godwin. Burnet. Stow. Hollingſh.

Carew managed ſo ill, that his practiſes were diſcovered, and one of his accomplices ſeized before he had concerted his affairs. This drove him away to France, and Wyat on his flight haſtened the execution of his enterpriſe, tho' it was the conſpirators intention to wait the arrival of Philip for a more plauſible color to their inſurrection. Wyat therefore reſolving to puſh his point, tho' he was yet unprepared, went with a few followers to Maidſtone, and gave out, that he took arms to prevent England's being invaded. Next he marched to Rocheſter, whence he wrote to the ſheriff to deſire his aſſiſtance: but that magiſtrate, inſtead of eſpouſing his cauſe, required him to deſiſt, and aſſembled forces to oppoſe his progreſs.

Godwin. Burnet.

Burnet. Stow.

This rebellion alarmed the court, where nothing was ready to diſperſe it, the Queen having diſmiſſed her forces when ſhe thought herſelf free from farther danger. Wherefore ſhe ſent a herald to Wyat with a full pardon, if he would lay down his arms in twenty-four hours: but this gracious offer he refuſed. Mean time, the court was ſo unprepared, that the duke of Norfolk was ſent with only ſix hundred of the London militia (1), commanded by a certain officer named Bret. While this paſſed, the ſheriff of Kent, as he was going to join the duke of Norfolk, met and defeated Knevet, who with ſome troops was marching to join Wyat, and killed ſixty of his men. This ill ſucceſs ſo alarmed Wyat, that he had already reſolved to conſult his own ſafety (2), when a very unexpected accident inſpired him with freſh courage. Sir George Harper, one of Wyat's adherents, pretending to deſert him, went to the duke of Norfolk, and intrigued ſo artfully with his London trained-bands, that they declared for the rebels, and quiting the duke joined Wyat (3).

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Godwin. Burnet. Stow. Hollingſh.

With this reinforcement, and his other troops, making together a body four thouſand ſtrong, Wyat marched away for London; near Deptford he met two meſſengers from the Queen. Theſe, in her name, aſked what would content him. He demanded the Tower and the Queen's perſon to be put into his hands, and the council to be changed and new modeled as he ſhould judge proper. This demand being rejected, the Queen repaired to Guild-Hall, and acquainted the magiſtrates with Wyat's reply. She then ſpake of her marriage, and told them, ſhe had done nothing in it but by the advice of her council: and, to give them a proof of the confidence ſhe repoſed in them, ſhe reſolved to ſtay in the city, tho' many adviſed her to withdraw to the Tower.

Burnet. Hollingſh. Jan. 31.

Godwin. Stow. Hollingſh. p. 1096. Feb. 1.

Mean while Wyat purſuing his march, arrived at the borough of Southwark, the third of February, expecting to enter the city without difficulty. But the bridge being ſtrongly baricaded and guarded, he was obliged to march along the Thames to Kingſton, ten miles from London. Here he found the bridge broken, and imployed ſome hours in repairing it. He then paſſed to the other ſide with his army, increaſed now to near ſix thouſand. After that, he continued his march to London, and, after ſome time loſt in mending one of his broken carriages, reached Hyde-Park about nine in the forenoon, the ſeventh of February. The time unſeaſonably loſt about the ſaid carriage rendered abortive his enterpriſe: for in that interval Harper, who had been ſo ſerviceable to bring over the trained-bands, deſerted, and poſting to court, diſcovered his intentions to march thro' Weſtminſter, and enter the city by Ludgate. This intelligence came very opportunely to the earl of Pembroke and lord Clinton who, at the head of a few companies, had reſolved to ingage him as he entered the city: but obſerving he was intangling himſelf in the ſtreets where he could not extend his troops, they thought it better to let him paſs, after orders given to ſhut the gate thro' which he deſigned to enter.

Godwin. Burnet. Hollingſh. Feb. 6.

Stow.

Godwin. Stow.

Godwin. Stow.

Wyat, ſtill prepoſſeſſed that the citizens would favor his undertaking, left his cannon under a guard at Hyde-Park, and entering Weſtminſter (4), purſued his march up the Strand, in his way to Ludgate. As he advanced, care was taken to cut off his retreat by baricades and men placed at all the avenues. He believed himſelf now at the height of his wiſhes, when he found the gate into the city ſhut againſt him. He then firſt diſcovered his danger, and, finding it utterly impracticable to retire,

(1) Five hundred, ſays Godwin, together with the Queen's guards.

(2) He was ſeen to weep, and called for a coat, which he ſtuffed with money, deſigning to eſcape. Burnet, p. 285.

(3) Thereupon the duke of Norfolk fled, together with the earl of Arundel, and ſir Henry Jernegan captain of the guard. But Wyat coming up that moment with a party of horſe, intercepted the reſt; and ſeized eight braſs guns, and all Norfolk's baggage. Godwin, p. 341.

(4) He advanced with five companies towards Ludgate, while Cuthber Vaughan, with two companies more, marched towards Weſtminſter. At Charing-Croſs, ſir John Gage, lord-chamberlain, went to oppoſe Wyat, but retired in diſorder. Ibid. p. 342.

loſt

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Wyat surrenders, and is sent to prison. Stow. Hollingsh.

loſt all courage. As he was indeavoring to return, a herald came to him, and exhorting him not to ſacrifice ſo many mens lives, he ſurrendered quietly, and was ſent to priſon. This unhappy gentleman, who doubtleſs was no very great genius, fooliſhly imagined, without having good aſſurances, that the city of London would declare in his favor; and this proved his deſtruction. Had his meaſures been better taken, the Queen and her miniſters would have been ſtrangely imbaraſſed at a juncture when the government, weak as it was, had already created numbers of male-contents. But the ill ſucceſs of this enterpriſe ſo ſtrengthened Mary's authority, that thenceforward ſhe met with no more reſiſtance. After Wyat was apprehended, his followers, diſperſing, were taken at pleaſure, and the priſons were all crouded with thoſe wretches. Stow.

The duke of Suffolk betrayed and taken. Godwin. Burnet. Stow. Hollingsh.

While Wyat was acting in Kent and London, the duke of Suffolk had made but ſlender progreſs in Warwickſhire. He would not have been even ſuſpected, had not a letter been ſeized, ſent him by Wyat, to inform him of the reaſons which had obliged him to expedite the execution of his undertaking, and to requeſt his being as expeditious as poſſible. Upon this advice, the earl of Huntington had orders to arreſt him. The duke had thereof information, and being not yet ſecure of fifty horſe, he choſe to conceal himſelf in the houſe of one of his domeſtics, who baſely betrayed and delivered him to the earl of Huntington, by whom he was conveyed to the Tower, the eleventh of February. Such was the ſucceſs of this conſpiracy. Had it been managed by abler heads, it might have been attended with better conſequences: but few men of reputation cared to put themſelves under the conduct of ſuch leaders. If it had cauſed only the death of the principal actors, they might have been ſaid to meet the juſt reward of their folly. But it produced two conſiderable effects, one fatal to a moſt noble and innocent perſon, and the other, to all Proteſtants: not that religion had any ſhare in the combination, Wyat himſelf being a Roman Catholic, and the Queen in her proclamation not accuſing the Proteſtants, tho' ſince ſome hiſtorians have been pleaſed to brand them. But as the Queen's authority was corroborated by the ill ſucceſs of this undertaking, ſhe turned it intirely to the ruin of the Reformed, and the reformation. The duke of Suffolk being concerned in the conſpiracy, the court readily conſtrued it, that his deſign was to replace his daughter Jane, on the throne, and this determined Mary to ſacrifice that lady to her own ſafety.

Religion not concerned in this conſpiracy. Burnet.

Execution of Jane Grey, her huſband, and father. Godwin. Burnet. Stow. Hollingsh.

Two days after taking Wyat, a meſſage was ſent to Jane Grey and her huſband to bid them prepare for death. Jane, as ſhe had long expected it, received the meſſage with great reſolution. Mean while, doctor Feckam who brought it, and had orders to exhort her to change her religion, prepoſterouſly imagining ſhe deſired ſome time to be determined, obtained three days reſpite of her execution: but ſhe gave him to underſtand it was not to her any manner of ſatisfaction. She was well aſſured, the government's jealouſy would not ſuffer her to live, and therefore ſhe had imployed the whole time of her confinement in preparing for death. Some have believed that, without this laſt attempt of the duke of Suffolk, Mary would have ſpared his daughter: but as afterwards ſuch numbers were butchered on account of religion, it is not likely that Jane, ſo firmly attached to the Proteſtant belief, would have been more mercifully uſed than the reſt, even tho' the Queen could have prevailed with herſelf to pardon her treaſon. However all this might have happened, ſhe was executed the twelfth of February, after having beheld the headleſs trunk of her huſband paſs by her as he was brought back from execution to be interred in the Tower-chapel. She evidenced to her lateſt moment a ſingular conſtancy and piety, and immoveable adherence to the reformation, owning however herſelf guilty of a great ſin, in accepting a crown which appertained not to her. Her father, the duke of Suffolk, was tried the ſeventeenth of the ſame month, and executed the twenty-firſt, with the mortifying regret of having occaſioned the death of his daughter.

Mary I. An' 1554.

Godwin. Stow.

Burnet. Fox.

Next, Wyat was brought to his trial, where he offered to make great diſcoveries if his life might be ſpared. He accuſed even Princeſs Elizabeth, and the earl of Devonſhire, as concerned in his conſpiracy. This prevented not his condemnation, but only gained him a two months reſpite, in hope of drawing from him conſiderable diſcoveries. Mean time the earl of Devonſhire was commited to the Tower, and Princeſs Elizabeth, tho' indiſpoſed, was brought to London, and cloſely confined in White-Hall, without liberty of ſpeaking to any. On the eleventh of March following, ſhe was ſent to the Tower.

Wyat at his trial accuſes Princeſs Elizabeth, and the earl of Devonſhire. Godwin. Hollingsh. who are commited to the Tower. Stow. Strype.

The fourteenth and fifteenth of February, Bret, commander of Wyat's forces, and fifty-eight more, were hanged. Some days after, ſix hundred priſoners, with halters about their necks, appeared before the Queen, and were pardoned: but this clemency effaced not the impreſſion made in peoples minds at ſight of ſo many executions done on men not guilty of any blood-ſhed. The whole blame was thrown on Gardiner, who was charged with puſhing on Mary to be exceſſively jealous of her authority, and to the utmoſt extremities of ſeverity. A certain affair happened at the ſame time, which alſo greatly alarmed and inſpired the people with apprehenſions of the Queen's intending to rule with too extenſive a power. Sir Nicholas Throgmorton being accuſed, and tried as concerned in the rebellion, was by his jury acquited, for want of ſufficient proof to condemn him; for which they were rigorouſly fined. Thus were juries deprived of the liberty of judging according to their conſciences, and inſtead of being governed by proofs, they were to examine how the court ſtood affected towards priſoners, and thereby determine their verdict. This ſeverity to the jury proved fatal to ſir John Throgmorton, who was found guilty on the ſame evidence whereon his brother had been acquited.

Many rebels executed, and ſix hundred pardoned. Godwin. Burnet. Stow.

Hollingsh. p. 1104, &c. Burnet.

Throgmorton acquited, and his jury fined.

His brother condemned.

The reſpite granted Wyat had a quite different effect from what the court expected. This unhappy man, who had accuſed Princeſs Elizabeth and the earl of Devonſhire only in hope of a pardon, finding he muſt die, fully cleared them in his ſecond examination: and for fear his laſt declaration ſhould be ſuppreſſed, he renewed it at the place of execution. As there was no other proof againſt them, and their accuſer himſelf had acquited them with his laſt breath, no proceſs could be formed againſt them, tho' Gardiner paſſionately deſired the death of lady Elizabeth: nay, there is abundance of probability that Mary herſelf would gladly have conſented to it, could ſhe have ſupported her rigor with any color of juſtice (1).

Wyat clears Princeſs Elizabeth and the earl of Devonſhire. Godwin. Stow. p. 624. Hollingsh. p. 1101.

After Elizabeth had undergone a tedious and ſevere impriſonment in the Tower, ſhe was thence conveyed to Woodſtock. This was not intended her as a favor, but to remove her from the cuſtody of lord Chandos, lieutenant of the Tower, who had

Rigors exerciſed on that Princeſs. Fox, Vol. III. p. 527, 943, &c. Godwin. Burnet. Stow.

(1) By Gardiner's malice a warrant was procured, ſigned by ſome privy-counſellors for her execution. But the lieutenant, by application to the Queen to know her pleaſure, and her denying any knowledge of the warrant, ſaved the Princeſs's life. Fox.

treated

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treated her with great humanity and reſpect. At Woodſtock, ſhe was given in charge to ſir Henry Beningfield (1), who paying her no ſuch deference as ſhe had received from lord Chandos, gave her cauſe to ſuſpect a deſign againſt her life. It is even pretended, that certain perſons officiouſly undertook to aſſaſſinate her, in expectation of pleaſing the Queen and her miniſters; but that ſtrictneſs wherewith ſhe was guarded denied them all acceſs.

Hollingſh. p. 1157.

Mary's orders againſt the married prelates. Rym. Fœd. Vol. XV. p. 376.

The diſturbances occaſioned by Wyat's conſpiracy being intirely appeaſed, Queen Mary reſumed her firſt deſign of utterly deſtroying the reformation. Tho' to effect this the authority of parliament was neceſſary, ſhe failed not anticipating the project by her own authority, in virtue of her ſupremacy, which ſhe held in deteſtation, and yet made no ſcruple to uſe it againſt the Proteſtants! For this purpoſe, ſhe gave inſtructions to the biſhops to viſit their reſpective dioceſes. Their inſtructions, which were of Gardiner's pening, contained a moſt virulent detail of all the pretended diſorders introduced into the church during King Edward's reign. She afterwards gave the chancellor a particular order to purge Holy mother church of all married eccleſiaſtics.

March 4. Fox, Vol. III. p. 37. Burnet. Vol. II. Col. p. 252. Heylin.

Four biſhops deprived: Rym. Fœd. Vol. XV. p. 370.

Some days after, the Queen granted a ſpecial commiſſion to Gardiner, and five others, to deprive four prelates who had wives, viz. the archbiſhop of York, the biſhops of St. Davids, Cheſter and Briſtol, and all in actual confinement. Two days after, the ſame commiſſioners were ordered to deprive the biſhops of Lincoln, Gloceſter, and Hereford, for preaching erroneous doctrines, and having otherwiſe mis-behaved. The pretenſe to deprive theſe biſhops, by a bare order of the Queen, on account of mis-behavior, was taken from the letters patent of King Edward, in which it was provided, that they ſhould hold their biſhopricks ſo long only as they behaved well, and therefore it was no injuſtice to deprive them, ſince their conduct was diſpleaſing. This was the pretenſe; but the true reaſon was, the court's deſire to fill theſe Sees with their creatures, before the parliament aſſembled. As to the inferior clergy, Burnet pretends that, of ſixteen thouſand then in England, twelve thouſand were turned out for having wives: and indeed, in Rymer, we meet with multitudes of preſentations to livings, which ſufficiently manifeſt the alterations made in the church. Mean time, in conſequence of the act of parliament, the maſs was every where reſtored, with the liturgy uſed towards the cloſe of Henry VIII's reign. Such was the conſtitution of ſtate and church when the new parliament met, the ſecond of April, 1554.

and three more on other pretenſes. Ibid. Fox. Godwin. Burnet. Strype.

Rym. Fœd. Vol. XV. p. 376.

p. 333, 342, &c. 381, 392.

The maſs reſtored every where. Burnet.

Diſpoſition of the commons of this new parliament.

The court's diligence to have a parliament at their beck was no leſs in this than it had been in the preceding year: nay, it was ſo much more ſucceſful, as Gardiner had money in his hands to gain the electors and repreſentatives. The miniſtry had a double deſign; the firſt, to have the Queen's marriage approved; the ſecond, to reſtore the Pope's authority. For the firſt, it was not ſufficient to have repreſentatives well inclined to the intended alterations in religion; it was farther requiſite, they ſhould be little zealous for the good of their country, ſince the Queen's marriage put England in evident danger of becoming one day a province to Spain. For the ſecond, it was neceſſary, not only that a great majority of the lower houſe's members ſhould be convinced the Romiſh doctrines were verities, but alſo ſhould be Papiſts in reality; i. e. perſuaded that religion could not ſubſiſt without a Pope. Now thoſe of this opinion were not very numerous among the Roman Catholics. There were abundantly more who, believing tranſubſtantiation, invocation of ſaints, adoration of images, &c. were however perſuaded, that Pontifical government was not any way neceſſary to the church, and were very well ſatisfied at its being aboliſhed. To get returned perſons proper for the court's deſigns, or to gain thoſe who were not ſo compliant, it was that Gardiner imployed all his intereſt with the Emperor and Queen to promiſe penſions, &c. This was tranſacted with ſo little caution and ſecreſy, that it was publicly known what penſions were aſſigned to a good number of the members. The parliament meeting, tho' Mary ſometimes found oppoſition, yet was ſhe often obliged to check the commons, ſo impetuous was generally their zeal to gratify her in all ſhe propoſed.

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Act to confirm her Majeſty's rights. Burnet.

The firſt act paſſed in this ſeſſion gave occaſion to many reflections: but its drift remained a ſecret 'till long after, in the reign of Queen Elizabeth, when a certain perſon, appriſed thereof, diſcovered it to the earl of Leiceſter. The bill was brought in by the ſpeaker. It imported, "That, as the "laws declarative of the royal prerogatives had "been made in favor of Kings, it might be pre-"tended that the Queen had not thereto any right; "it was therefore declared: that theſe prerogatives "appertained to the crown, whether it was poſ-"ſeſſed by male or female: and whatſoever the "law did limit or appoint for the King, was of "right alſo due to the Queen, who was declared "to have as much authority as any of her proge-"nitors." This bill occaſioned ſome debates in the houſe of commons. Some feared that the pretenſe of ſecuring to the Queen her juſt rights, covered a deſign of inlarging them beyond their juſt bounds, and that the laſt clauſe, that ſhe had "as "much authority as any of her progenitors," might incourage her to exerciſe the ſame power as William the Conqueror, who ſpoiled the Engliſh of their lands, to beſtow them on foreigners. The Queen's marriage with the Prince of Spain ſtill increaſed this ſuſpicion, by the fear of having a deſpotic government, like that of Spain, introduced into England. It was therefore judged proper to alter the words of this act, in ſuch manner as they ſhould ſecure to the Queen all her legal rights, without giving her opportunity to uſurp ſuch as were not ſo. The court found no fault with this correction. Gardiner, who promoted the bill, had no intention to make the Queen abſolute, but to prevent Philip from ſeizing the government, on pretenſe of ſex. The example of Henry VII furniſhed a juſt cauſe of apprehenſion. That Prince had at firſt no pretenſion to the crown, but what flowed from his promiſe of eſpouſing Elizabeth, daughter of Edward IV: nevertheleſs, when he thought himſelf ſufficiently able, he reſolved to reign in his own right, as heir to the houſe of Lancaſter. Philip might have done the like, as deſcended from the ſame houſe. So that here Gardiner conſulted at once the intereſt of the nation, and his own. It was the nation's intereſt, that Philip ſhould not have any opportunity of ſeizing the government. Gardiner's likewiſe required the ſame; but if Philip ſhould once become maſter of England, the adminiſtration of affairs would probably be put into the hands of Spaniards, and conſequently Gardiner be excluded. In a word, the true occaſion of Gardiner's bill was this: a certain perſon had contrived a model of government, according to which the Queen was to declare herſelf a Conqueror; or

The ſecret motive to it. Burnet, Vol. II. p. 277.

Occaſions of it. Burnet.

(1) On the 19th, according to Hollingſhead, ſhe was releaſed out of the Tower, and commited to the cuſtody of lord Williams who treating her more courteouſly than ſome could have wiſhed, ſhe was put under the care of ſir Henry Beningfield, p. 1117.——The earl of Devonſhire was removed to Fotheringay caſtle, May 25. Godwin, p. 343.

aſſert

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assert that, as she acceded to the crown by common right, she was not bound by the laws which limited the regal power, because these restrictions were made for Kings and not Queens. This plan was communicated to the Imperial embassador, who put it into the Queen's hands, and desired her to peruse it attentively. The Queen doubtless read, and then delivered it to her chancellor, to examine it and thereon give her his sentiments. He thereby discovered the Spaniards drift, and set before her Majesty the consequences and peril of following, or even listening to such counsels. In a word, he so managed her, that she threw the project into the fire. It was not without reason that Gardiner began to be alarmed with respect to the Spaniards. Beside, that such schemes as this gave him just cause to suspect them of some design upon the liberties of England, there was another particular which confirmed this suspicions. This was, the Spaniards had studiously published a genealogy of Philip, which derived him from a daughter of John of Gaunt, duke of Lancaster, and son of Edward III. Gardiner therefore thought it high time to break the Spanish measures; and this he undertook to do by the fore-mentioned act: but he took singular care not to be known for the author, for fear of losing Philip's favor (1).

Burnet. Hollingsh. Strype.

The bishoprick of Durham restored to its rights.

In this session the bishoprick of Durham, suppressed in the end of the late reign, was restored to its ancient rights, and the act of suppression repealed.

The duke of Suffolk's sentence, and the marriage treaty confirmed. Burnet.

The sentence against the duke of Suffolk, and the fifty-eight persons executed for the late rebellion, was likewise confirmed.

Lastly, the parliament approved the treaty of marriage between the Queen and Philip. But as Gardiner began to dread the Spaniards, he so ordered, that the parliament, in approving the treaty, more clearly explained and inlarged the articles, by which the realm's government was declared to belong to the Queen only.

No more was desired of the parliament in this session (2). Had the lower house's zeal to please the court been indulged, many rigorous acts against the reformation and the Reformed would have passed: but, by direction from court, the peers threw out such bills on that subject as were sent up by the commons. Undoubtedly, the ministers judged it not proper to commence a persecution before the Queen's marriage was accomplished, lest some unforeseen accident should retard the Prince of Spain's arrival. For this reason the parliament was dissolved (3) the twenty-fifth of May, Mary's principal desire, the approbation of her marriage, being obtained.

Dispute at Oxford between the Popish and Protestant clergy. Fox. Godwin. Burnet. Strype.

At the end of this session of parliament, the court thought proper to interrupt the convocation, in order for a new conference to be held at Oxford, touching the eucharist. The Protestants loudly complained of the treatment they had met with, in the dispute held at London. Hence was occasion taken to spread for them a new snare, by appointing another disputation at Oxford, in presence of the whole university, as if more justice was intended them, but this was in effect only to give them a fresh mortification. Had the court's meaning been to have acted with candor, they would never have chosen, as they did, for managers of the dispute on the Protestants side, Cranmer, Ridley, and Latimer, all prisoners in the Tower, and the two first, indisputably the ablest and most learned men of their party: but as it was resolved to confound them otherwise than by reasons and arguments, pleasure was taken in exposing these three great prelates to the insults of their enemies. They were therefore removed to Oxford, to dispute against some of the Romish clergy, at the head of whom was Weston, prolocutor of the lower-house of convocation. This disputation or conference was managed like the former at London. The three Protestant bishops were forced to be silent, by reason of the continual interruptions and noises which hindered them from being heard, whence it was infered they were vanquished. Such as are curious to see the particulars of this dispute, may find them in the history of the reformation of England. But barely to mortify these bishops was not thought sufficient: the dispute, which lasted three days, being ended, they were summoned to abjure their pretended errors, and, on their refusal, excommunicated.

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Fox, Vol. III. p. 44, &c. Ibid. p. 90. Godwin. Vol. II. p. 280, &c.

Cranmer, Ridley, and Latimer excommunicated.

The Prince of Spain's arrival. Godwin. Burnet. Stow. Fox.

Prince Philip being informed that nothing now retarded the accomplishment of his marriage, left Corunna, the 16th of July, and arrived the 19th at Southampton (4). At his landing he drew his sword, and carried it naked some time. This mysterious action was variously interpreted. Some said he thereby devoted his sword to England's defense. Others believed, that he intimated to the English by this action, that he intended to govern them by the sword. The magistrates of Southampton presenting him with the keys of their town, he both received and returned them without uttering a syllable. This gravity disgusted the English, accustomed to be treated more affably by their Sovereigns. The Queen met him at Winchester, where Gardiner married them the 25th of July. The same day they were proclaimed King and Queen of England, France, Naples, Jerusalem, and by many other Titles (5). The Emperor had lately made a present to his son of the kingdoms of Naples and Jerusalem. Philip's age was twenty seven, and Mary's thirty eight. Many Chests of Bullion (6), brought by Philip, were landed. This was doubtless the whole, or great part of the twelve hundred-thousand crowns which Charles V promised to remit over to England, but which he was not disposed to part with before the marriage was ascertained. This infused fresh zeal into those whom Gardiner had already gained to Mary's interest (7).

Fox. Godwin. Hollingsh. Stow. Burnet.

Brings with him a great treasure. Burnet.

Obtains pardon for Princess Elizabeth, and some others. Godwin. p. 349. Burnet. Stow.

Philip, desirous to acquire the affection of the English, began with acts of clemency, which would have produced that effect, had the rest of his conduct been answerable: however, some of note profited by his generosity. Princess Elizabeth was the chief. Gardiner was for removing her out of the way at any rate. He apprehended that, if she suc-

(1) Another reason for this act, might also be, to prevent any disturbance might arise from a certain opinion broached by some of Queen Mary's enemies, that it was unlawful for a woman to govern; to prove which, Knox and others wrote books soon after. Strype's notes on Godwin, p. 344.

(2) A convocation met at the same time with this parliament. And in the writs of summons, the Queen's title, of Supreme Head of the Church, was omited. See Fox, Vol. III. p. 41.

(3) Not prorogued, as in the French.

(4) With a fleet of one hundred and sixty sail. Godwin, p. 345. John earl of Bedford, the lord Fitz-Walters, and many other noblemen, &c. were sent into Spain to attend him. Hollingsh. p. 1118.

(5) Ireland; Defenders of the faith; Princes of Spain and Sicily; archdukes of Austria; dukes of Milan, Burgundy, and Brabant; counts of Habspurg, Flanders and Tirol. Rym. Fœd. Vol. XV. p. 404.

(6) Twenty-seven chests, each a yard and four inches long, and ninety-nine horse-loads, and two cart-loads of coined gold and silver. Burnet, p. 286. Strype computes, that this Prince's revenues were yearly worth two millions, four hundred and seventy thousand pounds sterling. Vol. III. p. 128.

(7) August 12, the King and Queen made their entry into London. Stow, p. 625,

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ceeded Mary, her own Intereſt would lead her to ſubvert whatever ſhould be done, as to religion, under the preſent reign; beſide, it was known that, notwithſtanding all her caution, ſhe was moſt cordially a Proteſtant. Now, as it was reſolved to proſecute the Reformed, there was ſome room to fear diſturbances, under color of aſſerting her rights. The Queen herſelf was not far from Gardiner's ſentiments; but Philip interceded for the Princeſs, and delivered her from that peril. This was, doubtleſs, at firſt from a motive of generoſity. It has been pretended that policy had afterwards a great ſhare in the preſervation of this Princeſs, and two ſeveral reaſons are aſſigned. Firſt, it is ſaid that, when he had no longer hopes of iſſue by his Queen, he reflected that, if Elizabeth died before Mary, the crown of England would devolve to the Scotiſh Queen, who would tranſmit this rich inheritance to the Dauphin of France. It is indeed true that, by Henry VIII's will, the Queen of Scots could not claim the Engliſh crown, 'till after the dutcheſs of Suffolk's poſterity: but there was no likelihood the Dauphin would regard this will; and he might happen to join the crowns of England and Ireland to thoſe of France and Scotland, which could not but be prejudicial to the Houſe of Auſtria. The ſecond reaſon which, as ſome pretend, induced Philip to ſave Elizabeth was, his hope to marry her, if Mary died firſt. Beſides Princeſs Elizabeth, ſome other Perſons obtained their pardon by Philip's interceſſion; namely, nine knights, and the archbiſhop of York. It is preſumed, this prelate was not firm to his religion, becauſe all the reſt who were releaſed were men who ſuited their religion to the times: probably, they had been ingaged in Wyat's or lady Jane's cauſe; moreover the archbiſhop of York was ſuffered to live unmoleſted during the reſidue of this reign.

His reaſons for interceding for Elizabeth. Burnet.

Godwin. Stow. Burnet.

Diſpleaſes the Engliſh. Burnet.

Philip's grave manner and reſerved air gave great diſguſt to the Engliſh. None were admited either into his or the Queen's preſenſe, without a formal demand of audience, as is practiſed by embaſſadors. This rendered the court utterly deſart, the Engliſh nobility not brooking cuſtoms ſo oppoſite to their own.

The duke of Norfolk dies.

The old duke of Norfolk died in September, about a year after obtaining his liberty.

The parliament meets. Burnet. Vol. III. p. 234.

Mary's third parliament met, the 11th of November, diſpoſed as the court could wiſh (1). The money brought from Spain produced ſuch effects, that moſt of the repreſentatives only wanted occaſions to ſignaliſe their zeal for her Majeſty. The court was thereof ſo ſenſible, that without any law yet made to reſtore the Papal authority, two noblemen were ſent to receive cardinal Pole as legate, and bring him over into England. One of theſe was lord Paget, who, having been a principal friend and confident of the duke of Somerſet, and one of that protector's inſtruments to eſtabliſh the reformation in King Edward's reign, was nominated in this of Mary to receive his Beatitude's legate (2): ſuch alteration had a new reign produced amongſt the nobility. While the legate in Flanders was preparing for his voyage, an act paſſed in parliament to repeal his attainder in the reign of Henry VIII. This coſt but three days, in order to avoid the inconvenience of ſeeing arrive in the kingdom a legate, ſtill liable to a mortal ſentence.

The court ſends to fetch over Pole in quality of legate. Godwin.

The act of his condemnation reverſed. Godwin. Hollingſh. Burnet.

Pole arrived the twenty-fourth of November, and after communicating his inſtructions to the King and Queen, he laid before them, and both houſes of Parliament ſent for to that purpoſe, the occaſion of his legation. This, he ſaid, was to bring back to the fold of Chriſt the ſheep which were gone aſtray: that the Pope, who held on earth the place of Sovereign Paſtor, was ready to receive them; and therefore he exhorted the Engliſh to imbrace this occaſion, at once ſo favorable and ſo felicitous. Queen Mary, who had paſſionately longed to ſee his Sanctity's authority reſtored in England, was ſo moved on this occaſion, that ſhe fancied ſhe felt a child ſtir in her womb. This news was immediately publiſhed in all places, and even by order of council (3), Te Deum was ſung at St. Paul's. Some flatterers ſpared not ſaying, that as John Baptiſt leaped in his mother's womb at the ſalutation of the Virgin, ſo here, a happy omen followed on the ſalutation from Chriſt's vicar ſpeaking by the mouth of his legate. The Queen's women, who ſaw her ſo fond of her imaginary conception, humored her in this belief, 'till the middle of the ſucceeding year, when, to her exceſſive mortification, ſhe was convinced of her miſtake.

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His ſpeech to the parliament. Godwin. Fox. Vol. III. p. 108. Hollingſh. Stow.

The Queen fancies herſelf pregnant. Godwin. Burnet. Fox.

Is miſtaken.

The twenty-ninth of November, both houſes preſented a petition to the King and Queen, praying their interceſſion with the legate, for a reconciliation of the kingdom with the church, from which by a horrible ſchiſm it had been long diſunited. They promiſed in the ſame petition, to repeal all acts againſt the Pope's authority. Thereupon, the legate came to the parliament, and in a long ſpeech inlarged on his Beatitude's affection and tenderneſs for the kingdom of England, and the extraordinary favors which in every age this nation had received from the Holy See. Then he injoined for penance the repeal of all the laws made againſt the Pontifical authority, and, granting full abſolution, which was received by both houſes on their knees, abſolved alſo the realm from all cenſures and interdictions.

The two houſes petition for a reconciliation with his Holineſs. Fox, Vol. III. p. 108. Godwin. Hollingſh. Stow. Burnet.

Are abſolved by the legate. Godwin. Hollingſh. p. 1123.

The repeal promiſed by both houſes could not be ready before the begining of January. By this act the Pope's authority was reſtored to the ſame ſtate as before the twentieth year of Henry VIII's reign: but the five inſuing articles, therein inſerted, were ſo many reſtrictions on the Papal power.

Act reſtoring the Papal authority. Statutes. Burnet.

I. That biſhopricks, cathedrals and colleges ſhould remain in their preſent condition.

with ſome reſtrictions.

II. That marriages contracted within the degrees prohibited only by the canons, and not by divine ſtatutes, ſhould be deemed good and valid.

III. That inſtitutions into benefices made during the ſchiſm, ſhould be confirmed.

IV. That all judicial proceſſes ſhould alſo be confirmed.

V. That the alienations of the church's lands ſhould be authoriſed, and the poſſeſſors ſubject to no cenſures or proſecutions on that account.

The legate ratified all theſe articles, but with a denunciation of God's judgments on all thoſe who poſſeſſed church-lands. As this article was the moſt important, and obſtructive to a re-union, the court of Rome had not been a little imbaraſſed to ſettle it. The nobility and gentry, inriched with church ſpoils in the two laſt reigns, were not to be alarmed. On the other hand, the canons make the church's

Ratified by the legate.

Artifices of the court of Rome touching church-lands.

(1) The King and Queen rode together in their robes to this parliament, having two ſwords and two caps of maintenance carried before them. Hollingſh. p. 1122.

(2) The other was ſir Edward Haſtings.

(3) Dated November 27. In the ſame order all prieſts, and other eccleſiaſtical miniſters, were injoined, in their maſſes and other ſervices, continually to pray Almighty God, that he would continue and bring to good effect what he had ſo graciouſly begun. Forms of prayer were compoſed on this occaſion by doctor Weſton, dean of Weſtminſter, and printed copies of them diſperſed thro' the kingdom. In one of them they prayed God to "give the Queen a male-infant, in faſhion and body "comlie and beautiful, and in pregnant wit notable and excellent."

lands

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lands ſo ſacred, that the Pope himſelf, however extenſive his power be in other reſpects, cannot alienate them. Conſequently, Julius III could not conſent to the alienation made in England, without violating the canons: nay, his conſent would have been of no force, ſince it would have exceeded the bounds of his power. Mean while, had he inſiſted on the neceſſity of reſtitution, and told the Engliſh that, without it, he could not poſſibly abſolve them, the re-union of England, the concluſion whereof his Holineſs ſo paſſionately deſired, would have been in danger of miſcarrying. This was one of the nice affairs which called for ſome of thoſe expedients the Roman court ſeldom wants. The expedient now made uſe of was to deceive the Engliſh.

Burnet. Vol. III. p. 231.

The Pope firſt gave Pole a general power, which was not, however, deemed ſufficient to remove the uneaſineſs of the perſons concerned. Afterwards he ſent him another, authoriſing him, "to tranſact "with the poſſeſſors of church-lands for the rents "they had illegally received, and for the move- "ables they had conſumed; in reſtoring firſt, if "the legate thought proper, the lands they unjuſtly "poſſeſſed." This clauſe "in reſtoring firſt, if "the legate thought proper," had a very equivocal meaning. It might ſignify, that the legate had liberty to oblige the poſſeſſors to reſtitution, or to diſpenſe with it; or elſe, that he had power to tranſact with them for the received rents before or after reſtitution of the lands. Very ſeemingly, his Sanctity underſtood this clauſe in the latter ſenſe, but was deſirous of giving room for a belief of his taking it in the former.

This power appearing to Charles V and the Engliſh court inſufficient, the Pope gave a third, no leſs equivocal, and which, under a heap of general terms, contained certain reſtrictions which left him free to act afterwards as he ſhould judge requiſite: for his preſent buſineſs was to amuſe both the parliament and the poſſeſſors of thoſe lands, in giving them a ſeeming ſatisfaction. This latter power ran:

Burnet, Vol. III. p. 232.

"That whereas before, he had given power to his "legate to tranſact with the poſſeſſors of the "church's goods, and to diſcharge them from the "rents they had unjuſtly received, or the move- "ables they had waſted; nevertheleſs, to the end "that the intire reduction of England might be- "come ſo much the more eaſy, by the greater "hopes of condeſcenſion and compliance given "on this occaſion by his Beatitude (unwilling "as he was to keep back the great work of "the ſalvation of ſo many ſouls, by any human "conſiderations, and deſirous to imitate the good "father going out to meet the prodigal ſon) he "gave power to his legate, agreeably to the con- "fidence he in him repoſed, to tranſact and agree, "by authority of the Holy See, with the poſſeſ- "ſors of the church's goods, for whom the Queen "ſhould intercede, and to give them a diſpenſation "for the future injoyment thereof; with reſer- "vation nevertheleſs of ſuch things, wherein, for "their greatneſs and importance, he ſhould think "fit to conſult the Holy See, for its concurrence "and confirmation."

This concluſive power, far from correcting what was defective in the former, was ſtill more ambiguous and uſeleſs. Firſt, for the word TRANSACT, which was in the firſt power, and remained likewiſe in this, it is manifeſt, that the Holy Father did not thereby mean a bare acquieſcence of his legate to a poſſeſſion deemed unjuſt, and that, on this occaſion, a tranſaction imported at leaſt ſome previous reparation to be made to the church. But for fear the term TRANSACT ſhould not be ſufficiently expreſſive, his Sanctity added in this laſt power the term AGREE, which evidently ſhewed in what ſenſe he would have this tranſaction underſtood. Wherefore the bare acquieſcence of the legate was uſeleſs, ſince he thereby exceeded his power, which was to Tranſact and Agree. Secondly, under theſe terms Future Injoyment, lay couched a notorious equivocation, ſince the Future might imply either a perpetual or a temporary injoyment. Thirdly, the legate could grant a diſpenſation for the injoyment of theſe lands but to thoſe for whom the Queen interceded; ſo that the Queen might chuſe whether ſhe would intercede for any perſon: nay, it is very likely ſhe would have ſcrupled it, ſince, as will appear, ſhe herſelf made reſtitution of all ſuch lands as were in her poſſeſſion. Fourthly, all the legate could do on this occaſion, was inſignificant without confirmation from his Holineſs, who could revoke it, ſo that the legate's power was only proviſional. Laſtly, the obligation to conſult the Holy See in matters of importance, was likewiſe a dubious expreſſion, obnoxious to endleſs cavils.

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Pope Julius III died before he was informed of the ſucceſs of this affair. But if we judge of him by the terms of the power granted to his legate, he acted with no ſincerity, and his ſucceſſor flatly refuſed confirming the legate's acquieſcence. It was therefore a manifeſt fraud put upon the poſſeſſors of church-lands, ſince, according to the canon law, they could thereby acquire no juſt title. On the other hand, they could poſſeſs them with a ſafe conſcience, ſince the legate, at the very inſtant he conſented to their injoyment of theſe lands, denounced the judgments of God ready to fall on their heads. It will perhaps be interrogated, how the Engliſh could ſuffer themſelves to be impoſed on by ſo palpable a deluſion? To this may be replied: Firſt, that the King and Queen, being in the ſame ſentiments with the Roman court, aſſiſted the deceit as much as poſſible, and the parliament, corrupted with Spaniſh gold, ſeemed not to ſee what they ſaw. Secondly, very ſeemingly, the legate's powers were ſhewn only to their ſaid Majeſties, who therewith appeared ſatisfied, and the parliament, without examining theſe powers, preſumed the legate ſufficiently authoriſed. I have ſomewhat inlarged on this ſubject, becauſe it is now very material, and poſſibly may be more ſo hereafter. The Engliſh may ſee by this, not only how impoſſible it is the court of Rome ſhould have acted with ſincerity in this affair, but that, tho' a Pope ſhould have the beſt intentions towards the poſſeſſors of the church-lands, his conſent would be inſignificant: his ſucceſſors might always ſay, with ſome foundation, that he had exceeded the limits of his power. However this be, the poſſeſſors were, or ſeemed to be ſatisfied, and the rather becauſe the parliament made a law which, in ſome meaſure, diſpeled the fears of thoſe concerned. This law imported, that whoever ſhould diſturb the ſubjects, in their poſſeſſion of any lands or goods once appertaining to the church, on pretenſe of any eccleſiaſtical authority, ſhould incur a Præmunire.

Act made to renew the old ſtatute againſt heretics. Statutes. Burnet.

The reconciliation thus accompliſhed, and the government become intirely Popiſh, the parliament paſſed an act to revive the Statutes of Richard II, Henry IV, and Henry V, againſt heretics (1). The commons were ſo haſty that, had their zeal been indulged, they would have finiſhed at once what the court deſired ſhould be effected gradually. They brought in ſeveral bills, which were rejected by the lords, for fear of alarming the Proteſtants, and driving them to deſpair. But the commons were in a manner indifferent as to what became of their bills,

(1) 5 Richard II. 2 Henry IV. 2 Henry V.

ſince

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since whether approved or rejected, their zeal for the Queen was conſpicuouſly manifeſt. This was the real aim of their whole procedure.

Afterwards an act was made by way of ſupplement to the ſtatute of treaſons and felonies. It was in Philip's favor this act was renewed, by which, if any perſon aſſerted, that Philip had no right to the title of King of England, during his marriage with the Queen, he was to be ſentenced to perpetual impriſonment, and to forfeit all his goods: moreover, that Prince having conſented to take upon him the guardianſhip of the children he might have by his conſort, and to govern the kingdom for a ſon, 'till he was eighteen, and for a daughter, till fifteen; it was alſo inacted, that conſpiring his death during that time, ſhould be treaſon. It was likewiſe death, by another act, for any to pray, that God would turn the Queen's heart from idolatry, or ſhorten her days.

The court conſults what meaſures were propereſt to be taken againſt the Proteſtants. Burnet.

The ſtatutes againſt heretics were no ſooner revived, than the court took into conſideration how to reduce them. Their number was great, and indiſputably far ſurpaſſing that of their adverſaries, but the latter had for them the government. This party included thoſe to whom all religions were indifferent, and theſe appeared the moſt zealous, becauſe it was the true way to render them acceptable at court. As to the Proteſtants, they could not make any uſe of their numbers, being quite unſupported: beſide, many of them concealed their ſentiments, for fear of loſing both life and fortune. Others, by a principle of conſcience, choſe to ſuffer, rather than reſiſt: ſo that thoſe who would have imployed force againſt the attacks of their enemies, would probably have been but very indifferently ſeconded; and the rather, becauſe Charles V would not have failed aſſiſting Mary, had there been any neceſſity. The Proteſtants therefore, with the utmoſt conſternation, ſaw a ſtorm ready to fall on their heads, without any poſſibility to avoid it.

Reflections on the ſtate of the Reformed.

Pole adviſes to moderate counſels. Burnet.

In the council, held at court on this ſubject, Pole was for gentle methods rather than violence, being of opinion that inſtead of curing, it would only inflame the evil, and at beſt but augment the number of hypocrites. He added, that the beſt means of converting Proteſtants was reforming the eccleſiaſtics, whoſe irregular lives had firſt given birth to hereſy. On the contrary, Gardiner maintained, that rigor alone was capable of working any good effect upon heretics: that in the reign of Henry VIII, it was notorious all ſubmited to the ſtatute of ſix articles, thro' dread of puniſhment. As Gardiner had in many things, complied againſt his conſcience, he could not believe others had more reſolution than himſelf: wherefore he thought the puniſhment of ſome of the moſt obſtinate, would be attended with a blind compliance in all the reſt to whatever was injoined. Hence it appears, he was little concerned to gain peoples hearts, provided his beloved creed found no farther oppoſition. The Queen, who was a moſt bigoted zealot, imbraced his opinion: but to ſhew Pole that his counſels were not wholly neglected, ſhe charged him with reforming the clergy, and left to Gardiner the care of extirpating hereſy.

Gardiner is for rigorous methods, and prevails. Burnet.

Embaſſy ſent to Rome. Godwin.

Towards the cloſe of this year, Mary ſent viſcount Mountague, the biſhop of Ely, and ſir Edward Karne to Rome, with a tender of ſubmiſſion to his holineſs from their Majeſties, and the three ſtates of the realm.

It being then reſolved to exerciſe the utmoſt rigor of the laws againſt Proteſtants, Gardiner, author of that counſel, moſt readily undertook its execution. He it was who in ſpite of all the difficulties which naturally occurred in the Queen's marriage, had finally accompliſhed it. He it was alſo, who, by his intrigues, had found a way to diſpoſe parliaments to favor his miſtreſs's deſigns touching religion, and had effected the work of reſtoring the Romiſh creed and Pontifical authority. He thought therefore nothing more was wanting to complete his glory, than forcing the Proteſtants into the pale of the church, or at leaſt their outward ſubmiſſion to the laws newly inacted; which is the utmoſt boundary of human ability. For this purpoſe, he reſolved to begin with Hooper and Rogers. The firſt had been biſhop of Glouceſter; the other was a divine of great repute among the Reformed. It was he who, with Bradford, had reſcued Bourn from his danger when he preached at St. Paul's. This Action, charitable as it was, met with ſo ſiniſter a conſtruction, that the court took thence occaſion to arreſt Rogers, in order to remove out of the way a man who, from his credit and influence with the people, was conſidered as one of the Proteſtants moſt formidable champions. It was, in the begining of this reign, one of the court's chief artifices to impriſon, on frivolous pretexts, thoſe whom they deſigned to ſacrifice, with intent to detain them 'till laws were made to authoriſe their condemnation. Hooper and Rogers were of this number, and the firſt martyrs of this reign. They were condemned by commiſſioners nominated and appointed by her Majeſty, with the chancellor at their head, and delivered over to the ſecular arm. Hooper was burned at Glouceſter, and Rogers at London (1). Hooper was three quarters of an hour in moſt exquiſite torture, the fire not being well kindled, ſo that his legs and thighs were firſt conſumed, and one of his hands droped off before he expired (2). Theſe executions were followed by thoſe of Saunders and Taylor, two other divines of moſt diſtinguiſhed zeal for their religion. Taylor's execution was remarkable for his being put into a pitch barrel, and for having, before the fire was kindled, a billet, from a hand unknown, thrown at his head, which made it ſtream with blood. Afterwards, as he was repeating the fifty-firſt Pſalm in Engliſh, one of the guards ſtruck him on the mouth, and bid him pray in Latin. He was therefore obliged to be ſilent in his devotions, expecting the moment which was to finiſh all his ſufferings: but while the fire was kindling, one of the guards, either thro' impatience or compaſſion, clave down his ſkull with a halbert, and delivered him from more cruel torments.

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Gardiner ordered to proceed againſt heretics.

Burnet. Vol. III. Coll. p. 246, &c.

Martyrdom of Hooper and Rogers. Fox. Vol. III.

Of Saunders and Taylor. Ibid. Godwin.

Gardiner, finding himſelf miſtaken in his conjectures, and that the puniſhment of theſe four clergymen produced not the effect he expected, transfered to Bonner a commiſſion which could not but procure him a univerſal odium. This was no favor to the Proteſtants; for if Gardiner's zeal was cruel, Bonner's was furious.

Gardiner transfers his commiſſion to Bonner. Burnet.

Mean while, theſe few executions occaſioned a general conſternation. The bigots only triumphed. The reſt who had any ſenſe of humanity could not, without the utmoſt reluctance, behold expoſed to ſuch cruel ſufferings perſons charged with no crime, and ſolely for their opinions in matters of belief. It could not but be obſerved how widely different the

England's univerſal conſternation. Burnet.

(1) John Rogers was brought up in the univerſity of Cambridge, and for ſeveral years officiated as chaplain to the Engliſh merchants adventurers at Antwerp. In King Edward's reign he returned to England, and was made prebend of St. Paul's, and reader of the divinity lecture in the ſame cathedral. He left a wife and eleven children. At the ſtake he had it in his power to have ſaved his life by a recantation: but neither hopes nor fears could prevail on him to deſert his religion: on the contrary, he ſaid, He reſigned his life with joy, in teſtimony of the doctrine he had preached. Fox.

(2) John Hooper, brought up at Oxford, was, on account of his religious opinions, forced to eſcape into Germany, in Henry VIIIths time; where he remained a conſiderable time. He had been very diligent in procuring Bonner's deprivation, which undoubtedly was the cauſe of his ruin. Godwin. Fox.

Proteſtants

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Proteſtants behavior had been from that of the Papiſts. In Edward's reign, very few had ſuffered even confinement on account of religion; and in Mary's, no torments were thought too cruel for thoſe Proteſtants who dared to perſevere in their recuſancy. The very biſhops ſeemed aſhamed, for, in a ſolemn aſſembly, they declared they had no hand in theſe barbarities. So the whole odium fell on their Majeſties, and particularly the King, as he was bred in a country where the Inquiſition reigns. Philip hearing thereof, found he ſhould utterly loſe the affection of the Engliſh, if they were ſuffered to continue in this ſentiment; beſide, he was reſolved not to be a tool to the biſhops, who were for clearing themſelves at his expenſe. He therefore ordered his confeſſor Alfonſo to preach before him, who, in preſenſe of the whole court, charged the prelates with thoſe barbarities whereof the people in general complained (1). He even challenged them to produce throughout ſacred writ, one paſſage which allowed Chriſtians to burn men for matters of conſcience. It was not without aſtoniſhment that a Spaniard was heard to exclaim againſt burning heretics, and condemn cruelties ſo common in Spain. The biſhops were ſo amazed, that for ſome weeks their faggots remained unkindled; but about mid-March they again blazed, their right reverend lordſhips rather chuſing to incur the public hatred than not proſecute Proteſtants. In reality, the court was no leſs inclined to cruelty than the biſhops: but each coveted to brand the other with all the blame of the perſecution. Bonner, biſhop of London, conſtantly diſtinguiſhed himſelf by a fury unbecoming not only a divine and a Chriſtian, but even a Cannibal. From this inſtant executions on Proteſtants were continued with a barbarity clearly manifeſting that no manner of compulſion was practiſed towards thoſe by whom they were ordered. The biſhops condemned without mercy all who were brought before them; and the civil magiſtrates executed the ſentences even more rigorouſly than the law injoined (2).

The biſhops throw the perſecution on the court. Burnet.

The King's Spaniſh confeſſor preaches againſt perſecution. Fox.

Burnet.

Bonner's inhuman fury.

About the end of April, Princeſs Elizabeth was conducted from Woodſtock to Hampton-court, where Gardiner, accompanied by ſeveral privy counſellors, very gravely exhorted her to merit her Majeſty's mercy by ingenuouſly confeſſing her crime: but ſhe poſitively denied having ever juſtly offended the Queen. At length Philip obtained for her ſomewhat more liberty, at a ſeat in the country (3), whither ſhe was permited to retire. As ſhe was very ſenſible how narrowly all her actions were obſerved, ſhe carefully avoided whatever might give the leaſt umbrage or ſuſpicion. During the reſt of this reign, ſhe applied herſelf wholly to her ſtudies, and made a conſiderable progreſs: but ſtill her life was very comfortleſs, as ſhe was conſtrained to diſſemble her ſentiments in religion, to hear maſs, and confeſs frequently, to eſcape the perils whereto ſhe was continually expoſed (4). Herein ſhe was ſomewhat leſs ſcrupulous than her ſiſter Mary had been in Edward's reign: but it may be ſaid for her, that there was a great difference between the characters of Edward and Mary. The fear of death could not oblige Mary to diſſemble her religion, becauſe ſhe was never threatened with it; whereas Elizabeth ſaw death continually before her eyes, on the leaſt advantage againſt her.

Princeſs Elizabeth removed to Hampton-court. Godwin. Fox. Hollingſh.

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While Queen Mary was thus manifeſting the fervency of her zeal for Popery, ſhe found her conſcience oppreſſed with a load which ſhe could no longer ſupport. This was the poſſeſſion of the abbey-lands adjudged to Henry VIII. Pope Julius III pretended to conſent that the poſſeſſors of the church lands ſhould not be diſturbed. But he plainly ſhewed that nothing was farther from his intentions; for even before the affair of the reconciliation was adjuſted, he publiſhed a bull, excommunicating all who poſſeſſed any church or abbey-lands, as well as the Princes who favored or aſſiſted them. Gardiner had indeed indeavored to calm her Majeſty's diſquiet, by telling her, this bull concerned Germany alone, and not of any validity in England 'till there received and authoriſed. But it was eaſy to ſee, that a defect of formality could not excuſe a practiſe in England, which was by the Sovereign Pontif condemned as a heinous crime in Germany. However this be, Queen Mary, who believed herſelf near the time of her delivery, would not run the hazard of dying excommunicate. She ſent for her miniſters (5), and told them, it was her fixed reſolution to part with the church lands in her poſſeſſion, to be diſpoſed of as his Holineſs ſhould judge proper. At the ſame time ſhe ordered them to inform the legate of her intention, and give him a liſt of all ſuch lands as yet continued in the crown.

Mary reſtores the goods of the church. Burnet.

Fox. Burnet.

March 28. Fox, Vol. III. p. 221. Burnet. Hollingſh.

Pope Julius died the twenty-third of March, a few days before this reſtitution. Marcellus II ſucceeded him the ninth of April. The new Pope was preparing to make a great reformation in the church; but death ſurpriſed him while he was meditating this project, twenty-two days after his exaltation.

Pope Julius dies, and is ſucceeded by Marcellus, who alſo dies and is ſucceeded by Paul IV. Godwin. Burnet.

The news of Marcellus's death being brought to England, Queen Mary formed the deſign of raiſing Pole to the Pontificate. She even made ſome advances towards it; but, on the twenty-third of May, the cardinals aſſembled in conclave elected cardinal Caraffa, who aſſumed the name of Paul IV. The See had not of a long time been filled with a Pope more haughty, or more ſtrenuous in aſſerting his power. He was no ſooner raiſed to the Papal chair, than he reſolved to carry his authority as high or higher than any of his predeceſſors. The embaſſadors of England (6) arrived in Rome the very day of his election, but were not admited to audience 'till a month after. This delay was owing to Mary's aſſuming the title of Queen of Ireland, which his Holineſs would not admit, pretending

Burnet. Strype.

(1) He preached on February 10, 1555. Fox.

(2) Robert Ferrar, biſhop of St. Davids, was burned at Caermarthen, March 30.——As was Thomas Tomkins, a weaver, in Smithfield, on March 16, Thomas Cauſton, at Raleigh, and Thomas Higbed, at Horndon on the Hill, in Eſſex, the 26th; John Laurence, at Colcheſter, the 29th; George Marſh, at Cheſter, April 24; John Cardmaker, canon of Wells, and John Warne, upholſterer in London, May 30, in Smithfield; and others, in ſeveral other places. The earl of Oxford, and lord Rich, were very buſy againſt theſe poor people. See Fox, Vol. III.

(3) Probably at Hatfield. But ſhe was obliged to keep in her family Thomas Pope, one of the privy council, Gage, and ſome others, who were to be conſtant ſpies on her actions. Godwin, p. 349.

(4) Her anſwer to the dangerous queſtions concerning Chriſts' real preſenſe in the ſacrament, has ſomething in it at once artful and ſolid:

Chriſt was the Word that ſpake it;
He took the Bread and break it:
And what the Word did make it,
That I believe and take it.

(5) William Paulet, marquis of Wincheſter, and lord treaſurer, ſir Robert Rocheſter, controller, ſir William Petre, ſecretary of ſtate, and ſir Francis Ingleſield, maſter of the wards. Fox, p. 221. Burnet, Vol. II. p. 308.

(6) Anthony Brown, viſcount Montacute, and Thirlby biſhop of Ely, Glyn biſhop of Bangor, ſir Henry Huſſey, &c. Strype, Vol. III. p. 210, 227.

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that the Roman Pontif only had a right to erect kingdoms. As the embaſſadors had no inſtructions to relax on this article, their audience would have been long defered, had not the Holy Father deviſed this expedient. He privately erected Ireland into a kingdom, and at the ſame time ſent to the embaſſadors to acquaint them, that otherwiſe he would not ſuffer them to give their Queen that title in a public audience. This difficulty being removed, their excellencies were admited to audience, and his Beatitude moſt ceremoniouſly told them, that, in token of his eſteem of the King and Queen of England, he had erected Ireland into a kingdom, by virtue of his power to create new kingdoms, and ſupplant old ones. Afterwards, in private audiences, he warmly preſſed for reſtitution of the church-lands, and told the embaſſadors, that he expected the whole ſhould be reſtored without any exception. He ſaid alſo, he intended to have the payment of St. Peter's pence continued; for which purpoſe, he would ſhortly ſend a collector into England; and that the Engliſh were not to expect St. Peter would open the gates of Heaven to them, ſo long as they uſurped his patrimony on earth. The embaſſadors, not to exaſperate this haughty Pontif, contented themſelves with hearing his diſcourſe ſubmiſſively, but made no particular reply; nor indeed had they any power to meddle in theſe points.

The Pope erects Ireland into a kingdom. Jan. 7. Burnet.

Demands of the Engliſh reſtitution of church-goods, and payment of Peter-pence. Burnet.

While this paſſed at Rome, the privy-council being informed, that the juſtices of peace, and particularly thoſe of the county of Norfolk, were indulgent to the Proteſtants, ſent inſtructions to them to act with more conformity to the court's intentions. This ſhews the biſhops were not alone guilty of the cruelties exerciſed againſt the Proteſtants, but that the court was equally poſſeſſed with this zealous fury. In theſe inſtructions was one article injoining the juſtices to have ſpies in every pariſh, for giving information of all perſons who were remiſs in their duty in point of religion. This ſo reſembled the Inquiſition, that it was imputed to the counſels of the Spaniards, which rendered them extremely odious; nothing being more contrary to the Engliſh humor and government. Notwithſtanding theſe inſtructions, and the court's rigid injunctions, the violences already commited occaſioned ſuch murmurs, that Bonner himſelf, whether thro' fear, or ſome other motive, moderated his fury ſo far as to diſmiſs without trial perſons brought before him for hereſy. This conduct drew from the King and Queen a ſevere letter to him (1), in which, after notifying their ſurpriſe, they exhorted him not to be remiſs. This was ſufficient to renew the perſecution with more fury than before. Bradford, who had been ſome time under ſentence of death, was burned in July (2). Ridley biſhop of London, and the venerable Latimer (3), who had been biſhop of Worceſter in the reign of Henry VIII, were martyred in November. I omit many other martyrdoms in diverſe parts of England, becauſe my deſign is not to write a church-hiſtory. Let it ſuffice to ſay, that in the courſe of this year, ſixty-ſeven perſons were burned, among whom were four biſhops, and thirteen other eccleſiaſtics (4).

Order from court to the juſtices againſt the Reformed. Burnet. Vol. II. Coll. p 283. Strype. Vol. III. p. 214, 217.

The blame laid on the Spaniards.

Bonner ſlackens his ſeverity; Burnet. but renews it upon a letter from their Majeſties. Bradford, Ridley, and Latimer ſuffer martyrdom. Burnet. Fox, Vol. III.

When the King and Queen wrote to Bonner to rekindle his zeal, the Queen believed herſelf on the point of being delivered. The twenty-ninth of May, the courtiers were in a readineſs to convey the joyful tidings of her delivery to different parts of the kingdom (5). In the begining of June, a rumor was every where ſpread, that ſhe was delivered of a Prince. The biſhop of Norwich ſang Te Deum in his cathedral. One prieſt, more officious than the reſt, deſcribed in his ſermon the lineaments of the new-born Prince. But this pretended pregnancy at laſt ended in ſome moles which her Majeſty at different times brought into the world. This was a grievous diſappointment to Mary and the whole court (6). King Philip was no leſs diſmayed. He had eſpouſed this Princeſs purely in hopes of having iſſue by her, and of thereby uniting England with the Spaniſh monarchy. This accident, and perhaps the opinion of phyſicians, that there was no likelihood of children, intirely deſtroying theſe hopes, he grew weary of his wife, who had neither youth nor beauty, and reſolved on a cloſer application to his other affairs. Beſide, he was doubtleſs informed by the Emperor his father, of his intention to reſign to him his Spaniſh dominions. He therefore departed England the fourth of September, and paſſed over to Flanders, leaving the Queen extremely mortified at his coldneſs, of which ſhe was but too ſenſible.

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The Queen has a falſe conception. Burnet. Strype. Hollingſh.

Philip grows weary of her,

and leaves England. Stow.

Before Philip's departure, a diſcovery was pretended of a conſpiracy againſt the Queen. Several perſons were taken up and ſome tortured: but as no confeſſion was drawn from them, very ſeemingly this conſpiracy was a mere calumny deſigned to inſenſe Mary againſt the perſons accuſed.

A forged conſpiracy. Burnet. Stow. Hollingſh.

In the courſe of this year, a ſtrict inquiry was made after ſuch as had pillaged churches and monaſteries, and particularly thoſe who were imployed in the viſitations under Henry VIII. This was a good expedient to draw large ſums from thoſe men, who were conſtrained to open their purſes to eſcape a ſeverer puniſhment.

Inquiry made after the robbers of churches and monaſteries. Burnet.

The parliament met the twenty-firſt of October, and did nothing conſiderable, beſide making a ſtatute to approve and confirm her Majeſty's reſignation of the firſt-fruits and tenths. The lords were deſirous to make a law to confiſcate the eſtates of thoſe whom the fear of perſecution had driven out of the kingdom; but this bill was by the commons rejected. The majority of members began no longer to pay the ſame deference to the court as formerly; whether their penſions were withdrawn after a compliance to almoſt whatever was deſired, or they would not be the inſtruments of reſtoring to the clergy an authority ſo odious to the nation: beſide, moſt people were grown weary of the cruelties exerciſed againſt innocent men. Howſoever this be, the Queen met with great mortifications in this ſeſſion. When ſhe required a ſupply of money, the commons roundly replied, it was not juſt to

Act to confirm the reſtitution of firſt-fruits and tenths.

The commons reject a bill ſent by the lords.

(1) Dated May 24. The Queen particularly required of him "to perform the office of a good paſtor, and either to reclaim "the heretics, or proceed againſt them according to law." Burnet, Vol. II. Coll. p. 285.

(2) John Bradford, born at Mancheſter in Lancaſhire, was fellow of Pembroke-Hall in Cambridge, and made by biſhop Ridley, prebend of St Paul's. He was condemned January 31, and burned July the firſt, with one John Leaſe, a tallow-chandler, in Smithfield. Fox.

(3) Theſe two excellent prelates ſuffered together at Oxford, October 16.

(4) Among the reſt John Philpot, archdeacon of Winchester, ſon of ſir Peter Philpot, knight, was burned in Smithfield, December 18. As were ſeveral others at Canterbury.

(5) William Howard, the lord admiral, was appointed to go to the Emperor, Ratcliff lord Fitz-Walter to the French King, ſir Henry Sidley to the King of the Romans, and Richard Shelley to the King of Portugal. Strype.

(6) Fox relates, That a woman told him, before witneſſes in 1568, that ſhe lived near Alderſgate, and was delivered of a boy on June 11. 1555, and after ſhe had borne it, lord North, and another peer, came to her, and defired to have her child from her, with very advantageous offers, as that the child ſhould be well provided for, &c. But ſhe would in no caſe part with the child. Fox, Vol. III. p. 271. This, as Burnet obſerves, being at a time when the Queen ſeemed to be every day looking for her delivery, may give ſome ſuſpicions. Vol. III. p. 244.

burden

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burden the people to anſwer expenſes which ſhe might eaſily have ſupplied, had ſhe kept the church lands. So, it was with great difficulty that ſhe obtained a moderate ſubſidy. The parliament ſeeming reſolved not to be any longer directed by the court, was diſſolved the ninth of December.

The parliament diſſolved.

It is no wonder that the good intelligence between Mary and the commons began to decreaſe, ſince the miniſter who had hitherto been imployed to manage that houſe was no longer among the living. I mean Gardiner, who died in the begining of this ſeſſion, in which he had been only twice preſent (1). His laſt illneſs ſeized him on the very day he received news of the death of Ridley and Latimer, which he impatiently expected. He refuſed to ſit down to dinner 'till he had received it, and was without that ſatisfaction 'till four in the afternoon. He then dined with a good appetite, and after dinner was ſeized with a ſuppreſſion of urine, which brought him to his grave in few days. It is ſaid that, during this indiſpoſition, he felt ſome remorſe for his paſſed conduct, and ſometimes ſaid, he had erred with St. Peter, but not mourned with him. He was a man intirely attached to the world, of great wit, and of equal craft and diſſimulation (2). He directed his talents ſolely to the ſupporting and augmenting his own authority. Pope Paul IV promiſed him a cardinal's hat. It is alſo pretended that, to procure the archbiſhoprick of Canterbury, promiſed to Pole, he had ſo ſlandered him to the court of Rome, that the Pope had reſolved to recall and even puniſh him, as a favorer of hereſy, by reaſon he approved not the violent methods practiſed for the converſion of Proteſtants. Gardiner's hope of ſucceeding to the archbiſhoprick, was the reaſon why Cranmer was ſuffered to live; becauſe Gardiner waited 'till Pole was recalled. Tho', in all appearance, his religion was that of the church of Rome, he had conformed to all Henry VIII's innovations. But the hope he had groundleſly conceived, that Henry at length would return to his primitive ſentiments in religion, put him upon ſome practiſes which rendered him ſuſpected, and robbed him of the fruit of his diſſimulation. During the reign of Edward, he diſſembled ſo far as to comply outwardly with the laws concerning religion; but at the ſame time he ſufficiently diſcovered its being not without reluctancy. To this was owing his deprivation, thoſe who then managed the religious affairs being perſuaded that his diſſimulation did more harm than good. Under Mary, he was no longer obliged to wear a maſk: nay, perhaps he affected a zeal more fervent than he really had for the Romiſh creed, the better to recommend him to a bigoted Queen. He thereby acquired her favor, and became her prime miniſter, having artfully gained the Emperor to his intereſt. When he found his credit firmly eſtabliſhed, he took vengeance on his adverſaries with the utmoſt barbarity. They had been contented with keeping him under confinement; but he could only be ſatisfied with burning them alive. Ridley and Latimer, among others, felt the terrible effects of his revenge.

Gardiner dies. Godwin. Burnet. Strype. Fox.

Fox. Burnet. Hollingſh.

Godwin.

He would not have ſo long defered procuring himſelf the ſatisfaction of cauſing Cranmer to periſh in the flames, had not his own intereſt induced him to ſpare his life for ſome time. It is pretended he was natural ſon of Richard Woodvil, brother to Queen Elizabeth, King Edward IV's conſort, and that this occaſioned his ſo ſudden promotion to the ſee of Wincheſter, in the reign of Henry VIII. Burnet, in his Hiſtory of the Reformation, has evidently made appear that Gardiner was one of the principal authors of Henry's divorce from Catherine of Aragon. This might be preſumed ſhould have rendered him no leſs odious to Queen Mary than was Cranmer: but Gardiner's zeal for the Romiſh religion effaced all. After his death, the chancellorſhip was executed by commiſſion, from the thirteenth of November to the firſt of January following, when Heath, archbiſhop of York, had the ſeals delivered to him.

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Rym. Fœd. Vol. XV. p. 426. Burnet.

The day after diſſolving the parliament, her Majeſty received a Bull from Paul IV, erecting Ireland into a kingdom; his ſaid Beatitude pre-ſuppoſing that the erection made by Henry VIII was null and invalid. Probably, the Queen, who was full of ſcruples, was not diſpleaſed at receiving this bull without her ſollicitation.

The Pope ſends a bull, erecting Ireland into a kingdom. Burnet.

King Philip's abſenſe, and Gardiner's death prevented not the fires from being re-kindled, towards the cloſe of this year, for the burning of Proteſtants. This demonſtrates Philip and Gardiner not to have been the only authors of theſe inhumanities, but that the ſource of them lay in the Queen's furious bigotry.

The proſecution renewed. Idem.

It was likewiſe about this time that Charles V reſigned all his Spaniſh dominions to Philip, at two different times. The following year, he reſigned likewiſe the Imperial dignity to his brother Ferdinand (3). Paul IV long refuſed to own the new Emperor, pretending, that the reſignation of the Empire ought to have been made to him (4).

Charles V reſigns his dominions to Philip, and his brother Ferdinand. Oct. 15. Strada.

AN' 1556.

The twenty-firſt of March, archbiſhop Cranmer underwent the martyrdom to which he had long been deſtined. He had been declared heretic from April 1554. But this was attended with only a bare excommunication, the power of the judges, who had condemned him, reaching no farther. At length, in September 1555, he was tried at Oxford before two commiſſioners (5), one delegated from his Sanctity, and one from Mary. His accuſation contained: That he had been twice married: that he had entertained a wife ſecretly in the reign of Henry VIII, and openly in that of Edward: that he had publiſhed heretical books; forſaken the communion of the Romiſh church; and denied the real preſenſe of Chriſt in the euchariſt. He denied not any of theſe facts, and was, on ſuch confeſſion, cited to appear before the Pope within eighty days; a moſt prepoſterous citation, ſince he was detained a priſoner. The fourteenth of February, Bonner and Thirleby were ſent to Oxford to degrade him. Bonner executed his commiſſion with his uſual inſolence, and with bitter railleries and invectives againſt Cranmer, during the ceremony: but Thirleby

Cranmer degraded. Godwin. Strype. Burnet.

Godwin. Burnet.

(1) He died of a dropſy, November the 12th, or, according to others, the 13th, and was buried in the cathedral of Wincheſter, where his effigies on his monument is yet to be ſeen, tho' ſomewhat defaced. Godwin, p. 351. Strype. Com. Hiſt.

(2) He was a man of ſome learning; for he underſtood the canon and civil law as well as moſt of his time; he wrote Latin with eaſe and purity; and few of his contemporaries excelled him in the Greek language. Burnet. ——— As to his perſon, his ſucceſſor, biſhop Poinet, gives this deſcription of him: He was of a ſwarthy color, hanging look, frowning brows, eyes an inch within his head, hooked noſe, wide noſtrils, a ſparrow mouth, great hands and long talons, rather than nails upon his toes, which made him go uneaſily. Strype's Notes on Godwin, p. 351.

(3) Charles, after his retirement, delighted very much in mechanical curioſities, and particularly had great variety of clocks, which he tried a long time to cauſe to ſtrike exactly together, but could never bring it about. Whereupon he broke out into this remarkable exclamation: "How vain and fooliſh is it for Princes to indeavor to make all their ſubjects be of one mind in religion, when no art is able to make a few clocks ſtrike together." Burnet, p. 330.

(4) This year, the heralds were incorporated by the Queen's letters patent.

(5) James Brooks, biſhop of Gloceſter, was commiſſioner from Pole, and the King and Queen delegated two aſſiſtants, which were doctor Martin, and doctor Godwin, p. 352.

melted

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melted into tears. Cranmer was attired in Pontifical robes of coarſe canvas, to render him ridiculous, and then was thereof deveſted, piece by piece, with all the pageantry practiſed in the Romiſh church on ſuch occaſions (1). But what was monſtrouſly fantaſtical, was, his being condemned for non-appearance at Rome, tho' he was all the while a cloſe priſoner.

He abjures. Strype.

Death ſhould of courſe have immediately followed the ſentence of the commiſſioners, and his degradation. But ſo many ſnares were laid to overcome the conſtancy of this prelate, that, thro' infirmity, and the hopes of ſaving his life, he was prevailed on to abjure, and even to ſign his recantation (2). His enemies, one might have thought, ſhould have been ſatisfied with ingaging him in this weakneſs; but his death was what they wanted, and nothing leſs would content them. The Queen, who pretended a merit in pardoning him his private offenſes, and in being moved only by a zeal for religion, ſeeing all her meaſures diſconcerted by his abjuration, threw off the maſk, and ſigned a warrant for burning him, notwithſtanding his recantation. Then it was that Cranmer came to himſelf, and, full of ſhame and confuſion, retracted at the ſtake, and reſolved the hand which had ſigned the fatal abjuration ſhould firſt ſuffer. He held it extended in the flame 'till it fell off (3), and then was obſerved to beat his breaſt with the other. Thus he expired, teſtifying a repentance for the fault he had commited. His heart was found intire in the aſhes, after his whole body was conſumed, which occaſioned diverſe reflections, which are not here very neceſſary. The enemies of the reformation triumphed in this prelate's fall, and the Proteſtants excuſed him as beſt they could (4). Pole was conſecrated archbiſhop of Canterbury the day after his death. It ſeems he had his Congé d'elire with his election, and his bulls from Rome diſpatched before this time, becauſe the order for reſtitution of the temporalities bears date March twenty-one, the day of Cranmer's death (5). It is therefore without foundation that Pole is accuſed of haſtening his death, to take poſſeſſion of his ſee, becauſe there was near a month between the Queen's warrant for burning Cranmer and his execution. Pole needed not Cranmer's being out of the world in order to take poſſeſſion of the archbiſhoprick, vacant from the moment of his predeceſſor's condemnation: and indeed, he was already archbiſhop of Canterbury before Cranmer ſuffered, having been elected in England, and approved by the Pope, as is expreſly ſaid in the order for reſtoring the temporalities, dated the twenty-firſt of March.

The Queen ſigns a warrant to have him burned. Rym. Fœd. Vol. XV. p. 431.

He repents, and ſuffers with reſolution. Strype. Burnet.

Pole ſucceeds him as archbiſhop. Godwin. Burnet. Rym. Fœd. Vol. XV. p. 432.

Pole cleared from the aſperſions caſt on him with regard to Cranmer's death.

The perſecution continued. Fox. Burnet.

The whole reſidue of this year was one continual and moſt violent perſecution of the Reformed. The furious Bonner, who had the charge of puniſhing heretics, not contented to burn them one by one, diſpatched them away to the flames in troops; ſo that, in the year 1556, eighty five periſhed by his barbarity. The very women were not ſpared, and the fury of the perſecutors fell even upon harmleſs infants. In the iſle of Guernſey, a woman far advanced in her pregnancy being ſentenced to the ſtake, and the violence of the fire burſting her womb, a male child fell into the flames, which being ſnatched out by one more compaſſionate than the reſt, was, after a ſhort conſultation, thrown in again, by command of the magiſtrates who aſſiſted at the execution.

Horrible barbarity. Fox.

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While, by theſe violent methods, the Proteſtant religion's utter extirpation was indeavored, the Queen, on the other hand, labored to ſupport that of the church of Rome, by repairing old monaſteries, and founding new ones (6). Perhaps ſhe had more advanced her deſign to reſtore the religious houſes, had not the nobility and gentry taken alarm. It happened, even in the laſt ſeſſion of parliament, that ſome of the commons, on hearing a propoſal touching that affair, laid their hands on their ſwords, and loudly ſaid, "They knew how "to defend their properties." Mary, obſerving ſo many obſtacles, and not thinking it proper at that time to puſh the matter, reſolved to wait a more favorable opportunity, and proceed gradually. Mean while, ſhe gave a commiſſion to Bonner, and ſome others, to raze out of the public records whatever had been done, by Henry VIII, againſt the Pope and monks, and particularly the accounts of viſitations of monaſteries, and renunciations of the Papal authority by the monks. This has rendered very defective the church-hiſtory of thoſe days; and yet, notwithſtanding the commiſſioners care, many records of this nature eſcaped their diligence, and are yet extant.

The Queen repairs old monaſteries, and erects new ones. Burnet.

Razes ſeveral pieces out of the public records. Burnet, Vol. II. p. 341.

The war ſtill continuing between France and Spain, without the intervention of the Engliſh, Philip was deſirous of either a peace or a truce, to have leiſure to fix himſelf firmly on the throne lately reſigned to him by the Emperor his father. His Queen had mediated for this peace or truce, and obtained, that the two Kings ſhould ſend their embaſſadors between Calais and Ardres, where they had indeed met the twenty-firſt of May, in the preceding year, but without coming to any concluſion. Paul IV's advancement to the Pontifical dignity, rendered the pacification ſtill more difficult. This Pontif was a man of exceſſive pride and haughtineſs, and tho' aged eighty, was forming vaſt projects. He cannot be better compared than with Julius II. He had two nephews, one a cardinal, and the other governor of the Eccleſiaſtical State, and both mortal enemies of the Colonna family, whoſe ruin they had reſolved, and conſequently the King of Spain's, who ſupported it. To effect their deſign, they perſuaded the Pope their uncle, that they had diſcovered a conſpiracy formed againſt him by the Spaniards. In conſequence of this imaginary diſcovery, they opened the packets of the duke of Alva, viceroy of Naples, and therein pretended to find inconteſtable proofs. They impriſoned cardinal Colonna, and arreſted the envoys of Philip and the Queen of England. Then they ſeized Palliano and Nettuno, two towns appertaining to the Colonni.

Affairs between France and Spain. P. Daniel. Thuanus. Burnet.

But herewith not ſatisfied, they ſoon after introduced

Pope Paul IV makes a league with France againſt Spain. Thuanus. Burnet.

(1) His behavior in this ceremony was uniform and becoming. He was not ſorry, he ſaid, to be thus cut off, with all this pageantry, from any relation to the church of Rome; but declared it to be great injuſtice to condemn him for not going to Rome when he was ſhut up in priſon; and, denying the Pope had any authority over him, appealed from this ſentence to a free general council. Burnet, p. 333.

(2) He was prevailed on to ſubſcribe not only one form of recantation, but ſix diſtinct ones. Strype's Mem. Vol. III. p. 233, &c.

(3) While he was burning, he ſometimes cried out, That unworthy hand! Fox.

(4) He died in the ſixty ſeventh year of his age, and the twenty third of his primacy, and left a ſon of his own name, who was reſtored in blood, 5 Eliz. Strype's Mem.

(5) Tho' he had been elected, and approved by the Pope, Pole thought it indecent to be conſecrated while Cranmer lived, yet his chuſing the next day for it, brought him under the ſuſpicion of having procured his death.—Our author erroneouſly ſays, Pole was made archbiſhop the very day Cranmer ſuffered. Burnet, Vol. II. p. 340.

(6) Laſt year, ſhe founded a-new the monaſtery of the Franciſcans at Greenwich: and this year, two houſes for the Dominicans in Smithfield; a nunnery at Sion; a Carthuſian monaſtery at Sheen; and turned Weſtminſter again into a monaſtery. Ibid.

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duced his Holineſs their uncle to declare war againſt Spain, without having either treaſure or forces to ſupport it. He was therefore obliged to have recourſe to the King of France, who was in actual war with Philip. For this purpoſe, he propoſed to him the conqueſt of the kingdom of Naples, and offered him his whole power to execute that deſign, provided he would aſſiſt him in the war he had undertaken. This propoſal being laid before the Gallic council, the cardinal of Lorrain ſupported it with all his intereſt. His ſaid eminence had then ſuch influence over the court, that ſcarce any durſt in the leaſt contradict him; tho' it was eaſy to comprehend that a league with the Pope could not bring France much advantage. The cardinal's aim was to procure for his brother, the duke of Guiſe, the command of the army deſigned for Italy.

This league, offenſive and defenſive, was therefore begun at Paris, and ſigned at Rome, whither the cardinals of Lorrain and Tournon had repaired very early in October, 1555. His Beatitude promiſed the inveſtiture of Naples to a ſon of France; and his Gallic Majeſty, on his part, ingaged to ſend thither twelve thouſand foot, five hundred men at arms, and as many light horſe. But not long after, by Queen Mary's mediation, Henry II and Philip concluded a five years truce, ſigned the fifth of February, 1556. The Pontif loudly complained that the French King had abandoned him to the Spaniards vengeance. In effect, the duke of Alva had already approached Rome, and taken ſome places, and among others, Oſtia, which his Sanctity's nephews had neglected to ſtore. In this extremity, the Pontif and his nephews had no other refuge, than to prevail with the King of France to break the truce with Spain. It was with this view that cardinal Caraffa repaired to Paris, as legate à latere, declaring, that he came to labor a pacification between the two crowns. At the ſame time, his Holineſs loaded with praiſes the Queen of England for mediating a truce, and exhorted her not to leave her work imperfect, but imploy her efforts to convert that truce into a firm and laſting peace. Mean time the legate, by his intrigues and magnificent promiſes, finally prevailed with King Henry to break the truce, without alledging other reaſon, than that the Holy Father was oppreſſed by the Spaniards, tho' his Holineſs had firſt declared war againſt Spain.

Truce concluded between France and Spain. Thuanus.

The Pope prevails with the King of France to break it.

AN' 1557.

In January 1557, cardinal Pole viſited both the univerſities. While he was at Cambridge, Bucer and Fagius, two German divines, ſome years ſince deceaſed, were ridiculouſly cited before the commiſſioners to give account of their belief, and on their non-appearance, both were condemned to be burned. This ſentence was followed by a warrant from court to execute it, and the two bodies in their coffins were tied to ſtakes, and conſumed to aſhes. At Oxford, Peter Martyr's wife was dug out of her grave by order of the legate, and buried in a dung-hill, becauſe, having been a nun, ſhe had violated her vow of chaſtity. At firſt a proceſs was intended againſt her as a heretic: but as ſhe had never learned to ſpeak Engliſh, no witneſſes could be produced to ſwear, they had ever heard her utter any hereſy. Had all been thus dug up, who might have been preſumed to die heretics ſince the reformation, thoſe flaming zealots would have had imployment enough. To all appearance, Peter Martyr's being ſuffered to quit the realm was heartily repented: ſince his wife's periſhing remains were thus treated, what muſt he have expected, had himſelf been within the reach of his perſecutors (1)?

The bones of Fagius and Bucer burned at Cambridge. Burnet. Thuanus.

Peter Martyr's wife dug up.

The violences hitherto practiſed, as well on the dead as the living, had a quite different effect from what her Majeſty had wiſhed and imagined. The eccleſiaſtics alone perſiſted in their rage; but the magiſtrates began to relax, and ſcrupled to be the inſtruments of theſe barbarities. The council, having thereof information, wrote circular letters to all the towns, to inflame their zeal in the perſecution of heretics: but theſe letters produced no great effect.

MARY I. AN' 1557.

The magiſtrates grow remiſs in the perſecution.

Are incited by the council to redouble their zeal.

The Queen and her miniſters, inraged to hear from all quarters that the number of Proteſtants rather augmented than diminiſhed, did, as ſome have aſſerted, come to a reſolution of erecting in England a court of Inquiſition like that in Spain. To this end, a commiſſion was granted the laſt year, impowering twenty-one commiſſioners to ſit upon trials of hereſy, with a power ſo unlimited, that no other rules were preſcribed than their diſcretion, nor any perſon whatever exempted from their juriſdiction. This was followed by a perſecution, wherein periſhed ſeventy-nine Proteſtants.

The Queen grants a commiſſion tending to erect the Inquiſition in England. Burnet. Vol. II. p. 347.

Fox, Vol. III.

While all this was tranſacting in England, the duke of Guiſe arrived in Italy, with the army deſigned for the conqueſt of Naples. He ſtayed ſome time at Rome, where he found nothing ready of what his Holineſs had promiſed. Nevertheleſs, he entered the kingdom of Naples in April, where he performed no great exploits. Soon after, Paul IV recalled him to the relief of Rome, cloſely blocaded by the duke of Alva.

The duke of Guiſe marches into Italy.

On the other hand, Philip, finding the French had broke the truce, reſolved to exert his utmoſt to eſtabliſh his reputation in the begining of his reign. He raiſed for this purpoſe an army fifty thouſand ſtrong, which was to act in Picardy; and, to render himſelf more formidable, tried all ways to gain Mary to his intereſts, notwithſtanding the agreement in their marriage articles, and his oath to give no occaſion of rupture between England and France. His creatures about Mary perpetually inſinuated to her, that ſhe was ill-treated by the King of France, who, not content with giving reception to ſuch Engliſh fugitives as retired into his dominions, had given penſions to ſeveral. Theſe inſinuations began to operate on the Queen: but in order quite to diſguſt her with Henry, a certain artifice was uſed, which ſucceeded according to the deſires of thoſe who contrived it, apparently to do Philip ſervice. Dr. Wotton, the Engliſh embaſſador in France, ſent for one of his nephews to Paris, and gave him proper inſtructions to accompliſh the project. This young gentleman, applying himſelf to one of the King's retinue, deſired a private audience of his Majeſty, ſaying he had a matter of great conſequence to communicate. The King refuſing to ſee him, ordered him to apply to conſtable Montmorency. Wotton, in his conference with the conſtable, told him, he was ſent by the inhabitants of Calais, who were generally Proteſtants, and deſirous to put themſelves under his Gallic Majeſty's protection, provided they might have liberty to profeſs their religion. The conſtable, being very attentive to this propoſition, required how it might be effected: and, liking the project, ordered him to come another day and diſcourſe farther on the buſineſs. But young Wotton, inſtead of returning to the conſtable, croſſed the ſea back into England, and made his report to the Queen and her miniſters of what paſſed at Paris. This convinced Mary that the King of France was no longer to be regarded, ſince, in profound peace, he was forming projects to rob her of Calais by ſurpriſe. It appears, that in February ſhe had reſolved on a rupture with France, ſince by order of the nineteenth of the ſame

Philip indeavors to bring Mary to a rupture with France. Thuanus. Burnet. Stow.

Artifice made uſe of to effect this. Melvil. Burnet.

Queen Mary caught in the net. Rym. Fœd. Vol. XV. p. 456.

(1) About the begining of this year, came to England the firſt embaſſy from Ruſſia. Stow, p. 629. Hackluyt, Vol. I.

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month, commiſſioners were ſent to the ſherifs and juſtices of peace to levy forces, and have them in a readineſs to march on the firſt notice. Soon after, another affair happened, which furniſhed her with the deſired pretenſe to declare war againſt France.

June 7. Stafford, at the head of ſome fugitives from France raiſes diſturbances. Godwin. Burnet. Stow. Hollingſh.

One Stafford (1), having ſecretly obtained aſſiſtance from the court of France, aſſembled ſome Engliſh fugitives, and imbarking them landed in Scotland, towards the end of April, and marched directly to Scarborough, where he ſeized the caſtle, and publiſhed a manifeſto againſt the Queen, pretending ſhe had forfeited all her right to the crown, by introducing Spaniards into the kingdom: he had even the boldneſs to aſſume the title of Protector of England. But the earl of Weſtmoreland, aſſembling ſome troops in the North, retook Scarborough, and made Stafford priſoner, with three of his accomplices (2).

Is ſeized.

Philip arrives in England.

King Philip arrived the twentieth of March in England, where eight thouſand Men were ready to paſs into the Netherlands. Soon after his arrival, the Queen ſent a herald to declare war againſt France. The ſeventeenth of June the eight thouſand Engliſh (3), under conduct of the earl of Pembroke, left England, and joined the Spaniſh army commanded by the duke of Savoy; after which Philip himſelf departed, in July, and returned to Bruſſels.

The Queen declares war againſt France. Godwin. Thuanus. Burnet.

St. Quintin beſieged. Thuanus. Godwin. Burnet. Hollingſh.

The duke of Savoy having, for a month, made a feint to attack ſeveral places in Picardy, fell ſuddenly upon St. Quintin (4), which was in a very indifferent condition, and had only a gariſon of three hundred men. All the conſtable, who commanded the French army, could do, was to detach his nephew, admiral Chatillon, with three thouſand men, to throw himſelf into the town. The admiral ſucceeded in part, having got in the night thro' the quarters of the beſiegers: but, inſtead of three thouſand, only ſeven hundred followed him, the reſt having loſt their way. With this reinforcement he made a gallant defenſe, in hope that the conſtable, tho' much weaker than the enemy, would uſe all poſſible indeavors to relieve him; and indeed nothing was neglected by the conſtable. He was even ſo ſucceſsful as to throw Chatillon's brother Andelot into the place with five hundred men: but in his return, after his ſucceſs, he was attacked by the duke of Savoy, who routed him, killed two thouſand five hundred of his men, and took him priſoner. In this incounter, termed the battle of St. Laurence, (becauſe fought on the tenth of Auguſt, the day dedicated to that ſaint) France loſt a great number of princes and noblemen, killed or made priſoners (5). The conſternation was ſo great, that had the duke of Savoy marched directly to Paris, it was believed nothing could have prevented his entrance: but inſtead of this, he drew back to his lines, and eight days after carried the town by ſtorm, and took the admiral priſoner on the breach. All France exclaimed againſt the Pope, who had occaſioned this rupture: but the blow was given. The King of France's laſt reſourſe was to recall the duke of Guiſe from Italy, where he made no very great progreſs.

The battle of St. Laurence. Thuanus.

Godwin. Burnet.

Aug. 27.

The Pope intends to recall Pole. Godwin. Burnet. Strype.

When Pope Paul underſtood that Queen Mary had declared war againſt France, he was highly inſenſed againſt Pole; as if he could have hindered it. In the heat of his fury, he recalled all his legates, including Pole in the number; but Karne, the Engliſh embaſſador, remonſtrated to him, by ſome cardinals, the miſchiefs which from thence might inſue to religion. Finally, after many ſollicitations and remonſtrances, his Holineſs, without revoking the order, promiſed only it ſhould not be notified to Pole, and told the embaſſador, he was inclined to continue the cardinal in his legation, if ſuch was the Queen's requeſt. This was before the battle of St. Laurence. But when news of the loſs of this battle, and the duke of Guiſe's being recalled, were brought him, he was again exceſſively in choler againſt Pole, and determined on ſacrificing him to his vengeance. For this purpoſe he ſent for Peyto, the Queen's confeſſor, to Rome, and, creating him cardinal, put into his hands the bull of Pole's revocation, and appointed him his legate in England. But the Queen, having thereof information, wrote to Peyto, who was on his return, that if he offered to ſet foot in England ſhe would bring him within the Præmunire. This letter induced him to make a full ſtop. Mean while, tho' his Sanctify's brief was not delivered to Pole, he thought fit to abſtain from the functions of legateſhip, being unwilling to give any plauſible pretext of complaint to that haughty Pontif who had long hated him.

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is diſſuaded from it.

He recalls him, and names for his ſucceſſor, Peyto; whom Mary forbids to enter England. Godwin. Burnet.

When the duke of Guiſe had quited Italy, his Holineſs, unable to defend himſelf againſt the duke of Alva, who was near Rome, made a peace with Spain, and left France to ſhift for itſelf (6). By a ſecret article of this treaty, Pole was reſtored to his legateſhip.

The Pope makes peace with Spain, and reſtores Pole. Hollingſh. Stow. Burnet.

Mean time, Henry being recovered from his conſternation by Philip's not improving his advantages, the duke of Guiſe had time to come to his aſſiſtance, and was immediately conſtituted his lieutenant-general. On the other hand, Henry ſollicited the regent Queen of Scotland to break the peace with England, and that Princeſs was as ready to oblige him: but ſhe had a powerful party againſt her, which was for preſerving the peace. Wherefore, as ſhe could not bring the ſtates to the reſolution ſhe deſired, ſhe took another courſe to accompliſh her deſign. She fortified Aymouth, contrary to an expreſs article of the treaty lately concluded with England; and thereby ingaged the Engliſh to oppoſe it with force. This produced indeed a breach between the two nations; and the Scotiſh army under conduct of D'Oyſel, even entered the frontiers of England. But the ſtates, ſtill hoping to repair the breach made in the peace without their conſent, required D'Oyſel, by expreſs order, to return; which he was forced to obey. The regent, ſeeing the low ebb to which her authority was reduced, preſſed the French court to haſten the marriage of the Queen her daughter with the Dauphin, to the end that this Prince, being in poſſeſſion of Scotland, might be more maſter of its forces and counſels. Henry, improving this advice, immediately ſent embaſſadors into Scotland to ſettle with the ſtates the marriage-articles (7).

The duke of Guiſe returns to France.

Henry ſollicites the Queen regent of Scotland to a rupture with England. Buchanan. Burnet. Thuanus.

Negociates a marriage between the Queen of Scots and the Dauphin. Thuanus.

The war which was preparing in Scotland, and that already commenced in France, greatly imbaraſſed Queen Mary, on account of the emptineſs of her exchequer. She tried to raiſe money by way of loan;

Mary greatly perplexed. Burnet. Strype.

(1) Lord Stafford's ſecond ſon, Thomas. (2) He was executed at London, May 28. Godwin, p. 354.

(3) Godwin ſays, one thouſand horſe, four th uſand foot, and two thouſand pioneers. p. 355. So Stow, p. 631. The names of perſons of diſtinction in this army, ſee in Hollingſh. p. 1133.

(4) With thirty five thouſand foot, and twelve thouſand horſe, beſide the Engliſh troops. Godwin.

(5) See their names in Thuanus, l. 19.

(6) The duke of Alva was forced to come to Rome, and on his knees to beg pardon for invading the patrimony of the church, which he condeſcended to do. Burnet, p. 354.

(7) This year, July 15, died at Chelſey, Ann of Cleves, Henry VIII's fourth wife, and was buried at Weſtminſter, Auguſt 3. Stow, p. 631.

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loan; but without ſucceſs. She was therefore obliged to call a parliament for the twentieth of January, tho' not without reluctance, becauſe ſhe feared that, to obtain a ſupply, ſhe ſhould be obliged to be ſomewhat more moderate in her ſeverities to the Proteſtants.

Philip warns her to take care of Calais; but his advice is neglected. Godwin. Thuanus. Burnet. Hollingſh.

Towards the cloſe of this year, Philip ſent her notice of a deſign the French court was forming upon Calais, and offered her his forces to ſtrengthen the gariſon, which he knew to be weak. This advice, being laid before the council, was immediately ſuſpected to be a mere artifice of Philip, to poſſeſs himſelf of that place under pretenſe of reinforcing its gariſon. This, tho' a bare ſurmiſe, was not abſolutely improbable: yet, as if it had been a moſt evident truth, Mary's council could not be perſuaded that France had any intention to beſiege Calais, tho' it was not provided with a fourth part of the neceſſary troops and ammunition: ſo, it ſeems, they were of opinion that the town's reputation alone was to be its ſecurity. Whatever they thought, the advice was neglected and nothing done for its relief, tho' the governor, William lord Wentworth, was not wanting in his ſollicitations (1).

Siege and loſs of Calais. AN' 1558. Godwin. Thuanus. Burnet. Stow.

Nothing leſs was to be expected from a council compoſed chiefly of eccleſiaſtics, who were only intent on the Proteſtants extirpation. After ſo ſhameful a neglect of providing for the ſafety of Calais, the Queen and her miniſters were in the utmoſt conſternation on the news of its being actually taken (2). The duke of Guiſe beſieged it the firſt of January, and, carrying the fort named Newnam-bridge (3), which commanded the avenues from land, and alſo the Riſbank which commanded the harbor (4), obliged the governor to capitulate on the ſeventh day of the ſiege. After he was maſter of the place, he ordered all the Engliſh to depart, as Edward III had expeled the French two hundred and ten years before. Then he ſat down before Guiſnes, commanded by lord Grey (5), with eleven hundred men: but the gariſon was ſo diſcouraged by the loſs of Calais that, on the firſt attack, they quited the town, and retired into the citadel. Mean while, the Engliſh governor, perceiving the French were fallen to plundering, made a ſally and beat them out of the town; but, deſpairing to keep it, ſet it on fire and retired. Soon after, the enemy cloſely inveſted the citadel, and in a furious aſſault the Engliſh loſt three hundred men. After this, the governor, ſeeing no poſſibility of a longer reſiſtance, ſurrendered himſelf, with all his people, priſoners of war. The caſtle of Hames, ſituated in a ſcarce acceſſible moraſs, might have made ſome reſiſtance; but the gariſon fled, and left it to the French. Thus, in the dead of winter, and in leſs than fifteen days, the Engliſh loſt the whole remnant of their ancient conqueſts in France, by the incapacity of a Queen (whoſe thoughts were wholly ingroſſed by one affair, as if the Proteſtants ruin had alone merited her application) and by the negligence of her council, if we may give ſo favorable a name to their ſtrange conduct. Such was the fruit England reaped from its alliance with Spain, notwithſtanding all Gardiner's care to prevent a mixture of intereſts between the two crowns. The non-performance of this article ſhews how the reſt would have been obſerved, if Philip, had his Queen brought him iſſue, and he could have introduced himſelf, as his childrens guardian, into the government of England.

And of Guiſnes and Hames. Thuanus.

MARY I. AN' 1558.

The loſs of Calais made great noiſe in England. The Proteſtants took occaſion to arraign the government; and the court's partiſans were ſo confounded, that they durſt not open their mouths in juſtification of the miniſtry. Some accuſed them of treaſon; others of incapacity; nay, their moſt zealous adherents could not but own their negligence. The two governors of Calais (6) and Guiſnes had the greateſt ſhare of unhappineſs: beſide forfeiting their reputation, the miniſters, to inſinuate to the people that theſe places were loſt by their fault, ſuffered them to remain priſoners, and no care was taken for their releaſe. But no one had a more lively ſenſe of this loſs than the Queen (7). After Calais was taken, ſhe perfectly knew the value of that fortreſs, which rendered England always formidable to France, becauſe the Engliſh could, in twenty-four hours, pour into that kingdom conſiderable armies: the greatneſs of the loſs has ſince been rendered ſtill more ſenſible. From that time, France, except when diſtracted with inteſtine wars, no more ſhewed for England that regard ſhe was obliged to pay before the reduction of Calais.

Mary's uneaſineſs upon this loſs, and the peoples murmurs. Burnet.

Burnet.

Immediately on the taking this important place, Philip ſtrongly preſſed the Queen to make a vigorous effort to recover it, before France had time to repair and fortify it. But it was not poſſible for the miniſters to find means to execute ſuch a material undertaking. On a computation of the neceſſary expenſes for the fleet and army, it was judged dangerous, conſidering the general diſcontent, to load the people with ſo great a burden, even tho' the parliament could be brought to a compliance. This was ſent to Philip in a letter of thanks for his advice and offers. But beſide this reaſon, there was another of great weight, namely, the fears of the miniſtry, the council, and the Queen her ſelf, that the ſiege of Calais would oblige them to interrupt the perſecution: ſo, in the belief that one year more would ſuffice to deſtroy the reformation and the Reformed, they judged it proper to defer the Calais expedition 'till a more convenient ſeaſon.

Philip preſſes the Queen to attempt recovering Calais. Burnet. Vol. II. p. 259. Coll. p. 324.

Why he ſucceeds not. Burnet.

The parliament (8), which met the twentieth of January, did nothing conſiderable, beſide granting her Majeſty a ſubſidy, after the clergy had led the way. The lower houſe perpetually reſounded with loud complaints that, thro' the miniſters pernicious counſels, the Queen had exhauſted her treaſury, by

The parliament grants Mary a ſubſidy.

(1) The council of England had raiſed numerous forces, for the relief of that place; but they were detained at Dover, either for want of tranſport-ſhips, or elſe by a ſtorm. Stow, p. 632. Hollingſh. p. 1136.

(2) The Engliſh gariſon conſiſted only of five hundred men, and not above two hundred of the townſmen could be ſerviceable in a ſiege. The whole number of the inhabitants amounted to about four thouſand two hundred. Stow, p. 632.

(3) He divided his army into two bodies, and with one attacked Newnambridge, and with the other the Riſbank at the ſame time. Godwin, p. 356.

(4) The town being thus ſhut up, the French next drew the water out of its current, by which the ditches about the town and caſtle were drained; and having contrived ways for their ſoldiers to paſs over the mire, without ſinking in, they made the aſſault, after having opened a breach with their cannon. Burnet, Vol. II. p. 357.

(5) Of Wilton.

(6) Lord Wentworth was tried by his peers, April 2. 1559 (on a ſuſpicion of cowardice or treachery, in the ſurrender of the town) and acquited. Stow, p. 638.

(7) It ſo affected her, that ſhe abandoned herſelf to deſpair; and told thoſe about her, ſhe ſhould die, tho' they were yet ſtrangers to the cauſe of her death; but if they would know it hereafter, they muſt diſſect her, and they ſhould find Calais at her heart. Godwin, p. 358.

(8) In this parliament, the abbot of Weſtminſter, lately re-edified into a monaſtery, and the prior of St. John of Jeruſalem, had their writs and ſat in it. In this parliament it was inacted, That if any perſon carries away a young woman, under ſixteen years of age, without conſent of her parents or guardians, he ſhall ſuffer two years impriſonment; and if any marries a woman under that age, he ſhall ſuffer five years impriſonment.

reſtitution

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reſtitution of church-lands, and new foundations of monaſteries.

Propoſal in the houſe of commons cauſes great ſuſpicions. Statutes.

This affair being terminated, the court party brought in a bill to confirm all her Majeſty's letters patent, without farther explanation of their meaning. This was ſtrenuouſly oppoſed by one of the members, who urged, that a power ſo unlimited muſt very apparently indanger the realm, ſince thereby it lay purely in the Queen's breaſt to diſpoſe of the crown from the rightful heirs, by a ſingle proclamation. The commons were offended with theſe inſinuations againſt the Queen, and ſent the ſaid member to priſon (1). But tho' Mary ſeemed well pleaſed with this zeal of the commons for her reputation, ſhe clearly ſaw how far they were from any thoughts of excluding Princeſs Elizabeth from the ſucceſſion. It is not known what was the drift of a confirmation ſo general: but, very ſeemingly, the authors had ſome view diſadvantageous to Elizabeth.

Two ſons of the late duke of Northumberland reſtored to their honors. Stow.

In this ſeſſion, Ambroſe and Robert Dudley, ſons of the late duke of Northumberland, were reſtored in blood: their brother Henry loſt his life at the ſiege of St. Quintin. After this, the parliament was prorogued, from the ſeventh of March, to the ſeventh of November.

The Dauphin marries the Queen of Scots. Buchanan.

In April, this year, the Dauphin finally married Mary, the young Queen of Scots (2). After many difficulties, the Scotiſh ſtates granted that Prince the title of King of Scotland, on a ſolemn promiſe from his father, that he ſhould content himſelf with the bare title, and not any way concern himſelf in the government of that kingdom.

Princeſs Elizabeth in great danger. Burnet.

Princeſs Elizabeth was now in more danger than ever. The Queen ſenſibly declined in her health. She had not been well managed during her imaginary pregnancy, becauſe, having commited herſelf to the care of women who only ſought to flatter her, ſhe had neglected to conſult phyſicians, who might have prevented the conſequences of that accident. From that time ſhe was never well. She was naturally melancholy, and this temperament was corroborated by her many mortifications under the two preceding reigns. Afterwards, King Philip's diſguſt, of which ſhe was but too ſenſible, ſtill augmented her gloomy humor; and the loſs of Calais reduced her to ſuch a ſtate, that it was but very few perſons ſhe could indure in her ſight. The body ſympathiſed with the mind, and ſhe perceived herſelf in a daily decay. In this condition, ſhe was attacked with the ſame reflections, on her ſiſter Elizabeth's account, which had before diſturbed Edward on her's; namely, that, on her deceaſe, what ſhe had with ſo much pains eſtabliſhed, would be infallibly ſubverted. Of this alſo the prelates were ſtrongly perſuaded. They were not ignorant that Elizabeth, whatever care ſhe took to conceal it, was in her heart a Proteſtant, and was even induced to be ſuch from her temporal intereſt. Hence ſome were perpetually inſinuating to the Queen the neceſſity of geting quite rid of her. Gardiner had been of this opinion, and frequently ſaid, it was in vain to lop off the branches while the tree was ſuffered to ſtand. It is amazing that this counſel was not followed! Mary was, even in the ſuperlative degree, a bigot. Sheding human blood never gave her the leaſt remorſe, when religion was the pretext: ſo, in all appearance, ſhe would ſcarce have ſpared a ſiſter, whom ſhe conſidered as ſpurious, had not the Almighty permited King Philip's politics to prevail over the zeal of his bigoted conſort: for at the very juncture I now ſpeak of, when the ſpirit of perſecution rendered men deaf to reaſon, juſtice and humanity, to what can be aſcribed, but to the particular protection of Heaven, the preſervation of this Princeſs, whom ſo many motives called for as a ſacrifice to Papiſm? But the Omnipotent, who ſets boundaries to the ſeas, does alſo, whenever he pleaſes, curb the fury of perſecutors, and reſtrains them from extending their maſſacring hands againſt ſuch as he has preſerved for the peace of his church. However this be, Elizabeth was, contrary to all probability or expectation, preſerved during Mary's whole reign, and particularly in theſe latter times, when ſhe appeared to be moſt in danger.

Strype. Hollingſh.

Mary I. An' 1558.

The King of Sweden demands Princeſs Elizabeth in marriage. Burnet. Strype. She excuſes herſelf.

Some time after prorogation of the parliament, the King of Sweden diſpatched over to Princeſs Elizabeth a gentleman, to notify his deſign of demanding her in marriage, and to requeſt her concurrence (3). The meſſenger deſiring a private audience, ſhe would not conſent, without firſt knowing his buſineſs. Being informed of it, ſhe returned for anſwer, that ſhe poſitively would not receive any ſuch meſſage or propoſal, but by her Majeſty's direction. The meſſenger replied, his royal maſter acted the part of a gallant lover, who would not eſpouſe a Princeſs without being firſt ſure of her conſent, by which he teſtified his eſteem for her; but when ſhe had once allowed his addreſſes, he would then, as a King, demand her by his embaſſadors. But this ſufficed not to make her alter her reſolution. On the contrary, ſhe ſignified to him, that the King of Sweden would greatly oblige her in not thinking of her any more. It might have been preſumed, that this reply ſhould have ſatisfied the Swediſh embaſſadors, then arrived in London, ſince the King their maſter reſolved not to marry Elizabeth without her conſent; nevertheleſs they failed not propoſing to the Queen this match. Hence ariſes a juſt ſuſpicion, that the Swediſh gentleman, who deſired a private audience of the Princeſs, had not received his commiſſion immediately from the King his Sovereign, but from Prince Eric and the other embaſſadors, and that Mary's miniſters had induced them to ſound the Princeſs, in order to draw her into a ſnare. However this be, preſently after, the Queen ordered her to be told, that ſhe was pleaſed with her anſwer to the Swediſh gentleman: that the embaſſadors had, in their King's name, demanded her in marriage, in which ſhe deſired to know her mind. Elizabeth anſwered, ſhe was content with her condition, and that if the Queen would allow her to purſue her own inclination, ſhe proteſted a ſingle life was to her preferable to marriage with the greateſt Potentate in the univerſe. So this affair proceeded no farther.

The perſecution renewed. Burnet. Mary's exceſſive rage againſt the Proteſtants. Fox. Heylin. Strype.

The loſs of Calais, and the parliament's ſiting had given the Proteſtants ſome reſpite. But towards the cloſe of March, the perſecution was renewed with greater fury than ever. The Queen herſelf, ſtretching her prerogative, iſſued a proclamation, "That whoever had any heretical books, "and did not inſtantly burn them unperuſed, ſhould "be eſteemed rebels, and ſuffer immediate death "by martial law." On the other hand, ſhe expreſly inhibited praying for ſuch as were executed, or even ſaying, "God help them." This occaſioned

(1) His name was —— Copley.—— His words were, "That he feared the Queen might thereby give away the crown from "the right inheritor." He was commited to the cuſtody of a ſerjeant at arms, but afterwards releaſed at the deſire of the houſe, who pleaded his youth.

(2) They were married April 28. Buchanan's Epithalamium on this marriage, is reckoned one of the moſt perfect pieces of Latin poetry.

(3) King Philip had once deſigned to marry her to Emanuel Philibert duke of Savoy; but the hopes of having children by the Queen vaniſhing, he intended to reſerve her for himſelf. Burnet, Vol. II. p. 361.

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Vol. II. p. 365.

the author of the History of the Reformation judiciously to remark, that "it was not so much the "conversion, as the destruction of those they called "heretics, that the bishops desired." A convincing proof of this was seen very suddenly. One Benbridge, being tied to the stake, thro' the violence of the flames. cried out, "I recant." Whereupon the sheriff (1) ordered the fire to be immediately extinguished, and the sufferer signed the abjuration dictated to him. But soon after he received orders from court to burn the condemned person, and come himself to London, where he was commited to prison. So excessive was the persecutors fury, that tho' they were on the point of losing their royal supporter, I mean Queen Mary, they were far from discontinuing these severities. About a week before her death, five persons were burned at Canterbury, and in this last year of her reign, thirty-nine Protestants suffered martyrdom in several places. Authors are not agreed concerning the number of those who expired in the flames during Mary's reign. Those who come lowest, reckon two hundred eighty-four; but others affirm, that in the two last years of the persecution, which began in 1555, no fewer than eight hundred lost their lives purely for religion (2).

A strange instance of barbarity.

Fox.

Number of Protestants burned in this reign. Burnet. Strype. Heylin.

While these tragedies were acting in different parts of England, the Queen, who was deeply affected with the loss of Calais, was willing to make one effort to repair it. Philip had advised to attempt seizing Brest. For this purpose she put to sea a fleet of one hundred and twenty ships (3), commanded by lord Clinton (4), who landed at Conquest, and burned that small town; but the country rising, the English were obliged to hasten on board, with the loss of six hundred of their men (5). The neighborhood being in arms to oppose a second descent, and fresh troops daily arriving in those parts, the English admiral, who was only seven thousand strong, thought it not proper to ingage in any new action, and returned. Such was the benefit Mary reaped from this expensive armament. She was now sensible, that the continuation of the war would procure her no advantage, and readily consented to a negociation then proposed for a peace between France, England, and Spain. Cambray was the place appointed for the congress, which was opened in October (6).

Mary sends out a fleet in vain. Godwin. Burnet. Rym. Fœd. Vol. XV. p. 474.

Stow. Thuanus. Strype.

Peace negociated at Cambray, Burnet. Thuanus.

The parliament meeting the fifth of November, the Queen demanded assistance to continue the war, in case the negociation miscarried. The lower house was so little inclined to grant her request, that she was obliged to send the chancellor and ten other peers, to lay before them the ill state of her affairs, and desire them to expedite the necessary supplies. This sollicitation producing some effect, the commons debated, that and the two following days, upon a subsidy. But the Queen's death put a period to their deliberations.

The parliament meets.

Mary, demanding a supply of money is put off. Burnet.

She had been some time afflicted with a dropsy which, being much increased the begining of November, carried her off the seventeenth of the same month, in the forty-third year of her age, after a reign of five years, four months, and eleven days.

Her death. Godwin.

Cardinal Pole followed her within sixteen hours. He was a prelate of a moderate and affable disposition, and would gladly, by fair and legal methods, have brought back the English to their ancient creed, but approved not of fire and sword. This gave his enemies room to represent him as somewhat inclined to the Protestant religion, or at least, as of a contexture too tender for those times. Neither Mary, nor Philip, nor the Pope, nor Gardiner, nor those prelates substituted in the place of the ejected Protestant bishops, were persons to be guided by his moderate maxims. Accordingly, Pole was never consulted on religion, tho' in all other affairs the Queen placed in him a singular confidence. Pope Paul IV was his avowed enemy. It was he who, by his calumnies, prevented his ascending the Pontifical throne on the demise of Paul III, tho' he was elected in the conclave. Thence-forwards, believing Pole could not forgive him that injury, he never ceased doing him ill offices: and when he was himself Pope, he often gave him marks of his enmity; it is even pretended that, when he recalled him from his legation to put Peyto in his room, he designed to have inflicted on him some rigorous chastisement, for having been too gentle to the Protestants: but Philip and Mary took him under their protection.

Pole's death and character. Godwin. Burnet.

Mary's excessive bigotry is evident from the history of her reign. To this she joined a temper cruel and vindictive, which she indeavored to confound with zeal for religion; but when it was not possible to unite them, she plainly evidenced that she was inclined to cruelty as well by nature as zeal. She had the misfortune to be incouraged in this disposition by all who approached her. King Philip was naturally morose. Gardiner was one of the most revengeful men breathing. Bonner was a fury; and the other bishops were picked out from among such of the clergy as had least humanity: this was the quality by which alone a man was deemed worthy of the episcopal dignity. The persecution therefore against the Protestants in this reign has no-

Queen Mary's character.

(1) Sir Richard Pexall, sheriff of Hampshire. Fox. Vol. III.

(2) According to Fox's account, and Burnet's calculation, two hundred and eighty-four in all were burned. A paper found among lord Burlegh's MSS, makes the number two hundred aud ninety. The same lord Burlegh, in a treatise writ in the year 1583, raises the number of persons destroyed in that reign, by imprisonments, torments, fire, and famine, to be near four hundred. But the author of the preface, to bishop Ridley's book, De Cænâ Domini, who according to Bale (de Scrip. p. 684, 731.) was William Wittingham, affirms, That in the two first years of Mary's persecution, above eight hundred were put to the most cruel deaths for religion. However this be, it is generally acknowledged, That the flames devoured five bishops, twenty-one divines, eight gentlemen, eighty-four artificers, one hundred husbandmen, servants and laborers, twenty-six wives, twenty widows, nine virgins, two boys, and two infants. Sixty-four more were persecuted for their religion; whereof seven were whipped, sixteen perished in prison; and twelve were buried in dunghills. It is observable, that the persecution raged most in Bonner's diocese, and in Kent. For, as Heylin reckons it, in all the province of York, there was but one brought to the stake; and but three in the four Welsh dioceses. In those of Exeter, Wells, Peterborough, and Lincoln, there is mention but of one in each, of two in that of Ely, and of no more than three each at Bristol and Salisbury: in those of Oxford, Glocester, Worcester, and Hereford none at all. And now, not to let such hellish and bloody doings pass without some reflexion, I shall observe with Mr. Collier, That, "to destroy people for points of more speculation, and which have no ill effect on practise and "civil government, seems very remote from the spirit of Christianity. Supposing truth on the persecuted side, yet to burn a "man because he will not belie his conscience, and turn hypocrite, is strangely unaccountable. Men cannot believe what they "please: their understandings are not all of a size. Things stand not in the same light, and strike with the same force on every "body. Beside, if the Roman Catholics believed the Reformed such notorious heretics: if they believed they would be so ill "received in the other world, why did they not use them gentlier in this? Why did they hurry them to eternal destruction be-"fore their time?" We may justly affirm, that such wisdom as this, did not proceed from above, but was earthly, sensual, and devilish. Collier Eccl. Hist. Vol. II. p. 397. Burnet, Vol. II. p. 364. Strype's Mem. p. 473. and Catalog. p. 291, &c. Speed, p. 826. Heylin, p. 226.

(3) Godwin says, one hundred and forty; and about the end of July, p. 357.

(4) Edward Fynes, lord Clinton and Saye.

(5) Mostly Flemings, who were too greedy of plunder. Stow, p. 634.

(6) The English plenipotentiaries were, the earl of Arundel, the bishop of Ely, and dean Wotton. Burnet, Vol. III. p. 265.

Mary I. An' 1558. Vol. II p. 240.

thing which ought to ſeem ſtrange. Burnet ſays, Mary had a generous diſpoſition of mind. It were to be wiſhed, he had given us ſome paſſages of her life where this generoſity appeared. For my part, I find but one action to approve in her whole reign. This was her rejecting the Spaniſh embaſſador's project, to make herſelf abſolute at the expenſe of the nation's laws and liberties. She diſcovered no great capacity in the government of her dominions; and the loſs of Calais, even were there nothing more odious, would be to her reign a never-fading blemiſh. Mary I. An' 1558.

END of the Sixteenth Book.

BOOK XVII.

Containing the Reign of Queen ELIZABETH.

ELIZABETH, Twenty-third Sovereign of England, ſince the Conquest.

Elizab. An' 1558.

Queen Mary's death concealed for ſome time. Camden. Burnet.

QUEEN Mary's death, tho' ſufficiently foreſeen, failed not ſtriking with aſtoniſhment the counſellors and miniſters. They were all of the predominant religion; had adviſed, or at leaſt approved the perſecution under which the Reformed lately groaned, and now, in all likelihood, the Proteſtants were, in their turn, on the point of governing. For ſome hours they therefore concealed the Queen's death, that they might have leiſure to deliberate how to proceed. But as the parliament was ſiting, they had no power to decide any thing concerning the ſucceſſion, eſpecially as it was clearly ſettled by Henry VIII's will, authoriſed by a yet unrepealed act of parliament. Their conſultation therefore ended only in a meſſage to inform the parliament of the Queen's death. This was all could be done on this occaſion. The news was firſt communicated to the houſe of lords, who immediately conſidered the rights of the perſons who might pretend to the crown. Had this affair been left to the deciſion of the civil or common laws, the difficulties would not have been ſmall, ſo much had Henry perplexed it by his divorces, and by contradictory acts of parliament: but in England, the parliament, which includes King, lords, and commons, is the ſupreme legiſlator, and when force does not interpoſe, the validity of its laws are unqueſtionable. Henry VIII obtained an act, impowering him to ſettle the line of ſucceſſion juſt as he pleaſed. He ranged Elizabeth next her ſiſter Mary, tho' both had been declared baſtards. This ſufficed to give Elizabeth a title which the parliament might not conteſt, ſince it was a parliamentary right, as founded on the act to impower Henry to ſettle the ſucceſſion. Beſide, the diſſolution of that Prince's marriage with Ann Boleyn was univerſally known, and the act which, in conſequence of that divorce, declared Elizabeth illegitimate, was the pure effect of that Monarch's caprice, and of the compliance rather than juſtice of the parliament. But, even tho' the peers ſhould have meditated excluding Elizabeth from the ſucceſſion, on what other perſon could they have fixed, without expoſing the realm to great and manifeſt dangers? It will be proper briefly to explain this, as a matter of much importance to the ſequel of this reign.

The parliament informed of it. Camden. Burnet.

The houſe of lords deliberates on the ſucceſſion.

Elizab. An' 1558.

Reaſons for and againſt Elizabeth and her competitors.

On Mary's deceaſe, three ſeveral Princeſſes could pretend to the crown; viz. Elizabeth the late Queen's ſiſter; Mary Queen of Scotland, grand-daughter to Margaret, Henry VIII's eldeſt ſiſter; and Frances, ducheſs of Suffolk, daughter of Mary, his ſaid late Majeſty's younger ſiſter. Elizabeth ſupported her right on the King her father's will, authoriſed by act of parliament. The Scotiſh Queen could object, that Elizabeth had been declared ſpurious by a yet unrepealed ſtatute: that no baſtard had ever aſcended the Engliſh throne: that the national laws allowed not to baſtards any ſhare in the inheritance of their fathers, and conſequently the ſucceſſion was devolved to the poſterity of Margaret, Henry VII's eldeſt daughter. For the ducheſs of Suffolk, it might be urged that, Elizabeth, being a baſtard, and the Queen of Scotland a foreigner, and not even placed in the order of ſucceſſion by Henry VIII's teſtament, the crown ſhould fall to the poſterity of Mary, Henry VII's ſecond daughter. It is not neceſſary here to ſcrutiniſe theſe ſeveral pretenſions, becauſe, very ſeemingly, the parliament, by whom that affair was decided, did not proceed ſo much upon the laws, as upon policy, and the kingdom's intereſt. The Scotiſh Queen eſpouſed the Dauphin, heir-apparent to the crown of France: in adjudging the crown to her, England would have been in danger of ſubjection to, or dependency on France; this alone ſufficed for her excluſion. The ducheſs of Suffolk could not have been placed on the throne with any color of juſtice, ſince ſhe only derived her right from the will of Henry VIII, which was equally favorable to Elizabeth: beſide, ſuch a choice would infallibly have involved England in a civil war. Probably, for theſe and no other reaſons the peers declared for Elizabeth. It ſeems, however, that a great difficulty was to occur. All England, and particularly the houſe of lords, made profeſſion of the Romiſh religion; and Elizabeth's being cordially a Proteſtant was ſcarcely queſtionable: two particulars however did undoubtedly conſpire to remove this obſtacle. The firſt was, that the prelates and Romiſh lords were perſuaded,

The houſe of lords declares for Elizabeth. Camden.

ELIZABETH QUEEN OF ENGLAND, FRANCE, AND IRELAND, &c.

DIEU ET MON DROIT.

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ELIZAB. AN' 1558.

perſuaded, that Elizabeth, ſhould ſhe make any ſuch attempt, would find it difficult to change the eſtabliſhed religion: they even believed her of a temper ſo complying, that ſhe would rather conform to Popery, as ſhe had done for ſome years, than hazard occaſioning diſturbances, which might be fatal to herſelf. If Camden's teſtimony is to be intirely credited, Elizabeth made no ſcruple to declare herſelf a Papiſt, during her ſiſter's reign. "Lady Elizabeth, (ſays this hiſtorian) "now guiding herſelf as a ſhip in tempeſtuous "weather, both heard divine ſervice after the Ro- "miſh manner, and was frequently confeſſed; and "at the preſſing inſtances and menaces of cardi- "dinal Pole, thro' fear of death, declared her- "ſelf a Roman Catholic."

Camden, Preface to his annals.

The ſecond reaſon which, ſeemingly, prevented the lords from inſiſting on her excluſion, was, that tho' they all profeſſed the Romiſh creed, they were not however all Romaniſts. Many, and perhaps the majority, had only diſſembled their ſentiments during Mary's reign: but being freed from all danger by her death, they could ſpeak boldly, and oppoſe ſuch as pretended to exclude Elizabeth on account of her religion; this reaſon not being of more force againſt her, than it was againſt Mary on King Edward's deceaſe.

The commons concur with the lords in owning the right of Elizabeth, who is proclaimed. Stow. Hollingſh.

However this be, the houſe of peers declaring for Elizabeth, the commons were ſent for, and acquainted by the chancellor with the Queen's death, and their reſolution; which was readily and unanimouſly imbraced. The ſame day Elizabeth was proclaimed Queen at the uſual places, with acclamations of the people. The Proteſtants glorified the Almighty that he had finally delivered them from perſecution, in placing on the throne a Princeſs who, moſt probably, would be favorable to them. It is true, that among the Papiſts, diverſe conſidered their loſing Mary, and Elizabeth's advancement as mortal wounds to their religion; but others were not ſorry to ſee a ſtop put to thoſe inhumanities, whereby it had been ſo diſhonored. As for thoſe who made not religion the chief object of their thoughts, they were eaſily comforted for the loſs of a Queen under whom England had not greatly flouriſhed, and who had loſt the only place which commanded reſpect from France: they believed to have reaſon to expect better things from the new reign.

She comes to London. Stow. Burnet.

Elizabeth, having notice of what both houſes had determined in her favor, left Hatfield (1) the nineteenth of November, and came to London with a numerous train of lords and ladies (2), and infinite crouds of people, teſtifying their joy by the loudeſt acclamations. She was twenty five years of age, had ſome ſhare of beauty, and in air and mein grand, noble, and majeſtic. But ſhe was ſtill more agreeable to the people, by a certain natural affability, which commanded the eſteem and affection of all who approached her. As ſhe had a plentiful portion of ſenſe and judgment, ſhe knew perfectly how neceſſary her peoples love was to her, ſince it was the ſtrongeſt ſupport of her throne, as will hereafter appear: wherefore, inſtead of quitting this affability in being raiſed from a ſubject to a Queen, ſhe ſtudiouſly increaſed it to ſuch a degree, that ſome have taxed her with over-acting her part, like a too-affected comedian.

ELIZAB. AN' 1558.

Her firſt care, after receiving the compliments on her acceſſion, was to diſpatch embaſſadors to the principal courts of Europe, to give notice of the late change in England (3). Lord Cobham * was ſent to Philip, whom ſhe eſteemed her friend, and who was moreover her ally in the war againſt France, the treaty of Cambray not being yet concluded. Sir Thomas Chaloner was ſent to the Imperial court. Lord Howard of Effingham was joined in commiſſion with Thirleby biſhop of Ely, and Dr. Wotton, plenipotentiaries to negociate a peace. Sir Henry Killigrew went into Germany, to aſſure the Proteſtant Princes of the Queen's affection. Karne, who was ſtill at Rome, where he had been reſident ever ſince the death of Edward VI, had orders to notify to his Beatitude Mary's death, and Elizabeth's acceſſion to the crown (4). The Kings of Sweden and Denmark had the ſame notification.

Embaſſadors ſent to diverſe courts. Camden. Burnet. * William Brooke.

Burnet.

She forms a council with ſome Proteſtants in it: with whom ſhe conſults how to reſtore the reformation.

Theſe envoys being diſpatched, the Queen formed a council, in which ſhe left thirteen of Mary's counſellors, all zealous Romaniſts, to whom ſhe added eight new ones, equally attached to the reformation (5). With ſome of theſe latter ſhe ſecretly conſulted about means to re-eſtabliſh the reformation in England. But before entering on the reſult of theſe deliberations, ſome mention muſt be made of the King of Spain's new project.

Philip deſires to marry Elizabeth, but is rejected. Camden. Burnet.

When this Prince received the news of his Queen's death, he ſcarce doubted England's being utterly loſt to him; whether, on account of Elizabeth's bent towards Proteſtaniſm, or by her marrying ſome Prince of that perſuaſion, againſt which himſelf had ſo openly declared. He was not even free from apprehenſion, that the King of France, aſſerting the Scotiſh Queen's claim upon England, would ſeize that kingdom, and unite it, as well as Scotland and Ireland, to the Gallic Monarchy. Wherefore, to rid himſelf of theſe diſquiets, and preſerve the advantages of his alliance with England, he ſent inſtructions to count de Feria (lately arrived at London, to pay his compliments to the defunct Queen) to congratulate Elizabeth on her acceſſion, and propoſe his deſign of uniting himſelf with her in matrimony. Elizabeth received the offer with marks of a particular eſteem for his Catholic Majeſty; but objected their affinity as a very ſufficient impediment to this marriage. This objection was

(1) Biſhops Hatfield, then a royal palace, and exchanged by King James I with Robert earl of Saliſbury, for Theobalds.

(2) All the biſhops met her at Highgate.

(3) And at the ſame time, ſhe took care of ſecuring all the ports; and the Tower of London; ordered a new commiſſion to be ſent to Thomas Ratcliff earl of Suſſex, lord lieutenant of Ireland, who had kept that mutinous country quiet, only with three hundred and twenty horſe, and eight hundred and ſixty foot; and alſo, that the judges patents ſhould be renewed; new juſtices and ſheriffs appointed in every county; no bills of exchange be ſent beyond ſea; and that preachers ſhould not meddle with controverted points. Camden, p, 369. Comp. Hiſt.

(4) The haughty Pope told Karne; That England was held in fee of the Apoſtolic See, and Elizabeth could not ſucceed, being illegitimate. That it was great boldneſs in her to aſſume the crown without his conſent; for which reaſon ſhe deſerved no favor at his hands; but if ſhe would renounce her pretenſions, and refer herſelf wholly to him, he would ſhew a fatherly affection to her. Burnet, Vol. II. p. 374.

(5) The Popiſh counſellors, continued in the new council, were Heath archbiſhop of York, William Paulet marquis of Winchester, lord high-treaſurer, Henry Fitz-Alan earl of Arundel, Francis Talbot earl of Shrewſbury, Edward Stanley earl of Derby, William Herbert earl of Pembroke, Edward Fynes baron of Clinton, lord high-admiral, William lord Howard of Effingham, lord chamberlain, ſir Thomas Cheney, ſir William Petre, ſir John Maſon, ſir Richard Sackvil, Dr. Wotton dean of Canterbury. Moſt of theſe had complied with all the changes had been made in religion, backward and forward, ſince the latter end of Henry's reign, and were ſo dextrous at it, that they were ſtill imployed in every new revolution. Ibid. p. 375.——To theſe were added, all Proteſtants, William Parr marquis of Northampton, Francis Ruſſel earl of Bedford, ſir Thomas Parry, ſir Edward Rogers, ſir Ambroſe Cave, ſir Francis Knolles, ſir William Cecil, and a little after ſir Nicholas Bacon, made keeper of the great ſeal. Camden.

foreſeen

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foreſeen, and immediately replied to by the embaſſador, that his maſter would undertake to procure his Sanctity's diſpenſation. Elizabeth, not judging it convenient to expreſs her little regard of ſuch a diſpenſation, courteouſly diſmiſſed the embaſſador, to have time to conſider of the propoſal. Three great reaſons induced her not to accept Philip's offer. Firſt, her perſuaſion that ſuch marriages were repugnant to divine ſtatutes; and her father's example in a parallel caſe reminded her of her duty. Secondly, nothing was more contrary to her intention of openly profeſſing and reſtoring the Proteſtant religion in England, as eſtabliſhed in the reign of Edward VI. Laſtly, making uſe of a diſpenſation to marry a brother-in-law, would have been a manifeſt acknowledgment of the invalidity of her father's divorce from Catherine of Aragon, and of her own illegitimacy: if Paul IV could grant ſuch a diſpenſation, Julius II might have granted the ſame to Henry VIII, to marry Catherine of Aragon, from whence it neceſſarily followed, that Henry's ſecond marriage with Ann Boleyn was null. But on the other hand, Elizabeth had ſtrong reaſons to preſerve the King of Spain's friendſhip. To him ſhe owed her life, or at leaſt, her not being excluded by her ſiſter from the ſucceſſion. Mary would never have left Elizabeth in a condition of one day aſcending the throne, if the intereſt and ſollicitations of the King her conſort had not ſtrongly oppoſed her zealous fervency for her religion. In the ſecond place, Elizabeth had intelligence, that the King of France was imploying his whole credit at Rome to have her declared illegitimate, in order to procure the Engliſh crown for his daughter-in-law, the Queen of Scotland. Laſtly, England's affairs were in a very indifferent ſituation. The loſs of Calais, Guiſnes and Hames; the crown debts contracted by Henry VIII, and increaſed by Edward VI's guardians; with a treaſury quite exhauſted, gave Elizabeth juſt cauſe to apprehend her being ſcarce able to oppoſe a vigorous attack. To this may be added; ſhe was ingaged in a war with France and Scotland, unſupported by any other alliance than that of Spain, ſo unmindful had Mary been of all affairs wherein religion was not immediately intereſted. Elizabeth's buſineſs was therefore to end theſe two wars with honor: but this was not to be effected without Philip's aſſiſtance, and conſequenly it was not proper to give him any juſt cauſe of complaint, for fear of his deſerting England in the negociation of peace. Theſe reflections created her no ſmall perplexity. She was abſolutely determined on refuſing his Catholic Majeſty's propoſition, but was uneaſy about the manner. The ſcruples of conſcience ſhe alledged freed her not from the importunities of count de Feria, who perſiſted that a diſpenſation from his Beatitude was more than ſufficient for their removal. He likewiſe told her that, as his maſter had made this overture purely from his extraordinary eſteem for her perſon, his diſpleaſure would be the greater if his requeſt was rejected. Finally, being thus preſſed, ſhe found no ſurer or readier way to extricate herſelf out of this difficulty, than by haſtening the execution of her deſign to make a change in religion, not doubting that this once effected, the King of Spain would ceaſe his importunities.

Her reaſons for refuſing of the offer.

Her reaſons to keep in terms of friendſhip with Philip. Camden.

She determines to reſtore the reformation.

This reſolution taken, ſhe cauſed to be examined before her cabinet council the proper methods to execute it; the inconveniencies wherewith it might be attended, and the means to prevent them. All obſtacles to this affair were to ariſe either at home, or abroad. At home, from the great number of Catholics, and oppoſition from the prelates and other eccleſiaſtics. Abroad, from the Roman Pontif, who moſt undoubtedly would thunder his cenſures againſt the Queen, and expoſe her realms a prey to the firſt invader. This gave room to apprehend that the Kings of France and Spain would uſe this pretext to attack the Engliſh, as excommunicated heretics, and to ſtir up Scotland, which was wholly under the French court's direction.

Conſultation on that ſubject. Camden.

Burnet. Vol. II. p. 377. Vol. p. 327.

With regard to the domeſtic inconveniencies, it was conſidered, that tho' the kingdom appeared quite Popiſh, it was far from being ſo in reality: that dread of perſecution ceaſing, the greateſt part of the people were manifeſtly inclined to return to the religion which they had been violently conſtrained to relinquiſh under the late reign; but however, it would not be very difficult to have a parliament favorable to her Majeſty's intentions, by having recourſe to means which rarely fail of ſucceſs, when uſed opportunely and with diſcretion: that for this purpoſe, the magiſtrates of counties and towns were to be removed, and their places ſupplied with Proteſtants, who would imploy their credit and authority to have ſuch repreſentatives returned as would forward the intended deſign: that it was abſolutely neceſſary not to leave any zealous Romaniſt in the council, or in any other office which influenced the ſubject: that when the reformation ſhould be once eſtabliſhed by public authority, it would be no difficulty to bridle the church-men by depriving the moſt obſtinate prelates and other eccleſiaſtics, and by removing in the univerſities ſuch maſters and profeſſors as were moſt averſe to the new eſtabliſhment.

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As for the obſtacles from abroad, it was conſidered, that the Pope in himſelf was not formidable, and his thunders were thrown away upon thoſe who held them in contempt: that deſpiſing him was the ready way to conquer, provided care was taken to put the kingdom in a poſture of defence: that indeed it was to be feared, the King of France would aſſert the Scotiſh Queen's claim: but that his Catholic Majeſty was too prudent ever to ſuffer ſuch a conſiderable acceſſion to the Gallic monarchy as England and Ireland: that from whatever quarter the miſchief came, whether from France or Spain, Henry and Philip would always be jealous of each other, and the aſſiſtance of one of them might be ſafely relied on: that if the King of France offered peace, it ought to be imbrac'd on any terms, as Scotland would be included in the league; but if he was for continuing the war, all the danger would be his powerful aſſiſting the Scots to invade England: that, therefore, the northern frontiers were to be ſecured, after which, a good fleet would ſo indanger any ſuccors ſent from France, that his Gallic Majeſty would moſt undoubtedly, ſoon grow weary of ſo burdenſom a war: that beſide, it was unlikely that Philip, in the negociation of peace, would abandon England to the King of France's ambition: and finally, that a peace thus concluded with France and Scotland would afford time at leaſt to provide againſt their attacks.

Such was the reſult of this council; after which the Queen ſummoned a parliament to meet the twenty-third of January, as had been in council determined. At the ſame time, doctor Parker was intruſted with the care of reviſing the liturgy of Edward VI, and was ordered to communicate his labors only to ſome choſen perſons. Mean while the Proteſtants, growing impatient and preaching publicly in diverſe places, the Queen took occaſion to publiſh a proclamation, which manifeſtly evidenced her intentions. She allowed the goſpels and epiſtles, with the Lord's-prayer, creed, litany, and ten commandments to be read in Engliſh; but forbid all preaching on controverſial ſubjects, or any change in the Romiſh rites, 'till it ſhould be otherwiſe appointed by parliament. Herein ſhe followed the deceaſed Queen's example.

Elizabeth ſummons a parliament. Camden.

Iſſues a proclamation touching religion. Camden. Burnet.

Queen

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Queen Mary's funeral. Camden.

Queen Mary's obſequies, ſolemniſed very pompouſly, cloſed this year: but, before we proceed to the events of a new one, it is requiſite to touch on the tranſactions of ſome neighboring ſtates, in order to render ourſelves more intelligible.

Affairs of France and Spain. Mezerai. Thuanus. Burnet.

The war between France and Spain was viſibly drawing to a concluſion. Both Kings, equally tired of a war whence neither could expect much advantage, had, during the whole campain, held their armies in a ſtate of inaction, for fear of obſtructing a pacification. At length, conſtable Montmorency, who had been priſoner in the Netherlands ever ſince the battle of St. Quintin, having made ſome overtures of peace to Philip, the principal articles were ſettled; after which, the two Kings ſent their plenipotentiaries to Cercamp, and then to Cambray. The main obſtacle to a peace was the King of France's reſolution to keep Calais, and Philip and Mary's inſiſting on its being reſtored. But Mary dying in the interim, Philip no longer ſupported England's intereſts with the ſame ardor as before, at leaſt ſince he deſpaired of marrying Elizabeth. It was that expectation which induced him to ſtand out ſome time, and delay concluding peace 'till the year inſuing.

Death of Charles V. Strada.

The fourteenth of March, Ferdinand I was declared Emperor, by the voluntary reſignation of his brother Charles V, who injoyed only two years the repoſe he ſought in relinquiſhing the care of his temporal concerns. He died the ſeventeenth of September (1).

Affairs of Scotland.

As Scotland is to furniſh plenty of materials for Elizabeth's hiſtory, a ſomewhat circumſtantial account muſt be given of that kingdom's affairs: without a particular and exact knowledge of what paſſed in Scotland, Elizabeth's conduct and policy is not to be comprehended.

Buchanan.

The dowager Queen of Scotland, mother of the Dauphineſs, obtained the regency of that realm thro' the intereſt of her brothers the duke of Guiſe and cardinal of Lorrain; but was ſupported only by the Proteſtants. The earl of Arran, chief of the Hamilton family, had unwillingly reſigned the regency, tho' his reſignation procured him the duchy of Chaterault in France *, with land to the annual value of twelve thouſand livres. The archbiſhop of St. Andrew's, his natural brother, was inceſſantly blaming his imprudence, and cabaling with the eccleſiaſtics to give the regent diſturbance. In order to fruſtrate the ſchemes of this prelate, ſhe turned to the Reformed, now begining to be conſiderable. This method ſucceeded; but withal ſhe was obliged to connive at the Proteſtants meetings, and this indulgence greatly increaſed their number and credit.

* In Poitou.

Melvil's memoirs.

In this poſture ſtood affairs 'till the rupture between France and Spain. As England eſpouſed the cauſe of Philip II, and the regent of Scotland could not poſſibly induce the Scots to declare war with Mary, ſhe adviſed the King of France to haſten the Dauphin's marriage with the young Queen, and accordingly it was ſolemniſed in April, 1558. This gave a conſiderable turn to the Scotiſh affairs. The clergy, knowing how the court of France ſtood affected to the followers of the new religion, queſtioned not being ſupported if they attempted to force the Proteſtants within the pale of the Romiſh church. On the other hand, the regent, no longer needing the Proteſtants, began to look on them with more indifference. To begin the work, the archbiſhop of St. Andrew's, having ſummoned before him a certain aged prieſt †, who had diſcontinued the maſs, ordered him to be burned alive in his archiepiſcopal city, to the exceſſive regret and diſcontent of the inhabitants. This eſſay being made, the biſhops cited a miniſter, named Paul Meffan, with deſign to make him undergo the like puniſhment; but, as they ſaw the people began to be in motion, the trial was defered to another opportunity. Not long after a proceſſion, annually made at Edinburg (2), occaſioned a kind of commotion, which evidenced that the Proteſtants no longer dreaded ſhewing themſelves. The regent was farther convinced, when ſhe was told that Meffan, condemned for non-appearance, was openly protected in the county of Fife. Theſe were as preludes to what was to follow. In fine, ſome gentlemen of Fife and Angus, diſperſing thro' the counties, incouraged the Proteſtants to ſtand up in defenſe of their lives, conſpired againſt on pretenſe of religion; demonſtrating to them, that their numbers in Scotland exceeded that of the Papiſts. This occaſioned a confederacy or aſſociation under the hands and ſeals of the aſſociators, and was the firſt formed in Scotland in defenſe of the new religion. The Proteſtants perceiving themſelves ſtronger ſince this aſſociation, which was called THE CONGREGATION, ſent to the regent a petition, that divine ſervice might be in the vulgar tongue, and the communion given in both kinds. This was ſtrongly oppoſed by the biſhops: but the regent being told, that abſolute refuſal might throw all Scotland into a flame, ſhe indeavored to molify the prelates, by a promiſe of her protection at a more ſeaſonable juncture. Mean time, ſhe permited the Proteſtants to preach and pray as they would, provided this was done without tumults, or public aſſemblies in Edinburg and Leith (3): but the eccleſiaſtics, not reliſhing this politic circumſpection of the regent, aſſembled to conſult on the buſineſs, and reſolved to proſecute the heretics with the extemeſt rigor. The Proteſtants deputed John Areſkin, afterwards earl of Mar, to the aſſembly of prelates, to demand of them, that divine ſervice might be performed in the vulgar tongue: but this was unanimouſly rejected. Such was the ſituation of affairs in Scotland, when Elizabeth aſcended the Engliſh throne, and 'till the end of the year 1558.

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Buchanan.

† Walter Mills.

Burnet. Vol. III. p. 281, 287. Coll. p. 278, 288.

Buchanan.

Early in the inſuing year, Elizabeth confered honors on ſome perſons whom ſhe pleaſed to diſtinguiſh, whether on account of their merit, or becauſe ſhe expected from them ſome important ſervices. William Parr, marquis of Northampton, who had been ſentenced to death in the reign of Mary, and afterwards pardoned, was reſtored to his honors. Edward Seymour, eldeſt ſon of the late duke of Somerſet, was created earl of Hertford, notwithſtanding all his father's precautions to cauſe his titles to deſcend to the children of his ſecond marriage. Thomas Howard, ſecond ſon of the duke of Norfolk, was created viſcount Bindon. Henry Carew, the Queen's couſin (4), and Oliver St. John, were raiſed to the dignity of barons. All theſe peers were Proteſtants, and conſequently very proper to promote Elizabeth's deſigns in the upper-houſe.

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Creation of peers. Camden. Stow. Rym. Fœd. Vol. XV. p. 495, 496.

Next theſe promotions, the Queen was crowned in Weſtminſter abbey (5), with the uſual cere-

Queen Elizabeth's coronation. Camden. Burnet. Stow. Hollingſh.

(1) Our author errs in ſaying, he ſurvived his reſignation only ſix months. He reſigned his Spaniſh dominions, October 25, 1555, and the Empire, January 17, 1556, and died September 20, 1558. Strada, l. 1.

(2) September 1, dedicated to St. Giles, whom the inhabitants of Edinburg honor as their patron. Buchan. l. 16.

(3) Buchanan and Melvil differ in relation to the time when this toleration was granted to the Reformed. Rapin.

(4) Her couſin german by Mary Boleyn.

(5) January 14. Stow, p. 635. The 15th, ſays Sandford, p. 509, and the 25th according to Hollingſh. p. 1180. But Rymer proves it was the 15th. A patent was granted to Henry Fitz-Alan, earl of Arundel, to perform the office of high-conſtable on the day before the coronation, and the office of high-ſteward on the coronation day. Rym. Fœd. Vol. XV. p. 494, 495.

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monies. The ſee of Canterbury being vacant, this office belonged to the archbiſhop of York; but he, with the other biſhops, refuſed to aſſiſt at the ſolemnity, becauſe Elizabeth by proclamation, and by admiting into her council men who paſſed not for good Catholics, had ſufficiently declared againſt the church of Rome. Oglethorp of Carliſle, was the only biſhop who at length was perſuaded to do the office, notwithſtanding the murmurs of his brethren. It ſeems thoſe right reverend prelates deemed the miniſtry of a biſhop ſo eſſential to a coronation, that, in refuſing to perform the ceremony, they could deprive the Queen of her dignity.

The parliament meets, and is opened by a ſpeech of Bacon, keeper of the great ſeal. Sir S. D'ewe's Jour. p. 11.

The parliament meeting the twenty-fifth of January (1), ſir Nicholas Bacon, keeper of the great ſeal (2), opened it with a ſpeech, in which he diſplayed the merits of the new Queen, with bitter reflections on the late miniſtry for the loſs of Calais. He told them, her Majeſty required immediate application to the affairs of religion; that a diſunion in that reſpect was one of the evils which called for the prompteſt redreſs. He exhorted the parliament to proceed between the two extremes of ſuperſtition and irreligion, which might reunite the adherents of both creeds in the ſame public worſhip.

Burnet has, in his hiſtory, ſo amply particulariſed the manner of reſtoring the reformation in England by this parliament, that doubtleſs I may be excuſed from entering on a detail, and the more, as this ſubject relates chiefly to church-hiſtory. I ſhall therefore content myſelf with only pointing to the acts made in this ſeſſion, to ſpare our readers the trouble of conſulting his hiſtory. I ſhall however obſerve, that this author ſeems to have been miſtaken in placing the acts, (moſt of which were made in February and March) after the peace, which was not concluded 'till April. But this is not very material.

Tenths and firſt-fruits reſtored to the crown. Statutes.

At firſt, to try how the parliament ſtood affected, motion was made, in the lower-houſe, for reſtoring to the crown the tenths, firſt-fruits, and impropriations (3). This motion was immediately approved; and the houſe of lords conſented to it, notwithſtanding the biſhops oppoſition (4).

The commons addreſs Elizabeth to marry. Her anſwer.

The fourth of February, the houſe of commons addreſſed the Queen in a very dutiful manner, and repreſented to her, how neceſſary it was for the nation's happineſs, that ſhe ſhould think of marrying. The Queen graciouſly thanked the commons, and told them how much ſhe was pleaſed, that they had neither limited time nor perſon. She added that, by the ceremony of her inauguration, ſhe was married to her people, and her ſubjects were to her inſtead of children: they would not want a ſucceſſor when ſhe died; and for her part, ſhe would be well contented, that the marble ſhould tell poſterity, HERE LYES A QUEEN WHO REIGNED SO LONG, AND LIVED AND DIED A VIRGIN.

Act to recognize the Queen's right to the crown. Burnet, Vol. II. p. 385. Camden. Ann. p. 372.

Some days after, the lords paſſed a bill to recognize Elizabeth for lawful Queen, in virtue of a ſtatute of the thirty-fifth of Henry VIII. Some thought it ſtrange, that the ſentence of Queen Ann Boleyn's divorce, and the ſubſequent act declaring her daughter Elizabeth illegitimate, were not annulled. Camden ſays, this omiſſion was with deſign; and Burnet reports the reaſons which determined the houſe of lords to be ſilent on this point. The firſt was, that the poſſeſſion of the crown purged all defects, according to a received maxim, when Henry VII mounted the throne: but this reaſon had not appeared ſufficient to Mary, who was in the ſame caſe with Elizabeth, and yet had procured a repeal of that act which declared her illegitimate. The ſecond reaſon was, that this act could not be repealed, without caſting ſome diſhonor on the memory of Henry VIII, and it was the Queen's intereſt rather to conceal, than publicly expoſe her father's weakneſs. I own, this reaſon appears to me very unſatisfactory. For why was the reputation of Henry VIII to be ſpared, if it could not be done without indangering the reigning Queen's ſafety? Beſide, it was not expoſing faults which 'till then had been concealed, but faults univerſally known. The third reaſon was, that too narrow a ſcrutiny into this matter would render the Queen's right more uncertain, inſtead of making it leſs diſputable. This, probably, was the prevailing reaſon, tho' to ſuffer the ſentence and act to ſubſiſt ſeems to have been equally dangerous. It was eſtabliſhing a precedent in favor of baſtards, which might have ill conſequences: and who knows but it may ſtill affect future ages? Beſide, this regard for Henry's honor left a perpetual blot on the memory of Elizabeth: at leaſt her enemies, and particularly the Queen of Scotland, were thereby furniſhed with a plauſible pretenſe to wreſt from her the ſcepter, if a favorable opportunity offered. Burnet thinks the conduct of this parliament equally pious and judicious. I allow the firſt; but the continued indeavors to dethrone Elizabeth, wholly founded on the ſentence of her mother's divorce and the ſubſequent act, will not permit me to allow leaving them unrepealed was right judgment.

The act to recognize the Queen's title being paſſed, the parliament turned to the affairs of religion, and made diverſe ſtatutes, which I ſhall but juſt mention.

Acts concerning religion. Camden. Burnet.

The firſt, appointed the public worſhip to be performed in the vulgar tongue (5).

The ſecond reſtored the Queen to her right of ſupremacy in the church of England.

The third renewed and confirmed all the acts made in the reign of Edward VI, concerning religion: and in this many others were included.

The fourth reſtored to the Queen the nomination of biſhops. By this ſtatute likewiſe were confirmed many others, made in the reign of Henry VIII, againſt the Pope. The Queen was impowered to put the exerciſe of her ſupremacy into what hands ſhe ſhould think proper. Moreover, all perſons in public imployments were obliged to ſwear, that "They acknowledged the Queen to be the ſupreme "governor in all caſes, as well eccleſiaſtical as "temporal; that they renounced all foreign juriſ-"diction, and ſhould bear the Queen true alle-"giance." Whoſoever refuſed this oath, was declared incapable of holding any public office. Laſtly, diverſe penalties were inacted againſt any who, by word or writing, tended to ſet forth or advance any foreign power in the kingdom.

The fifth act eſtabliſhed uniformity in divine worſhip (6).

(1) It met the 23d, and was prorogued to the 25th.

(2) He was the firſt who was by patent created lord-keeper. Formerly thoſe who were keepers of the ſeal, had no dignity nor authority annexed to their office; they did not hear cauſes, nor preſide in the houſe of lords, but were only to put the ſeals to ſuch writs or patents as went in courſe; and ſo the ſeal was only put in the hands of the keeper but for ſome ſhort interval. Bacon was the firſt lord-keeper who had all the dignity and authority of lord chancellor confered on him. He was father to the great ſir Francis Bacon, viſcount St. Albans, and was one of the moſt learned, moſt pious, and wiſeſt men of the nation. Burnet, Vol. II. p. 380. (3) All which Mary had relinquiſhed.

(4) The biſhops who oppoſed it, were, Heath archbiſhop of York, Bonner biſhop of London, Pates of Worceſter, Kitching of Landaff, Bayne of Coventry, Turbeville of Exeter, Scot of Cheſter, Oglethorp of Carliſle. D'ewes's Journ p. 19.

(5) It began to be ſo on May 8, which was Whitſunday. Stow, p. 639.

(6) The diſſentient from it were, the archbiſhop of York, the marquis of Wincheſter, the earl of Shrewſbury, the viſcount Montague; the biſhops of London, Ely, Worceſter, Landaff, Coventry, Exeter, and Cheſter; the lords Morley, Stafford, Dudley, Wharton, Rich, and North. D'ewes, p. 28.

By

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By a ſixth, the parliament impowered the Queen to reſerve to herſelf the lands belonging to the biſhopricks, as they became void, giving in lieu thereof their full value in impropriated tythes.

By a ſeventh act, all religious houſes were annexed to the crown.

The eighth declared valid the deprivation of Popiſh biſhops in King Edward's reign.

In ſhort, in this ſeſſion, the parliament reſtored religion to the ſame ſtate as in Edward VI's reign, and having granted a ſubſidy, it was diſſolved the eighth of May.

Some oppoſition made by Popiſh biſhops and lords. Burnet.

Among the biſhops then in England, ſome had complied with all the changes in religion ſince Henry's breach with the Pope. Of this number were Heath archbiſhop of York, Tonſtal biſhop of Durham, Thirleby biſhop of Ely, and ſome others. Theſe choſe to abſent themſelves from the parliament, becauſe, as they ſaw the Queen's intention, they durſt neither openly oppoſe it, nor aſſiſt in reſtoring the reformation, after ſo public a deſertion of it in the laſt reign. Both appeared to them equally incommodious. Other biſhops ſtrongly oppoſed theſe acts, but with no ſucceſs. Some of the lay-peers alſo indeavored to ſtem the torrent, and even entered their proteſts; but their number was not conſiderable. To ſay all in a word, the ſame happened in this, as in the parliaments under Henry, Edward, and Mary, that is, the court got inacted almoſt whatever they pleaſed. This is not very ſtrange with regard to the houſe of commons, where the members may be changed every new parliament. But the readineſs wherewith the houſe of lords conſented, one while to acts favoring the reformation, another while to thoſe eſtabliſhing Popery, is abundantly more aſtoniſhing.

The high commiſſion erected. Burnet.

The ſupremacy wherewith the Queen was lately inveſted, with power to depute any perſons to exerciſe it in her name, gave riſe to a new court, termed The High Commiſſion Court. It was compoſed of a certain number of commiſſioners, who exerciſed the ſame power which had been formerly lodged, by Henry VIII, in a ſingle perſon, with the title of Vicegerent.

The Queen forbids to preach without licence. Burnet.

While the parliament was taken up with affairs of religion, ſome preachers having, in diverſe places, delivered doctrines from the pulpit tending to the reformation's ſubvertion, Queen Elizabeth, following the precedent ſet her by Edward and Mary, prohibited all preaching without a ſpecial licence under the great ſeal. This fired the lower houſe of convocation, and produced a petition to the Queen, wherein the dogmas of the Romiſh church were boldly aſſerted. This gave occaſion to a propoſition for a conference between nine doctors, on each ſide, to examine the reaſons of both. This conference was held the begining of April. But the Romaniſts, reflecting that they had undertaken more than they could anſwer, in thus bringing into queſtion the doctrines of their religion without being authoriſed by his Holineſs, refuſed to give their reaſons in writing, tho' that had been agreed. At laſt they plainly declared, it was not in their power to diſpute on points already decided (1). They had not been ſo ſcrupulous in the reign of Mary, becauſe then the ſucceſs of the conference was known previouſly. This gave the Proteſtants cauſe to triumph, and pretend that their adverſaries durſt not enter the liſts.

A conference on religion of no effect. Fox, Vol. III. p. 979. Burnet. Vol. II. p. 388. Stow.

To conclude what, at preſent, ſhall be advanced touching religion, I ſhall only add, that the reformation having been eſtabliſhed by public authority, of nine thouſand four hundred beneficed eccleſiaſtics in England, only fourteen biſhops (2), twelve archdeacons, fifteen heads of colleges, fifty canons, and about eighty parochial prieſts, choſe to quit their preferments rather than their creed. Their places being filled with Proteſtants, England became intirely reformed, very ſuddenly after having ſeen the Reformed expiring in the flames. It is now time to return to political affairs.

The number of clergymen who refuſe to comply with the reformation. Camden. Burnet. Rym. Fœd. Vol. XV. p. 548, 562, 582.

While Philip had any hope of marrying Elizabeth, his plenipotentiaries, aſſembled with thoſe of England and France at Cateau in Cambreſis, inſiſted on the reſtitution of Calais to the crown of England. But when his expectations were diſappointed, by the change in England with regard to religion, he deſerted Elizabeth, and made a ſeparate peace, or at leaſt ſettled with France the principal articles. It is pretended that, in this treaty, by which France reſigned 198 places to Spain, or her allies, in exchange for three only, there was a ſecret article of a mutual promiſe between the two Kings to extirpate heretics. This done, the Spaniards from parties, as they were before, became mediators between France and England: but they acted ſo faintly, that it was plain, they had not much at heart Queen Elizabeth's concerns. Philip's defection obliged the Queen to conclude a peace on any terms, the continuation of this war being no way favorable to her affairs, or to the meaſures ſhe was now taking to introduce the reformation into England. By a treaty therefore, ſigned the ſecond of April, it was agreed,

Elizabeth's reaſons for peace with France. Camden.

Mezerai.

That the King of France ſhould have poſſeſſion of Calais, and the other places in Picardy conquered upon the Engliſh, eight years, after which he ſhould be obliged to reſtore them to the Queen of England.

Rym. Fœd. Vol. XV. p. 505. Camden. Hollingſh.

That within the ſpace of ſix months, ſeven foreign merchants, not ſubjects of the French King, ſhould ingage for the payment of five hundred thouſand gold crowns to Elizabeth, as a penal fine, in caſe reſtitution of the places, within the time limited, was either refuſed or delayed by Henry or his ſucceſſors: and that notwithſtanding, whether the ſaid ſum was paid or not paid, the King of France and his ſucceſſors ſhould remain under the obligation to reſtore Calais and the other places, as they ingaged by this treaty. Moreover, that the King of France ſhould deliver to the Queen, as hoſtages, 'till the promiſed ſecurity was given, Ferry de Foix count of Candale, and captal of Buch, Lewis de St. Maure marquis of Neſle and count of Laval, Gaſton de Foix marquis of Trans, Antoine du Prat preſident of the parliament of Paris, and baron de Nantouillet.

(1) The points to be diſcuſſed in this conference were, worſhip in an unknown tongue; the power of particular churches to alter rites and ceremonies, and the propitiatory ſacrifice in the maſs. The conference was begun the 31ſt of March in Weſtminſter abbey, before the privy council, both houſes of parliament, and infinite crouds of people. The Proteſtant diſputants, were, Storye biſhop of Chicheſter, Cox, Whitehead, Grindall, Horne, Sands, Gueſt, Ailmer, and Jewel. And the Popiſh were, the biſhops of Wincheſter, Lincoln, Carliſle, Cheſter, Coventry and Litchfield, Cole dean of St. Paul's, Langdal archdeacon of Lewes, Harpsfield archdeacon of Canterbury, and Chedſey archdeacon of Middleſex. The biſhops of Wincheſter and Lincoln, ſeeing their cauſe in great danger, ſaid, that the faith of the church ought not to be examined but in a ſynod of divines ——That the Queen and council ought to be excommunicated, for ſuffering the Catholic faith to be argued before an unlearned multitude. Fox, Vol. III. p. 979, &c.

(2) Theſe biſhops were, Heath archbiſhop of York, Bonner biſhop of London, Thirleby of Ely, Bourn of Bath and Wells, Chriſtopherſon of Chicheſter, Baine of Lichfield, White of Wincheſter, Watſon of Lincoln, Oglethorp of Carliſle, Turbeville of Exeter, Pole of Peterburgh, Scot of Cheſter, Pates of Worceſter, and Goldwell of St. Aſaph. Burnet, Vol. II. p. 396. By whom they were ſucceeded, ſee Ibid. p. 402, 403, and in Camden, p. 377.

Theſe

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Remark on this article.

These are the expreſs words of the treaty, of which the French hiſtorians give us only the pretended meaning, by turning them after their own manner. Mezerai ſays, It was ſtipulated, that Henry ſhould either reſtore Calais and the other conqueſts, or if he liked it better, the ſum of five hundred thouſand crowns, which being refered to his option, he would, moſt undoubtedly, keep this place, which was the key of his kingdom.

Neither has father Daniel given us the very terms of the treaty, which perhaps he had never ſeen. He contents himſelf with relating the ſenſe, adding a certain explication which intirely changes the nature of the treaty. Elizabeth, ſays this hiſtorian, could not without giving offenſe to the Engliſh, make abſolute ſurrender of Calais to France. Beſide ſhe ſaw the King determined not to part with it; a middle way was therefore taken, which left this Prince in poſſeſſion of Calais for eight years, at the end of which he promiſed to reſtore it, on forfeiture of five hundred thouſand crowns to the Engliſh. That notwithſtanding this payment, which was to be made on a refuſal or delay of reſtitution, the Engliſh were allowed to uſe force for the recovery of Calais. By theſe laſt words he explains the ſenſe of thoſe in the original treaty. ——That whether the ſum was paid or not paid, the King of France and his ſucceſſors ſhould be bound to the reſtitution of Calais, as they ingaged by this treaty. This ſhews how we ought to be on our guard againſt the national partiality of hiſtorians. I ſhall add here upon this article, that Calais never was reſtored; that the five hundred thouſand crowns were never paid; and when Elizabeth demanded Calais, at the expiration of the term, the French court founded their refuſal on ſome generalities, and not on the treaty itſelf, as they might have done, ſuppoſing what theſe two hiſtorians have advanced.

Continuation of the treaty of Cateau.

Another article of the treaty was, that neither the King of France, nor the King and Queen of Scotland, nor the Queen of England, ſhould make any attempt againſt each other, directly or indirectly, in prejudice of the treaty. That if the Queen of England violated this article, the King of France, and the Queen of Scotland ſhould be freed from their ingagements, and then hoſtages and ſecurities be diſcharged. In like manner, if the violation came from the King of France, he ſhould be obliged to reſtore Calais, and the other places, as if the eight years were expired; and if he refuſed making reſtitution, the ſecurities and hoſtages ſhould ſtill remain ingaged.

That the fortifications of Aymouth, and all others made in Scotland ſince the treaty of Bologne, ſhould be demoliſhed.

That all the other pretenſions of the King of France, the King and Queen of Scotland, and the Queen of England, with all their exceptions, ſhould remain intire, in expectation that Providence would produce ſome happy occaſion of terminating them by a peace.

That none of the ſaid Princes and Princeſſes ſhould afford a retreat or protection to each other's rebels, but reciprocally ſurrender ſuch fugitives.

Treaty with Scotland. Rym. Fœd. Vol. XV. p. 513.

The ſame day, was ſigned a treaty between the Queen of England and the King and Queen of Scotland, whereof theſe are the chief articles:

That neither of the parties ſhould attack any of thoſe domains now actually in the other's poſſeſſion, neither perſonally nor by others.

That they ſhould give no aid to attack each other's dominions to any one, in what degree of conſanguinity or affinity that perſon might be to them related, or whatever might be his quality.

That they ſhould not receive or entertain rebels, fugitives, malefactors, &c. Elizab. An' 1559.

That, within three months ſpace, the fortifications of Aymouth, and all others erected in Scotland ſince the treaty of 1549, ſhould be razed.

That all other mutual claims and pretenſions ſhould remain intire.

That in two months, commiſſioners ſhould be appointed on both ſides, to ſettle certain articles, concerning which the embaſſadors of France were not ſufficiently inſtructed.

Francis and Mary ratified this treaty the eighteenth of April; and the thirty-firſt of May the commiſſioners of the two kingdoms ſigned at Upſalinton, a ſecond treaty on the articles left undecided in the firſt. Ibid. p. 516, 526.

Elizabeth having concluded a peace with France and Scotland with more honor and facility than ſhe had reaſon to expect, flattered herſelf with the future injoyment of a perfect tranquility: but ſhe ſoon grew ſenſible of the ſmall cauſe ſhe had to triumph. Henry II had made peace with her, only becauſe Philip II, who had ingaged Mary his Queen in this war, was reſolved not to ſign the pacific treaty before Elizabeth's was alſo concluded. It little concerned Philip, whether ſhe found great advantages in the peace, or the King of France obſerved his ingagements with her, provided it appeared to the world that Spain had not deſerted England: this was all he deſired, and probably what facilitated the pacification. Henry II doubtleſs granted more than he ever deſigned to perform, as well to give his Catholic Majeſty this ſatisfaction, as to complete diſingaging him from the intereſt of England: nor was he long from making appear that he had no other intention.

Henry II orders the Dauphin and his Queen to aſſume the arms of England. Melvil. p. 23. Camden. Buchanan.

Embaſſadors from France being arrived at Bruſſels to ſee the peace ſworn, ſecretary Ardoy, who was there from the Dauphin King and Queen Dauphineſs, gave them the titles of "King and "Queen of Scotland, England, and Ireland." Elizabeth ſoon after underſtood that the King of France had ordered Francis and Mary to aſſume the ſame titles, and quarter the arms of England in their ſeal, plate and other moveables, that none might be ignorant of their pretenſions. * Throckmorton, the Engliſh embaſſador in France, complained of this uſurpation with great freedom, but the frivolous anſwer to his complaints plainly convinced him of the ſmall regard France had for his miſtreſs. Mezerai ſays, he was told, That this was only to follow the cuſtom of Germany, where the younger branches bore the title and arms of the chief of their family. Camden adds, that the court of France pretended, that all Princes and Princeſſes had a right to bear the arms of their houſe with a bar. But, beſide that Francis and Mary bore them without any ſuch diſtinction, they moreover aſſumed the title of King and Queen of England (1). In fine, the court of France, being preſſed upon this affair, anſwered the embaſſador, that the King and Queen of Scotland had only taken the arms of England to oblige Elizabeth to quit thoſe of France. To this Throckmorton replied, That twelve Kings of England had borne the arms and title of Kings of France, without being obliged by any treaty to quit them. But his reaſons were not heard, and notwithſtanding all his remonſtrances, Francis and Mary ſtill retained the title they had uſurped. Camden affirms, that conſtable Montmorency, by his arguments induced them to relinquiſh it; but aſſuredly he is miſtaken. Thus, tho' the Gallic court would not openly declare their ſentiments of Elizabeth, it was manifeſt ſhe was re-

*Sir Nicholas. The Engliſh embaſſadors in vain make complaint. Camden. Mezerai. Melvil. p. 378.

(1) At the late congreſs, the cardinal of Lorrain told the Spaniſh commiſſioners, "That his niece, the Queen of Scots, was "the true and undoubted Queen of England, and that the King of Spain ought to indeavor to have Calais put into the hands "of his niece, who was the rightful Queen of England. Camden, p. 373.

garded

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garded as ſpurious, and the crown of England was pretended to be devolved on Mary. Accordingly Elizabeth ſuffered not herſelf to be deceived. She thenceforwards conſidered Mary as a dangerous rival, and her uncles, the Lorrain Princes, authors of this uſurpation, as her greateſt adverſaries. Henry II's death, which occurred ſoon after, inſtead of diſcouraging the deſign to ſeat Mary on the Engliſh throne, only gave it freſh vigor. The duke of Guiſe, and cardinal of Lorrain, governing all under Francis II, Henry II's ſucceſſor, never ceaſed inciting the young King to ſend forces into Scotland, to render himſelf maſter of that kingdom, and then attack Elizabeth from that quarter. But becauſe this project was founded on the preſent ſituation of the Scotiſh affairs, it is neceſſary to reſume the recital where I broke off in the year preceding.

Sequel of the Scotiſh affairs. Buchanan.

Very ſoon after the young Queen's nuptials with the Dauphin, the affairs of Scotland began to be terribly imbroiled. The Princes of Lorrain, having formed the deſign to attack England by Scotland, believed it impracticable 'till the King and Queen were rendered abſolute in their kingdom. They were ſenſible it would be difficult to perſuade the ſtates of Scotland to be the inſtruments of their ambition, in making war upon Elizabeth, in order to place England's crown on the head of their Queen. The number of Proteſtants was now ſo conſiderable in Scotland, that they were in a manner maſters in the ſtates aſſemblies; and conſequently it ſeemed utterly impoſſible to draw them into the project of dethroning a Proteſtant Queen who was eſtabliſhing their religion in England, to place on that throne a Popiſh Princeſs, who would thereby be inabled to exterminate the reformation in both kingdoms. It was therefore requiſite to deviſe ſome excuſe for ſending into Scotland a body of forces to ſtrengthen the Catholic party, who moſt apparently would be readier and more zealous to favor the enterpriſe.

Melvil, p. 23.

With this view it was that they obtained Henry II's expreſs order to the Queen-regent and D'Oyſel, commander of the French and Scotiſh forces in French pay, not to ſuffer in Scotland any other religion than the Roman Catholic (1). They eaſily foreſaw this order would there create diſturbances, and furniſh them with a pretext of ſending troops to Scotland.

Ibid.

The regent, on receipt of this order, began to execute it, by iſſuing a proclamation conformable to the will of his Gallic Majeſty, or rather of the two Princes his brothers, who, as will afterwards be ſeen, had not imparted to the King their whole project. The Proteſtants, in ſeveral deputations to the regent-Queen, repreſented to her the unſeaſonableneſs of rigor, conſidering their number: but ſhe would not give ear to any of their remonſtrances. At this time, the city of Perth, otherwiſe called St. John's Town, having openly imbraced the reformed religion, the regent ſummoned the ſtates to Sterling, and cited thither the reformed miniſters, in order to baniſh them the realm by a ſolemn decree (2). They appeared at Sterling to defend their cauſe, being attended with infinite crouds of unarmed people, who went to aſſiſt them in their defenſe, agreeably to the cuſtom of Scotland (3). The regent, aſtoniſhed at the ſight, intreated John Areſkin to prevail with the multitudes to retire, promiſing that nothing ſhould be decreed in the ſtates againſt the miniſters. Areſkin ſucceeded, and the miniſters, with all their attendants, withdrew: but they were no ſooner gone, than they were condemned for non-appearance, according to the citation. Areſkin was ſo inraged to be made the Queen's inſtrument to deceive the Proteſtants, that he reſolved to be revenged. For this purpoſe, he went to the nobility of Strathern, Angus and Mernis, who were aſſembled on hearing what paſſed at Sterling, and perſuaded them to take arms.

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Buchanan. Burnet.

This news being brought to Perth, the miniſter Knox, a very famous orator, preached a ſermon to animate the people: which ended, while the chief citizens were at dinner, the rabble broke into the churches, threw down all images, and utterly deſtroyed the monaſtery of the Carthuſians. The inhabitants of Cuper inſtantly imitated the example ſet them by thoſe of Perth. The regent, inſenſed at finding her edict contemned, and willing to prevent the conſequences of this diſobedience, determined on chaſtiſing the inhabitants of Perth. To this end, ſhe aſſembled ſome forces and, attended by the earls of Argyle and Athol, marched directly thitherwards: but approaching the town, ſhe was informed, the earl of Glencarne was incamped in the neigborhood ſeven thouſand ſtrong. This intelligence prevailed on her to offer him and his partiſans certain conditions, which were accepted. Among other articles it was ſtipulated, That the Scotiſh forces on both ſides ſhould be ſent quite away, and the French removed at a certain diſtance from Perth (4): that the Queen ſhould be reſpectfully received into the city, and ſuffered to reſide therein ſome days, provided ſhe attempted not any novelties: and finally, that the differences concerning religion ſhould be refered to the ſtates deciſion. The confederates having diſmiſſed their forces, the regent repaired to Perth, and entered, with ſome Scotiſh troops in the pay of France, which was, by the confederates, conſidered as a violation of the treaty (5). But this was not all they had cauſe to complain of. The regent reſtored the maſs in Perth, and, reſolving to make it a place of arms, left there a gariſon.

Melvil. Buchanan.

Hence the earl of Argyle and James Stuart, prior of St. Andrew's and King James V's natural ſon, took occaſion to declare againſt the regent, and levy forces to ſupport the Proteſtants. Theſe perſonages had ſome time before imbraced the reformation, tho' hitherto they had adhered to the regent. Soon after, the inhabitants of St. Andrew's and ſome other towns, declaring themſelves Proteſtants, commited ſeveral diſorders in the Popiſh churches. Her Majeſty hereupon aſſembled a band of troops, compoſed of two thouſand French, and a thouſand Scots, and, giving the command to the duke of Chateleraut, ſent him to chaſtiſe the inhabitants of Cuper, who next after thoſe of Perth had made a like declaration. But the duke hearing the confederates were marching with ſuperior forces to give him battle, thereof informed the regent, who was then at Falkland. She tried at firſt to amuſe them with new propoſitions, 'till ſhe could reinforce her army. But the confederates,

(1) The Pope, Emperor, Kings of Spain and France, had then entered into a combination, to reduce again the moſt part of Europe to the Roman Catholic religion, and to purſue and puniſh with fire and ſword all heretics who would not condeſcend to the ſame. Melvil, p. 23.

(2) She alſo ordered Patric Ruthen, mayor of Perth, to ſuppreſs all tumults for innovating of religion: who anſwered her, That he had power over the bodies and eſtates of the inhabitants, and thoſe he would take care ſhould do no hurt; but that he had no dominion over their conſciences. Buchan. l. 16.

(3) Criminals were allowed to come to theſe trials attended with their relations and friends. Rapin.

(4) By the Scotiſh forces were commonly underſtood, the natives which were in the pay of the kingdom; and by the French, not only thoſe forces which were ſent from France, but thoſe Scots likewiſe who were in French pay. Rapin.

(5) By reaſon of the equivocal meaning of the term "Scotiſh forces." Ibid.

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perceiving her artifice, marched to Perth, and in a very few days poſſeſſed themſelves of that city. Afterwards, Scone, Sterling and Linlithgo, were by them ſecured, and, as their army daily increaſed, the regent and D'Oyſel were obliged to withdraw to Dunbar.

Melvil, p. 25. Thuanus.

Mean while, the regent had writ to the court of France, that James prior of St. Andrew's was the principal author of the troubles of Scotland, and that, being natural ſon of James V, he deſigned to ſeize the crown. The Lorrain Princes, brothers to the regent, laid hold on this occaſion to inſinuate to Henry II, that religion was not concerned in the troubles of Scotland, and was only made the pretenſe to wreſt that crown from the Dauphin and his royal conſort. By this inſinuation, they had inſpired his ſaid Gallic Majeſty with the reſolution of ſending a good army into Scotland, and he had already commenced his levies in Germany. But conſtable Montmorency, having diſcovered theſe Princes aim to ingage King Henry in projects the execution whereof would not be very eaſy, prevailed with him to proceed no farther, 'till he was more particularly informed of the troubles in Scotland. The buſineſs was only to find a perſon in whom the King could confide. The conſtable offered, for this purpoſe, James Melvil, a Scotiſh gentleman, his domeſtic, and gave him his inſtructions in the King's preſenſe. Theſe inſtructions were, as he ſays himſelf in his memoirs, "That "the King had, by the cardinal of Lorrain, "been informed, that James Stuart prior of St. "Andrew's pretended, under color of religion, to "uſurp the Scotiſh realm himſelf; and that his "Majeſty deſired to know certainly, if this was the "ſourſe whence the troubles of that kingdom "flowed; or whether Stuart was moved to take "arms only for conſcience ſake, in defenſe of his "religion, his perſon, his dependents and aſſo-"ciates. In the firſt caſe, the King was reſolved "to hazard his crown, and all he poſſeſſed, rather "than the Queen his daughter-in-law ſhould be "deprived of her right; and he reſolved to ſend "forces into Scotland for that effect, tho' he would "gladly ſhun that trouble, if any way poſſible. "That in the ſecond caſe, if it was only religion "which moved the Scots, the King would not "have any concern in their affairs, but commited "their ſouls to God, for he had difficulty enough "to rule the conſciences of his own ſubjects: and "it was the obedience due to their lawful Queen "which the King deſired. That finally, he could "not perſuade himſelf, that the Scots had riſen "againſt the regent without cauſe, and therefore "deſired to know if the regent had broke her "word with them; if ſo, by whom, and at whoſe "inſtance. That if D'Oyſel, who was reported "to be choleric, haſty and too paſſionate, was "not acceptable to the Scots, he would ſend in his "room ſome other, who he hoped ſhould pleaſe "them." This ſhews, that the King had been ill informed by the cardinal of Lorrain, to ingage him to ſend an army into Scotland, and of this, probably, the conſtable's meaning was to give him a demonſtration, by the report Melvil was to make him. In effect Melvil, having had a conference with the Queen-regent at Falkland, and afterwards with the prior of St. Andrew's, reported to the King, that the prior was ſo far from any thought of aſpiring to the crown, that he was ready to baniſh himſelf perpetually from Scotland, on the firſt orders from his Majeſty.

p. 25.

Melvil, p. 27.

Buchanan. Melvil.

Henry II being dead before Melvil returned to Paris, (1), the confederate Scots prepoſterouſly imagined, there was no farther danger, and moſt of them returned to their homes. The regent and D'Oyſel being thereof informed, reſolved to improve this negligence, and marched with ſome troops to Edinburg, hoping to ſurpriſe thoſe who remained there: but the duke of Chateleraut and the earl of Morton, knowing the confederates were arming again with all poſſible diligence, waited on the regent, and perſuaded her to conſent to a truce, from the twenty-fourth of July to the tenth of January. This truce was equally neceſſary to both parties. The confederates wanted to put themſelves in a defenſible poſture; and the regent hoped that, in this interval, ſhe ſhould receive a powerful aid from her ſon-in-law the King of France. Accordingly, at the Lorrain Princes ſollicitation, he immediately ſent her a thouſand foot, with promiſe of a more conſiderable ſupply.

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During theſe tranſactions, the earl of Arran, ſon to the duke of Chateleraut, being at the court of France, and receiving notice that he was to be arreſted on ſome pretenſe, made his eſcape, and came for Scotland. As he was, after the duke his father, next heir to the young Queen, he believed, upon ſome well or ill-grounded advices, that the duke of Guiſe and cardinal of Lorrain deſigned to ſecure and perhaps murder him, for fear, if the Queen died, he ſhould aſcend the throne; for he had declared himſelf a Proteſtant. He was no ſooner in Scotland than he gained his father to ſide with the confederates, who put him at their head.

Buchanan. Thuanus.

Mean time, the regent and D'Oyſel were buſy in fortifying Leith, and ſtoring it with all ſorts of proviſions, deſigning to make it a place of arms, and there to wait for the ſupplies expected from France. The confederates pretended this to be a breach of the truce, whether they proceeded on a general maxim, or on any particular articles of the late treaty. However this be, after ſome fruitleſs complaints to the regent, they aſſembled their forces, and marched to beſiege Leith: but as they ſuffered themſelves to be amuſed for ſome time, they came too late and, finding the place in a ſtate of defenſe, deſiſted from the ſiege. Soon after the regent, having received a new ſupply of two thouſand men, commanded by La Broſſe, continued the fortifications of Leith, with greater application than ever. The confederates once more deſired her to give over the work; but in vain. As ſhe ſaw herſelf ſufficiently ſtrong, ſhe only anſwered by ſending a herald, with order to lay down their arms. Their indignation to be thus deceived by the regent induced them finally to publiſh, that they would treat as enemies all who obeyed her orders: but they were but little able to make good this bravado. The regent, knowing they were at Edinburg, in ſmall number, marched with her whole force, early in November, and by her unlooked for arrival ſo ſurpriſed them, that they deſerted Edinburg, and retired to Sterling. When there, they diſpatched away to Queen Elizabeth, William Maitland. to ſollicit her Majeſty's aſſiſtance; as being ſenſible that without it they muſt inevitably ſuccumb. In effect, the French troops continuing to purſue them, obliged them alſo to quit Sterling, and retire to the mountains, where they ſeparated into two bodies, to imbaraſs their enemies, who allowed them no reſpite. Some time after, they received letters from Maitland, giving them hopes of ſucceſs in his negociation. This was the riſe of the Scotiſh troubles, whereon I have been forced to inlarge, the better to ſhew what concerns Elizabeth

Buchanan.

Camden.

(1) This was ſupported by the teſtimony of Melvil, and deſtroys what is advanced by Camden, concerning James Stuart, afterwards earl of Murray. Rapin.

was

Elizab. An' 1559.

was to have in them, ſince ſhe was their ſole object. As this is a material article in this Queen's hiſtory, and as, on the knowledge of the deſigns formed againſt her repoſe, ſhe regulated her conduct, I ought to ſupport this truth by the teſtimony of a French hiſtorian, who cannot be ſuſpected in this affair. Father Daniel, under the reign of Francis II, thus expreſſes himſelf.

Hiſt. de France. Vol. VIII.

"I obſerved that, before the conſpiracy of "Amboiſe broke out, La Renaudie had been ſent "by the admiral into England, to ingage Elizabeth to make a diverſion in Scotland, while the "Calviniſtical party revolted in France; and ſhe "too well knew her intereſt to neglect ſuch a "favorable opportunity of kindling or fomenting "a civil war in the two realms. Whatever care "ſhe had taken to bridle the Catholics of her kingdom, ſhe was ever apprehenſive of a party forming againſt her in favor of the Queen of France, "who deported herſelf as heireſs of the crown of "England, and had quartered its Arms with thoſe "of Scotland, when ſhe was only Queen Dauphineſs; and, if France and Scotland had remained in tranquillity, England was in danger "of being at once attacked from thoſe two different quarters, and diſturbed at home by the "ſtill-numerous followers of the ancient religion."

Hence may be ſeen, what was the Lorrain Princes drift, in ſending over to Scotland a French army. It was to preſerve the peace of that kingdom, that is, render it abſolutely ſubject to France, in order to attack England from that quarter. This is a particular which muſt be ever remembered; otherwiſe Elizabeth's hiſtory is not readily to be comprehended. Let us next touch on the affairs of France.

Affairs of France. Mezerai.

Henry II, having concluded a peace with Spain, determined on abſolutely relinquiſhing the Italian affairs, and applying himſelf ſolely to his project of uniting England, Scotland and Ireland to the Gallic monarchy. His haſte in making his ſon the Dauphin, and the Scotiſh Queen his daughter-in-law, aſſume the title of King and Queen of England, immediately on concluding the peace, is a clear evidence of his having the matter in view, tho' he was not yet perhaps reſolved on the method of its execution. Elizabeth, who was on the throne of England, was but a woman; and might be conſidered as a baſtard: ſhe had no ally: had lately made many enemies among her ſubjects, by her innovations in religion: the King of Spain no longer concerned himſelf with her affairs; and the Pope wiſhed nothing ſo ardently as to dethrone her, and place in her ſtead a Catholic Princeſs. All theſe circumſtances doubtleſs gave Henry hopes of ſucceſs in his deſign; to effect which, he was to make parade of a fervent zeal for the Catholic religion, to gain its profeſſors, Princes and ſubjects, to his intereſts. The perſecution, renewed in France immediately after the Peace of Cateau, ſlowed perhaps as much from this as any other cauſe; tho' Henry's own natural diſpoſition, the Pope's ſollicitations, the ſuggeſtions of the duke of Guiſe and cardinal of Lorrain, and the ſecret treaty made with Spain, had but too large a ſhare in that tragedy.

Death of Henry II.

This Prince was ſnatched hence, on the tenth of July, in the midſt of his vaſt projects, by a death ſudden and tragical (1), leaving for ſucceſſor a young Prince, of himſelf quite unable to govern. The two Princes of Lorrain, the young Queen's uncles, were immediately charged with the whole adminiſtration under the new reign. They inſtantly removed from court conſtable Montmorency, and recalled the cardinal of Tournon, the reformation's avowed enemy. When the court affairs were ſettled, their next care was to erect certain tribunals, ſtiled Ardentes, for adjudging Proteſtants to the flames. This inevitably reduced the Reformed to a neceſſity of either ſubmiting to burn one by one, or of taking arms in their own defenſe, and ſo furniſhing their enemies with the deſired pretenſe to extirpate them all at once. On the other hand, they ſent into Scotland two thouſand men, under conduct of La Broſſe, with orders to join the Catholics of England for dethroning Elizabeth. Thus did their boundleſs ambition ingage a young Prince, not complete ſeventeen years old, to throw his own kingdom into a flame, and withal to undertake the conqueſt of England, which of all countries in the univerſe is the moſt difficult to be conquered.

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Francis II his ſucceſſor puts the government into the hands of the Guiſes. Mezerai. P. Daniel. Thuanus.

Who purſue the deſign of attacking Elizabeth by Scotland. Camden.

At the ſame time appeared, alſo in the Netherlands, ſeeds of troubles, which were not long ripening, and which it will not be improper to mention, in order to ſhew their origin.

Affairs of the Netherlands. Grotius.

Charles V always greatly affected the Netherland provinces (being born there *) and had governed them with much lenity. Indeed, after the victory of Pavia, he had projected changing their form of government, and of uniting the ſeventeen provinces into one ſtate, dependent on the Spaniſh crown. He was thereto incited by the Spaniards, who would have found their advantage in his being abſolute in theſe provinces, where his authority was much limited by their privileges. But after mature deliberation, he relinquiſhed this project, whether to avoid the violences wherewith the execution muſt infallibly have been attended, or becauſe he believed it impracticable, by reaſon of the various laws and cuſtoms of theſe provinces, each of which had long been a ſeparate ſtate.

* At Gaunt.

Philip II, his ſon and ſucceſſor, reſumed much the ſame deſign, and reſolved to rule independent of the laws and privileges inceſſantly alledged by theſe ſtates. To this he added the project of extirpating the Proteſtants, then very numerous in that country. For this purpoſe, he obtained from the Roman court the erection of diverſe new archbiſhopricks and biſhopricks, to the great prejudice of the abbots, part of whoſe revenues were to be given to theſe new ſees. But beſide the intereſt of the Proteſtants and abbots, there was another particular of general concern. Philip had put Spaniſh gariſons into the chief cities, contrary to the privileges of the provinces, and thereby evidently manifeſted his deſign of reducing them to a ſtate of bondage. Finally, on his departure for Spain, September 1559, he commited the government of the whole Netherlands to his ſiſter (2), Margaret ducheſs of Parma, to the great diſſatisfaction of William de Naſſau, Prince of Orange, and of count Egmont, both who had aſpired to that dignity. But what completed their diſguſt and truly irritated them, was his leaving with the go-

(1) At a great tournament, held on account of his daughter's marriage with Philip II King of Spain, he was wounded in the eye with the ſplinter of a lance, June 29, and died of the wound. Thuanus, l. 22.

(2) Not his aunt, as our author ſays very erroneouſly; tho', in Henry VIII's reign, he twice introduces her, as Charles V's natural daughter (as ſhe was) when he mentions her firſt and ſecond marriages. This memorable lady, on more than one account, merits a place among our annotations. Under her adminiſtration, commenced the tragedies which gave riſe to that majeſtic figure the United Netherland Provinces have, for near a century and half, made not only in Europe, but in every quarter of the univerſe. The Spaniards, and in particular the Caſtilians, ſtill commemorate her as their introductor into Italy, their nation being ſcarce known there, more eſpecially in Tuſcany, Parma and Plaſenza, 'till her Imperial ſire had matched her into the Medicis and Farneſe families. She is alſo memorable for being the mother of the famous Aleſſandro Farneſe, Prince of Parma, of whom ſo much mention is made under the preſent reign.

verneſs

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verneſs cardinal Granville, their enemy, and who was univerſally conſidered as the author of all ſuch pernicious counſels as tended to deprive that country of its liberty. Philip no ſooner arrived in Spain, than he ſacrificed to the flames a great number of Proteſtants, and, by theſe inhumanities, manifeſted to his Netherland ſubjects what they were afterwards to expect.

Pope Paul IV dies; and is ſucceeded by Pius IV.

Pope Paul IV dying in the courſe of this year, was ſucceeded by cardinal Angelo di Medicis, a Milaneſe, by the name of Pius IV (1).

State of affairs in England. An' 1560.

To well comprehend the ſequel of this reign, it is abſolutely requiſite to have a perfect idea of the ſituation of affairs in England, as well with regard to the Queen's perſon, as to the Engliſh themſelves and other people. The wonder of this reign conſiſts not in the remarkable tranſactions occuring in England while Elizabeth was on the throne, but in the tranquillity ſhe procured her ſubjects amidſt the ſecret and open attacks of her's and their enemies, both at home and abroad. To underſtand therefore the motives of Elizabeth's conduct, and the maxims whereby ſhe eſtabliſhed her government, a reader muſt be diſtinctly acquainted with theſe enemies, their characters, their views and intereſt. Hence alſo will be ſeen and admired the addreſs wherewith ſhe extricated herſelf from all the imbaraſments and ſnares to which ſhe was continually expoſed. For this purpoſe it muſt be obſerved, that her right to the crown was ever, either openly or tacitly, conteſted; that the Papiſts in general, conſidering her only as a Queen de facto, believed they might with a ſafe conſcience aſſiſt in dethroning her, whenever any favorable occaſion ſhould offer. As the uncertainty of her right was the baſis whereon her adverſaries grounded all their proceedings, I cannot but make ſome addition to what has been already advanced on this ſubject.

The parliament of England, conſiſting of the King and both houſes, which repreſent the whole nation, there is no Engliſhman who is not ſubject to its decrees, were it only for this reaſon, that every man is preſumed to have given thereto his conſent, either in perſon, or by his repreſentative. On this foundation Mary and Elizabeth aſcended the throne; I mean, in virtue of a parliamentary ſtatute impowering their father to ſettle the ſucceſſion. But it may be doubted, whether foreign Princes, concerned in ſuch acts of parliament, are obliged to the ſame ſubmiſſion, when they believe them manifeſtly unjuſt to themſelves. I ſhall not undertake to decide this queſtion, which is more uſually determined by arms than by laws. I ſhall only remark, that formerly Edward III did not think himſelf obliged to abide by the deciſion of the French nation, which had placed Philip of Valois on the throne. However this be, Mary Queen of France and Scotland believed herſelf injured, as well by the act impowering Henry VIII to interrupt the order of ſucceſſion according to his humor, as by that Prince's will. She alledged, that neither King nor parliament had any right to place on the throne two daughters declared illegitimate by ſolemn acts, and ſtill leſs to overlook the poſterity of Henry VII's eldeſt daughter, even without aſſigning any reaſon, and place in the line of the ſucceſſion baſtards, and the younger daughter's children. To theſe two grievances anſwer was made, that the Engliſh, in acknowledging ſucceſſively Mary and Elizabeth for Queens of England, had not followed Henry VIII's caprice, but the order of nature and law of ſucceſſion; that this Prince's caprice lay not in placing his two daughters next his ſon Edward, but in his intention to exclude theſe two Princeſſes actually born in matrimony: that, in reſtoring them to their due place, Henry corrected his error, and left no room for any alteration: that the not revoking the ſentence of divorce againſt Ann Boleyn, and the ſubſequent act againſt Elizabeth, was not without good reaſons, and at moſt was merely a defect of formality, which altered not the thing itſelf. As to Mary's ſecond grievance, that Henry had not mentioned his eldeſt ſiſter's iſſue, it muſt be acknowledged, that the generality of the Engliſh were convinced of the injuſtice of ſuch procedure. But as the caſe which might breed a diſpute on this ſubject did not yet offer, this point was left undetermined, in hopes of the Queen's marriage, and her having children to ſucceed her.

Elizab. An' 1560.

Let us now proceed to another reflection, with regard to foreign Potentates. Mary, Henry VIII's eldeſt daughter, aſcended the throne without the leaſt oppoſition from any foreign Prince; whereas, on her deceaſe, the principal Sovereigns of Europe uſed indeavors to wreſt the ſcepter from Elizabeth. It is not difficult to aſſign many natural cauſes of the different conduct of the Princes with regard to theſe two Queens. The firſt is that, at Mary's acceſſion to the Engliſh crown, there was not a Prince in Europe who could with any color diſpute her right. Indeed the young Scotiſh Queen was in France, and deſtined for the Dauphin; but was not yet married. This marriage was only projected, and could not be executed ſome years, by reaſon of the parties non-age: but ſuppoſing Henry II ſhould have then aſſerted the ſaid young Queen's claim, he muſt have drawn on himſelf all the forces of the Emperor, and England. The ſecond cauſe is no leſs natural, namely, that the Roman Catholics could not by their principles, conteſt Mary's right without a renunciation of the Papal authority, ſince the diſpenſation for Henry VIII's marriage with Catherine of Aragon was granted by a Pope. But Henry II was very far from any ſuch thought; and as for the Emperor Charles V, he was particularly concerned to ſupport the title of Mary, who was his couſin-german: as for the Roman Pontif, he maintained his own rights in ſupporting Mary's. Laſtly, as Mary was zealous for her religion, the Pope, Emperor and King of France found a great advantage in this zeal. The Pope expected to ſee the Catholic religion reſtored by her means in England. The Emperor immediately projected her marriage with his ſon Philip: beſide a Catholic Queen in England removed all apprehenſions of that aid the German Proteſtants might receive from the Engliſh; in a word, his zeal for Papiſm gave him the ſatisfaction of beholding a very great likelihood of England's being ſoon forced into the pale of the Roman church. For the ſame reaſon, Henry II, who in France burned his reformed ſubjects, could not but be pleaſed to ſee them deprived of that protection they might have expected from England, had that kingdom continued Proteſtant. Thus all conſpired to render Mary's reign peaceable and ſecure. It doubtleſs was alſo this which induced that Queen to carry the perſecution againſt the Proteſtants to ſuch a height, well knowing they could have no hopes of aſſiſtance from abroad.

But when, after Mary's deceaſe, Elizabeth mounted the throne, there was a change in the intereſts of the Princes, as often happens by the death of a Sovereign. The Empire and Spain were no longer under one and the ſame Prince's domination. The Dauphin had eſpouſed the Scotiſh Queen, and by that marriage acquired a claim to England, which he had not before: beſide, the duke of

(1) This year, November 18, died the famous Cuthbert Tonſtall, biſhop of Durham. Hollingſh. p. 1186.

Guiſe

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Guiſe and cardinal of Lorrain were become more powerful in the Gallic court, by the abſenſe of conſtable Montmorency, who was priſoner in the Netherlands. After Henry II's death, they became ſtill more powerful, and by their conduct evidenced, that they had nothing more at heart than raiſing the Queen their niece to the Engliſh throne. Neither could Elizabeth doubt it, ſince ſhe ſaw Francis II, and his conſort Mary, ſtill uſurp the arms of England, which they ſeemed to have taken at firſt only in obedience to Henry II's injunctions. On the other hand, Philip II, who had no longer any hope of eſpouſing Elizabeth, had intirely deſerted England's intereſts, and appeared not any way diſpoſed to ſupport that kingdom, which was become Proteſtant. Laſtly, the Roman Pontif beheld his authority baniſhed England, and no hope of gaining Elizabeth, whoſe chief concern it evidently was to maintain what ſhe had done. Thus France, Spain and the court of Rome, not only had no reaſon to incline them to ſupport Elizabeth, but it was even their intereſt to act quite the reverſe. It is very true, Philip II would not willingly have ſeen England and Ireland poſſeſſed by the King of France; but he would not have been ſorry France ſhould ingage to conquer England, ſince from that enterpriſe, which he rightly judged extremely difficult, he would have the ſatisfaction of being a ſpectator while the two powers moſt capable of incommoding him were weakening each other: beſide, conſidering the ardency of his zeal for the Catholic religion, and his projects in relation to the Netherlands, he would have greatly rejoiced to behold thoſe two kingdoms out of condition to aſſiſt the ſaid provinces, which already bore their yoke with impatience. As for the new Emperor, if Elizabeth had nothing to fear, ſhe had at leaſt nothing to hope from him. With regard to the Proteſtants of Germany, they then injoyed a tranquillity which they would not willingly have diſturbed on acconnt of aſſiſting England: they had, in Henry VIII's time, experienced that, under pretext of maintaining their religion, it was deſigned to ingage them in a war by no means agreeable to their intereſts; wherefore, content with their preſent condition, they were not willing to be oppreſſed for ſupporting the rights of Elizabeth, tho' otherwiſe they were highly pleaſed to ſee a Proteſtant Queen ſeated on the throne of England.

I have already mentioned in what ſituation were the Scotiſh affairs. Elizabeth was ſo far from expecting any aſſiſtance from Scotland, that ſhe ſaw herſelf indiſpenſibly neceſſitated to ſupport the Proteſtant party there, well knowing it to be Francis II's intention to attack her from that quarter. Beſide the two thouſand men already ſent the regent, another more conſiderable reinforcement was preparing in France, to be conducted into Scotland by marquis D'Elbeuf (1). This ſufficiently manifeſted that the Gallic court, ſenſible of the difficulty of attacking England by ſea, were reſolved to puſh the war on the northern frontiers, by a junction of their forces with thoſe of Scotland. Thus the French court's deſign to ſubdue the Scotiſh male-contents was only the firſt ſtep whereby they hoped to attain the conqueſt of England.

Camden.

On the other ſide, Ireland occaſioned Elizabeth no leſs uneaſineſs. That iſland was inhabited by natural Iriſh, and Engliſh families tranſplanted thither ſince its conqueſt by Henry II. A viceroy, or lord-lieutenant, governed there in the Queen's name; but his authority was very far from being ſo regarded as to keep the Iriſh in ſubmiſſion. They had among them many grandees, men of great power, who indeed from the teeth outwards owned the Queen's ſovereignty, but believed they had a right to do themſelves juſtice for the wrongs they pretended to have received. They commited hoſtilities on each other, little regarding either remonſtrances or orders from the lord-lieutenant, who, having but few Engliſh troops, was not in a condition to make himſelf feared. Whenever there was any preſſing occaſion to chaſtiſe a rebellion, or prevent the ſtrong from oppreſſing the weak, freſh forces were to be ſent over from England: but, as this could not be done without expenſe, very often it was not determined 'till the laſt extremity; ſo, moſt of the lieutenants finding themſelves deſtitute of means to force obedience, were glad to connive at the exceſſes and violences of the great, for fear of unſeaſonably expoſing the royal authority: they contented themſelves with filling their purſes while they held the imploy, and left their ſucceſſors the care of repreſſing the inſolence of the Iriſh. This conduct had rendered the nobles of that country ſo intractable and aſſuming, that they acknowledged the royal authority no farther than it was neceſſary to protect them againſt their enemies. Beſide that innate averſion the Iriſh bore the Engliſh, whoſe deportment towards them helped not to gain their affection, there was at this juncture another motive which contributed to increaſe this averſion, namely, the change lately made by Elizabeth in religion. The attachment thoſe iſlanders had for the Roman See was proportionable to their ignorance, which was extreme. This diſpoſed them to liſten to the ſollicitations of the Romiſh emiſſaries, who were continually inciting them againſt the government. Elizabeth was therefore obliged to keep her eye conſtantly fixed on the tranſactions of Ireland, being no ſtranger to that credit the Pope, her adverſary, had in that iſland.

It remains now to examine how the Engliſh themſelves ſtood diſpoſed towards Elizabeth. When her ſaid Majeſty was determined on re-eſtabliſhing the reformation, her firſt care was to change the magiſtrates in cities, towns and counties, and fill their places with Proteſtants; which done, ſhe called a parliament, the members whereof were, as near as poſſible, men anſwerably to her deſires. This parliament revived all Edward VI's laws relating to religion. Theſe laws, again eſtabliſhed, were by the new magiſtrates care and vigilance punctually obſerved: ſo, a few months after Mary's deceaſe, the public exerciſe of the Roman Catholic religion was not leſs criminal than the exerciſe of the Proteſtant had been in the laſt reign. The clergy, who refuſed obedience to theſe new laws, were deprived of their benefices, and the vacancies ſupplied by zealous Proteſtants. To ſay all in a word, the reformation roſe under Elizabeth, juſt as Popery had done under Mary; only with this difference, that Elizabeth put not to death any perſon on account of religion. We are not however to imagine that this external change produced a real one in every heart. Very few implicitly obey their Sovereigns in point of religion. Thoſe who were, under Mary, very bigoted Papiſts, remained ſo under Elizabeth; as thoſe who ſincerely imbraced the reformation under Edward VI, continued in Mary's reign cordially reformed: the out-ſide alone underwent alteration. If it is therefore conſidered, that all the changes in religion under this and the foregoing reigns, had been made in the ſame manner, it will not be difficult to comprehend, that the Romaniſts were ſtill very numerous in the kingdom. Little more than twenty years had paſſed ſince the reformation commenced, and in this interval the public

(1) The Queen of Scots uncle; theſe forces were levied in Germany, by the Rhinegrave's aſſiſtance. Camden, p. 379.

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worſhip had been four times changed. Now it is improbable, that a whole nation ſhould ſo frequently change their opinions according to the caprice of the governors, tho' outwardly they ſubmit to public authority. It is certain, the number of Roman Catholics in England was very great, even after Elizabeth had eſtabliſhed the reformation, tho' the Reformed were probably ſtill more numerous. It is therefore natural to imagine, that all who perſiſted in adhering to the old creed were Elizabeth's ſecret adverſaries; that they wiſhed a re-eſtabliſhment of the ancient religion, and were diſpoſed to imbrace all opportunities to place on the throne a Romaniſt. Nor was it one of the leaſt of Elizabeth's cares to watch her own ſubjects.

Elizabeth's maxims of government.

Let us briefly recapitulate what has been advanced. Elizabeth had for enemies, France, the Scotiſh Queen, the Pope, and all the Catholic Powers. For tho' Philip II had not yet declared himſelf, ſhe knew he was not her friend, and the ſequel clearly proved it. On the other hand, ſhe had the Iriſh, and a great part of her Engliſh ſubjects to guard againſt, without having one ally to aſſiſt her. She was therefore to ſeek in herſelf, in her prudence, in her good conduct, and in her own ſubjects, the aſſiſtance ſhe would vainly have ſought elſewhere. To obtain ſpeedily and willingly the aid ſhe foreſaw would be frequently wanted, ſhe had but one way, and that was to make herſelf beloved by her people. Accordingly, this was the predominant maxim of her conduct. Happily for this Princeſs, her heart and mind were thereto ſo aptly diſpoſed, that ſhe never once deviated from a rule ſo neceſſary: wherefore it may be affirmed, that no Sovereign of England was ever more ſincerely beloved by his people than Elizabeth. But to demonſtrate this elogy not to be groundleſs, it requires our being ſomewhat more circumſtantial on this topic. Certain it is that the number of her truly Proteſtant ſubjects greatly ſurpaſſed that of the Papiſts. What therefore could ſhe do better than to favor the Proteſtant religion, eſpecially, as being herſelf of that perſuaſion, ſhe could unreluctantly act ſo conformably to her own intereſts? Another particular which powerfully contributes towards procuring a Sovereign the affection of his people, is ſo to manage the treaſury that he be not conſtrained to burden them with needleſs impoſts. No Prince had ever this quality in greater perfection than Elizabeth; nay, ſhe carried ſo far this œconomy, that ſhe ſometimes gave her own miniſters occaſion to tax her with avarice. However this be, her expenſes were ſo well regulated, that ſhe was never ſeen to ſquander away her revenues on favorites, or expend them on matters of no utility. Nevertheleſs, this frugal diſpoſition, whether owing to nature or policy, prevented not her being even profuſe of her treaſures when ſhe judged it neceſſary. France, Spain and Scotland experienced, in their turns, how well ſhe knew to be laviſh of her gold and ſilver. Her people had ſuch opinion of her good management that, thro' the whole courſe of her reign, ſhe was never once denied by parliament what ſupplies ſhe demanded, or complained of by her ſubjects for the taxes wherewith they were charged. She had alſo another quality which greatly indeared her to the Engliſh: ſhe would not by her miniſters be induced to beſtow honors or imploys on perſons undeſerving; being of nothing more apprehenſive, than to render contemptible dignities deſtined for the recompenſe of virtue and merit. By which prudent conduct ſhe avoided diſobliging men who might have aſpired to honors, had they ſeen them beſtowed on others of no greater worth than themſelves: this was a maxim whence ſhe ſcarce ever receded during the whole courſe of her reign. Finally, ſhe imployed her conſtant indeavors that juſtice ſhould be impartially adminiſtered: her chief favorites taſted the effects of her ſeverity when they abuſed her goodneſs, and deviated from their duty. Moſt undoubtedly, her great intereſt to be beloved by her people induced her to imploy all poſſible means to attain that important advantage: but it cannot be, as ſome have hence infered, that her whole conduct was mere diſſimulation, ſince it is not at all impoſſible for peoples inclinations to tally with their intereſts. Elizabeth had a true regard for the reformed religion, and her intereſt required her to ſupport it to the utmoſt extent of her power. She was naturally a very excellent œconomiſt, and ſuch was the ſituation of her affairs, that never Prince had more neceſſity to be ſo. As herſelf poſſeſſed real merit, ſhe eſteemed it in others; and therefore could never reſolve to confer dignities on men who had not merited them. In fine, had ſhe been never ſo little remiſs with reſpect to juſtice, ſhe would have been in danger of being deſpiſed on account of her ſex, and of ſeeing the grandees becoming by little and little too licentious.

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Such were the chief methods uſed by Queen Elizabeth to gain the affection of her ſubjects. Their love was ſo neceſſary that ſhe had no other reſourſe. Without it, her reign would, probably, have been very unhappy, conſidering the number and quality of her enemies. The reader therefore is to conſider moſt of her actions, as flowing from the maxim ſhe had preſcribed to herſelf, to neglect nothing which might procure the affection of her people.

There was alſo another maxim which no leſs influenced her conduct than this I have mentioned. She found herſelf menaced from every quarter. The Pope, France, and afterwards Spain, never ceaſed their open or ſecret attacks. It was not without reaſon ſhe dreaded that all theſe powers would unite to her ruin. In this belief, ſhe labored ſtrenuouſly to cheriſh the troubles of the neighboring ſtates, and particularly of France, Scotland, and the Netherlands, that her adverſaries, being buſied at home, might be leſs able to invade her. I ſhall not pretend to decide, whether this way of defenſe againſt enemies ſo powerful and dangerous, was agreeable to the rules of juſtice. It cannot however be denied, that this was excellent policy, and that her own ſecurity jnſtified this method, as ſhe had no other to divert their attacks. Accordingly, ſhe made frequent uſe of this maxim, as will appear hereafter.

Different opinions concerning Elizabeth.

I thought it neceſſary to prepare my reader for the ſequel of this reign by theſe reflections, which are ſolely deſigned to ſuſpend in his mind the prejudices inſpired by the hiſtorians of all nations and religions, for and againſt this renowned Queen. It is no ſmall difficulty to fix the judgment, amidſt all the contrarieties which occur in the writers who treat of this Princeſs. Some have conſidered her as the moſt accompliſhed Queen the world ever beheld: not one blemiſh to be found in her; all her actions were the reſult of prudence, juſtice and equity, and had no other motive than God's glory, and her peoples felicity: they have pretended, that her love for her ſubjects was ſo ardent, that ſhe forgot her own intereſt, and meditated ſolely on the means of making them happy: not content to excuſe ſome of her actions which merit reprehenſion, they have even, in ſome meaſure ſanctified them, by inſinuating, that they were the effects of her zeal for the glory of God, and the Proteſtant religion. Others have aſperſed her with all the calumnies could poſſibly be deviſed. According to theſe, ſhe exceeded in cruelty and barbarity the moſt exquiſite tyrants. She was (they ſay) deceitful even in the ſuperlative degree, and her whole conduct was one continued diſſimulation, from the begining

to

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to the end of her reign, notwithſtanding her outwardly affecting a ſhew of virtue and piety. To theſe accuſations concerning her public adminiſtration, they have added horrid calumnies on her private life. They have repreſented her as a diſſolute woman, who conſtantly refuſed to marry, in order more freely to continue her leud practiſes. To efface both theſe impreſſions, and incline the readers, if religious prejudices will ſuffer them, to ſuſpend their judgment, I have previouſly ſhewn the motives of her conduct, and the maxims by which ſhe was, and, with reſpect to policy only, ought to have been governed. Her principal aim was to ſecure a tottering crown and, to ſucceed, ſhe followed the above-obſerved methods. Is it to be thought ſtrange that, on certain occaſions, ſhe ſomewhat over-acted her tenderneſs for her people, wherein lay her only ſupport? But it would be juſt cauſe of wonder, that by ſuch irregularity of life, and other exceſſes ſhe is taxed with ſhe would have acted ſo directly contrary to what alone could procure her ſubjects love and eſteem, whereof ſhe ſtood in ſuch need. This may, I preſume, ſuffice to diſpel ſome of thoſe clouds by which her reputation has been obfuſcated. On the other hand, as ſhe ſaw herſelf aſſaulted from all parts by potent adverſaries, who were inceſſantly indeavoring to infuſe a ſpirit of rebellion into her ſubjects, when we ſhall ſee her fomenting the troubles of Scotland, and aſſiſting the French Hugonots, and the Flemiſh male-contents, it will be eaſily known to what this conduct is owing, notwithſtanding the adulations of certain of her admirers. Let but the two maxims I have mentioned be applied to her actions, and remember the neceſſity of her always having them in view, ſcarce any part of her whole conduct will then appear whereof the true motive may not eaſily be diſcovered. After this tedious, tho' I think abſolutely neceſſary digreſſion, it is time we proceed to the events of the year 1560.

Treaty between Elizabeth and the male-contents of Scotland. Camden.

Maitland, who was ſent into England from the confederate Scots, did finally conclude the treaty, which was ſigned, at Berwick, the twenty-ſeventh of February, 1560. Elizabeth, obſerving what great preparations were making in France, and not doubting their being deſigned againſt Scotland, deemed herſelf highly concerned to provide, the very firſt thing ſhe did, for that kingdom's ſafety, and hinder the French from becoming there too powerful. She had reaſon to apprehend that, if Queen Mary had iſſue by the King her conſort, France and Scotland would be united under one head, which it was her great intereſt to prevent. She concluded therefore with Maitland a treaty, which ſufficiently manifeſts what ſhe feared from Scotland. The treaty ran:

Rym. Fœd. Vol. XV. p. 569.

That ſhe took under her protection the duke of Chateleraut, and all the nobility and ſubjects of Scotland, to maintain that kingdom in its liberties and privileges, during the marriage of the Queen of Scotland with the King of France, and one year after.

That ſhe promiſed to ſend, with all ſpeed, a convenient aid of men into Scotland, and continue them there 'till the French were intirely expulſed the Kingdom.

That ſhe would come to no agreement with France, but on condition of leaving Scotland in full liberty.

That ſhe would never abandon the confederates, while they acknowledged Mary for their Sovereign, and indeavored to maintain the liberty of their country, and the eſtate of the crown of Scotland. ELIZAB. AN' 1560.

That if the Engliſh took any places in Scotland, they ſhould be either demoliſhed by the Scots, or delivered to the duke of Chateleraut, at his own option; but that the Engliſh ſhould erect no fortification in the realm, without advice of the ſaid duke, and his adherents.

That the duke and all his party ſhould join the Engliſh forces.

That they ſhould declare themſelves enemies of thoſe of their countrymen who ſhould ſerve France againſt England.

That if England was attacked in the ſouth, the confederates ſhould ſend to Queen Elizabeth's aſſiſtance two thouſand foot, and two thouſand horſe, at leaſt; but if in the north, they ſhould join the Engliſh army with all their forces.

That if the earl of Argyle, lord chief-juſtice of Scotland, ſhould join with the confederates, he ſhould be obliged to uſe his indeavors to reduce the north of Ireland under the dominion of Enggland, agreeably to a treaty to be made between him and the lord-lieutenant of Ireland.

That the duke of Chateleraut and his party ſhould give hoſtages to Elizabeth, to remain in England (1) during the time that the marriage between Mary Queen of Scots, and the King of France, ſhould ſubſiſt.

Laſtly, the duke of Chateleraut and his party proteſted, that their intention was to be faithful to their Queen in every thing not repugnant to the laws and liberties of Scotland, and not tending to their ſubverſion.

From this treaty it is evident that Elizabeth's ſole aim was to keep the King of France from making himſelf maſter of Scotland, knowing it was intended to invade her from that quarter.

While this treaty was negociating, the French forces which were in Scotland, continued their purſuit of the confederate Scots into the mountains, contrary to the opinion of Martigues, of the houſe of Luxemburg. This nobleman, who had conducted over the laſt ſuccors from France (2), was for immediately invading England, imagining that, on his approach, the Engliſh Catholics would all riſe and join him. But the regent, better informed of the ſtate of England, judged it not proper to enter on ſo arduous a deſign with ſuch a feeble army. Some time after, while the French were exulting at the ſight of a flying enemy, they diſcovered from a mountain a fleet at ſea, which they at firſt took to be marquis D'Elbeuf's. But perceiving afterwards that naval force to be Engliſh (3), they were of opinion that the forces ſent, by land, to the confederates were not very diſtant. This made them retire to Leith, with deſign to aſſemble there all their forces, and wait the arrival of marquis D'Elbeuf. But he was expected in vain; for a violent tempeſt diſperſed his fleet, and forced him to ſail back to France to refit. Afterwards the troubles in France calling for the aſſiſtance of thoſe troops which were preparing for Scotland, and of thoſe already there, this enterpriſe was utterly blaſted. Buchanan. Camden.

The French forces being retired to Leith, the confederates aſſembled from all places where they were diſperſed, in order to join the Engliſh army, marching to their relief under command of lord Grey (4). At length, on the firſt of April, they came to Hadington, being ſix thouſand ſtrong in infantry, and two thouſand in cavalry, and there Hollingſh. Stow. Thuanus.

(1) For ſix, or four months each; and to be then exchanged, and ſo on.
(2) One thouſand foot, and one or two cornets of horſe. Camden, p. 380.
(3) This fleet was commanded by vice-admiral William Winter. Stow.
(4) William lord Grey of Wilton.

expected

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expected the ſo wiſhed-for Engliſh ſuccors, which were advancing with all poſſible diligence. The Queen-regent fearing to be ſhut up in Leith, choſe rather to retire to Edinburg caſtle, which was commited by the ſtates to the care of John Areſkin, on the expreſs condition of not ſurrendering it without their order. Areſkin received the regent honorably, but ſtill held in his own hands the command of the caſtle.

The regent retires to Edinburg.

March 30. The Engliſh army enters Scotland. Buchanan. Camden. Stow. Hollingſh.

Soon after lord Grey, entering Scotland with ſix or ſeven thouſand foot and twelve hundred horſe, was joined by the confederates, after which, they together marched away for Leith, whither the enemies were retired. It was no inconſiderable undertaking to inveſt a place which had within its walls a whole army; nevertheleſs it was put in execution; there being no other means to expel the French from Scotland. While they were buſied at this ſiege, all poſſible indeavors were uſed by the French King, to perſuade Elizabeth to recall her forces out of Scotland: but ſhe too well knew her intereſt to be ſo wheedled. When De Sevre, the French embaſſador, firſt mentioned it, ſhe anſwered, her troops ſhould be readily recalled, provided the French were ſo too, ſince France had no more right than England to ſend forces into Scotland. At length his ſaid excellency, after many attempts, finding he could not prevail, did, in preſenſe of the Spaniſh embaſſador, declare that, by ſending forces into Scotland, ſhe had violated the treaty of Cateau. To which her Majeſty cooly replied, that the King of France had firſt infringed that treaty, by his attempts to poſſeſs himſelf of Scotland. Some time before, ſhe had publiſhed a manifeſto, declaring her reaſons for interfering in the Scotiſh affairs. Therein ſhe flatly charged the duke of Guiſe and cardinal of Lorrain with being authors of the troubles in that kingdom, in order with more eaſe to effect their deſigns againſt England. To them alſo ſhe wholly aſcribed the injury done her by their Gallic Majeſties, in aſſuming her arms and title.

Leith beſieged.

France preſſes Elizabeth to recall her forces from Scotland. Camden.

Proteſt of the French embaſſador.

Elizabeth publiſhes a manifeſto.

Camden. Thuanus.

Before De Sevre had made his declaration, Monluc biſhop of Valence arrived in England, to preſs the Queen to recall her forces from Scotland, and even would fain have perſuaded her, that Francis II and Mary's having aſſumed her title was purpoſely to do her honor. This excuſe was ſtill more offenſive than the injury. Monluc, ſeeing he could not divert her from the reſolution ſhe had taken to ſupport the Scots, told her, the King of France would reſtore Calais, provided ſhe would withdraw the Engliſh from Scotland. But ſhe anſwered, that ſhe ſet not on that fiſh-town ſo great a value as to purchaſe it at ſuch a price. In the interim, ſhe diſpatched Montague * to Philip II, to acquaint him with her reaſons for aſſiſting Scotland. That embaſſador was to repreſent to him, that the Guiſes had projected uniting the crowns of France and Scotland, and not to miſs, had concerted murdering the earl of Arran, who had happily eſcaped their ſnares (1); wherefore ſhe deſired he would conſider whether ſuch union would be advantageous to Spain.

France offers to reſtore Calais.

Embaſſy ſent to Philip. Camden.

* Anthony Brown.

Camden. Stow.

During theſe negociations, the ſiege of Leith was purſued, but not with any great ſucceſs, becauſe of the numerous gariſon. The fifteenth of April, the French made a ſally, and nailed up three large cannons (2). The thirtieth, the Engliſh, giving a fierce aſſault, were briſkly repulſed. The firſt of May they ſtormed again, but with no better ſucceſs. The length and difficulties of this ſiege began now to diſcourage them, when the duke of Norfolk, warden of the northern marches of England, ſent a powerful reinforcement, and went perſonally to the Engliſh camp, to incourage carrying on the ſiege. They would nevertheleſs have ſcarcely reduced the place, had not the conſpiracy of Amboiſe (3), which was then diſcovered in France, convinced the Lorrain Princes that the ſeaſon was not proper for executing the projects they had formed againſt England: ſo, inſtead of ſending into Scotland a freſh ſupply of troops, they thought of recalling thoſe already there, judging they might be wanted in France. To this end it was that Monluc biſhop of Valence, and count de Randan were diſpatched away to Scotland, with full powers from King Francis to conclude a peace. Elizabeth, having thereof notice, ſent alſo ſecretary Cecil, and doctor Wotton, with like powers. The plenipotentiaries immediately agreed to meet at Edinburg in July, and, in the interim, concluded a truce, which was to laſt 'till the end of their conferences. During this truce, June the tenth, the Queen regent died in Edinburg caſtle.

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France deſires peace. Camden. Rym. Fœd. Vol. XV. p. p. 581. Stow. Buchanan.

Truce in Scotland. Stow. Buchanan. Burnet.

When the peace came to be negociated, the French plenipotentiaries abſolutely refuſed treating with the Scotiſh confederates, alledging it would be injurious to the royal authority, they being rebels. This refuſal might have put a period to the congreſs, but, as both ſides were deſirous of peace, a certain expedient was finally deviſed, viz. Francis and Mary ſhould grant the confederates ſome terms, not by way of treaty, but as of pure grace, and that nevertheleſs they ſhould promiſe to obſerve them, in their treaty with the Queen of England. This was in effect the very ſame, but the embaſſadors, probably, with a view of ſome advantage, prefered this medium. Moſt hiſtorians, in the treaty concluded ſoon after at Edinburg, confound two particulars, which ſhould however be diſtinguiſhed; namely, the conceſſions of Francis and Mary to their Scotiſh ſubjects, and the treaty between France and England. As of theſe two one was obſerved, and the other not, it is neceſſary to have thereof a diſtinct idea. The promiſes made the Scots were:

A peace negociated,

That the French forces ſhould quit Scotland in twenty four days, and return to France, in veſſels to be furniſhed by Elizabeth.

and finiſhed at Edinburg. Buchanan.

That the city of Leith ſhould be reſtored to Scotland, and the fortifications demoliſhed.

That the works made by the French at Dunbar ſhould be razed.

That the King and Queen of France and Scotland ſhould grant the confederates a general and complete amneſty for whatever had been tranſacted from the tenth of March 1559, to the firſt of Auguſt 1560, and that this act of oblivion ſhould be approved and confirmed by the ſtates of Scotland, to be aſſembled the inſuing Auguſt, with conſent of the King and Queen.

That the French ſhould have liberty to leave ſixty men in the iſle of Keith (4).

But with regard to the intereſts of Elizabeth, a real treaty was concluded, which will be hereafter frequently mentioned by name of the treaty of Edinburg, containing,

That for the future, the King and Queen of Scotland ſhould not aſſume the title of King and Queen of England and Ireland, nor bear the arms of thoſe kingdoms.

Rym. Fœd. Vol. XV. p. 593. Stow. p. 646.

That the patents and other acts, which had been

(1) This juſtifies Buchanan's account of the deſign laid to arreſt and detain the earl of Arran in France. Rapin.
(2) And at the ſame time took priſoner ſir Maurice Berkley. Camden, p. 381.
(3) Whereof we ſhall preſently have ſome account.
(4) That the Queen might not ſeem to be thrown out of the intire poſſeſſion of Scotland. Buchanan.

diſpatched

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diſpatched under that title, ſhould be altered, or remain of no force.

That the farther ſatisfaction required by the Queen of England, for the injury done her, ſhould be refered to a conference, between the commiſſioners of both crowns, at London.

That, in caſe the commiſſioners could not agree, the deciſion ſhould be left to the King of Spain.

That the King and Queen of France and Scotland ſhould perform the promiſes made to the Scots, at Edinburg, by the plenipotentiaries of France.

It muſt be obſerved, that Buchanan in his hiſtory has only mentioned the articles granted to the confederate Scots; and Camden, in his annals of Elizabeth, takes notice only of the treaty between the two crowns. This cauſes ſome obſcurity in their reſpective accounts of the ſubſequent events.

Treaty, as it related to Scotland, is confirmed. Buchanan. Rym. Fœd. Vol. XV. p. 591. Spotſwood.

After concluſion of the treaty, the French and Engliſh quited Scotland; the fortifications of Leith and Dunbar were demoliſhed, and the act of oblivion ſent over into Scotland, was confirmed by the ſtates. Theſe ſame ſtates, aſſembled in Auguſt, made laws favorable to the reformation, and ſent them to the King and Queen for their approbation, rather to diſcover their ſentiments, than with any hopes of obtaining their deſires, and yet they cauſed theſe new laws to be punctually obſerved.

refuſed, as it related to Elizabeth. Camden.

But as to the treaty concluded between the two crowns, Francis and Mary refuſed to ratify it, for a reaſon the force whereof is not eaſily conceived. It was, they ſaid, becauſe the Scots, falſely ſtiling themſelves faithful ſubjects, had made a treaty with Elizabeth in their own private names, without any warrant from royal authority. If this refuſal had only concerned the articles granted the Scots, Elizabeth might have believed that the French court repented their conceſſions, and then the reaſon alledged might have carried with it ſome color. But whatever related to the Scots being already performed, their pretended incroachment could not render invalid a treaty relating merely to a difference between Elizabeth and Mary, and wherein the conduct of the Scots was not in the leaſt concerned. It was therefore eaſy to infer, that this weak reaſon was no other than a bare pretext uſed by Francis and Mary, to elude what they had promiſed in the treaty with reſpect to Elizabeth. Accordingly, her ſaid Majeſty was convinced, that the Princes of Lorrain ſtill perſiſted in their deſign of wreſting from her the crown; and this belief was ever rooted in her mind. Mary's ſaid uncles did not then foreſee how dear this procedure would one day coſt their niece, of whoſe agrandiſement they ſeemed ſo paſſionately deſirous.

The Queen ſought in marriage by ſeveral Princes and noblemen. Camden. Burnet.

While Elizabeth was imployed in theſe affairs, her court was attentive to obſerve her motions, her conduct and inclinations, with regard to matrimony. Tho' ſhe told her parliament, ſhe was reſolved to remain ſingle, ſuch reſolutions were known to be liable to change, and the more, as diverſe Princes, and even ſome private nobles, deſpaired not to make her alter her mind. Charles, archduke of Auſtria, the Emperor Ferdinand's ſecond ſon, the King of Sweden and the duke of Holſtein, had already made their addreſſes. The earl of Arran the duke of Chateleraut's ſon, building on Queen Mary's ſterility, and thence on his own ſucceſſion to the crown of Scotland, flattered himſelf, that Elizabeth would prefer him to any other, in order to unite the two realms (1). To theſe were added others, who, being her ſubjects, and not daring to declare their minds ſo openly, were contended with leaving her to gueſs their inclinations, or with diſcloſing them by means of ſome of her ladies. One proceeded on his birth, another on his merit, a third on his graceful perſon and external accompliſhments, apt to inſpire the fair ſex with tender and amorous ſentiments. In ſhort, ſhe was indirectly aſſaulted on all ſides which are generally thought weakeſt in a woman. The earl of Arundel *, of a moſt ancient and noble deſcent, tho' ſomewhat advanced in years, imagined the Queen would marry a ſubject, rather than a Sovereign, and if ſo, that no perſon better merited ſuch honor than himſelf. Sir William Pickering (2), having received ſome particular tokens of her Majeſty's eſteem, deſpaired not that theſe introductory favors would be extended much farther. But no man believed he had better grounds to flatter his hopes than Robert Dudley, ſon of the late duke of Northumberland. The Queen viſibly prefered him to all who had the honor to approach her, and gave him ſo many proofs of the inclination ſhe had for him, that for ſome time it was believed ſhe intended to marry him. At her acceſſion to the crown, ſhe made him maſter of the horſe, and knight of the garter. From thence forwards ſhe took a pleaſure to diſtribute her favors by his channel; ſo that, by this diſtinction, ſhe diſcovered her having for him more than a bare eſteem. At court he was ſtiled only My Lord, without other addition, which demonſtrated her preference of him to all the nobility: and yet, when his pretenſions to ſuch diſtinguiſhing favors were examined, no qualities were found in him fit to make impreſſion on ſo diſcerning a Princeſs. His vices far ſurpaſſing his virtues, recourſe was had to the planets which ruled his birth, and occaſioned this ſtrange ſympathy. However this be, he was at court a very great favorite. All affairs were imparted to him: embaſſadors gave account to him of their negociations: all applied to him for their concerns at court, and woe to thoſe who addreſſed any other; that was a crime not readily pardoned.

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* Henry Fitz-Alan.

Robert Dudley in great favor. Camden. Naunton.

The Queen had two other favorites, but of a different ſort from Dudley, as they were only for government matters. Theſe were Nicolas Bacon, and William Cecil. The firſt was made keeper of the great ſeal, with all the privileges of lord chancellor. William Cecil had been ſecretary of ſtate to Edward VI, and ſo well diſcharged the office that, had not his religion ſtood in the way, he had been continued under Mary. He was not however expoſed to perſecution, whether he ſo artfully managed as to give no advantages againſt him, or his particular merit procured him a diſtinction above all other Proteſtants. He had a very uncommon genius, a ſound judgment, a capacity for great affairs, with indefatigable application, impenetrable ſecreſy, and a conſtant tendency to his ſole view, which was his Sovereign's welfare and advantage; wherefore it is not ſtrange if he preſerved, during his life, the favor of a Queen who ſo perfectly knew her own intereſt. When able Princes are bleſſed with ſuch miniſters, they do not part with them eaſily.

Bacon and Cecil prime miniſters. Naunton. Statut. 5 Eliz. c. 18.

In the ſituation of Elizabeth's affairs, ſhe ſtood in need of the guidance of able and diſintereſted miniſters. Wherever ſhe turned her eyes out of her kingdom, ſhe ſaw not one friend really concerned for her welfare. She had at firſt relied on the King of Spain; but Montague's report of his embaſſy to that Prince diſappointed all her expectations from him. When this embaſſador, after diſcourſing

Philip gives a very cold reception to Elizabeth's embaſſy. Camden.

(1) Camden (p. 382) ſays, he was recommended to her by the Proteſtants of Scotland, with the view and hopes of uniting the two kingdoms.

(2) Not ſir George, as M. Rapin miſtakes. He was of a deſcent inferior to few of the nobility; was honored with the garter, and had, by his embaſſies in France and Germany, diſplayed his great abilities for public affairs. Camden, p. 383.

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with Philip about the Scotiſh affairs, demanded, agreeably to his inſtructions, a renewal of the ancient alliance between England and the houſe of Burgundy, he found him very cold. Philip replied with deploring the innovations made in England with regard to religion, and expreſſing thereat his deep concern. He complained of his not having notice of the ſending Engliſh forces into Scotland 'till it was too late; nevertheleſs he counſeled Elizabeth to have it inſerted in the future treaty between her and Mary, that if France ſent over troops to Scotland, ſhe ſhould alſo have liberty to do the like, and to ſtipulate poſitively the reſtitution of Calais. He added, he had thitherto prevented Elizabeth's excommunication, and obtained from the Pope a promiſe, that nothing ſhould be done in that affair without his knowledge. As to renewing the treaty, he coldly anſwered, it was needleſs.

Returns the garter.

Finally, he put into Montague's hands his collar, &c. of the order of the garter. All this ſufficiently convinced Elizabeth that Philip was no longer her friend, and that his advice, which came too late, was more the effect of his jealouſy at the Gallic monarchy's growing power, than of his affection for her. Some time after, ſhe gave him ſomewhat of a mortification, in denying certain Engliſh Catholics (1) leave to reſide in his Netherland dominions, and preſerve their effects in England. Among theſe was Jane Dormer, grandmother of count De Feria's lady, whom he eſpouſed in England during his embaſſy. This ſo irritated the ſaid Spaniſh count, that he imployed his whole credit with Philip to exaſperate him againſt the Queen of England. He even found means to get into the Inquiſition a certain domeſtic of Chamberlain, the Engliſh embaſſador in ordinary at the court of Spain. He alſo ſtrongly ſollicited the Pope to excommunicate her; but without ſucceſs. Pius IV was for trying other methods, by him judged properer to gain upon that Princeſs, and which were not any way obſtructive to his eccleſiaſtical cenſures, which he could thunder againſt her whenever he pleaſed.

She refuſes a requeſt from him. Camden.

The Pope indeavors to gain Elizabeth, Camden.

With this view it was, that his ſaid Beatitude diſpatched away to England Vincenzo Parpaglia, abbot of San Salvatore, with certain inſtructions, and a letter for her Majeſty, exhorting her return into the pale of holy mother church, and promiſing ſpeedily to continue the general council (2). It is pretended that this nuncio was alſo impowered to tender her the Pontif's offer to annul the ſentence of Henry's divorce from Ann Boleyn, and the ſubſequent act of parliament; confirm the Engliſh liturgy, and permit the Engliſh to communicate in both kinds. But theſe offers were not capable of moving Elizabeth; and the rather as, according to all probability, they were not ſincere, at leaſt in what regarded religion. Hence may be gathered what ſentiments the Roman court, and all Papiſts, were in concerning Elizabeth's birth, ſince it was offered as a great favor to own her for Henry VIII's legitimate daughter.

but without ſucceſs.

Camden.

Mean time, Elizabeth very cloſely applied to her own government affairs, in order to render her ſubjects as happy as poſſible, being very ſenſible her main ſupport was to flow from them in caſe of any attack, and whereof ſhe had reaſon to be apprehenſive. This year, ſhe was neceſſitated to reſtore the coin to its ancient ſtandard, which had been extremely debaſed in the reign of Henry VIII, tho' no King had ever ſo much of his ſubjects treaſure (3). If cardinal Pole may be credited, this Prince alone drew more money from the people, than all the Kings together ſince the conqueſt. The monaſtery of Weſtminſter was this year converted into a collegiate church (4). Theſe were the moſt remarkable tranſactions of England in 1560. But before we proceed to thoſe of a new year, ſome brief mention muſt be made of what paſſed in the neighboring ſtates.

Stow. Hollingſh.

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Rym. Fœd. Vol. XV. P. 590.

From the very commencement of the year, France was viſibly menaced with diſquiets. The Proteſtants ſeeing themſelves perſecuted, and unmercifully condemned to the fire, judged it high time to provide for their common defenſe. To this end, ſome of them, after a private conference, formed a conſpiracy againſt the duke of Guiſe and cardinal of Lorrain, King Francis's miniſters and their declared enemies. They had no apparent chieftain; but, very ſeemingly, the Prince of Condé, jealous of theſe two foreign Princes, had among the Reformed emiſſaries, thoſe who intimated, that, when matters were ripe, they ſhould not want a ſupport. However this be, a gentleman, named La Renaudie, projected to carry off the Lorrain Princes, then with the King at Amboiſe. This attempt miſcarrying was interpreted as a conſpiracy againſt the King himſelf, and twelve hundred perſons, either guilty or only ſuſpected of being therein concerned, actually loſt their lives. The two Lorrain Princes would, under this pretext, gladly have diſpatched the Prince of Condé, but their meaſures not being yet well taken, they waited a more favorable occaſion. Some time after, the general ſtates being aſſembled at Orleans, the King of Navarre and Prince of Condé indiſcretely repaired thither, tho' they had intimation of the court's ill deſigns againſt them. The King of Navarre indeed was not put under arreſt, but was ſo carefully watched that he could not poſſibly get away. The Prince of Condé was impriſoned, and ſoon after ſentenced to loſe his head: but the death of King Francis, intervening at the very juncture, not only prevented Condé's execution, but procured his releaſe.

Affairs of France. Mezerai. Thuanus. P. Daniel.

Death of Francis II. Buchanan.

This ſame year, Philip II, having carried war into Africa againſt the corſair Dragut, who had made himſelf King of Tripoli (5), his arms were ſo unſucceſsful, that he was forced to recall the Spaniſh troops left in the Netherlands. With great pleaſure the people of thoſe provinces beheld the Spaniards depart; and their ſatisfaction would have been much increaſed had cardinal Granvelle been alſo recalled, for they mortally hated him, and were incouraged in their hate by the Prince of Orange, and the counts of Egmont and Horn, his avowed enemies.

Affairs of the Netherlands. Grotius.

Francis II's death occaſioned in the Gallic court great alterations. Charles IX, his brother and ſucceſſor, being yet a minor, his mother, Catherine di Medicis, had the addreſs and influence to prevail with the King of Navarre, firſt Prince of the blood, to yield her the regency, and content himſelf with the title of lieutenant-general. Mean while, as ſhe was not quite free from apprehenſions that he might one day think of reſuming the rank due to his birth, ſhe fomented with all her art the diſſenſions which had begun to appear in the late reign. By this means, ſhe at

Sequel of the affairs of France. Charles IX. ſucceeds his brother. Thuanus. Mezerai.

(1) Richard Shelly late prior of St. John of Jeruſalem's order in England, Thomas Harvey, &c. Camden, p. 383.

(2) The famous council of Trent, opened many years before, but interrupted by wars, or the intrigues of Popes.

(3) The greateſt allay was in the 5th of Edward VI. Elizabeth reduced the ſilver coin to eleven ounces, two pennyweight fine, and eighteen pennyweight allay; the preſent ſtandard.

(4) For a dean, twelve prebends, ſchoolmaſter, uſher, forty ſcholars, beſide chaplains, ſinging-men, twelve penſioners, &c. Camden, p. 385.

(5) The remarkable ſtory of this famous corſair is, at large, in my Hiſtory of Algiers, Vol. II.

length

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length formed two parties in the court and kingdom, which proved her ſecurity, as ſhe was neceſſary to both. The firſt was headed by the duke of Guiſe, conſtable Montmorency, and marſhal St. André. Theſe three noble chiefs were ſtiled the Triumvirs. In their faction were all the Catholics of the realm, into whom was infuſed a belief, that thoſe chiefs had no other view than to maintain the Romiſh religion. At the head of the other party, wholly conſiſting of Hugonots (ſo were termed the French (1) Proteſtants) were the Prince of Condé, admiral Coligny or Chatillon, and his brother Andelot. The King of Navarre fluctuated between the two parties, without being able to determine; and the Queen-regent reaped great advantages from this diviſion among the grandees.

France being in this ſituation, Elizabeth ſeemed to be clear of all danger from that quarter. Francis's ſucceſſor had no pretenſe to concern himſelf with the affairs of Scotland, any farther than as a common ally, and he had not the leaſt demand upon England. On the other hand, the Queen-regent, who had no great affection for her daughter-in-law, was far from ingaging in a war for her ſake. Even could ſhe have conceived any hope of ſeating her on the throne of England, it was not her intereſt to make the houſe of Guiſe more powerful than it was already. Laſtly, the Princes of Lorrain, buſied in ſtruggling with their enemies at court, were not in condition to proſecute the rights of the Queen their niece. Wherefore, immediately after Francis II's deceaſe, Mary, by the advice of her uncles, quited the title of Queen of England, which ſhe had borne ever ſince the treaty of Cateau: but this ſufficed not to content Elizabeth. Mary being ſtill in her very prime, might marry ſome great Potentate, and to him transfer her pretenſions: therefore, to ſet Elizabeth's mind at eaſe, this youthful Queen was ſolemnly to declare, ſhe had no right to that title, otherwiſe ſhe might have reſumed it whenever ſhe pleaſed; a bare interruption being not ſufficient to invalidate her claim. By the way, Elizabeth, like her grandfather Henry VII, was, during her whole reign, ſo jealous of her crown, that ſhe underwent perpetual uneaſineſs merely on that ſcore. When ſhe heard of Francis's death, ſhe ſent over to France the earl of Bedford, with her compliments of condolance and congratulation to the new King, and ordered him to preſs Mary to ratify the treaty of Edinburg. The embaſſador diſcharged his commiſſion, and was anſwered by Mary, that this affair not concerning her as Queen of France, but as Queen of Scotland, ſhe would not confirm it without advice of the Scotiſh nobility (2). Mean time, as ſhe knew herſelf not beloved by her mother-in-law, the Queen-regent, ſhe left the court of France, and retired to Rheims, where her uncle the cardinal was archbiſhop, there to paſs part of the winter, and afterwards ſhe went to reſide at Nancy. During her abode at Rheims, ſhe received a viſit from Martigues, La Broſſe, D'Oyſel, and the biſhop of Amiens, who, being acquainted with the affairs of Scotland and knowing her intention to return thither, believed it incumbent on them to give her ſome inſtructions. She came thence ſo young, that ſhe was utterly ignorant of the kingdom ſhe was going to govern. Melvil ſays, they adviſed her to gain, by her favors, James Stuart, prior of St. Andrew's, her natural brother; the earl of Argyle, who had married Jane Stuart, her natural ſiſter; ſir William Maitland of Lethington, and ſir William Kirkaldy, laird of Grange; and to rely on the Proteſtants rather than the Romaniſts, as the former were in all reſpects ſuperior. Some time after, on her way to Nancy, ſhe gave audience to John Leſley, ſent to her from her Catholic ſubjects. Leſley ſays, in his hiſtory of Scotland, that he adviſed her, agreeably to his inſtructions, not to confide in the prior of St. Andrew's, and to repair to Aberdeen, where ſhe might be at the head of a good body of Catholic troops, to reſtore religion to the ſtate it was in before the late innovations: but ſhe was too prudent to follow ſuch dangerous counſel. Next day, the prior of St. Andrew's, who was alſo come to France to pay her his reſpects, met her at Joinville, and gave her counſels more ſuitable to the ſituation of her affairs. He confirmed her in the reſolution ſhe had taken of returning to Scotland, and adviſed her to reign like her predeceſſors, with the concurrence of the ſtates, aſſuring her, it was the only way to live quiet and happy (3). Mary, agreeably to this advice, ordered him to return to Scotland, and prepare all things for her reception. Moreover, ſhe put into his hands a patent, impowering the ſtates to meet and ordain whatever they ſhould judge convenient for the kingdom's benefit. Thus, Leſley's pains to prejudice her againſt Stuart, was for once ineffectual. This Leſley, afterwards biſhop of Roſs, greatly contributed, by his intrigues and violent counſels, to the misfortunes which at laſt fell on the head of the Queen his miſtreſs. Stuart arriving in Scotland, notwithſtanding Leſley's indeavors to have him arreſted in France, delivered to the ſtates the patent ſent them by Mary. As almoſt all Scotland was then Proteſtant, the ſtates imployed the general power granted them by the Queen to eſtabliſh the reformation, by public authority. This was followed by orders to demoliſh all the monaſteries, which was inſtantly put in execution.

Mean time Mary, preparing to ſail for Scotland, ſent D'Oyſel to Elizabeth for a ſafe-condoct. Elizabeth anſwered, ſhe hoped Queen Mary would ratify the treaty of Edinburg, after which, ſhe ſhould not only have a ſafe-conduct, but alſo, without being expoſed to the dangers and fatigues of the ſea, might paſs thro' England, where ſhe ſhould be received with all the marks of affection ſhe could expect from a good ſiſter (4). Mary complained of this anſwer to Throckmorton, the Engliſh embaſſador, in ſuch terms as evidenced her being thereat extremely offended. She told him, "As ſhe came "into France in ſpite of Edward, ſhe could return "to Scotland notwithſtanding Elizabeth's oppoſi-"tion: ſhe was heartily vexed for aſking a favor "ſhe could ſo well be without: that this refuſal, "and the aſſiſtance given by Elizabeth to the Sco-"tiſh rebels, clearly evidenced how little ſhe de-

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p. 26.

Leſley. Buchanan.

Buchanan. Melvil.

The ſtates of Scotland eſtabliſh the reformation. July. Buchanan.

Elizabeth refuſes a ſafe-donduct to Mary. Camden.

whereat Mary is highly offended.

Mary quits the title of Queen of England.

Preſſed by Elizabeth to ratify the treaty of Edinburg.

Anſwers evaſively. Warning. p. 12. Camden.

The poſture of her affairs. Melvil. p. 30, 31. Leſley.

(1) So ſtiled, either from Hugo's gate, in the city of Tours, where they firſt uſed to aſſemble; or from King Hugo's ghoſt, which was the ſcare-crow uſed in that town to frighten children, and which was ſaid to walk in the ſuburbs during night, it being the uſual time and place where the Proteſtants were wont to meet. Charles IX, by his edict, inhibited this appellation. Thuanus, l. 24.

(2) This affair being thus put off from time to time, Queen Elizabeth began to ſuſpect ſome plot was hatching againſt England, and therefore reſolved to prevent it. Accordingly, ſhe diſpatched to Scotland ſir Thomas Randolph, to cultivate a good underſtanding between the Engliſh and Scotiſh nations. Camden, p. 385.

(3) Camden ſpeaks quite otherwiſe of James Stuart. Rapin. Camden ſays, he adviſed Queen Elizabeth to intercept Mary in her paſſage, and that Lidington was alſo of the ſame mind, leſt at her return ſhe ſhould treat the Proteſtants of Scotland with extremity of rigor, not as traytors, but heretics, as Queen Mary of England had done before her. p. 387.

(4) Buchanan is in the wrong to omit the conditions whereon Elizabeth was willing to grant a ſafe-conduct. Rapin.

"fired

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"fired to preſerve a good intelligence between the "two kingdoms: that it was matter of aſtoniſh-"ment to her, that the Queen of England ſhould "obſtruct the return of her near relation, and moſt "certainly preſumptive heir, into her own country: "that ſhe could have no pretenſe for this, ſince "ſhe could not accuſe her of meddling with the "affairs of England, tho' the diſcontent of the "Engliſh afforded her ſufficient opportunity. She "added, ſhe was a Queen as well as Elizabeth, "and not deſtitute of friends when they ſhould be "wanted: that the treaty of Edinburg was made "in the life-time of her huſband, and if he delayed "to ſign it, he alone ought to bear the blame: "that ſince ſhe was a widow, neither the council "of France, nor her uncles had concerned them-"ſelves with the affairs of Scotland: that the Scots "about her were private perſons, whom ſhe nei-"ther could nor ought to conſult in a matter of "ſuch importance; but ſo ſoon as ſhe had adviſed "with the ſtates of Scotland, ſhe would return a "ſuitable anſwer: that therefore ſhe was haſtening "her return into Scotland; but Elizabeth intended "to ſtop her journey, and ſo alone was the cauſe "of the delay ſhe complained of. She concluded "with ſaying, ſhe had never offended Elizabeth, "and deſired the embaſſador to tell her the reaſon "of her anger."

Throckmorton replied, his order was only to receive her anſwer concerning the treaty of Edinburg: but ſince ſhe deſired it, he would for a moment lay aſide the embaſſador, and give her his ſentiments as a private man. Then he told her, the Queen his miſtreſs was very much offended at her aſſuming the title and arms of England, which ſhe had not done in Queen Mary's reign, and left her to judge, whether a greater indignity could be offered to a crowned head. Mary anſwered, ſhe did it by the expreſs command of Henry II, her father-in-law, and of Francis her huſband, whom ſhe was obliged to obey; but upon the death of her huſband, ſhe had, when miſtreſs of herſelf, quited both arms and title: that however, ſhe being a Queen, and grand-daughter of Henry VII's eldeſt ſiſter, did not believe it injurious to any perſon to bear the arms of England, which had been done by others more remotely allied, without any noiſe. Camden, from whom this is taken, recites not Throckmorton's reply: it would however be ſtrange that he ſhould be ſatisfied with reaſons ſo void of ſolidity. Elizabeth did not only demand, that Mary ſhould quit the title and arms of England, but alſo ſhould declare, in the moſt expreſs manner, that ſhe never had any right to aſſume them: nay ſhe expected a ſolemn reparation for this incroachment, as appears by the treaty of Edinburg. Now Mary's quiting the title and arms of England, without owning ſhe had no right to aſſume them, was very far from contenting Elizabeth, who would not have had any perſon whoſoever even pretend to the title of Queen of England, herſelf alone excepted. Mary's alledging that others had borne the ſame arms without any offenſe, pointed to the marquis of Exeter, and ducheſs of Suffolk: but between them and Mary were three very notable differences. The firſt was, they bore theſe arms by the King's ſpecial grant. The ſecond, that theirs was diſtinguiſhed by a limb or border. The third, that they never aſſumed the title of King and Queen of England.

Elizabeth ſuſpicious of Mary. Camden.

All this gave Elizabeth a ſtrong ſuſpicion that the Scotiſh Queen was forming ſome dangerous deſign, and in relinquiſhing the title and arms of England, intended only to amuſe her, ſince ſhe refuſed to own the injuſtice of aſſuming them. In ſhort, Mary, being determined on returning into Scotland without Elizabeth's ſafe-conduct, ſent for Throckmorton to Abbeville, and demanded of him, what was to be done to content Queen Elizabeth. Throckmorton replied, ſhe had only to ratify the Edinburg treaty, as he had ſo frequently intimated. Her anſwer to this was, that ſhe could not conceive, why ſhe was thus urged to ratify a treaty already executed: that the articles concerning the Scots had been truly performed: that, as ſhe had quited the title and arms of England, ſhe could not be accuſed of ſeeking evaſions not to ratify the the treaty, ſince a treaty already executed required not a ratification: that the Scots could not complain of being treated too rigorouſly, but that ſhe perceived the perſon who would prevent her return into Scotland, would prevent their injoying the effects of her clemency. She added, ſhe would write to the Queen of England with her own hand, and deſired the embaſſador rather to compoſe than aggravate matters. But the letter ſhe wrote on this occaſion gave not the ſatisfaction Elizabeth believed ſhe had reaſon to expect. As Mary's uſurping the arms and title of England, and her refuſing to ratify the Edinburg treaty, were the baſis and foundation of the differences between theſe two Queens, and had a conſtant influence upon this reign, it will not be unneceſſary to add ſome obſervations to what has been ſaid, in order to ſet in a clearer light the reaſons and intereſts of both.

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The intereſts and political views of the two Queens with regard to the treaty of Edinburg.

Elizabeth was counted ſpurious, both in France and all other Catholic countries. On this ground it was that Henry II obliged the Dauphin his ſon, and the Scotiſh Queen, his ſaid ſon's conſort, to aſſume the title of King and Queen of England, and that, even after his deceaſe, they continued bearing them. Elizabeth was far from being ſo ſhort-ſighted as not to perceive that this pretext would be more than ſufficient to deprive her of the crown, ſhould it ever come to be ſupported by force. On the other hand, ſhe could not doubt that ſuch a deſign was formed by Mary and her friends: her having aſſumed the title of Queen of England was thereof a manifeſt indication. It was therefore requiſite to provide for her ſafety. The civil war in Scotland naturally preſenting itſelf, ſhe aſſiſted the male-contents; and, whereas France was reſolved to invade her from that quarter, gave Francis and Mary cauſe to apprehend ſhe would deprive them of Scotland. This produced the treaty of Edinburg, which was never ratified by Francis, and after his deceaſe, Mary perſiſted in her refuſal, contenting herſelf with only quiting the title of Queen of England: but this was not a ſufficient ſecurity for Elizabeth. As Mary had relinquiſhed the title without giving any reaſon, ſhe could reſume it the firſt opportunity; and this was what Elizabeth ſought to prevent, and the more, as Mary's obſtinate refuſal gave her cauſe to believe it was really intended.

An' 1561.

Mary on her ſide had ſtrong reaſons to elude this ratification. She was perſuaded of Elizabeth's not being King Henry VIII's legitimate daughter, and that neither his will nor any act of parliament could give her a right which nature denied. On this ſuppoſition, Mary believed the crown of England was devolved on her, as next heir to the deceaſed Queen, and tho' Elizabeth had poſſeſſion, ſhe deſpaired not of wreſting it from her, with the aſſiſtance of France, Spain, the Pope, and the Engliſh Papiſts. But if, by ratifying the treaty of Edinburg, ſhe owned herſelf in the wrong to aſſume the title of Queen of England, and promiſed under oath never to bear it more, ſhe had cauſe to fear her friends would greatly abate their zeal. To what purpoſe then did Francis order his plenipotentiaries to ſign a treaty, which he intended not to ratify? This queſtion may very eaſily be anſwered. He could not otherwiſe withdraw his forces from Scotland, where they were beſieged, nor

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nor oblige Elizabeth to recall the Engliſh. As to his breach of his word, that was not what gave the French court any great concern. Now as Mary was at that time in ſubjection to a huſband, ſhe threw upon him whatever was amiſs in this procedure.

The ſecond reaſon Mary had to refuſe this ratification was ſtill of more weight. The French plenipotentiaries, in ſigning the treaty, made a wrong ſtep, for want of being ſufficiently acquainted with the poſture of affairs in England. They ſuffered to be inſerted in the treaty, without any reſtriction, this general clauſe, "That, for the future, Francis "and Mary ſhould not aſſume the title of King "and Queen of England." Now Mary had reaſon to apprehend theſe words, "for the future," might be a ſnare to make her renounce for ever the crown of England, on account of her religion. She deemed this apprehenſion the better grounded, as the Engliſh had plainly manifeſted their intention to regulate the ſucceſſion by Henry VIII's will, wherein the poſterity of Margaret Queen of Scotland were excluded, and the ducheſs of Suffolk ranged next after Elizabeth. It ſeemed therefore to her, that a ratification of the Edinburg treaty would give occaſion to ſay, ſhe complied with the will of Henry VIII, which could not but redound to her extreme prejudice. Elizabeth's being in a like ſentiment is ſcarce to be doubted, ſince afterwards, when Mary, preſſed by the ill ſituation of her affairs, offered to ratify the treaty, with this alteration of the clauſe in diſpute, "That during the "life of Elizabeth ſhe would not take the title of "Queen of England," Elizabeth was not ſatisfied. This is very evident, that her intention was to make uſe of the ratification to deprive Mary of her birthright, or at leaſt, to hold her in ſubjection, by keeping her in a perpetual uneaſineſs concerning her ſucceſſion. Mary, in evading the ratification of the treaty, on pretenſe of the prejudice it might do her, did in effect refuſe acknowledging ſhe had done amiſs in aſſuming the title of Queen of England, during Elizabeth's life, and thereby preſerved all her claim to be inſerted on occaſion; for it was not 'till ſome years after that ſhe offered the above-hinted modification. On the other hand, Elizabeth, under color of requiring Mary only to renounce a right ſhe had aſſumed to her prejudice, would have ingaged her to ſign a moſt equivocal clauſe, which might have deprived her of all her rights. Theſe remarks will hereafter appear to be not quite uſeleſs.

Mary arrives in Scotland. Auguſt 21. Leſley. Buchanan. Blackwood.

Mary, tho' ſhe had no ſafe-conduct from Elizabeth, put to ſea, and happily arrived in Scotland. Some affirm that, only by means of a fog, ſhe eſcaped the Engliſh fleet, which waited to intercept her (1): but this is barely conjecture, without any proof (2). It is however probable, that, as affairs ſtood between her and Elizabeth, had ſhe been taken, ſhe would ſcarce have been permited to leave England very ſuddenly, at leaſt 'till ſhe had ratified the Edinburg treaty. She was received in her kingdoms with great demonſtrations of joy, both by nobility and commonalty: but ſhe had the mortification to find the reformation eſtabliſhed by laws ſo ſevere, that only herſelf was allowed the liberty of having the maſs in her own chapel, and that without any oſtentatious pomp or pageantry. Nevertheleſs, diverſe of the nobility ſtill adhering to the ancient belief, and hoping to reſtore it by her authority, made their court to her with the utmoſt aſſiduity. Of this number were George Gordon earl of Huntley, the earls of Athol, Crawford, Sutherland, with ſome biſhops. As for the duke of Chateleraut, it was no eaſy matter to divine what religion he was of, ſo ambiguous had his conduct been hitherto. The other nobles I have named, were very conſiderable by their birth, wealth, vaſſals, and dependants: and yet they would never, perhaps, have thought of reſtoring Papiſm, had they not depended on the favor of her Majeſty, who alone could balance the Proteſtants power. Their firſt project was to attempt alienating her from ſuch of the Proteſtants as had with her, and in the kingdom, moſt credit. James Stuart, he natural brother, was the main object of her hatred, on account of his adherence to the reformation: beſide, the Queen having, at her arrival, commited to him the adminiſtration of affairs, it would be very difficult for them to undertake any thing without oppoſition from him, while he continued in that ſtation; for which reaſon, they neglected not whatever might contribute towards ruining him with his royal ſiſter. But it is needleſs to be more circumſtantial in theſe intrigues; it ſuffices this is abſolutely neceſſary for the ſequel.

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The Papiſts project reſtoring their religion in Scotland. Buchanan.

Attempts to ſupplant James Stuart.

The haughtineſs wherewith Mary talked to the Engliſh embaſſador, before ſhe left France, was not only unſuitable to her preſent circumſtances, but even contrary to her meaſures, and the projects ſhe had formed with her uncles. While Francis II lived, theſe Princes believed the forces of France would be ſufficient to reduce Scotland, under color of extirpating hereſy: and afterwards, in conjunction with the Scotiſh troops, it would be eaſy to enter England, and, with the aſſiſtance of the Engliſh Catholics, dethrone Elizabeth: but the war they had excited in Scotland taking a very different turn from what they expected, and Francis's death immediately following it, they perceived other meaſures were to be taken, and the execution of their project for ſome time poſtponed. They therefore counſeled the Queen their niece, voluntarily to quit the title of Queen of England; to return into Scotland; to contract a ſtrict friendſhip with Elizabeth, if poſſible to be effected; to indeavor being declared her preſumptive heir, and, under color of that correſpondence, to labor at forming a party in England, where was no want of malecontents, to be ſerviceable on occaſion. The whole courſe of this hiſtory evidences this to have been Mary's real ſcheme, and I ſhall give thereof moſt convincing proofs in the ſequel. Nothing therefore was more contrary to theſe meaſures than her quarrel with Elizabeth, whoſe friendſhip ſhe ought to have courted, in order to obtain the declaration ſhe deſired, by means whereof ſhe was to ſtrengthen her party in England. On her arrival in Scotland, ſhe indeavored to correct this error, by ſending Maitland to Elizabeth, to notify her being got ſafe to Edinburg, and to ſollicit her Majeſty's amity. The embaſſador likewiſe carried a letter from the prime Scotiſh nobility to Elizabeth, which, after abundance of ceremonious compliments, ſignified to her, that the beſt method to preſerve a good underſtanding between the two crowns, was for her to declare their Queen her preſumptive heir. Elizabeth was ſo on her guard againſt whatever

Mary's error in falling out with Elizabeth.

She ſends to deſire ſhe may be declared Elizabeth's heir. Buchanan. Melvil. Camden. Thuanus.

(1) That Queen Elizabeth intended to intercept the Queen of Scots, is not poſitively aſſerted by the Scotiſh hiſtorians. Buchanan ſays, that Elizabeth had prepared a great fleet, on pretenſe to ſcour the ſea of pirates; but ſome thought it was to intercept the Queen of Scots, if ſhe adventured to paſs againſt her will; ſo that it was only a ſuſpicion, l. 17. Thuanus affirms, that James, prior of St. Andrews, in his return from France thro' England, adviſed Elizabeth to detain the Queen of Scots; thinking ſhe would come thro' England. l. 29.

(2) It is true, there aroſe a great fog in her paſſage. (Brantome, Dam. Illuſt, p. 130) But that does not prove ſhe was purſued by the Engliſh fleet. Rapin.

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came from Mary, that it was not eaſy to ſurpriſe her. She told the embaſſador, that the Queen of Scotland, while in France, promiſed to give her ſatisfaction concerning the treaty of Edinburg, as ſoon as ſhe ſhould arrive in her kingdom; it could not therefore but ſurpriſe her to find no notice taken of that article. The embaſſador excuſed the Queen his miſtreſs, that the ſhort time ſince her arrival had not allowed her to think of any important affair. Elizabeth ſeemed ſatisfied with this excuſe, but to the Scotiſh lords letter flatly replied, that ſhe would not run the hazard of being a ſpectator of her ſubjects adoration to the riſing ſun: and, raiſing her voice, added, "She would not ſuffer the Queen of "Scotland to rob her of the crown during her life; "neither did ſhe intend to do any thing might "prejudice that Queen after her death, tho' ſhe "had uſurped the arms of England, for which ſhe "ought in juſtice to make reparation." This was the ſubſtance of what paſſed in relation to this embaſſy, whence Mary drew the advantage ſhe deſired, as it gave her opportunity to renew a correſpondence with Elizabeth. I am perſuaded Melvil miſtakes when, in his Memoirs, he ſays, that after Mary's return into Scotland, there was ſo cloſe a friendſhip between the two Queens, that they wrote to each other every week, and teſtified a longing deſire to deliver by word of mouth what they commited to writing. Nothing 'till then had paſſed between them could ſerve to form or cement this pretended reciprocal amity: on the contrary, many particulars contributed to a mutual alienation. But if Melvil, who was then in Germany, was rightly informed, one cannot help thinking they were both conſummate diſſemblers. About the cloſe of this year, Mary gave the prior of St. Andrew's the title of earl of Murray, and created John Areſkin earl of Marr.

Elizabeth demands ratification of the Edinburg treaty; Wallingham's negociations, Norris's inſtructions. p. 12. and refuſes Mary's requeſt. Buchanan. Camden.

Steuart and Areſkin created earls. Buchanan.

The Pope deſirous to ſend a nuncio to Elizabeth, is refuſed. Camden. Collier.

Tho' the anſwer given laſt year to the abbot of Parpaglia was no way proper to inſpire his Beatitude with any great hope of reſtoring the Romiſh creed in England, he this year ſent Elizabeth a nuncio, to notify, that the Trentine council, which had been interrupted, would be continued in the ſame place, and to require her ſending thither ſome Engliſh prelates. Abbot Martinengo, who was charged with this commiſſion, arriving in Flanders, and ſending for leave to purſue his journey into England, could never obtain it. Whereupon, the nuncio at Paris deſired Throckmorton to write to her Majeſty about it. He did ſo; and ſhe coldly replied: "That ſhe heartily wiſhed a "council truly œcumenical; but a Popiſh one ſhe "would never honor with any ambaſſy from her: "that ſhe had no buſineſs with the biſhop of Rome, "who had no more power than other biſhops."

Philip's coldneſs towards Elizabeth increaſes. Camden.

After ſuch a reply, Elizabeth might depend on continual diſturbance from the Roman court; and the more, as the King of Spain was intirely eſtranged from her ſince the deceaſe of Francis II, becauſe he no longer dreaded the union of Great-Britain, with the Gallic monarchy. That dread was the only tie which had thitherto attached him to England.

Elizabeth prepares for her defenſe. Hollingſh. p. 1192. Camden. Stow.

Mean while Elizabeth, finding herſelf deſtitute of any ally, and menaced from every quarter, took timely care for her own defenſe. She imployed this whole year in preparations, which convinced her enemies ſhe would not be eaſily ſurpriſed. Her main precaution was to have conſtantly in readineſs a ſtout and well-conditioned naval force, conſcious that her fleet was England's beſt bulwark. At the ſame time, ſhe ordered all the forts and caſtles of the northern borders to be well fortified, and particularly Berwick, as the place whence ſhe might moſt eaſily be attacked. As the Engliſh had 'till this time been obliged to have all their gun-powder from abroad, ſhe was apprehenſive of wanting it, and, to prevent that inconvenience, ordered it to be made in her own kingdom (1). Moreover, ſhe raiſed the ſoldiers pay, to incourage them to ſerve her faithfully, and be ready on occaſion. This ſame year, was happily diſcovered, in Cumberland, a mine of fine copper (2), which for many ages had been neglected, and at the ſame time, was found in great abundance the ſtone named Lapis Calaminaries, ſo requiſite in all braſs-work.

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She orders the monks to be paid their penſions and arrears. Camden.

Elizabeth's martial cares diverted her not from attending to juſticiary and political affairs. She had her eye every where, and labored effectually for the reformation of abuſes, and bringing things into good order. Information being made, that the officers of the Exchequer reſerved the penſions aſſigned to thoſe eccleſiaſtics who had been turned out of their abbies, ſhe ordered, that the arrears of all ſuch as were living, and unprovided with benefices, ſhould be exactly and fully diſcharged (3).

Her exemplary œconomy.

Thus every one relying on the Queen's juſtice and equity, England beheld revived a felicity that nation long wanted. Her ſubjects had the more reaſon to be pleaſed with her government, as their Sovereign, without demanding any ſubſidies, diſcharged all extraordinary expenſes out of the crown revenues (4), for ſhe did not, like her predeceſſors, ſquander her revenues on court-leaches. Her maxim was, to injure none, but to be extremely ſparing of her favors and treaſures, ever remembering in what indigence many of her progenitors had paſſed their days, tho' poſſeſſed of royal incomes, merely thro' exceſſive profuſion. This was what forced them to have recourſe to their parliaments, not to ſupply the public occaſions, but their own extravagances (5).

An' 1662. Elizabeth ſuſpects the counteſs of Lenox, and impriſons her. Camden.

It was not without reaſon that Elizabeth took ſo much pains to gain the love of her ſubjects, by the regularity ſhe introduced into her realm, ſince at the ſame time indeavors were uſed to corrupt and draw them into rebellion. The Papiſts began to aſſemble, and project reſtoring their religion by arms. Elizabeth having ſome intimation of theſe cabals, was deſirous to diſcover their ſourſe, and at laſt found it was the Scotiſh Queen who was to ſerve for pretext to the revolt, on account of her title to the Engliſh crown. The counteſs of Lenox, born from a ſecond marriage of Margaret Queen of Scotland with the earl of Angus, held with Queen Mary a ſecret correſpondence by letters. Here commenced Elizabeth's firſt diſcovery. As this counteſs had the ſame intereſt with Mary, ſince they both deſcended from Henry VII's eldeſt daughter, the Queen imagined this correſpondence was not without myſtery, and therefore ſent the earl and counteſs of Lenox to the Tower (6).

(1) She bought up abundance of arms in Germany, and founded a great number of iron and braſs cannons. Camden, p. 382.

(2) Near Reſwick, at the foot of the mountain Skiddaw.

(3) She alſo increaſed the ſalary of the judges, and firſt allowed them proviſion for their reſpective circuits. Camden, p. 388.

(4) Camden obſerves, that ſhe gave very little out of her own demeſns, or indeed any thing elſe, but on condition it ſhould, in default of iſſue-male, return to the crown. It is to be wiſhed this rule had always been obſerved! p. 388.

(5) This year, on June 15, the ſpire of St. Paul's cathedral in London, the timber-part of which was two hundred and ſixty foot high, and the roof ſeven hundred and twenty foot long, and one hundred and thirty broad, were burned down, by lightning, as it was then thought; but a plummer confeſſed on his death-bed, that it was ſet on fire by his careleſſneſs, in leaving a pan of coals in the ſteeple, when he went to dinner. Stow, p. 647. Heylin's Hiſt. Ref. p. 312.

(6) The earl was commited to the cuſtody of the maſter of the Rolls, and the counteſs, to the cuſtody of ſir Richard Sackville. Camden, p. 389.

Soon

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A conſpiracy againſt Queen Elizabeth takes vent. Camden.

Soon after, ſhe diſcovered that Arthur Pole, and his brother, deſcended from a Princeſs of the York family, with ſir Anthony Forteſcue, who had married their ſiſter, began to form a party in England. On this intelligence, they were ſent to priſon, and afterwards tried. They confeſſed a deſign of withdrawing into France to the duke of Guiſe, of returning thence into Wales with a French army, to proclaim the Scotiſh Queen Mary Queen of England, and Arthur Pole duke of Clarence. They however proteſted, that their meaning was not to execute their project during the life of Elizabeth who, they believed, would die before the year's end, having been ſo aſſured by ſome pretenders to aſtrology. Their own confeſſion condemned them; but the Queen, in conſideration of their illuſtrious deſcent, graciouſly pardoned their deliquencies.

The Queen's ſeverity to Catherine Grey. Camden.

Catherine Grey, daughter of the duke and ducheſs of Suffolk, and ſiſter of Jane Grey, beheaded in the laſt reign, was not treated with the ſame lenity as the above-named perſons, tho' ſhe was leſs criminal, and Elizabeth's near relative. She was called to account for a miſdemeanor, in the puniſhment whereof the Queen leſs ſhewed her zeal for juſtice, than her jealouſy and the longing deſire ſhe had to find a pretext to ſecure this kind of rival, who gave her ſome uneaſineſs. Catherine had been matched with Henry, the earl of Pembroke's eldeſt ſon (1), who had procured a divorce, becauſe he could not cohabit with her. Afterwards, the earl of Hertford privately married her, and then paſſed over to France. In his abſenſe, the Queen being informed of theſe clandeſtine nuptials, ſent Catherine to the Tower, notwithſtanding ſhe was very far advanced in her pregnancy. The earl returning and owning his marriage, was likewiſe confined in the ſame place. After this, the archbiſhop of Canterbury annulled their pretended marriage, becauſe it was not ſufficiently proved, and they both remained priſoners in the Tower. While there, the earl found means to get at her, and ſhe again became pregnant. He was hereupon charged with three capital crimes; namely, of breaking priſon; of corrupting a Princeſs of the blood-royal; and of abuſing her after having been judicially divorced from her; and for each offenſe, was fined five thouſand pounds (2). Finally, after a tedious impriſonment, and ſeveral fruitleſs attempts to have his ſentence reverſed, he was forced to renounce her by an authentic act: but Elizabeth continuing inexorable with regard to Catherine, the unhappy lady died in priſon. Before ſhe expired, ſhe deſired the lieutenant of the Tower to tell her Majeſty, that ſhe intreated her pardon for marrying without her permiſſion; thereby ſhewing that ſhe did ever conſider the earl of Hertford as her lawful huſband (3). This exceſs of rigor is no way to Elizabeth's credit; ſince it is plain, Catherine Grey's right to the crown, whether well or ill-grounded, was her chief offenſe.

Elizabeth diſtruſts the French and Spaniſh courts. Camden.

But it was not from the houſe of Suffolk that Elizabeth had moſt to fear. The Queen of Scotland was a rival abundantly more dangerous, as being powerfully ſupported. Her friends ſtill thought of ſeating her on the Engliſh throne, and only waited a favorable opportunity to put in execution their project. Elizabeth had occaſion to be convinced of this by her intelligence, that the duke of Guiſe and cardinal of Lorrain, to ingage in their intereſts the King of Navarre, offered him their niece in marriage, and promiſed him poſſeſſion of the throne of England, by the aſſiſtance of his Holineſs and the Catholic King. Tho' this Prince had a wife, they little regarded the difficulty of annulling his marriage, becauſe his Queen Jane was a heretic (4). This ſatisfied Elizabeth, that the Lorrain Princes had not laid aſide their firſt deſign, and that Philip II was on the point of acceding to the confederacy. Thereupon, ſhe diſpatched ſir Henry Sidney into France, on ſome pretenſe, to inform himſelf exactly of the affairs of that kingdom, and of what was contriving againſt her, that ſhe might take her meaſures accordingly.

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Affairs of France. Mezerai. Thuanus.

Catherine di Medicis ſtill continued to foment the diſſenſion between the two factions, and ſeemed inclining towards the Hugonots, who were the weakeſt. As the Guiſes had artfully perſuaded the Catholics, that their differences with the Prince of Condé concerned only religion, ſhe feared to ſee herſelf once more at their diſcretion, as ſhe had been in the laſt reign, if the Hugonots were oppreſſed. For this reaſon ſhe ſupported them, and procured them a favorable edict, ſtiled the Edict of January. The duke of Guiſe, penetrating her deſign, believed it time to break her meaſures, by ſuddenly ingaging both parties in a war. He accompliſhed his deſign by the maſſacre of Vaſſy, commited under his eyes, on a very ſlight occaſion. Then the Hugonots, unable to contain any longer, began the war by ſurpriſing Orleans, with the more reaſon, as the Queen-regent had applied to the Prince of Condé for his aſſiſtance, to free her and the King from the captivity wherein they were held by the Guiſes.

The Hugonots deſire ſuccors of Elizabeth; who concludes with them a treaty. Camden. P. Daniel.

I ſhall not deſcend to the particulars of this war, which may be ſeen in all the hiſtories of France. I ſhall only ſay, that the Hugonots, unſucceſsful in the firſt campain, ſent the Vidame of Chartres to Elizabeth, to implore ſuccors. Not long after his arrival at London, he concluded a treaty with Elizabeth, by which ſhe promiſed to furniſh the Hugonot leaders with a hundred thouſand crowns, and ſix thouſand foot, half to be imployed in the defenſe of Diepe and Roan, and the reſidue to be gariſoned at Havre de Grace. The Hugonots, on their ſide, ingaged to put the Queen in poſſeſſion of this latter place, to be kept 'till the reſtitution of Calais. The ſame day the treaty was ſigned, Elizabeth publiſhed a manifeſto, declaring the reaſons which obliged her to aſſiſt the Hugonots. She ſaid,

Publiſhes a manifeſto on that occaſion. Mezerai. Stow. p. 648. Camden.

"Her intention in ſending troops into Normandy "was not to recover that province, the ancient "patrimony of her anceſtors, and unjuſtly wreſted "from them; but to preſerve it for the King of "France during his minority, and reſcue it from "the ambition and tyranny of the Lorrain Princes: "that ſhe was the more concerned to indeavor pre-"venting that province from falling into their "hands, as it was manifeſt their deſign was to "ſeize the Ports of Normandy, and thence to in-"vade her dominions, after the extirpation of "the Reformed in France: that, for theſe rea-"ſons, ſhe thought herſelf obliged to aſſiſt the "young King; hinder his ſubjects from being op-"preſſed by the Guiſes; protect the profeſſors of "the reformed religion, and provide for her own "ſafety." This laſt article concerning her own ſafety, was the chief, or rather the only one which juſtified her aſſiſting the Hugonots. To all ap-

The Queen's motive.

(1) Our author ſays to the earl of Pembroke; but lord Henry Herbert was divorced before his father died. Camden ſays, when ſhe was divorced, ſhe had ſuffered a long ſlight and contempt, and was ſo far gone with child, as to be near her time. p. 389.

(2) And nine years impriſonment. Camden, p. 389.

(3) The validity of their marriage was afterwards brought to a trial at common law; where the miniſter who married them being preſent, and other circumſtances agreeing, the jury found it a good marriage. Dugdale's Baron, Vol. II. p. 389.

(4) And for the very ſame reaſon, Queen Elizabeth was depoſed. Camden, p. 389.

pearance,

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pearance, ſhe would not have liked that a foreign Prince ſhould have uſed the other pretences, alledged in her manifeſto, to aid the Engliſh Papiſts, had they taken arms againſt her. But ſhe looked on the duke of Guiſe as her moſt mortal enemy, and the Scotiſh Queen's chief protector; for which niece of his, it manifeſtly appeared, he would have procured the crown of England. This duke was at the head of the Romiſh party, which was incomparably more powerful than that of the Hugonots. It might therefore very eaſily occur, that theſe would be extirpated, or at leaſt intirely diſabled; and the duke of Guiſe become abſolute maſter of court and kingdom, and imploy the whole force of France to execute his project in favor of his niece the Queen of Scotland. It is therefore eaſy to conceive the neceſſity Elizabeth was under to oppoſe the advancement of ſuch a formidable enemy, which was not to be done more ſucceſsfully than by aſſiſting the Hugonots. In maintaing the war in France, ſhe held the duke of Guiſe imployed, and rendered him incapable to attempt any thing againſt England. Paul de Foix, the French embaſſador, having notice of this treaty, required her, in virtue of the treaty of Cateau, to deliver to him the Vidame and all his attendants: but ſhe excuſed herſelf, and told him, ſhe would write to the King of France about it. She in effect did ſo; but not obtaining any favor for that nobleman, ſhe deemed not herſelf obliged to ſurrender him to the King.

The French embaſſador complains; but receives no ſatisfaction. Camden.

The ſix thouſand Engliſh not imbarking 'till September, found, on their arrival, the King of Navarre before Roan. This was the reaſon of their ſeparating into two bodies only, of which one entered Diepe, and the other took poſſeſſion of Havre de Grace, according to the treaty of London. The earl of Warwick *, general of theſe forces, had been made governor of this latter place by Elizabeth. Mean time, the city of Roan was taken by aſſault, and the King of Navarre, who was wounded at the ſiege, died on his return to Paris. In the cloſe of this year, the battle of Dreux was fought between the Catholics and Hugonots, with almoſt equal loſs. The Prince of Condé and conſtable Montmorency, who commanded the two armies, were both taken priſoners, but the King's forces kept the field of battle. The Prince of Condé, not being able to head his party, admiral Chatillon took upon him the command of the army. I muſt now ſpeak of this year's tranſactions in Scotland.

The Engliſh put in poſſeſſion of Havre de Grace. Camden. Mezerai. Thuanus. Stow. Hollingſh. Rym. Fœd. Vol. XV. p. 625.

* Ambroſe Dudley.

Roan taken. The battle of Dreux. Thuanus. Mezerai. P. Daniel.

James Stuart, created earl of Murray, held ſtill the firſt rank in the management of affairs; not ſo much from any affection the Queen had for him, as from her being adviſed to keep him conſtantly attached to her intereſt. It was indeed almoſt impoſſible for Mary, who had been educated in a court ſo averſe to the reformation, to have any great friendſhip for the earl her brother, whom ſhe conſidered as the head of the Reformed: nor did his auſtere temper too well agree with the luxury which the youthful Queen was introducing into her court. The preachers exclaimed from the pulpit againſt theſe worldly vanities, as very oppoſite to true religion. On the other hand, the earl of Murray, as well to ſupport his intereſt among the Reformed, as to follow his own inclination, frequently ſignified to the Queen, that this way of life would at length withdraw from her the eſteem and affection of her ſubjects. This furniſhed his adverſaries with a pretext to inſinuate to her Majeſty, that Murray's deſign was to keep her in ſervitude, and it would be impoſſible to reſtore the old religion while he had the direction of affairs: but, if Buchanan is to be credited, they were not ſatisfied with only uſing ſecret artifices to ruin him in the Queen's favor. This hiſtorian pretends that the duke of Chaterault, and the earls of Huntley and Bothwell combined to aſſaſſinate him; but that their conſpiracy was diſcovered by the earl of Arran. He adds, that the duke was puniſhed with the loſs of his government of Dunbarton; and Bothwell impriſoned in Edinburg caſtle, whence he found means to eſcape.

Affairs of Scotland.

Buchanan.

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A deſign diſcovered againſt the earl of Murray. Buchanan.

But theſe were not Murray's moſt dangerous enemies. Buchanan ſays, the cardinal of Lorrain wrote to the Queen his niece, inciting her to diſpatch her ſaid brother, with ſome other zealous Proteſtants, on which condition ſhe might depend on a powerful aid from his Holineſs, in order to re-eſtabliſh the Catholic religion in Scotland. According to this hiſtorian, Mary determined on complying with the Pope and cardinal's deſires, and communicated her intentions to the earl of Huntley, who approved them, and promiſed his aſſiſtance. For this purpoſe it was that Queen Mary took a progreſs into the north, where lay the earl of Huntley's eſtate *, and where Papiſts were very numerous. But at the ſame time Huntley, finding the Queen, in order to execute her project, was going to a country which in a manner wholly depended on him, formed a deſign to carry her away, and force her to marry his eldeſt ſon George Gordon. Murray accompanying the Queen in her progreſs, diverſe obſtacles occured, which occaſioned the execution of the plot againſt him to be from day to day delayed. Mean while, the earl of Huntley and his ſon improved the occaſion to execute their project. One day, when the court was in a ſmall and ill-fortified town, George Gordon appeared with ſome troops in that neighborhood, in order to ſurpriſe the Queen's perſon: but, by unexpected good fortune, Murray found means to fruſtrate the intended treachery. This important ſervice effaced for ſome time the diſadvantageous impreſſions Mary had received of this earl.

* Inverneſs. The earl of Huntley forms a deſign to carry off the Queen. Buchanan.

Murray preſerves her.

The diſcovery of this plot ſufficed not to make the earl of Huntley deſiſt from his enterpriſe. He ſtill kept in arms with intent to ſurpriſe the court, where the earl of Sutherland was his ſpy, and informed him of whatever was there tranſacted. But a certain intercepted letter diſcovering all, Sutherland fled into Flanders, and the earl of Murray, at the head of ſome forces, marched againſt the earl of Huntley, who boldly ſtood his ground. In a battle fought on this occaſion, Huntly was defeated and taken priſoner, but died a few days after. His ſon George eſcaping, his father-in-law, the duke of Chateleraut, very earneſtly ſued for his pardon, and on ſome good hope given him by the Queen, put him into her hands. He was however conducted to Dunbar, tried and ſentenced to death: but the ſentence was not executed (1).

Huntley perſiſts in his deſign; Buchanan.

is defeated and taken. Dies.

George his ſon condemned.

While all this paſſed in Scotland, James Melvil, author of the memoirs under his name, was imployed at Inſpruck, to ſound the inclinations of the Imperial court concerning the marriage of Queen Mary with the archduke Charles, ſecond ſon of the Emperor Ferdinand. The firſt overture of this deſign had been made by the cardinal of Lorrain, in his way thro' Inſpruck to the council of Trent, with offer of the kingdoms of England, Scotland and Ireland, for a portion. This occaſioned Maximilian, eldeſt brother of Charles, to aſk Melvil, ſpeaking of this marriage, "Whether

Project of a marriage between Mary and the archduke. Melvil, p. 35, &c.

(1) Melvil, who was then in Germany, ſays nothing of this conſpiracy of the earl of Huntley. Camden, whoſe aim was only to blacken the reputation of the earl of Murray, contents himſelf with ſaying (in his Annals of the year 1566) that Murray had ruined the illuſtrious houſe of the Gordons, without ſaying one word of this conſpiracy. Rapin.

"the

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"the Scots would be willing to aſſiſt their Queen "in obtaining the crown of England?" Hence it is plain, that the Guiſes had ſtill this deſign in view, and were inceſſantly laboring to put it in execution. We muſt not therefore wonder, that Elizabeth had her eye conſtantly fixed on the Queen of Scots, as on a moſt dangerous rival.

AN' 1563. Affairs of France. Mezerai. Thuanus. P. Daniel. Melvil.

Very early in 1563, the duke of Guiſe laid ſiege to Orleans, which was the magazine of the Hugonots, and where Andelot, admiral Coligni's brother, was ſhut up with a numerous gariſon. The place was now reduced to the laſt extremity, when Guiſe was mortally wounded with a piſtol-ſhot, by a gentleman named Poltrot. The duke, finding his end approached, teſtified exceſſive reluctance for having kindled the civil war, and ſeriouſly counſeled the Queen-regent to make peace on any terms. The admiral being charged with having been Guiſe's murderer, indeavored to clear himſelf; but the relations of the deceaſed perſiſted in their belief of his guilt. Mean while, a peace between the King and the Hugonots cloſely followed the duke of Guiſe's death, without any care taken by the Prince of Condé, to have his generous friend the Queen of England included. Nor was this all: for Charles IX, beſieging Havre de Grace, the Hugonots diſtinguiſhed themſelves in expelling the Engliſh from that place which themſelves had put into their hands. If their conduct on this occaſion evidenced them good Frenchmen, it was alſo a manifeſtation of their being very bad politicians. In effect, they could not have taken any one ſtep more detrimental to their own intereſt, or more acceptable to their enemies, than thus to break with the Engliſh. The earl of Warwick defended the place ſome time with great bravery and reſolution, but the peſtilence, which raged in the town, daily took off at leaſt fifty of his men, and reduced him to the neceſſity of a capitulation, whereby that town was reſtored to the King of France. Havre de Grace being thus reduced, a truce was concluded between the two crowns. The Engliſh forces which had ſerved in France, bringing the plague into England, it made terrible ravages, upwards of twenty thouſand dying in London only.

The Hugonots make peace without any notice taken of Elizabeth. Havre de Grace beſieged. Camden.

Hollingſh. p. 1195,—1205.

Surrendered. Stow.

Truce. Camden. Mezerai. Plague in England.

The death of Guiſe made ſome alteration in the affairs of the Queen of Scotland. Charles IX, declaring himſelf of age to govern, was under the influence of the Queen his mother, who not greatly loving her daughter-in-law gave her ſeveral mortifications. The payment of her dowry was diſcontinued, the Scotiſh guard diſmiſſed, and the duke of Chateleraut deprived of his revenues. The duke of Guiſe left a ſon, who was too young to have any ſhare in the government, and the cardinal of Lorrain had no longer the ſame credit as while his brother lived. Mary complaining of her ill treatment from the court of France, the cardinal her uncle, fearing ſhe might be provoked to turn towards Elizabeth, was more preſſing than ever for her marriage with the archduke, and did his utmoſt to effect it. Melvil however ſays in his memoirs, that he perceived at the Imperial court, it was not reliſhed by the Emperor's eldeſt ſon Maximilian. Howſoever this was, Mary readily received the propoſition. But as her uncle Guiſe's death had removed at a diſtance the proſpect ſhe had of aſcending the Engliſh throne, ſhe judged it requiſite to manage Elizabeth, and conſult her about the propoſed match. Elizabeth was alarmed at the deſign of allying the Scotiſh Queen with the Auſtrian family, not being ignorant with what views the cardinal of Lorrain offered his niece ſuch a marriage. She therefore, by her embaſſador Randolph, told Mary, "That, having for her the "tenderneſs of a ſiſter, and regarding her intereſts "as her own, ſhe deſired her to conſider, that

The French court ſlackens its zeal for Mary's intereſts. Camden.

The cardinal of Lorrain preſſes her marriage with the archduke Charles. Camden. Melvil, p. 35.

She adviſes with Elizabeth about this marriage; who tries to diſſuade her, and would have her eſpouſe ſome Engliſh Prince. Camden. Melvil, p. 40.

"ſuch alliance would remove her for ever from "the throne of England, ſince the Engliſh would "never run the hazard of falling under Auſtrian "domination: that England was not without perſons who had their pretenſions to the crown as "well as herſelf, and might greatly imbaraſs her; "wherefore it was her intereſt to gain the affection "of the Engliſh, by a marriage which would not "give them uneaſineſs: that if any Engliſh noble "was ſo happy as to pleaſe her, ſuch a match "would doubtleſs remove the difficulties which lay "in the way of her deſire to be declared her preſumptive heir." This was the ſubſtance of what Randolph was ordered to repreſent to the Queen of Scotland, without however naming the perſon Elizabeth would counſel her to eſpouſe: but he had a ſecret commiſſion to intimate to the earl of Murray, and ſecretary Lidington, that he believed ſhe had caſt her eyes on lord Dudley.

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Elizabeth's anſwer threw Mary into great perplexity. She, by her birth at leaſt, believed herſelf Elizabeth's rightful heir; but Henry VIII, having not ranged her in the line of ſucceſſion, a parliamentary ſtatute was neceſſary to reſtore her to her right. Without this, ſhe was in danger that, in caſe Elizabeth died iſſueleſs, King Henry's will would be punctually obſerved. On the other hand, her uncertainty whether Elizabeth would cauſe ſuch a ſtatute to be inacted in her favor, and declare her heir to the Engliſh crown, made her unwilling to relinquiſh the hope given her by the cardinal her uncle, of acceding thereto by the aſſiſtance of the Pope, France, Spain, and the Engliſh Catholics. Thus imbaraſſed, ſhe choſe to inform the cardinal of Elizabeth's remonſtrances, and of that Queen's deſign to marry her to Dudley. The cardinal anſwered, "That Dudley was not a perſon worthy "of her, and that Elizabeth only amuſed her, in "pretending to match her with a man whom ſhe "deſigned for her own bed. That as to the hope "wherewith ſhe was flattered, of being declared "her preſumptive heir, it was not much to be re"lied on; ſince, even ſhould ſhe keep her word, "ſhe might have children, which would render the "act of no uſe, or might get it repealed on the "ſlighteſt pretext. That it was therefore more "agreeable to her intereſt, to depend on the aſ"ſiſtance of her real friends, than on ſuch uncer"tain hopes."

Mary's perplexity. Camden.

Notwithſtanding this counſel, Mary, after a mature examination of what had been offered on both ſides, failed not to reſolve on deſiſting from the deſign of eſpouſing the archduke, leſt it ſhould do her a prejudice in England. But withal, ſhe determined to evade the propoſal intended to be made her concerning Dudley, without however breaking with Elizabeth. It abſolutely concerned her to ſhew a regard for that Princeſs, in order with more facility to carry on her intrigues in England, and increaſe there the number of her friends, which was already conſiderable. Beſide that the Catholics were all for her, many Proteſtants were perſuaded, that the crown, if Elizabeth died without heirs of her body, could not be refuſed her without injuſtice, and the leaſt diſcontent was capable to create a belief in many, that Mary had even a better title than Elizabeth herſelf. This gave great uneaſineſs to Elizabeth, who feared that Mary, by marrying a Catholic Prince, would be inabled to ſupport her pretenſions; and therefore ſhe did her utmoſt to divert her from ſuch a deſign. To this end, ſhe told Melvil, in his return thro' England, how much it would offend her if Queen Mary married without her advice. She added, as it was their common intereſt to live in a good underſtanding, ſhe deſigned to make her two offers, that by imbracing either ſhe might avoid the jealouſy which her

She deſiſts from the Auſtrian alliance.

Politics of the two Queens. Camden.

Melvil, p. 40.

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marriage with a foreign Prince would raiſe in the Engliſh. The treaty of Edinburg was all this while unmentioned, the conjuncture not being proper to preſs that affair.

The ducheſs of Suffolk dies. Camden.

This year died the ſo frequently mentioned Frances Brandon, ducheſs of Suffolk. She had condeſcended to take for her third huſband Adrian Stokes, a private gentleman, by whom ſhe had not any iſſue. Of three daughters by her former marriage with Grey, marquis of Dorſet, and afterwards duke of Suffolk, Jane, the eldeſt, had been proclaimed Queen on the deceaſe of King Edward VI, and loſt her head on a ſcaffold. Catherine was in the Tower, or perhaps already dead. Her third daughter, Mary, had been given in marriage to a man ſo little diſtinguiſhed, that there was no likelihood of her being put in competition with the Queen of Scotland. Thus, by the ducheſs of Suffolk's death, Queen Mary ſaw herſelf freed from one rival, who was King Henry VII's granddaughter.

AN' 1564. Peace between France and England. Camden. Stow. Rym. Fœd. Vol. XV. p. 640. p 644.

The truce between France and England finally terminated in a peace, ſigned at Troye in Champagne the eleventh of April, 1564. By this treaty, the King of France and Queen of England preſerved intire all their pretenſions, without mentioning any in particular, not even the reſtitution of Calais. Only ſome ſeparate articles remained unſigned 'till next day, concerning the hoſtages delivered to Elizabeth after the treaty of Cateau, which ſhe was willing to reſtore for a very moderate ſum. Throckmorton, who had been arreſted in France on ſome pretenſe (1), was ſet at liberty. After this, Elizabeth complimented King Charles with St. George's garter by lord Hunſdon *, who was ſent into France to ſee the peace ſworn to.

* Henry Carey.

Diſturbances between England and the Netherlands. Camden. Strada.

At this time, the commerce between England and the Netherlands was intirely ſpoiled by the artifices of cardinal Granvelle. As he foreſaw a war was going to be kindled in thoſe provinces, he was willing to remove the Engliſh, and for that purpoſe had prevailed with the governeſs to forbid the importation of Engliſh cloths. This prohibition obliged the Engliſh to ſet up a ſtaple for their cloths at Embden, a town of Eaſt Frieſland. But a new embaſſador ſent to England by King Philip, in the room of the biſhop of Aquila, who died there, conſidering that his maſter's ſubjects would, from this interruption of commerce, receive no leſs damage than the Engliſh, brought this affair to a negociation. As great difficulties occurred, it was mutually agreed, that the treaty of commerce, called the Great Intercourſe †, ſettled in the time of Maximilian, ſhould ſubſiſt 'till one of the parties notified the contrary to the other, with allowance of forty days to the merchants to withdraw their effects. This affair was very important to both nations. Camden ſays, that in his time the commerce between England and the Netherlands amounted annually to more than twelve millions of gold; and that the woollen trade alone included upwards of five millions.

Rym. Fœd. Vol. XV. p. 639.
† Intercurſus Magnus.

Elizabeth viſits the univerſity of Cambridge. Hollingſh. p. 1206. Camden.

This buſineſs concluded, Queen Elizabeth viſited the univerſity of Cambridge, where ſhe was received with great pomp and magnificence. She teſtified her ſatisfaction in a fine Latin oration, wherein ſhe aſſured the univerſity of her protection, and intention to incourage learning to the utmoſt of her ability.

Difference between the two Queens. Melvil.

The tranquillity Elizabeth then injoyed would have been compleat, had not her ſuſpicions of the Scotiſh Queen given her inceſſant diſquiet. It was on her ſhe was perpetually reflecting, as on her moſt dangerous adverſary. She conſidered that the marriage of this Queen might prove to her a ſourſe of cares and troubles, and draw on her even greater evils. So, her whole policy tended either to obſtruct all marriages offered to Mary, or at leaſt to effect her eſpouſing a perſon from whom England ſhould have nothing to apprehend. With this view ſhe wrote her a letter, wherein, after many demonſtrations of friendſhip, ſhe gave her advice concerning her marriage, telling her, the marrying without her conſent would ruin her affairs. Notwithſtanding Mary's determination to have preſerved a good intelligence with Elizabeth, ſhe was greatly picqued at her thus aſſuming to give her counſel, and even with a certain air of ſuperiority which was but too evident. Forgeting therefore what ſhe had reſolved, and thinking only of making herſelf ſatisfaction, ſhe returned ſuch a reply as highly offended Elizabeth. But ſome time after, reflecting that ſhe herſelf broke her own meaſures, in breaking with Elizabeth, ſhe diſpatched ſir James Melvil to pay her compliments, and to attempt mending what her impatience had ſpoiled. Elizabeth received her compliments with equal diſſimulation. After telling Melvil, how much cauſe ſhe had to be offended with the letter, ſhe tore it (2) in his preſenſe, teſtifying her readineſs to be reconciled, and expreſſing ſuch affection for her good ſiſter as aſſuredly ſhe had not. It was not her intereſt to quarrel, for fear of inducing Mary to marry ſome Prince who would not have patience to wait the time of injoying her ſucceſſion. She therefore imbraced this occaſion to renew her inſtances to Mary for her choice of a huſband proper to preſerve their friendſhip, and a good intelligence between the two kingdoms. All this tended only to a ſpecious exhibition of ſeveral reaſons to perſuade Mary to accept lord Dudley, tho' he was not directly named. However, it is very uncertain, whether Elizabeth ever really deſigned ſuch match, or only intended to amuſe Mary, and prevent her thinking on others: nay, it is very probable that Dudley's being propoſed was only to prolong the affair; as that lord's dependance was ſo abſolutely on the Queen of England. This ſeems to be confirmed, by the permiſſion Elizabeth afterwards granted the counteſs of Lenox's ſon, lord Darnly, to go into Scotland, tho' ſhe was not ignorant that Mary had ſome thought of marrying that nobleman, as ſhe intimated to Melvil. In effect, Mary had actually reſolved it, not in compliance with Elizabeth's counſel, to eſpouſe ſome perſon little able to give her uneaſineſs, but in hopes of receiving a conſiderable advantage from this marriage. It had been often hinted to her, that there was room to doubt, whether her title to the crown of England was ſo good as the ducheſs of Suffolk's, which was ſupported by Henry VIII's will, and that this was a point to be decided by Engliſh lawyers. This was to keep her in ſubmiſſion, and prevent her diſobliging Elizabeth. When this thorn was removed by the death of the ducheſs of Suffolk, and Catherine her daughter, the rights of the counteſs of Lenox, daughter of Margaret Queen of Scotland by her ſecond huſband Archibald earl of Angus, began to be whiſpered. Henry VIII, her uncle, had given her in marriage to Matthew Stuart earl of Lenox, who retired into England, as in that Prince's reign was obſerved. In reality, the counteſs of Lenox could not, with any ſeeming juſtice, enter into competition with Queen Mary, ſince ſhe came only of Margaret's ſecond marriage, whereas Mary proceeded from the firſt: but

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Melvil, p. 42.

They are reconciled. Melvil. P. 42, 47.

Elizabeth's politics with regard to Mary. Melvil.

Mary determines on eſpouſing lord Darnly. Camden. Melvil.

(1) On pretenſe of coming to France without a paſs. Camden, p. 392, 394.
(2) Not Queen Mary's letter; but the angry anſwer herſelf had writ. See Melvil, p. 46, 47.

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ELIZAB. AN' 1564. it could be alledged in her favor, that ſhe was one degree nearer, and Mary had room to fear that this reaſon would prevail, if ſupported by Elizabeth. To avoid therefore ſuch competition, Mary had determined on uniting the two families titles by her marriage with lord Darnly, the counteſs of Lenox's ſon, and thereby diſabling Elizabeth from creating her any diſturbance. Elizabeth had for the ſame reaſon reſolved to obſtruct this marriage, not from any fear of lord Darnly, but with intent to keep Mary always in awe and ſubmiſſion.

She draws the earl of Lenox into Scotland. Camden. Melvil, p. 42. Buchanan.

The two Queens being reconciled, as has been intimated, Mary ſeriouſly thought of executing her deſign. But as ſhe was prepoſſeſſed with a belief, that Elizabeth only ſought to amuſe her and prevent her from marrying, ſhe was under a neceſſity of imploying ſome artifice to draw the earl of Lenox and his ſon into Scotland. She began with the father, and pretended to recall him in order to reſtore him to his eſtate, forfeited during the regency of the duke of Chateleraut. Elizabeth thought it not right to oppoſe the earl of Lenox's return home on a motive ſo juſt and reaſonable. In this whole affair the two Queens behaved with equal diſſimulation. At the very time Mary was taking meaſures to marry lord Darnly, unknown to Elizabeth, ſhe pretended a readineſs to be directed by her counſels: ſhe even conſented to a congreſs of commiſſioners of both kingdoms, concerning her marriage, tho' ſhe was not ignorant of Elizabeth's intentions to propoſe to her Dudley, lately created earl of Leiceſter. On the other hand, Elizabeth, not unacquainted with Mary's deſign to marry lord Darnly, ſeemed not to perceive it, being well pleaſed to have her fix her thoughts on a ſubject whom ſhe believed to be at her diſpoſal, becauſe the earl his father had great poſſeſſions in England: ſhe hoped therefore to have it always in her power to break off or delay this marriage, as ſhe ſhould judge proper, her ſole aim being to gain time, and amuſe the Queen of Scotland.

Diſſimulation of the two Queens. Melvil.

Dudley made earl of Leiceſter. Camden. Stow. p. 657. Hollingſh.

Conference at Berwick on the ſubject of Mary's marriage. Nov. Camden. Melvil, p. 53.

Some time after, the earl of Bedford (1) for England, and the earl of Murray, with Lidington, for Scotland, had a conference at Berwick, where Bedford, according to his inſtructions, propoſed the marriage of the Queen of Scotland to the earl of Leiceſter. But the two Scotiſh commiſſioners, who had likewiſe their orders, received the propoſal with ſuch coldneſs, that the earl of Bedford thought it not proper to inſiſt much on it: nay, it is pretended, that the earl of Leiceſter, who had ſome hope of marrying Elizabeth (2), had deſired him not to preſs it.

Camden, p. 396.

Mary diſtruſts Elizabeth. Melvil, p. 63.

Mean time Melvil, being returned, in giving Mary account of his negociation, frankly told her, that the Queen of England's friendſhip was far from being ſincere. This cauſed Mary, who had already no very good opinion of Elizabeth, to regard her as a ſecret enemy who, tho' ſhe always ſtiled, her Good Siſter, did not mean her well. Sometimes ſhe thought Elizabeth only propoſed the earl of Leiceſter to her, that ſhe herſelf might marry him with the leſs diſhonor, after his having been incouraged by a Queen; and ſometimes, that this propoſal was no other than mere artifice, to waſte time in fruitleſs negociations.

The Emperor Ferdinand dies, and is ſucceeded by Maximilian II. AN' 1565.

Thus paſſed the year 1564, wherein died the Emperor Ferdinand I, leaving the Imperial dignity, and his hereditary dominions, to his ſon Maximilian.

The Scotiſh Queen had for ſome time entertained a certain Italian, named David Rizzo, who governed her abſolutely. As this Queen intirely changed both her conduct and character, after receiving into her confidence this foreigner, and as he was the original cauſe of Scotland's troubles and his royal miſtreſs's misfortunes, it is neceſſary to give of him ſome account.

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Riſe and fortune of David Rizzo. Melvil, p. 54. Buchanan. Thuanus.

David Rizzo, ſon of a muſician of Turin, being a menial of count Muretto, embaſſador to Scotland, attended his maſter into that country. As he perfectly underſtood muſic (3), and ſung a good baſs, he got acquainted with the court-muſicians, and was introduced to the Queen, who wanting a baſs to her concert, deſired the embaſſador to leave him with her. His fine voice often procuring him the honor of both ſeeing and diſcourſing her Majeſty, he ſo artfully inſinuated himſelf into her good graces, that he daily increaſed in favor and credit. At length the ſecretary for French diſpatches being gone over to France, Rizzo was pitched on to officiate during his abſenſe. He thenceforward puſhed his fortune ſo ſucceſsfully, that he became as it were prime miniſter, nothing of moment being tranſacted at court but by his channel. Buchanan, the Queen's great enemy, frequently inſinuates, that David's influence over her was not confined to public affairs only. He ſays, ſhe admited him to her table, and very often dined at his, and by ſuch uncommon familiarities gave occaſion to ſcandalous ſuſpicions. In a word, he ſays enough to incline thoſe who pay him intire credit to believe Queen Mary's conduct, with regard to Rizzo, not to be free from crime: but as Buchanan may juſtly be ſuſpected of agravation, it is better to adhere to Melvil's account. He can be accuſed of no deſign to aſperſe the reputation of that Princeſs, ſince he rather on all occaſions expreſſes for her a ſingular zeal, without however ſcreening her faults and imprudencies. At the ſame time when Rizzo was moſt in favor with her Majeſty, ſhe had ſo intire a confidence in Melvil, as even to allow, or rather commanded him to admoniſh her of her falſe ſteps. Take what this author ſays of Rizzo in his memoirs.

He becomes the Queen's favorite.

" As he entered in great credit, ſo he had not the " prudence to manage the ſame rightly; for fre- " quently, in preſenſe of the nobility, he would be " publicly ſpeaking to the Queen, even when there " was greateſt conventions of the ſtates, which " made him to be much envied and hated, eſpe- " cially when he became ſo great, that he preſented " all ſignatuers to be ſubſcribed by her Majeſty. " So that ſome of the nobility would frown upon " him, others would ſhoulder and ſhut him by, " when they entered the Queen's chamber and " found him always ſpeaking with her. All who " had any buſineſs at court, addreſſing themſelves " to him, in ſhort time he became very rich.— " As he was a known minion, and ſuſpected to be " a penſioner of the Pope, it gave ground of " ſuſpicion, that ſome deſign would be by him " contrived againſt the reformed religion." The ſame author adds, that having himſelf repreſented to her Majeſty the injury which her favors upon this ſtranger now did, and might afterwards do her, his remonſtrance was very ill received, the Queen telling him, ſhe would not be ſo far reſtrained, but that ſhe might diſpenſe her favors to ſuch as ſhe pleaſed. He farther ſays that, having remonſtrated to Rizzo how much he offended the nobility by his affectation to appear ſo great with the Queen, he ſeemed to pay ſome regard to his advice, but within a few days, told him; he had the Queen's order to behave as he was wont, without minding any thing. This teſtimony, added to

p. 54, 55.

p. 56.

(1) With ſir Thomas Randolph. Camden, p. 396.

(2) Queen Elizabeth herſelf told Melvil, that ſhe eſteemed Dudley as her brother and beſt friend, whom ſhe would have herſelf married, had ſhe ever minded to have taken a huſband. Melvil, p. 47.

(3) He was author of the Scotiſh tunes.

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the ſilence of Camden who, having undertaken, in his annals of Elizabeth, to juſtify the Queen of Scots, ſays nothing of Rizzo, evidently demonſtrates that Mary was abſolutely governed by this miniſter, favorite, or minion. So, lord Darnly being a Catholic, and Rizzo the Pope's penſioner, as Melvil affirms, it is not to be doubted that Queen Mary was determined to this marriage by her favorite's advice: it was therefore to have opportunity of drawing that young lord into Scotland, that ſhe reſtored his father to the poſſeſſion of his eſtate.

Lord Darnly obtains leave to go into Scotland. Camden. Melvil, p. 53. Buchanan.

As this was to be done in the aſſembly of the ſtates, ſummoned to meet in January, Darnly demanded leave to be abſent three months, in order to be at the Scotiſh parliament, and obtained it by the interceſſion of Cecil, who never imagined he would, without Queen Elizabeth's concurrence, venture to marry the Scotiſh Queen. Very ſeemingly, he was ſuffered to go into Scotland only with intent to amuſe Queen Mary, and perhaps to give her opportunity to entertain for that moſt perſonable young nobleman a paſſion which might hinder her thinking on any other. However this be, he was well received by the Queen, who immediately gave him great marks of her eſteem; and it was ſoon known that ſhe deſigned him the honor of her bed. Rizzo contracted with him ſo cloſe a friendſhip, that they were conſtant bed-fellows.

February 22. Melvil. Buchanan.

He contracts friendſhip with Rizzo.

The earl of Murray's credit declines, and his enemies brought in favor. Buchanan. Thuanus.

After Rizzo had ingroſſed the Queen's favor, the earl of Murray ſaw his own credit daily decline. This, added to the intended marriage, and the ſtrict union between Darnly and this Italian, convinced him it was time to retire, and to haſten him the Queen recalled to court all his adverſaries. The earl of Bothwell returned from France, the earl of Sutherland from Flanders, and George Gordon, who was impriſoned at Dunbar, and under ſentence of death, was releaſed, and after obtaining his pardon took the title of earl of Huntley. Murray could not, without a ſtrong revival of his reſentment, look on Bothwell, who would have been his butcher. He impeached him juridically, and prevailed to have a day aſſigned for trial. Mary, according to Buchanan, imployed her utmoſt efforts to ingage Murray to drop his proſecution, and, not ſucceeding, attempted to corrupt his judges. Notwithſtanding ſo powerful a protection, Bothwell, not thinking proper to appear, withdrew. Afterwards, the Queen obtained from Murray a ſort of reconciliation with Bothwell. The ſame hiſtorian pretends, that Queen Mary had conceived againſt Murray ſuch violent averſion that, jointly with Darnly and Rizzo ſhe formed a deſign to have him aſſaſſinated in a journey ſhe purpoſely made to Perth, but that Murray, having thereof ſome notice, retired to his mother's at Lochleven. He farther ſays that, during Mary's being at Perth, a report was induſtriouſly raiſed, that Murray intended to ſurpriſe her and lord Darnly, in their return to Edinburg. To render more credible this rumor, ſcouts were ſent out on the road, and the Queen came to Edinburg with a precipitation apt to create a belief of the greatneſs of her danger. It muſt however be owned, that Melvil ſpeaks of a conſpiracy to ſeize lord Darnly as ſomething real, tho' Buchanan will have it to be all imaginary; but Melvil does not aſcribe it to Murray alone, ſince the duke of Chateleraut, the earls of Argyle, Glencairn, and Rothes were alſo concerned.

Report of his deſigning to ſeize the Queen.

p. 56.

Murray averſe to the Queen's marriage with Darnly. Buchanan. Thuanus.

The earl of Murray had a double intereſt to obſtruct the projected marriage, the one particular, the other general. I have already taken notice of the firſt, which ingaged him to make many changes at court, where he could no longer ſupport himſelf. The general one flowed, firſt, from the danger into which Mary's marrying a Papiſt might throw the reformed religion; ſecondly, it was to be feared, that ſuch marriage, being made without the Queen of England's particiſpation, or any care for the preſervation and ſupport of the reformed religion, would lay a foundation for troubles in which it was almoſt impoſſible for England and France not to be concerned, to Scotland's extreme detriment. Nor was Murray the only perſon whom this match diſguſted. The duke of Chateleraut, ſworn enemy to the houſe of Lenox, the earls of Argyle, Rothes, Marr, Glencairn, and many others, ſome from private views, others from honeſter motives, believed it time to apply effectual remedies to the impending miſchiefs, by making a league to oppoſe the court's deſigns. It is not eaſy to decide, whether theſe lords took arms before or after the Queen's marriage. Buchanan intimates this was not 'till after, on the court's intending to oppreſs them. Melvil intimates a riſing of thoſe peers after having miſſed ſeizing lord Darnly, and then proceeds to the recital of Mary's nuptials. Camden poſitively aſſerts, that the Queen, to celebrate her matrimonials in greater ſurety, marched with ſome forces againſt the confederate lords, and conſtrained them to take refuge in England. If this be fact, ſhe doubtleſs ſurpriſed them before they were prepared. This is not the only paſſage wherein Camden and Buchanan diſagree.

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Joins with ſome others to prevent it,

p. 56.

but without ſucceſs.

However this be, Mary, being determined on her marriage, had already applied to his Beatitude for a diſpenſation (1). When ſhe knew it was granted, ſhe aſſembled the grandees of her court, who were all devoted to her, and aſked their advice concerning her marriage. They unanimouſly approved it; but, not to exaſperate the people, they ſaid, care was to be taken of the Proteſtant religion. The firſt part of this approbation was joyfully received; but as for the annexed reſtriction, it was no more heard of. Buchanan ſays, the earl of Murray undertook to procure Elizabeth's conſent, provided the Proteſtant religion was ſecured. But this was not the intention of thoſe at court, who perceived this ſecurity would be no other than Queen Elizabeth's guaranty, which agreed neither with Mary's own intereſts nor with thoſe of Rizzo, and the lords newly come in favor.

Mary has her marriage approved by her court grandees Camden. Spotſwood.

Mean time, thro' the confederate lords inſtigations, the people began to murmur. It was debated in private converſations, whether the Queen could marry without the ſtates concurrence. Some ſaid, ſhe could not be denied a natural right injoyed by all her ſubjects. Others maintained, that the Queen's and her ſubjects conditions were different, becauſe the Queen, by her marriage, gave her people a Sovereign, which ſhe could not do without their conſent. Theſe freedoms convinced Mary that ſhe muſt haſten her nuptials, not to be any longer expoſed to the difficulties which might be ſtarted while there was hope to obſtruct it. She however believed, ſhe could not avoid aſking, not the advice but the approbation of Elizabeth, whom, as I obſerved, it was her intereſt to manage. She therefore wrote her ſaid Majeſty a letter, communicating her deſign as a matter reſolved. Elizabeth, on ſight of this letter, aſſembled her council, who very attentively examined the affair. The reſult was, that the Scotiſh Queen's marriage with Darnly was dangerous to religion and the realm. To religion, becauſe that Queen, in chuſing a Popiſh conſort, it was to be feared, intended to re-

The people murmur. Buchanan.

Mary aſks Queen Elizabeth's approbation. Camden. Thuanus. Strype.

(1) And about this time, ſhe created lord Darnly, baron of Ardamanack, earl of Roſſe, and duke of Rothſay, which are the uſual titles of the eldeſt and ſecond ſons of Scotland. Heylin's Hiſt. Ref. p. 343.

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ſtore in Scotland her own creed, which would be extremely detrimental to that of the Proteſtants. To the realm, as Mary uniting by this marriage the intereſts of the two houſes which could pretend to the Engliſh crown, ſeemed to have a deſign of forming in the kingdom a powerful faction, and preventing her cabals from being interrupted by oppoſing againſt her the houſe of Lenox. For theſe reaſons, ſome of the counſellors were for inſtantly ſending into that kingdom a body of forces to ſupport the malecontents: but Elizabeth judged it not proper to be ſo precipitate, and the more as the alledging that her marriage might be dangerous to England was but a weak pretenſe for making war upon the Queen of Scots (1). She therefore contented herſelf with ſending ſir Nicolas Throckmorton, to make her ſenſible of the hazard ſhe ran of loſing her expectation of aſcending the throne of England, by a marriage ſo diſagreeable to the Engliſh. Mary's reply was, that the affair was too far advanced to be recalled; nor had Queen Elizabeth any ground to diſapprove this match, ſince by her advice ſhe had now choſe an Engliſhman, deſcended from the royal blood of both kingdoms, and the firſt nobleman of all Britain. Throckmorton, unable to prevail with Mary, ſignified to the earl of Lenox and lord Darnly, that their licenſe being expired, if they did not return to England their eſtates would be forfeited (2). This menace was not ſufficient to command their obedience in ſuch a juncture: nevertheleſs, they both wrote to her Majeſty very ſubmiſſively, and Darnly in particular proteſted, that he only accepted the honor done him by the Queen of Scotland, with intent to preſerve a perfect harmony between the two crowns.

who indeavors to divert her, but in vain. Camden. Melvil.

She recalls the earl of Lenox and his ſon, who excuſe themſelves. Buchanan. Camden. Melvil.

But this was not the only commiſſion wherewith that embaſſador was charged. He had alſo inſtructions to incourage the diſcontented nobles, and give them hopes of Queen Elizabeth's protection. Very ſeemingly, it was from this incouragement that they took arms to oppoſe the marriage. But Mary prevented them, by having it ſolemniſed the twenty-ninth of July, with all the Romiſh ceremonials, in her own chapel. Buchanan ſays, ſhe had two other reaſons to accelerate her nuptials. The firſt was, her apprehenſion of oppoſition from the cardinal of Lorrain, who wiſhed her to make a more conſiderable alliance. The other was, that Rizzo was willing to recommend himſelf to his Sanctity, by giving the Queen a Catholic huſband, without any ſecurity for the Proteſtant religion.

Throckmorton incourages the Scotiſh malecontents. Camden. Strype.

Mary's marriage. Buchanan. Camden. Melvil. Thuanus.

Mean time, the confederate lords being cited, and not appearing, Mary, whether before or after her marriage, put herſelf at the head of four thouſand men, and purſuing them from place to place, finally obliged them to retire into England. There they found a ſafe retreat (3), notwithſtanding the treaty of the year 1560, whereby the two Queens mutually promiſed to ſurrender each other's fugitive rebels: but ſuch articles are uſually very ill obſerved. Melvil relates a particular which deſerves notice. The Scotiſh fugitive lords having deputed to Elizabeth the earl of Murray, to deſire her protection, ſhe politicly induced him, in the preſenſe of the French and Spaniſh embaſſadors, to acknowledge, that ſhe was not concerned in their rebellion; but the words were no ſooner out of Murray's mouth, than ſhe called them rebels and traitors, and forbid them her preſenſe. This was to clear herſelf to the embaſſadors: but it was all mere grimace, ſince ſhe ſtill granted the fugitives a ſafe retreat in her kingdom; nay, privately ſupplied them with money by the duke of Bedford (4).

Some lords take arms and are forced to fly into England. Camden. Melvil. Strype. Buchanan.

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Camden.

Mary's marrying a Papiſt, Rizzo's great credit, and the concern of many for the fate of the revolted peers, produced among the Scots much diſcontent, which daily increaſed by the ſecret intrigues of the relations and friends of the fugitives. The preachers ſtill greatly inflamed it, by inſinuating to their auditories, that religion was in imminent danger. All this notwithſtanding, the court, now proſperous and elate, did, contrary to the rules of policy, and at a juncture when the kingdom was diſſatisfied, reſolve to degrade, baniſh, and out-law the fugitive peers, by a formal decree. To this end, the ſtates were ſummoned to meet in February the year inſuing. Melvil ſays, in his memoirs, that having repreſented to the Queen the miſchiefs this rigor might produce, ſhe at firſt ſeemed to regard him, but perſiſted nevertheleſs in her reſolution, for two reaſons. The firſt was, the avarice of Rizzo, whoſe eye turned towards the confiſcation of thoſe exiles eſtates: the ſecond was, the powerful ſollicitation of the cardinal of Lorrain againſt them. He ſtill meditated placing the Queen his niece on the throne of England, and therefore judged, if the Scotiſh fugitives, as they were the chieftains of the Proteſtants, were once ruined, it would be eaſy to re-eſtabliſh in Scotland the Romiſh religion, and afterwards thence to invade Elizabeth. Doubtleſs, Rizzo, the Pope's creature, acted from the ſame motive, and, in all appearance, the new King was no enemy to the project. If Elizabeth is to be credited in what ſhe ſome years after wrote to her embaſſador in France, Mary and lord Darnly, from the moment of their marriage, never ceaſed intriguing againſt England. On this ſuppoſition, it will not appear ſtrange that Elizabeth fomented the troubles in Scotland, to incapacitate her enemies from invading her.

The people of Scotland diſcontented. Buchanan.

The court drives the fugitive lords to extremities. Melvil, p. 59, 64.

Motives of this conduct.

Walſingham's negociations. Norris's inſtructions, p. 12.

During this interim, Elizabeth ſent into Scotland Tamworth *, with a letter written with her own hand, wherein ſhe demanded of Mary, that lord Darnley, on whom ſhe vouchſafed to beſtow the title of King, ſhould be delivered up to her, according to the tenor of their treaty. Mary refuſed giving the embaſſador audience; but condeſcended to receive the letter. While ſhe was reading it in preſenſe of ſome lords, Rizzo came in, and ſnatching it out of her hands, hindered her from proceeding. He judged that Elizabeth demanded the King, only to oblige Queen Mary to pardon the exiles, to which he could not agree, being determined to ruin them, tho' the earl of Murray had ſent him a very ſubmiſſive letter, with a fine diamond incloſed. Mary anſwered Elizabeth, That ſhe would not attempt any thing againſt England ſo long as ſhe lived, "provided ſhe was declared her preſumptive heir by act of parliament." With regard to her fugitive ſubjects, ſhe deſired to be left at liberty to diſpoſe of them as ſhe pleaſed, ſince ſhe interfered not with the tranſactions of England.

Elizabeth's embaſſador ill received by Mary. Camden. Strype.

* A gentleman of her privy chamber.

Buchanan.

Her letter to Elizabeth.

While Rizzo was buſied in taking meaſures to execute his projects, Queen Mary conceived extreme averſion to her new ſpouſe, which ſoon became public, becauſe ſhe took no care to conceal it. She was not ſatisfied with giving him grievous mortifications in private, but was pleaſed all the world

Queen Mary conceives great averſion to her huſband. Buchanan. Melvil.

(1) The two Queens had an interview this year, in May or June; but to what effect does not appear. Strype's An. Vol. I. p. 510.

(2) Queen Elizabeth, on the 22d of June, ordered the counteſs of Lenox, and her ſon Charles, to be taken in cuſtody. Melvil.

(3) Elizabeth had, by her embaſſadors, promiſed to hazard her crown in their defenſe, in caſe they were driven to any ſtrait for appearing againſt the marriage. Melvil, p. 57.

(4) Melvil ſays, that had not ſome of the Proteſtants in England, who favored the Scots exiles on account of their religion, interpoſed with Queen Elizabeth, they would not have been permited to have remained in her dominions; tho' ſhe had promiſed a little before to give them aſſiſtance. And as for ſecret help, ſhe gave them none; only they obtained a ſmall contribution among ſome of their own religion. p. 57.

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ſhould know how little ſhe valued him. When they were firſt married, ſhe had cauſed the King's name to be ſet with her own in all public acts, and on the coin; but preſently after ſhe ordered her own to be placed before the King's, and even cauſed his to be omited in the money-ſtamp. Mean while, if we may believe Buchanan, ſhe continued, without any reſerve, her ſcandalous familiarities with Rizzo. Melvil ſays not ſo much on this ſubject; but, beſide his plain intimations, he manifeſtly ſuppoſes it, otherwiſe there would be no coherence in what he relates. As for Camden, who makes it his buſineſs to vindicate Mary on all occaſions, he ſcarce mentions Rizzo; and for this Queen's averſion to her huſband, he taxes the earl of Murray, then a fugitive in England, with having excited it by his letters and friends. He pretends that, from the alteration injoined by Mary with reſpect to public inſtruments and the coin, Murray took occaſion to ſow diſcord between them; ſo aſſigning for cauſe what was only the effect of the Queen's averſion.

Her behavior to Rizzo very ſcandalous. Buchanan.

Buchanan muſt be copied, to repreſent fully all the mortifications Mary made the King undergo, the affronts ſhe put upon him, and the little diſcretion ſhe obſerved in her familiarities with Rizzo (1). Perhaps this hiſtorian has greatly exagerated: however, it cannot be denied that the King was jealous. The queſtion is to know, whether the Queen gave occaſion for this jealouſy, as Buchanan pretends; or whether, as Camden affirms, the earl of Murray, tho' abſent, inſtilled it into the King, without any foundation, by letters and his friends intrigues (2). Melvil, who ought not to be looked on as a ſuſpected evidence, plainly ſuppoſes the King's jealouſy, without one word of the cauſe, and it may be almoſt affirmed, that had he thought the Queen intirely innocent, he would not have failed clearing her. He adds, that the friends of the fugitive lords improving the viſible diſunion between their Majeſties, and the King's diſpoſition with regard to Rizzo, induced him to determine on diſpatching that favorite, in order, by his death, to put a ſtop to the proſecution of the fugitives, who properly had not any other adverſary. This ſeems to confirm what Buchanan ſays, ſince Melvil ſuppoſes the King's jealouſy, and ſince the friends of thoſe exiles only made uſe of the King's diſpoſition. On the other hand, Camden ſeems to have ſaid juſtly, that the earl of Murray's friends inſpired the King with the deſign to get rid of Rizzo. But we ſhall ſoon ſee that, by the friends of the fugitive peers, Melvil did not mean the earl of Murray's particular partiſans, but rather thoſe of the other lords, who alſo had taken refuge in England.

The King receives many mortifications. Buchanan. Cauſſin.

Melvil. p. 64.

He privately recalls the exiles. Buchanan.

The King having taken this reſolution, and conſulted ſome of his domeſtics how to execute it, the Queen, who thereof had notice, was ſo inraged at him, as made him ſtill more ſenſible how highly ſhe was concerned at what regarded that unworthy favorite. As the deſign was diſcovered, the King grew apprehenſive for his own life, and not knowing what courſe to take, aſked advice of his father the earl of Lenox, who was of opinion, privately to recall the fugitive lords, and by their aid ſtrengthen himſelf againſt Rizzo's attempts. Probably, it was then the King notified to thoſe exiles, that they might return to Scotland; whether he only gave them ſome general hope of a revolution to their advantage, or acquainted them with his moſt ſecret deſigns.

Eliza. An'. 1665.

In July, this year, was the famous interview of Bayona, where the two courts of France and Spain determined on imploying their utmoſt efforts to extirpate the heretics, as it afterwards appeared. Very ſeemingly, Queen Elizabeth was not forgot on this occaſion.

Interview of France and Spain at Bayona. Thuanus.

Pope Pius IV dying in September, his ſucceſſor took the name of Pius V. I return to the affairs of Scotland, which are very material towards illuſtrating Elizabeth's hiſtory.

Pius V. Pope. Thuanus.

An' 1566.

The members of the Scotiſh parliament daily repaired to Edinburg, in the begining of the year 1566. As they arrived, Rizzo openly ſollicited them to obtain a ſentence againſt the fugitive lords, notwithſtanding the warm inſtances of the Engliſh embaſſador, who conjured the Queen to pardon them, or at leaſt to defer judgment. Theſe inſtances were ſo far from moving her, that they rather helped to confirm her reſolution, becauſe ſhe conſidered Elizabeth as a capital enemy againſt whom ſhe was to guard. Theſe exiled peers being heads of the Proteſtants, it is probable the Queen of England demanded their pardon only to have ſo many powerful friends when they ſhould return home: but this was preciſely what the Queen and Rizzo were reſolved at any rate to prevent; as being very ſenſible how extremely difficult their projects would be to be accompliſhed when theſe lords were in Scotland, and therefore they were to be deprived of all hopes to return.

The ſtates of Scotland aſſembled. Buchanan. Melvil. Rizzo ſollicites againſt the fugitives.

Mean while, the King conſulted with the earl of Morton, and ſome other friends, how to diſpatch Rizzo. In fine, his death was reſolved; the King having firſt ſigned a writing, declaring himſelf to be the author (3). His inſtruments were lord Ruthven, and George Douglaſs, natural ſon to the earl of Angus, Morton only adviſing the thing, without lending his aſſiſtance, and it was executed in this manner. The Queen being at table, and Rizzo in her chamber, the King went up a private ſtair-caſe, and ſtood ſome time leaning on her chair. Preſently after, lord Ruthven and George Douglaſs entered well armed, and attended with ſome of their accomplices, the reſt having poſted themſelves in diverſe parts of the palace to prevent obſtruction. By the abrupt breaking in of theſe men the table was overturned. The Queen demanding of Ruthven, what was his deſign, he vouchſafed her no anſwer; but addreſſing himſelf to Rizzo, in a magiſterial tone, commanded him to quit the room, the place he ſat in not becoming him: by this, it ſeems, Rizzo was at table with her Majeſty. Howſoever it was, Rizzo, perceiving he was the mark leveled at, caught hold, trembling, on the Queen's robe, to put himſelf, as it were, under her protection, while ſhe, on her part, did all ſhe could to interpoſe herſelf between him and the conſpirators. But the King catching her in his arms, and telling her ſhe had nothing to fear, hindered her from expoſing herſelf to the danger, and withal from ſcreening Rizzo. Mean while George Dauglaſs drawing the King's dagger from his ſide, gave therewith a mortal ſtab to

The King has Rizzo aſſaſſinated in the Queen's chamber. Melvil, p. 64. Buchanan.

Thuanus. Buchanan.

Melvil, p. 64.

Ibid.

Ibid.

(1) We find (in lord Ruthven's relation of the death of David Rizzo) the King thus complaining to Queen Mary: "Since "yon fellow Davie fell in credit and familiarity with your Majeſty, ye regarded me not, neither treated me nor entertained me "after your wonted faſhion; for every day before dinner and after dinner, ye would come to my chamber, and paſs time with "me, and this long time ye have not done ſo; and when I come to your Majeſty's chamber, ye bear me little company, except "Davie had been the third marrow: and after ſupper your Majeſty hath a uſe to ſet at the cards with the ſaid Davie 'till one "or two of the clock after midnight; and this is the entertainment that I have had of you this long time. p. 30.

(2) Blackwood ſays, it was the earl of Morton who put it into the King's head.

(3) See this writing, in a curious relation of the death of Rizzo, written by lord Ruthven, and publiſhed at London 1699.

Rizzo,

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Rizzo, who was immediately draged into another appartment (1), and there quite diſpatched. The Queen was then more than five months gone with child, and it may eaſily be judged that ſuch a ſcene in her very ſight muſt have put her in no ſmall danger of miſcarrying (2).

The Queen put under a guard. Melvil, p. 65.

Rizzo being diſpatched, a guard was ſet over the Queen, who however found means to order Melvil to go inſtantly to the provoſt of Edinburg, and injoin him to aſſemble a force and haſten to her relief. Melvil having diſcharged his commiſſion, the provoſt replied, he would do all he could for her Majeſty's ſervice, but that much aſſiſtance was not to be expected from the people, who were highly diſguſted with the government. However ſome appearing in arms before the palace, the King ſhewed himſelf from a window, and aſſuring them that Rizzo had been killed by his command, injoined them to withdraw, which order they inſtantly obeyed (3).

Vindication of the earl of Murray againſt Camden's accuſations. Melvil, p. 65,

Mean while the Queen, not doubting Rizzo's murder was in favor of the fugitives, and that they would ſpeedily return into Scotland, ordered Melvil, by one of her ladies, to attempt gaining the earl of Murray, and intreat him in her name not to join with her enemies, for which he might aſſure himſelf of her conſtant love, favor and acknowledgment. In effect, Murray and the other fugitive lords arrived two days after Rizzo's death, having had notice of the change which was to happen at court. Camden, from the ſudden arrival of the fugitives, draws this conjecture, that Rizzo muſt have been aſſaſſinated purely for the ſake of Murray, whom the ſtates were, two days after, to have condemned: but, on the contrary, it appears in Melvil's memoirs, that the earl of Murray's peculiar friends had no manner of concern in the fact, ſince he deemed not himſelf any way obligated to the actors. What Melvil ſays, on this occaſion, evidences that the conſequence drawn by Camden againſt the earl of Murray, from the ſudden arrival of the fugitives, is not juſt. His

p. 397.

Melvil, p. 63. words are theſe: "Which commiſſion (4) I did "not fail to execute at his coming upon Mon- "day; but he was more moved at his meeting "with her Majeſty, who imbraced and kiſſed him, "alledging that if he had been at home, he would "not have ſuffered her to have been ſo uncour- "teouſly handled: which ſo much moved him, "that the tears ran from his eyes. He knew "ſufficiently well, that it was not for his cauſe, "but their own particular ends, that the greateſt "part who had made that enterpriſe had therein "ingaged, which made him the leſs concerned "in them." Can any thing be more oppoſite to Camden's inference? This hiſtorian will have Rizzo to have been murdered merely on the earl of Murray's account, and in order to prevent his condemnation, without mentioning the other fugitive lords, as if their friends had no hand at all

p. 65. in the buſineſs. And yet Melvil, who was then preſent in the court, and wrote long before him, ſays poſitively, that the friends of the other fugitive lords were the ſole authors of this murder, and that the earl of Murray's were no way ingaged. By ſuch ſtrokes as this, and by perpetual invectives againſt Murray, Camden has diſfigured the Scotiſh hiſtory of thoſe days, and withal that of England in what it has in common with this neighboring kingdom.

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The King abandons the aſſaſſines; Melvil, p. 65. who are obliged to treat with the Queen. Relation of the death of Rizzo. Buchanan. Thuanus.

While the Queen was held under confinement, Scotland was in a real anarchy; however it was of no long continuance. The King ſoon began to repent his following ſuch violent counſels, and the Queen, who perceived it, managed him ſo artfully, that ſhe perſuaded him to abandon Rizzo's murderers (5). This unexpected turn amazed them, eſpecially as, very contrary to what they expected, they found that the earl of Murray would not join them. The Queen imbracing this fair opportunity, propoſed agreement, to which they readily conſented, unable as they were to ſupport themſelves: but ſhe had the addreſs to have the articles ſo worded that diverſe alterations muſt neceſſarily be made before matters could be adjuſted. This was done to gain time, and afford her Majeſty leiſure to take neceſſary meaſures to free herſelf from captivity. When the writing was ſettled to the parties ſatisfaction, ſhe repreſented to the King, that if ſhe ſigned it while a priſoner, it would be of no force, and by that means ſhe got her guard to be diſmiſſed: but inſtead of ſigning the writing, ſhe found means to eſcape and retire to Dunbar, whither ſhe alſo took with her the King (6). On her departure, ſhe ordered Melvil * to uſe his utmoſt indeavors to keep Murray in his good reſolution; and Melvil ſays, the ſaid earl and his friends aſſured him of their conſtant fidelity to her Majeſty.

The Queen deceives them and eſcapes to Dunbar. Melvil, p. 65. Buchanan.

p. 66. * By one of her ladies.

She reaſſumes her authority, and pardons the fugitives.

Mary being arrived at Dunbar and reſuming her authority, granted a pardon to the earl of Murray; and afterwards the earls of Argyle, Rothes and Glencairn obtained a like amneſty. As for the duke of Chateleraut, he had withdrawn from them before they were obliged to ſeek refuge in England. Mary's rage was wholly turned againſt Rizzo's murderers: but Morton, Ruthven and Douglaſs being fled into England, ſhe could puniſh only ſome of their inſtruments, who were executed. Buchanan affirms, ſhe cauſed Rizzo's body to be removed from the obſcure place where it was buried, and laid in the ſepulcher of the Kings, cloſe by Magdalen of France, King Francis I's daughter. It may readily be judged that this act of violence commited by the King, greatly increaſed his Queen's averſion to him. She put a conſtraint on herſelf while a priſoner; but ſhe no ſooner ſaw herſelf at liberty but ſhe mortified him beyond all ſufferance. Buchanan is very circumſtantial, and what he relates is in a manner confirmed by Melvil. This latter ſays, Mary could not bear the King in her ſight; ſhe avoided his preſenſe; and he "went "up and down all alone, ſeeing few durſt bear him "company. He was miſliked by the Queen, and "by all ſuch as ſecretly favored the late baniſhed "lords: ſo that it was a great pity to ſee that good "young Prince caſt off, who failed rather for "want of good counſel and experience, than from "any bad inclinations." To be ſhort, Mary, having all along determined on lying-in at Sterling, ſeeing the King arrive there, retired without him to Edinburg caſtle, there to expect the hour of her delivery.

Rizzo's murderers withdraw to England.

Relation of Rizzo. Melvil. p. 66, 67. Buchanan.

Melvil. p. 66, 67.

(1) The outer hall. Melvil, p. 65. This was contrary to the deſign of thoſe who conſpired his death; for they had reſolved to hang him publicly. Buchanan.

(2) Melvil, in his relation of Rizzo's death, ſays, it appeared to be done to deſtroy both her and her child. For they might have killed Rizzo in any other part, and at any other time, p. 66. The lords concerned in this aſſaſſination, were for diſpatching Rizzo in his own chamber, in a morning, or elſewhere: but the King inſiſted it ſhould be done as it was. p. 22, 23.

(3) Buchanan ſays, there was a great tumult in the city, and that the citizens took arms; but, according to Melvil, the tumult was not very conſiderable. Rapin.

(4) To diſſuade Murray from joining the Queen's adverſaries.

(5) Buchanan does not fully explain this, and thereby renders his account very obſcure. Rapin.

(6) Buchanan ſays, ſhe forced him to go with her; but in the condition ſhe was in, it was ſcarcely poſſible for her to uſe force, and conſequently it is much more likely that he followed her voluntarily. Rapin.

Now

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The earl of Bothwell in great credit. Melvil, p. 67. Thuanus. Buchanan.

Now began the earl of Bothwell to hold in the Queen's affection the place which had been poſſeſſed by Rizzo. As the new favorite found the Queen had a great regard for the earl of Murray, who had lately given her convincing proofs of his fidelity, he joined with the earl of Huntley and John Leſley, biſhop of Roſs, to deſtroy him. To this end, they intimated to her Majeſty, that he intended to get the earl of Morton, and the reſt of Rizzo's murderers re-called, in order to form a party againſt her while ſhe was in child-bed (1): but ſhe would not believe it, and Melvil intirely undeceived her. Thus Murray was inceſſantly expoſed to his enemies, to whom Mary, unhappily for herſelf, gave but too much acceſs to her perſon.

Elizabeth diſcovers Mary's deſigns by help of a ſpy. Melvil, p. 68.

Elizabeth, being fully informed of what paſſed at the court of Scotland, was not ſorry to find "her "good ſiſter" (for ſo ſhe ſtiled Queen Mary) purſuing a courſe contrary to her true intereſt, in truſting to men who could not but ruin her. She knew Mary could not relinquiſh her project of dethroning her, and that the Pope, the cardinal of Lorrain, and the courts of France and Spain were very careful to keep her in this diſpoſition: ſo, the better to diſcover her ſecrets, ſhe had ſent into Scotland one Ruxby, who feigning to eſcape from England, and to hate Elizabeth mortally, had inſinuated himſelf into Mary's favor, and by degrees, got out of her ſome important ſecrets, which he communicated to ſecretary Cecil. Theſe diſcoveries having confirmed Elizabeth's ſuſpicions, were the reaſon why, notwithſtanding her having, by proclamation, commanded all the Scotiſh fugitives to depart her dominions, ſhe gave them private aſſurances of her protection, deſigning, when occaſion offered, to make them her inſtruments to raiſe Mary diſturbances which ſhould divert her thoughts from any attempts upon England.

She aſſures the Scotiſh fugitives of her protection. Melvil, p. 69.

Her ſpy diſcovered. Melvil, p. 69.

Mean while, ſir Robert Melvil, the Scotch embaſſador in England, having found Ruxby to be Cecil's ſpy, notified it to the court of Scotland, who ordered him to be arreſted with all his papers, among which were found ſome of Cecil's letters in cypher (2). He was kept ſo carefully that none knew why he was apprehended. Soon after Elizabeth, ſending Killigrew into Scotland about ſome affairs, ordered him to demand Ruxby as her fugitive ſubject. Mary, feigning to be ignorant of Ruxby's buſineſs in Scotland, replied, ſhe was ready to deliver him to any perſon whom the Queen her ſiſter ſhould commiſſion to receive him. But Elizabeth underſtanding he had been arreſted, and ſuſpecting the cauſe, ſaid no more of the affair.

Both Queens conſider each other as enemies.

Thus theſe two Queens, amidſt their mutual demonſtrations of friendſhip, did however regard each other as real enemies, and not without reaſon. Mary was, by her emiſſaries, clandeſtinely laboring to corrupt Elizabeth's ſubjects, and inſpire them with a ſpirit of rebellion. Elizabeth, on her part, countenanced the male-contents of Scotland, with private intimations that in her they ſhould always find a powerful protection.

Birth of James, Mary's ſon. Buchanan. Melvil, p. 69, &c.

While all this paſſed, the Scotiſh Queen was delivered of a ſon, on the nineteenth of June, and immediately James Melvil was diſpatched to Elizabeth, to carry her the news, and deſire her to ſtand godmother to the new-born Prince. Melvil ſays, in his memoirs, that ſecretary Cecil having carried her Majeſty theſe tidings, ſhe being then at a ball, the dancing immediately ceaſed, and the Queen ſat down in her chair, leaning her head on her hand, without uttering a word; that one of her ladies aſking her the reaſon of her ſudden melancholy, ſhe replied, "The Queen of Scots was mother of "a ſon, while ſhe was but a barren ſtock." However, next morning, when ſhe gave audience to the envoy, ſhe appeared better dreſſed, and more jocund than ordinary, expreſſing great joy that the Queen her good ſiſter was ſafely delivered. At his audience, Melvil inſinuating to her, that in this juncture ſhe could not better ſhew her concern for what related to the Queen of Scotland, than by declaring her preſumptive heir to the crown of England; ſhe coldly anſwered, that affair was in the hands of the lawyers, and ſhe heartily wiſhed her title might be found well grounded.

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Elizabeth vexed at it. Melvil, p. 70.

Mary's friends try to diſpel Elizabeth's ſuſpicions. Melvil, P. 73, 74.

While Melvil was at London, Mary's principal friends thought it abſolutely neceſſary to remove the court of England's ſuſpicions occaſioned by Ruxby's intelligence; and that, for this purpoſe, it would be proper for Queen Mary to write two letters, one to her embaſſador in ordinary, to be ſhewn to Elizabeth, another to ſecretary Cecil (3); and draughts were ſent her. Theſe letters were writ accordingly. In that to her embaſſador, Mary proteſted, ſhe expected nothing but by the favor and friendſhip of her good ſiſter. She injoined her embaſſador, not to hearken to any propoſal of the male-contents, but to threaten to diſcover their plots if they came to his knowledge. The other letter, directed to the ſecretary of ſtate, contained much the ſame proteſtations. "By theſe "letters (adds Melvil) Ruxby's intelligence was "ſuppreſſed, and my brother ſuffered to ſtay in "England, whereby the Queen's friends ſo in-"creaſed, that many whole ſhires were ready to "rebel, and their captains already named by the "election of the nobility."

Mary's deſigns. Ibid.

The two Queens lay ſnares for each other.

This confeſſion of a man who, moſt apparently, was well informed, ſince he was brother of the embaſſador in ordinary, plainly evidences what were Mary's deſigns. Can it be thought, that the embaſſador undertook to incite the nobles and counties of England to rebel, contrary to the Queen his miſtreſs's will, or without her knowledge? In Melvil's memoirs are diverſe paſſages to the like effect, which ſhew, that Mary and her friends were inceſſantly ſtriving to increaſe her adherents in England, and to hold them ſtill diſpoſed to riſe againſt Elizabeth, when a proper occaſion ſhould offer. It was therefore no wonder if Mary refuſed ratifying the Edinburg treaty. That ratification would have diſcouraged her friends in England and other countries. Elizabeth was not ignorant of Mary's drift, which was neither more nor leſs than to dethrone her, if ſhe could poſſibly find means. This was the reaſon of her preſſing her ſo earneſtly to take the falſe ſtep of ratifying the treaty of Edinburg, in order to break her meaſures. On the other hand, at the very inſtant Mary was making proteſtations of friendſhip to her good ſiſter, and intreating her to ſtand godmother to her ſon, ſhe was indeavoring to inſnare her, by perſuading her to get her declared heir to the crown. She well knew that, could ſhe once attain this advantage, her party, which was already very conſiderable in England, would become more numerous and powerful: but they were both too well acquainted with their own intereſts to fall into the ſnares they laid for each other. So, Mary never ratified the Edinburg treaty, neither did Elizabeth ever declare her next heir. Nevertheleſs it may be juſtly preſumed, that had not Mary loſt herſelf another way, as we

(1) And therefore adviſes her to impriſon him, 'till ſhe was delivered. Melvil, p. 67.
(2) The letter only wherein Cecil promiſed Ruxby to ſee him rewarded, and deſired him to continue in his diligence. Ib. p. 69.
(3) The letters were both writ to Melvil, of which the Queen was to ſee one, and Cecil the other. Melvil's Memoirs, p. 73.

ſhall

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shall soon see, she would have thrown Elizabeth into difficulties whence, with all her policy, she would scarcely have extricated herself.

Mary's ill treatment of the King. Buchanan.

In the interval between Mary's delivery and the young Prince's baptism, she was observed to treat the King with such strange contempt, and to put on him such grievous affronts, that it was the talk of the whole kingdom. Buchanan is not satisfied with expatiating on this subject; but speaks moreover of the Queen's amours with Bothwell in a manner evidencing her to have lost all shame, and no longer to regard what the world said of her. It might be believed that Buchanan, who hated the Queen, has exagerated matters, did not what occurred afterwards too evidently confirm what he has advanced. Camden makes not the least mention of the Queen's freedoms with Bothwell, and touches but slightly on her aversion for the King, terming it only a difference between them, because these were topics directly contrary to his design of a complete vindication. Melvil found himself imbarassed: he durst not say all; but the sequel and connection of his memoirs necessarily requiring he should say something of the Queen's amours, he contents himself with intimating, in several places, that Bothwell was at that time absolute at court, and intirely governed her Majesty: but with regard to her aversion for the King he was not so reserved, since he scruples not making it appear to have been excessive.

Her scandalous manner of life with Bothwell. Buchanan. Thuanus.

p. 77.

The Prince's baptism. Melvil, p. 74. Buchanan. Camden.

The Prince's baptism being to be celebrated at Sterling, the embassadors of France, England, and Savoy, who were to stand godfathers, repaired thither, and the court was very numerous. It was the earl of Bedford whom Elizabeth sent to stand in her stead. The Prince was named James, and the Queen prevailed, tho' with much difficulty, that he should be baptized after the rites of the Romish church, intending to educate him in the Catholic religion. While the court was at Sterling, the King was exposed to unheard-of indignities, not daring to shew himself by reason of the extreme want he was reduced to, while Bothwell appeared with a royal magnificence, to the great scandal of all men. But without insisting on what Buchanan says, since he is not thought impartial, I shall content myself with the testimony of Melvil. The Queen, says that author, being at Sterling, seemed very melancholy, and complained to me of Rizzo's murder, as of an outrage which could not be effaced from her remembrance. "I indeavored (adds he) to comfort her, and to persuade her "to recall the banished lords, that she might in"joy a peaceable government. I had now some"what prevailed with her; but, alas, she had "bad company about her; for the earl of Both"well, who had a mark of his own that he shot "at, as soon as he understood of her wise and mer"ciful deliberations, took occasion to bring in the "earl of Morton, and his associates, thereby to "make them friends, and by them to fortify his "faction. For apparently, he had already in his "head the resolution of performing the foul mur"der of the King, which he afterwards put in ex"ecution, that he might marry the Queen." He farther adds, that the earl of Bedford, being on the point of returning to England, desired him to tell the Queen, from him, "That, for her own ho"nor, she should entertain the King as she had "done at the begining." Melvil discharged his commission, but without any effect. What Buchanan relates, is much better confirmed by these testimonies, than confuted by Camden's silence.

The King undergoes many mortifications. Buchanan.

p. 74, 75.

p. 77.

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After the baptismal solemnity, the earl of Bedford, pursuant to Elizabeth's orders, pressed the Queen of Scotland to ratify the Edinburg treaty. Hitherto she had only used pretenses and excuses to evade this demand; but now she spake more freely. She answered, there was in the treaty a certain article expressed in equivocal terms, which she could not ratify without great prejudice to herself: that however she offered to send commissioners to the borders, to agree with those of the Queen of England on a new treaty, wherein she would promise to assume neither the title nor arms of England, so long as Elizabeth and her heirs should live. Thus the difficulty was at length unraveled, and indeed Elizabeth could not with justice require more of her. Nevertheless, she took this answer for a refusal, which, in my opinion, is a clear evidence of what I have said elsewhere, that Elizabeth intended to make use of this absolute ratification, if Mary had been so unwise as to give it, against Mary herself, and thereby prove she had no title to the crown of England. It is extremely probable that most of the English Protestants, after having been so cruelly persecuted in the preceding reign, wanted only a pretext to exclude a Popish Princess from the succession.

Mary refuses to ratify the treaty of Edinburg; Camden. Walsing.

and offers to make another less ambiguous.

Elizabeth's design.

The court of Scotland being returned to Edinburg after the Prince's baptism, the King was there treated in so injurious a manner, that he at length resolved on retiring to Glasgow to the earl his father, who had left the court not to be a witness of the base indignities offered to the King his son. Just as he was going, some of the Queen's officers took away all his plate, and gave him a set of pewter. He was scarce got a mile from Edinburg, when he was seized with a very violent indisposition, occasioned by poison given him before his departure (1). He however proceeded to Glasgow, where physical remedies, and the strength of his constitution overcame the virulence of his ailment, tho' not without great difficulty. Not to interrupt the thread of Scotish affairs, I have run over at once what of moment happened in that kingdom, in the year 1566. We must now proceed to other occurrences.

Mary treats the King unworthily.

He resolves to withdraw.

He is poisoned on his departure. Buchanan. Melvil. Thuanus.

He overcomes the poison.

In the begining of this year, Charles IX. sent M. de Rambouillet into England, with two collars of the order of St. Michael, which he desired Elizabeth to confer on any such two of her noblemen as she pleased. She made choice of the duke of Norfolk and the earl of Leicester, and honored the bearer with the order of the garter (2). But we must not be deceived by these external marks of mutual esteem and friendship between the two courts; they were far from being sincere. Elizabeth had broke the Gallic court's measures by driving the French from Scotland. Moreover, she was considered as the head and protectress of the Protestants, whose destruction had been determined in the conference of Bayona: so, in all appearance, it was only to amuse her, that the court of France gave her this equivocal mark of their esteem. Elizabeth was not ignorant, that the French court, which was extremely bigoted, and where the Queen of Scotland had such powerful friends, had no affection for her: nay, supposing she had no intimation of the resolution taken at Bayona, which was however, known or guessed by the Hugonots of France, she could never repose in that court any confidence.

Charles IX gives Elizabeth marks of his esteem. Camden. Stow.

(1) Camden says not a word of this poisoning. Rapin.——Melvil's account is this, "The King followed the Queen about "whithersoever she rode, but got no good countenance: so that finding himself slighted, he went to Glasgow, where he fell "sick, it being alledged, that he had got poison from some of the servants, p. 77.

(2) It was not the bearer, but King Charles, his master, who was honored with the order of the garter. Camden, p. 399.

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The earl of Arundel quits England. Camden.

This year, the earl of Arundel departed England with the Queen's permiſſion, under color of changing the air for the recovery of his health. It was thought, the real motive of his retreat was his deſpair of marrying her Majeſty, wherewith he had vainly flattered himſelf.

The Queen viſits Oxford. Camden. Stow. Hollingſh.

Soon after Elizabeth's receiving notice of the Scotiſh Queen's delivery, ſhe viſited the univerſity of Oxford, where ſhe was received in the ſame manner as at Cambridge. She alſo ſhewed here, by her courteous diſcourſe and behavior, a very ſingular regard for that univerſity. Never was Prince greater maſter than herſelf of the art of gaining the love of her ſubjects, by kind and affectionate expreſſions, which ſeemed to flow from her heart.

Combination to get the Queen of Scotland to be declared Elizabeth's heir. Camden. D'ewes.

Notwithſtanding all this, a terrible ſtorm was gathering againſt her. The Queen of Scotland having been delivered of a Prince, her friends began to ſtir, and ſcrupled not to act openly, in order to have her declared the Queen's heir. The parliament met in November with that reſolution. Thoſe who managed the affair were Mary's chief friends, and had only her in view: but the public good was generally pretended. Among the peers, ſome there were who, ſeeing Elizabeth unmarried, and the Queen of Scots inclined to a divorce, flattered themſelves with marrying one or other. To this end they kept behind the curtain, and ſet their friends to work, in order to ſtrike in the moſt critical minute. At length, the party being made, it was moved in the upper-houſe, to addreſs the Queen, and pray her to marry, or appoint a ſucceſſor. Among the reaſons alledged for this requeſt, ſome were contradictory; but all arguments were good to thoſe who had formed the project, provided they could ingage the majority on their ſide. To gain thoſe who had only the public good in view, they were told, if the Queen died iſſueleſs, the kingdom would be expoſed to great troubles, becauſe nothing yet was ſettled about the ſucceſſion. The zealous Proteſtants were made to fear, that the Queen of Scotland having a claim to the crown, there was danger of ſeeing the late reign acted over again, if the Queen did not take a huſband, and with divine bleſſing get a ſucceſſor. Many fell into the ſnare, imagining the Queen, who ſo affectionately loved her ſubjects, would comply with their deſires, and finally determine on marrying; and they hoped, by that means, to ſee the kingdom in perfect tranquillity. The Scotiſh Queen was not mentioned, and yet it was only her whom the heads of the conſpiracy had in view. They knew the Queen had reſolved never to marry: nay, it was believed, ſhe could not do it without hazarding her life, and that her phyſicians had told her the ſame. But, feigning ignorance, they reſolved ſhe ſhould be preſſed to change her condition, that they might, from her refuſal, have a handle to urge her naming a ſucceſſor. This could be only the Queen of Scotland; there being no other perſon who could diſpute her title. The ducheſs of Suffolk and her two eldeſt daughters were dead. The third was extremely deformed, and had married a man of a very obſcure condition; nay, I am not ſure ſhe was living. As for the children of Catherine Grey, the ſecond of the three ſiſters, by the earl of Hertford, Elizabeth had declared them baſtards by a juridicial ſentence; and conſequently they could not pretend to the crown. As for the counteſs of Lenox's title, Mary had taken care to unite it with her own, by her marriage with lord Darnly. It was neceſſary therefore, either to call to the ſucceſſion ſome deſcendants from the females of the York family, whereto the Queen and parliament would not have willingly agreed, or to nominate Mary Stuart to fill the throne next Queen Elizabeth. In the upper-houſe this combination was ſo ſtrong, that ſome of the peers were of opinion, it was not ſufficient barely to intreat her Majeſty, but that ſhe ſhould actually be obliged to marry, or in caſe of a refuſal, a ſucceſſor be declared by act of parliament, even againſt the Queen's will (1). Finally, it was reſolved to ſend the lord keeper Bacon, in name of the houſe, to requeſt her making choice of a conſort, and to lay before her their reaſons. In the lower-houſe matters were managed with ſtill leſs temper. It was openly maintained that, ſince the Queen would not marry, ſhe ought to be conſtrained to appoint a ſucceſſor: that, by neglecting ſo neceſſary a precaution, ſhe ſhewed that her pretended affection for her people was all diſſimulation, ſince ſhe prefered her own private intereſt to the nation's welfare: that ſhe could deny what was deſired of her only thro' fear of her ſucceſſor, which fear could be entertained by none but timorous Princes or faint-hearted women.

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The houſe of lords preſs Elizabeth to marry. Camden. D'ewes, p. 105.

The commons are ſtill warmer. Camden. D'ewes. p. 124, 128.

The Queen's perplexity. Camden. D'ewes.

Elizabeth took ſome time to return her anſwer to the lords, and either over-looked, or ſeemed to be ignorant of what paſſed in the houſe of commons. She was however extremely mortified that her enemies had ſufficient credit to turn againſt her both houſes of parliament, and to ſee thoſe whom ſhe had moſt favored prevailed on to act ſo directly contrary to her intereſt. As ſhe was conſcious that abundance of her ſubjects were not fully convinced of the juſtice of her title to the crown, ſhe evidently ſaw that nominating the Scotiſh Queen for her preſumptive heir was actually inhancing and corroborating the right of that dangerous rival. Among the Sovereign Princes, ſhe had neither ally nor real friend. On the contrary, ſhe could not doubt that the Pope, France and Spain would readily aſſiſt to deprive her of the crown. Her whole dependance was on the affection of her people, whoſe repreſentatives ſhe beheld combined, as I may ſay, againſt her, to oblige her to take a ſtep ſo oppoſite to her true intereſt. It is not eaſy to gueſs what ſhe would have reſolved had the peers perſiſted in their demand, and been ſeconded by the commons. 'Till ſhe could more clearly penetrate the intrigues which influenced the parliament, ſhe had recourſe to a certain expedient, which ſerved her preſent purpoſe, poſtponing other meaſures, 'till ſhe ſaw how her adverſaries would proceed. The expedient was, to order thirty of each houſe to come to her (2), to let them know, or rather to diſguiſe her intentions, and evade their requeſts; which ſhe did in the following diſcourſe.

She ſends for thirty deputies from each houſe. D'ewes, p. 104, 105.

Elizabeth's ſpeech in parliament. Camden. D'ewes.

"MY lords, and others the commons of this "aſſembly: altho' the lord-keeper hath, "according to order, very well anſwered in my

(1) The earls of Pembroke and Leiceſter did openly, and the duke of Norfolk with more caution, profeſs this to be their opinion. But they made their ſubmiſſion, and obtained their pardon. Camden, p. 399.——Moſt of the lords and other great men in England, were then well affected to the Queen of Scots, and kept a correſpondence with her, as may be ſeen in Melvil, p. 46, &c.

(2) Theſe ſhe diverted, by the moſt obliging expreſſions mixed with a gentle reproof, from this reſolution, and promiſed them to manage things, not only with the care of a Prince, but the tenderneſs of a Parent. And whereas the houſe had offered greater ſubſidies than uſual, on condition ſhe would declare a ſucceſſor, ſhe refuſed thoſe extraordinary grants, and accepted a ſmaller ſum, ſaying, "That money in her ſubjects purſe, was as good as in her own exchequer." Camden.——Had our author ſeen or heeded the above lines, he had not, as he does, made the Queen deliver to the ſixty deputies the inſuing ſpeech, which her Majeſty delivered in full parliament, the laſt day of the ſeſſion.

"name,

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" name, yet, as a periphraſis, I have a few words " farther to ſpeak unto you. Notwithſtanding I " have not been uſed, nor love to do it in ſuch " open aſſemblies; yet now (not to the end to " amend his talk) but remembering that com- " monly a Prince's own words be better printed " in the hearers memory than thoſe ſpoken by " her command, I mean to ſay thus much unto " you. I have in this aſſembly found ſo much " diſſimulation, where I always profeſſed plaineſs, " that I marvel thereat, yea two faces under one " hood, and the body rotten, being covered with " two vizors, ſucceſſion and liberty, which they " determined muſt be either preſently granted, " denied, or defered; in granting whereof they " had their deſires, and denying and defering " thereof (thoſe things being ſo laudable, as indeed " to all men they are) they thought to work me " that miſchief which never foreign enemy could " bring to paſs, which is the hatred of my com- " mons. But alas! they began to pierce the veſſel " before the wine was fined, and began a thing not " foreſeeing the end; now, by this means, I have " ſeen my well-wiſhers from my enemies, and can, " as me ſeemeth, very well divide the houſe into " four. Firſt the broachers and workers thereof, " who are in the greateſt faults. Secondly, the " ſpeakers, who by eloquent tales perſuaded others, " are in the next degree. Thirdly, the agreers, " who being ſo light of credit that the eloquence " of the tales ſo overcame them, that they gave " more credit thereunto than to their own wits. " And laſtly, thoſe who ſat ſtill, mute, and " meddled not therewith, but rather wondered, " diſallowing the matter; who, in my opinion, " are moſt to be excuſed. But do you think, " that either I am unmindful of your ſurety by " ſucceſſion wherein is all my care, conſidering I " know myſelf to be mortal? No, I warrant you; " or that I went about to break your liberty? No, " it never was my meaning, but to ſtay you before " you fell into the ditch. For all things have their " time; and altho' perhaps you may have after " me one better learned, or wiſer; yet I aſſure " you, none more careful over you; and therefore " henceforth, whether I live to ſee the like aſſem- " bly or no, or whoever it be, yet beware how " you ever prove your Prince's patience, as you " have now done mine.

" And now to conclude, all this notwithſtanding " (not meaning to make a Lent of Chriſtmaſs) the " moſt part of you may aſſure themſelves, that " you depart in your Prince's grace.

It is not eaſy to comprehend what the Queen would have intimated to the parliament when ſhe ſaid, " whether I live to ſee the like aſſembly or " no:" for theſe are ambiguous words, which may be taken in various ſenſes; beſide, they are put in where they have not much connection with the preceding or following words. However this be, after this confuſed ſpeech, the parliament was immediately diſſolved. But this was only a palliative remedy, which was not capable of allaying the fermentation already raiſed among the people. If it furniſhed Elizabeth with leiſure to take other meaſures, it afforded alſo her enemies time and opportunity more commodiouſly to erect their batteries. Very probably, this affair would have been debated again in next parliament, had not in the interim Queen Mary ruined herſelf by her ill-conduct, and viſibly leſſened her party in England. This is what I ſhall preſently make evident, after cloſing the year 1566 with a ſuccinct detail of the Netherlandiſh affairs.

Affairs of the Netherlands. Grotius. Strada.

After Philip II had quited thoſe provinces in 1559, in order to reſide in Spain, the diſcontent of both nobles and people had ſo increaſed that there was no poſſibility the affairs of that country ſhould any longer hold their then ſituation. This univerſal diſcontent ſprang from diverſe ſourſes, viz. 1. The peoples belief, that Philip had formed a deſign to aboliſh their liberties and privileges, and introduce arbitrary power. 2. The erection of the biſhopricks, which greatly leſſened the juriſdiction and revenues of the abbies, wherein many families were intereſted. 3. The Inquiſition which was intended to be ſet up in thoſe provinces, and which was little leſs deteſted by the Catholics than by the Proteſtants themſelves. 4. The prohibition to aſſemble the ſtates. 5. His ſaid Catholic Majeſty's project to extirpate the heretics, who were now very numerous in the country. 6. The intereſt of the grandees, who plainly foreſaw how fatal it would prove to them if the King's deſigns were executed. They had in vain, for ſeveral years, ſollicited their governeſs to aſſemble the ſtates, and prevent the calamities wherewith they were ſenſible their country was on the point of being ſuddenly afflicted. Their requeſt was conſtantly rejected. This rigor had at length obliged the Prince of Orange, counts Egmont and Horn, with diverſe other nobles, to withdraw from the council of ſtate, and write to the King, that cardinal Granvelle had rendered himſelf ſo odious, that the worſt was to be feared if he continued longer in the Netherlands. Philip, not thinking proper to recall the cardinal directly, adviſed him however to withdraw. Immediately on Granvelle's departure, the grandees reſumed their ſtations in the council.

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Mean while, the Inquiſition being univerſally abhorred, the people began to ſtir, and make appear they were determined to free themſelves from that yoke. The great ones ſupported this reſolution with two motives. Firſt, becauſe they perceived the Inquiſition muſt prove deſtructive of liberty. Secondly, becauſe they were informed the King had taken terrible reſolutions againſt them, on account of what had paſſed concerning cardinal Granvelle. Hereupon they formed a confederacy againſt the Inquiſition, and Lewis count of Naſſau, the Prince of Orange's brother, with four hundred attendants, preſented a petition to the governeſs. It was on this occaſion the Reformed got the appellation of Gueux, or Beggars. The governeſs not having power to grant their requeſt, the Proteſtants, of their own accord, took the liberty to preach publicly, and the governeſs was forced to ſuffer it, and at length to allow it expreſly. Philip thenceforwards conſidered the Netherlanders as rebels, and the majority of thoſe people looked on him but as a Sovereign cruel and unjuſt, who aſpired to be abſolute maſter not only of their eſtates and perſons, but even of their ſouls. I ſhall enter no farther into theſe affairs. It ſuffices to have briefly exhibited the origin of the Netherland troubles, which I ſhall have ſometimes occaſion to treat of in the ſequel. I return to the Scotiſh affairs which more nearly relate to England.

AN' 1567. Remark on the King of Scotland's cataſtophre.

I am now entering on the detail of a certain notable event, which has been rendered obſcure, as well by religious prejudices, as for the ſake of the Prince of Scotland, whoſe birth I lately mentioned. This Prince, acceding to the crown of England on Queen Elizabeth's demiſe, thought it his duty to attempt vindicating the Queen his mother from the horrible crime whereof, while living, ſhe was accuſed; I mean of murdering her royal conſort. To all appearance, he imployed Camden's pen for that very purpoſe.

Queen Mary accuſed by ſome, and cleared by others.

It is agreed, that Henry Stuart King of Scotland, Queen Mary's conſort, was aſſaſſinated early in the year 1567. It cannot be denied, that this murder was perpetrated by the earl of Bothwell, or his order;

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order; that this earl was then in great credit with the Queen, and that ſhe married him a few months after the tragical death of the King her ſpouſe. This, added to her averſion for the King, forms againſt her a ſtrong prepoſſeſſion. On the other hand, almoſt all the Papiſtical writers, who mention this murder, make it their buſineſs to juſtify Queen Mary, and throw it on the earl of Murray. They ſeem to have taken this courſe with the more reaſon, as Camden, a Proteſtant author, in his annals of Queen Elizabeth, has openly undertaken Mary's defenſe, and repreſented the earl of Murray as author not only of the crime but even of whatever troubles happened in Scotland after Queen Mary's marriage with King Francis II.

The neceſſity of clearing this fact.

It will poſſibly be aſked, where is the neceſſity of clearing this fact in a hiſtory of England? I reply; it is abſolutely neceſſary; becauſe otherwiſe Queen Elizabeth's conduct will be either inconceivable or miſconſtrued. Our hiſtory therefore and veracity require a diſtinct knowledge of the foundation of this Queen's politics, and the real cauſe of ſuch events as will hereafter be related. This particular fact is as it were the hinge whereon, for ſeveral ſucceſſive years, turn all the affairs of both England and Scotland. They who, under color of clearing it, have labored to darken it as far as poſſible, were very ſenſible how remote from truth was the idea they deſired to give of the affairs of this reign. So, to ſet all in a true light, it will be abſolutely neceſſary to take a quite different courſe.

Camden.

To ſucceed in my propoſition, I cannot avoid treating ſomewhat largely of the Scotiſh affairs. Some grave authors of eſtabliſhed reputation have indeavored to diſguiſe the facts by them recited, by curtailing and altering them; by ſuppreſſing material truths, and ſuppoſing what has not even the leaſt probability. To oppoſe to them a bare narrative, containing only the naked truth, would not be the method to ſatisfy a reader, who would be ſtill at a loſs to know whom he ought moſt to credit. It is therefore requiſite to prove what I advance, and in matter of facts there are no better proofs than the mutual connection of theſe ſame facts, and the teſtimonies of unſuſpected perſons: but it is in a manner impoſſible to point out the places where the truth has been altered, without ingaging in certain reaſonings which indeed do not always ſuit with hiſtory, but which ſeem to me indiſpenſible on this occaſion.

Teſtimonies of three hiſtorians.

Three hiſtorians, who may be conſidered as originals, have related what paſſed in Scotland during Queen Elizabeth's reign, namely, George Buchanan, William Camden, and James Melvil. Some remarks on theſe three authors will help to give the reader a clear idea.

Buchanan.

Buchanan, a Scot and a Proteſtant, was a man of ſingular erudition, and highly eſteemed by all the learned in Europe. Had he not been writer of the Scotiſh hiſtory, he would perhaps have been neither envied nor hated: but as, in reciting the frequent bickerings between England and Scotland, he does not always agree with the Engliſh hiſtorians, a prejudice is formed againſt him in England, as if he indeavored to falſify whatever might advantage the Engliſh. This difference would have been little regarded by other nations, if what Buchanan ſays of Queen Mary Stuart had not excited againſt him all the Romaniſts in Europe. His aim was to make appear, that Queen Mary was the ſole cauſe of the troubles of Scotland, and particularly author of the King her huſband's murder; and his hiſtory abounds with circumſtantial facts, which have a viſible connection, and tend to all the end he propoſed. He cites not teſtimonies to confirm what he ſays, becauſe he wrote at the very juncture when all was tranſacted, or ſhortly after. On the other hand, he was Murray's creature, and looked on as one of a vindictive diſpoſition. It is chiefly on theſe prejudices that his hiſtory has been diſcredited, without however any expreſs attempt to confute him in even one aſſertion of importance.

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Camden.

Camden, a Proteſtant Engliſh author, wrote the annals of the reign of Queen Elizabeth, in the time of James I, ſon of Queen Mary. He was eminent for his knowledge in the antiquities of England, and, if I miſtake not, he was * King at Arms. The hiſtory of England is indebted to him for ſeveral good performances, which have greatly contributed towards its illuſtration. But it manifeſtly appears that, in writing the annals of Elizabeth, his only aim was to vindicate the Queen of Scots, under color that the hiſtory of Elizabeth cannot be compiled without a particular account of the affairs of Scotland. He ſpeaks extremely well of Elizabeth, when Mary is not concerned: but in the places where the two Queens muſt be neceſſarily put in oppoſition, he does it ſo artfully, that Elizabeth appears to be in the wrong. It is not the ſame, where he can praiſe or excuſe Mary, without wounding Elizabeth; for then he makes no ſcruple to repreſent the former as a pattern of virtue. He intirely paſſes over in ſilence whatever may injure her reputation, or contents himſelf with confuting what ſhe is accuſed of, by a bare and directly oppoſite narration, without alledging the leaſt proof. So, when any one peruſes the hiſtories of Camden and Buchanan, he would think theſe two writers are ſpeaking of two different Queens, who reigned at the ſame time in Scotland. Buchanan's deſign was to blacken Mary's reputation; and Camden's to vindicate or praiſe her. Wherefore, Camden, who wrote laſt, has taken care to warn his readers, that no credit is to be given to Buchanan, becauſe he was the earl of Murray's creature, a mercenary writer, and his works were condemned by the ſtates of Scotland: nay, he pretends that, before his death, he repented of his malice; but, according to cuſtom, ſupports not what he advances with any proof, neither does he take up Buchanan in any remarkable circumſtance, only, as I ſaid, by giving a contrary account. Having thus removed the Scotiſh hiſtorian's teſtimony, he adds, "For his part, he propoſes, to "the end both ſides may be heard, to relate the "affair * without any mixture of love or hate, as "far as he can come to the knowledge of it, from "writings, publiſhed at the very time, but ſoon "ſuppreſſed in favor of the earl of Murray, and in "hatred to the Queen, or from letters of embaſſa-"dors, and of other papers worthy of credit." It muſt be obſerved, that he cites in his annals no paſſage from theſe ſuppreſſed books, gives neither the titles nor authors, neither does he name the embaſſadors and perſons of credit, on whoſe teſtimony he builds his recital. He intimates only a ſingle paper, which in its place I ſhall mention, and which carries with it all poſſible marks of forgery. Thus, after a caution not to believe Buchanan, who wrote of what was tranſacted in his own time, and even in his ſight, he will have us believe him who wrote not 'till more than forty years after the event, on his bare word, and the teſtimony of perſons and books unknown (1).

* Clarenceux.

* The King's murder.

After this preamble, he enters upon the matter,

(1) Many believe Camden wrote nothing in his annals of Scotland but what was dictated to him, or injoined by James I. We muſt therefore underſtand here by Camden, the real author of the annals, whoever he be. Rapin. ——— Oſborn ſays, that Camden's lines were directed by King James, and he led rather to vindicate the honor and integrity of a mother, than to do right for a miſtreſs, who had, from a ſchoolmaſter, raiſed him to be firſt King at Arms. Memoirs Eliz. § 16.

and,

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and, in order to relate the King's death, begins with a character of the earl of Murray, and repreſents him as a man immoderately ambitious, and aſpiring to the crown. It has been ſeen, that this was the accuſation brought againſt him before Henry II, by the dowager Queen and cardinal of Lorrain, and whereof Melvil has fully cleared him. Camden adds that, with this view, Murray did his utmoſt to obſtruct Queen Mary's marriage, and, not ſucceeding, took arms againſt her, and was at length conſtrained to take ſanctuary in England: that, during his abſenſe, by his letters and friends, he ſowed diſcord between the King and Queen, and, to hinder his own condemnation, his friend, the earl of Morton, perſuaded the King to cauſe Rizzo, ſecretary for French diſpatches, to be aſſaſſinated: that the King coming to a ſenſe of the heinouſneſs of the crime, conceived ſuch averſion to Murray, that he reſolved to diſpatch him; but that Murray, having thereof notice, was immediately reconciled to Bothwell, and determined with him to kill the King, deſigning to caſt the deed on her Majeſty, ruin her in the affection of her ſubjects, and withal deſtroy the earl of Bothwell, in order to ſeize the government.

Camden's account of the King's death.

Remarks on this account.

This is the ſubſtance of the ſtory forged by Camden to juſtify Queen Mary, and load Murray with the King's murder. I call it a forged ſtory, becauſe it is, in reality, impoſſible to reconcile it with the Scotiſh hiſtory, whereof this author has been pleaſed to omit the principal circumſtances. For inſtance, he is quite mute concerning Rizzo's freedom with the Queen, and of his great credit at court, neither does he mention that Princeſs's amours with Bothwell, and yet in his very narrative theſe two facts muſt be neceſſarily ſuppoſed: for how can it be conceived that, to ſave the earl of Murray's honor and eſtates, there was a neceſſity of making away a ſecretary for French diſpatches, if this ſecretary had not over the Queen a powerful influence? Again, why muſt Murray deſtroy Bothwell in order to uſurp the government, if Bothwell had not been in poſſeſſion? It is very viſible that, otherwiſe, Camden's account has neither coherence nor foundation. In a word, this author was not ignorant, that the Scotiſh Queen had been openly charged with her royal conſort's murder; that all Scotland and England rang of it, and that it paſſed for a certain fact in both kingdoms. Can therefore facts notoriouſly public, if I may ſo ſay, be overthrown forty years after, by a bare account, without the leaſt proof of what is advanced? But to confirm what I have been ſaying with regard to Camden, I need only obſerve, that Melvil's memoirs, writ before Camden's annals, but which appeared not 'till long after, are intirely oppoſite to what that author has urged, and perfectly agree with Buchanan's hiſtory, ſome few circumſtances excepted.

Remarks on Melvil's memoirs.

Melvil is the third author to examine. He was a perſon of diſtinction, who was imployed in ſeveral embaſſies, and not a little concerned in what paſſed at the Scotiſh court: nay it appears, in his memoirs, that he was highly in Queen Mary's favor, ſince ſhe made choice of him to counſel her as to her conduct, and to cenſure her falſe ſteps and failings. A Sovereign can ſcarcely give a ſubject more ſignal tokens of eſteem. If Buchanan has not mentioned him in his hiſtory, it was probably becauſe he loved him not. Melvil, on his part, has, in his memoirs, drawn a character of Buchanan, which tho' it does juſtice to his judgment, capacity and extenſive knowledge, gives no very advantageous idea of his other internal qualities. This ſuffices to ſhew he has not copied that hiſtorian, and that they were far from correſponding. He has ſet down in writing what paſſed before his eyes, from the year 1563, when he returned to his native home, to the year 1594: conſequently he cannot be ſaid to be ill-informed. He may be ſtill leſs ſuſpected by the Queen's friends, ſince, throughout his memoirs, it is evident that he was conſtantly attached to the intereſt of that Princeſs. Accordingly he every where ſpeaks of her with great caution, contenting himſelf with briefly glancing at certain paſſages whereon Buchanan has not ſcrupled to expatiate. He has not however thought fit to ſcreen the main articles, becauſe theſe ſame facts ſerve for foundation to his memoirs, which otherwiſe would have no connection. He has not writ either to juſtify or accuſe the Queen, but purely for the inſtruction of his ſon in what paſſed in his own time. If we compare his memoirs with Buchanan's hiſtory, and Camden's annals, we ſhall be ſoon convinced, it is impoſſible to reconcile them with what Camden alledges; but that, on the contrary, they agree in the principal facts related by Buchanan: all the difference is, Melvil has cleared many particulars not well known by Buchanan; and, on the other hand, Buchanan has inlarged much more on whatever reflects on the Queen, whereas Melvil touches over ſuch paſſages very lightly; ſhewing thereby that he mentions them reluctantly, and no farther than ſerves to purſue the thread of his memoirs.

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After theſe animadverſions on three hiſtorians, of whom two were cotemporaries, eye-witneſſes of what they relate, and agreeing in the main, without having writ by concert, and one at leaſt not to be ſuſpected of diſguiſing the truth, and of whom the third wrote forty years after, and directly oppoſes both the others, without ſupporting his ſtory with any teſtimony, or known author; after this, I ſay, ſurely I cannot be blamed if, preferably to the latter, I take for guides the two former (1).

Queen Mary has the young Prince removed to Edinburg. Buchanan.

To return. While the King was taking remedies to expel the poiſon, Mary removed the young Prince her ſon from Sterling, and ordered him to be carried to Edinburg, tho' it was the dead of winter (2). Not long after, ſhe underſtood that the King had reſolved on retiring to Spain *, and that an Engliſh ſhip lay ready to receive him, ſo ſoon as he was able to undergo the fatigue of a ſea-voyage. This precaution alarming her apprehenſions of his eſcaping, and thereby breaking all her meaſures with Bothwell, ſhe expreſſed herſelf inclinable to be reconciled. In order thereto, ſhe ſent ſeveral tender and affectionate letters to convince him of her ſincerity. Finally, ſhe made him a viſit at Glaſgow, and ſo well cajoled that eaſy Prince that ſhe prevailed on him to return to Edinburg in a litter. Melvil mentions not her Majeſty's journey to Glaſgow, but neceſſarily ſuppoſes a reconciliation, ſince he ſpeaks of the King's voluntary return to Edinburg (3). On his arrival there, he was lodged in a lonely houſe near the city wall, on pretenſe he would be incommoded by noiſe in the palace. For ſome days, Mary viſited him very frequently, nay had her own bed brought into a room under his. In a word, ſhe neglected nothing might convince him her heart was intirely free

The King deſirous of quitting Scotland.

* Or France.

Mary careſſes him, and perſuades him to retire to Edinburg. Buchanan. Melvil. Spotſwood. Thuanus.

Buchanan.

(1) It may be ſaid of theſe hiſtorians, in regard to Mary, that Camden has ſcarce ſaid one word of truth; that Buchanan has ſaid all the truth, and more than the truth; and that Melvil has ſaid the truth, but not the whole truth.

(2) Pretending that the houſe where he was kept was inconvenient, and Sterling a cold and moiſt place, where he might get cold. Buchanan. Melvil ſays nothing of this journey; but he ſuppoſes it afterwards, when he ſays, the Queen delivered the Prince to the earl of Marr, that the caſtle of Edinburg might be taken out of his hands. Rapin.

(3) His words are, The King was afterwards brought to Edinburg, and lodged in Kirk-field, as a place of good air, where he might beſt recover his health: but many ſuſpected that the earl of Bothwell had ſome enterpriſe againſt him. p. 78.

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from rancor towards him. At that time, the earl of Murray, on news that his lady lay at the laſt extremity thro' a miſcarriage, deſired leave to viſit her, and accordingly departed, notwithſtanding the Queen's inſtances to the contrary. This circumſtance makes equally for Buchanan and Camden. Buchanan thence infers, that Murray had no hand in murdering the King, who was killed the night following, ſince he was gone a day before it happened (1), Camden draws a quite contrary inference, ſaying, his going away was to avoid being ſuſpected. Buchanan and Melvil affirm, many knew there was a deſign to kill the King, but no man durſt warn him of it, becauſe he told all again to the Queen, or ſome of his ſervants, who betrayed him. However, the earl of Orkney, Murray's half-brother, gave him thereof notice, which he rehearſing to the Queen, ſhe ſent for Orkney to examine him; but in her preſenſe he denied ever to have uttered a word of ſuch tendency (2).

Murray leaves the court. Buchanan. Melvil, Camden. Barnſtaple.

Buchanan. Melvil, p. 78. Thuanus.

At length, the time appointed for perpetrating this villany being come, Mary left the King to put to bed one of her women who had been that day married. I omit numberleſs circumſtances whereby Buchanan inſinuates the Queen was deep in this tragedy. In effect, thoſe circumſtances would be ſo many proofs, where they confirmed by a perſon unſuſpected: but as Melvil does not mention them, I chuſe alſo to be ſilent. Howſoever it be, the King was ſtrangled that night, with one of his domeſtics who lay in his chamber. Soon as he was diſpatched, his body was removed into a garden belonging to a neighboring houſe, whither his ſlippers were likewiſe carried. Then fire was ſet to ſome barrels of powder placed in the room where the Queen's bed was, and the houſe was blown up. Thoſe who crouded in at the noiſe, were at firſt told, that the violence of the blaſt had thrown the King into the garden: but, as his ſlippers were found by him, his ſhirt not any where even ſinged, and certain livid marks appearing round his neck, thoſe ſpectators were not ſo credulous. The ſame night it was rumored thro' the city, that the earls of Morton and Murray were the King's aſſaſſines; and this report very ſuddenly reached even the borders of England. Camden hence infers, that the earl of Murray muſt have been concerned in the murder, ſince he was by public voice inſtantly accuſed: but this voice of the public conſiſted doubtleſs of ſuch few as were ſuborned to ſpread the report. Melvil, on the contrary, aſſerts it was whiſpered at court, that Bothwell had procured the King to be murdered, and that he was ſtrangled with a napkin. He adds, I came to the door of the Queen's chamber the next morning after the murder, and the earl of Bothwell ſaid, "That her Majeſty was ſorrowful and quiet; "which occaſioned him to come forth: he ſaid, "the ſtrangeſt accident had fallen out which ever "was heard of, for thunder had come out of the "heavens, and had burned the King's houſe, and "himſelf was found dead, lying a little diſtance from "the houſe, under a tree. He deſired me to go "up and ſee him, how that there was not a hurt "nor a mark on all his body. But when I went "up to ſee him, he had been taken into a cham-"ber, and kept by one Alexander Durham; but "I could not get a ſight of him." Buchanan adds, the Queen ordered the corpſe to be brought to her on the wrong ſide of a bench, and after viewing it ſome time, without any ſigns of joy or grief, commanded it to be interred near Rizzo, in the ſepulcher of the Kings. It is ſtrange that Camden, who attempts to ſtrip Buchanan of all credit, ſhould not undertake withal to confute any of the circumſtances related by that hiſtorian, tho' they are many in number, and very diſhonorable to the Queen.

The King's tragical end. Buchanan. Burnet. Vol. III. p. 324, &c. Barnſtaple. Spotſwood. Thuanus.

Buchanan.

A report ſpread that Murray had killed the King. Camden. Buchanan. Spotſwood. Thuanus.

Bothwell accuſed. Melvil, p. 78.

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The King buried near Rizzo. Buchanan.

The earl of Murray, notwithſtanding his being indiſpoſed and the rumor concerning him, came to court two days after, and appeared without ſign of apprehenſion. This evidences he was in no dread of his adverſaries accuſations; and indeed he was never queſtioned for the fact. The Queen keeping her chamber but a few days, reſumed her uſual courſe of life, having conſtantly with her the earl of Bothwell.

Murray returns to court. Buchanan.

Scandalous behavior of the Queen.

Mean while, the people murmured exceedingly that no manner of inquiry was made concerning the King's death, wherewith they openly charged the earl of Bothwell. Theſe murmurs were ſo public, that Bothwell could not but take ſome ſtep to ſhew he was willing to clear himſelf. He therefore, in company with ſome friends, repaired to the earl of Argyle, chief juſtice of the realm, and deſired him to make inquiſition concerning the murder of the King. On his requeſt, a proceeding commenced, and the depoſitions of ſeveral perſons were taken; but all was ſuddenly ſuppreſſed. The court was contented with offering a reward to any perſon who ſhould diſcover the authors of the King's death: but, tho' the Queen and Bothwell were univerſally believed guilty, none had the courage to be their accuſers, ſince offering to take ſuch a ſtep would not have been a little dangerous: nevertheleſs, people failed not to diſperſe libels and ballads, wherein Bothwell was ſtill accuſed; whereupon he cauſed to be affixed in ſeveral places, that he would fight any perſon who ſhould dare to maintain this accuſation. He was anſwered by another paper, poſted up without a name, that his challenge was accepted, provided he would appoint a neutral place for the duel; but this produced no farther effect.

Bothwell tries in vain to clear himſelf. Buchanan. Melvil.

Anderſon's Collect. Vol. I. p. 36, 103, 135, &c.

Ib. p. 38, 43.

Buchanan. Spotſwood.

Mary finally perceiving that theſe popular murmurs and complaints might be attended with ill conſequences, was deſirous of being poſſeſſed of Edinburg caſtle, by the ſtates commited to the earl of Marr's cuſtody. This earl was unwilling to comply with the Queen's deſire. But at length, imagining a civil war was at hand, he offered to deliver the caſtle, provided he was ſuffered to carry the young Prince to Sterling, of which he was likewiſe governor. He thought it more advantageous to be maſter of the Prince's perſon than of Edinburg caſtle; and Mary agreed to the exchange.

The Queen gets into her hands Edinburg caſtle, and delivers the Prince to the earl of Marr. Buchanan. Melvil, p. 80, 81.

Hitherto people were contented with liberally publiſhing their ſuſpicions of Bothwell, without any appearance of any particular accuſer. But at length, the earl of Lenox, finding Mary very ſlow in offering to puniſh the lately perpetrated crime, ſollicited her by letters for juſtice on Bothwell, charging him with being author of the King his ſon's murder. This letter ſtrangely imbaraſſed her Majeſty. She could not deny a father the ſatisfaction he demanded, eſpecially in a caſe concerning the death of a King who had been her own conſort. I ſhall not here make recital of all her artifices to evade this proſecution, and to get Bothwell acquitted, becauſe Buchanan, who has given the particulars, may be ſuſpected. I ſhall content

The earl of Lenox demands juſtice for the King his ſon's murder. Buchanan. Camden. Anderſon's Collect. Vol. I. p. 40. &c. Spotſwood.

(1) Melvil ſays, that he was retired from the court ſeveral days before, p. 78.

(2) This advertiſement, ſays Melvil, moved the earl of Bothwell to haſte forward his enterpriſe; he had before laid a train of powder under the houſe where the King did lodge, and in the night did blow up the ſaid houſe with the powder; but it was ſpoken, that the King was taken forth, and brought down to a ſtable, where a napkin was ſtoped in his mouth, and he therewith ſuffocated. Ibid.

myſelf

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myſelf with what Melvil gives us on this ſubject.

Bothwell acquited. Melvil, p. 78. Spotſwood. April 26, 27.

"Every body ſuſpected the earl of Bothwell, "and thoſe who durſt ſpeak freely to others, ſaid "plainly that it was he. Whereupon he drew together a number of lords of his dependers to be "an aſſize, which cleared and acquited him; ſome "for fear, ſome for favor, and the greateſt part "in expectation of advantage. This way being "aſſailed, he remained ſtill the greateſt favorite "at court."

This teſtimony of a man who cannot be ſuſpected of ſlandering her, is very ſtrong againſt the Queen. She not only could not part with a man publicly accuſed of the murder of the King her huſband, but even made him her prime miniſter and favorite. Even had ſhe believed him innocent, it was renouncing the laws of decency, which a woman rarely does except when hurried away by the violence of ſome paſſion. But theſe are trifles, in compariſon of what ſhe did afterwards.

Fruitleſs repreſentations to the Queen about her marrying Bothwell. Melvil, p. 78.

A rumor of her Majeſty's deſigning to marry the earl of Bothwell flying from court over all the kingdom, lord Herris repaired to Edinburg. He took ſo ſeaſonable a time, that he accoſted the Queen in Bothwell's abſenſe, and caſting himſelf at her feet, frankly told her, it would be her everlaſting diſhonor if ſhe ſhould even think of eſpouſing her lord's aſſaſſine. Mary, feigning a ſurpriſe, anſwered, ſhe knew not whence he had this intelligence, and very coldly added, that hitherto her heart had dictated nothing to her in favor of Bothwell. A few days after, Melvil received from England a letter, touching the ſame affair, but expreſſed in much ſtronger terms than lord Herris's remonſtrance; which letter he ſhewed to her Majeſty, who ſaid it was a device of his own. Melvil aſſured her the letter came from the perſon whoſe name was ſubſcribed, and contained nothing but what he himſelf had deſigned to repreſent to her, as he was in duty bound. Thus the Queen, in reſolving to marry Bothwell, did not ſin thro' ignorance, ſince ſhe was amply made ſenſible of the world's opinion concerning the author of the King's aſſaſſination.

Ibid. p. 79.

Mary ſuffers herſelf to be carried off by Bothwell, who conducts her to Dunbar. Melvil, p. 79. Buchanan. Spotſwood. Burnet.

A few days after, ſhe went to Sterling to ſee the Prince her ſon. If Buchanan is to be credited, her intent was, on ſome pretenſe, to get him from the earl of Marr, who flatly refuſed delivering him. In her return to Edinburg, ſhe was met by Bothwell, with a band of armed followers, who carried her away, and conducted her to Dunbar. Melvil, who was preſent, and was himſelf arreſted, ſays Bothwell only "took her Majeſty's horſe by the "bridle," and adds not a word which may inſinuate that the Queen ſeemed ſurpriſed at this violence, or that ſhe offered to make the leaſt reſiſtance (1). He, on the contrary, ſays, that captain Blachater, who ſeized him, aſſured him all was done with the Queen's own conſent.

Bothwell puts away his wife. Buchanan. Melvil. Spotſwood.

When Bothwell came to Dunbar, he procured a divorce from his wife, the earl of Huntley's daughter, whom he had married only ſix months before. This divorce was decreed by two ſentences, one in the eccleſiaſtical, and the other in the civil court, and both at the counteſs of Bothwell's own ſuit. In the firſt trial, before the archbiſhop of St. Andrew's, Bothwell was accuſed of a criminal commerce with one of his wife's kinſwomen, and, on his confeſſion, the archbiſhop pronounced the ſentence of divorce (2). In the ſecond, his wife accuſed him of adultery, and as he denied not the fact, his marriage was annulled. He was forced to make uſe of theſe two means, by reaſon of the different rules the two courts obſerve, with regard to the cauſes for annulling a marriage. The proceſs was commenced and ended in leſs than ten days. To all appearance, the earl of Huntley, Bothwell's great friend, perſuaded his daughter to ſue a divorce. This is Buchanan's account; but Melvil ſays, he cannot tell how, nor by what law he parted with his wife, becauſe having been releaſed, he had left Dunbar. This at leaſt ſhews he had not read Buchanan's hiſtory when he compiled his memoirs, nor did copy that hiſtorian, tho' they agree in the principal facts.

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p. 80.

The Queen's marriage with Bothwell. Buchanan. Anderſon's Collect. Vol. I. p. 87.

Bothwell, thus freed from his wife, carried the Queen to Edinburg, and on the morrow ſhe appeared in the courts of juſtice, and declared ſhe was intirely free. This was done to prevent the objection which might be taken from her captivity to null the marriage ſhe intended to contract with Bothwell. This alliance was, in all its circumſtances, ſo odious, that it was very difficult to find any pretext to extenuate its horror. The ſole expedient Mary and Bothwell could pitch on, was to make the court lords accomplices in their crime. To that end Bothwell, having invited them to dinner, preſented and cauſed them to ſubſcribe a paper, the purport whereof was, "That they judged it "was much the Queen's intereſt to marry Both-"well, he having many friends in Lothian and "upon the borders, which would cauſe good order "to be kept: and beſide the Queen could not but "marry him, ſeeing he had run away and lain "with her againſt her will." One of Camden's artifices, among many others, is to ſpeak of this paper, or approbation of the courtiers, in a very looſe manner, and intirely diverſify it, under color of extracting the ſubſtance. Moreover he introduces it before he relates the Queen's being carried away, that this rape might be conſidered as a conſequence of the grandees approbation, whereas it was juſt the reverſe, as may be ſeen by the very writings in Melvil (3). However the eſpouſals were ſolemniſed after the Proteſtant rites, by the biſhop of Orkney, who was very ready to officiate in ſo deteſtable a buſineſs.

Spotſwood. Melvil, p. 80.

Melvil, ibid. Spotſwood.

The Queen and Bothwell cauſe a league to be ſigned by ſome nobles. Buchanan.

Whatever ſuſpicion the Queen had given of herſelf, by her neglect to puniſh the authors of the King's murder, ſome however ſtill doubted whether ſhe was guilty. But when ſhe was beheld publicly giving her hand to the earl of Bothwell, there was ſcarce one who durſt undertake her vindication (4). She might very eaſily perceive the change in her ſubjects hearts; ſo viſible was their diſguſt. For this reaſon, ſhe reſolved to ſtrengthen herſelf, by forming a league with ſome peers, for her own and her new conſort's defenſe. All ſuch as depended on Bothwell readily ſigned the league; but herein lay not all the difficulty: there was another very conſiderable party which was to be gained, otherwiſe the court league would be of little efficacy. To that end, the Queen and Bothwell judged it neceſſary to begin with the earl of Murray, that he might influence the others. The confederacy was therefore brought him to ſign. But he anſwered, that

The earl of Murray refuſes ſigning it. Buchanan.

(1) The Queen, in her inſtructions to the biſhop of Dunblane ſays, that the earl partly extorted, and partly obtained, her promiſe to take him for her huſband. See Anderſon's Collect. Vol. I. p. 99.

(2) Some ſay he had a bull to abſolve him from this inceſt. If ſo, he would not plead it, that he might give occaſion to annulling the marriage. Rapin.

(3) And yet the Queen, in her inſtructions to the biſhop of Dunblane, makes this writing to have been ſigned before ſhe was carried away. See Anderſon's Collect. Vol. I. p. 94, and 104.

(4) And people began to think, that the Prince was in danger to be cut off, by him who had ſlain his father;——For Bothwell boaſted, that if he could get him once in his hands, he ſhould warrant him from revenging his father's death. Melvil, p. 78, 81.

to

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to oblige him to ſerve the Queen, it was needleſs to make him ſign the paper; and for the earl of Bothwell, ſince the Queen had deſired he would be reconciled to him, he ſhould punctually obſerve whatever he had promiſed. However, fearing, after this refuſal, to be expoſed to the court's reſentment, he deſired leave to withdraw to St. Andrew's; but, perceiving the Queen made ſome ſcruple, he prayed her to permit him to paſs ſome time in France; whereto ſhe readily conſented, and he ſoon after departed (1). Camden has taken care not to mention the reaſon of Murray's retiring into France: that very ill agrees with his ſcheme. For, had that earl aſſociated with Bothwell to aſſaſſinate the King, why ſhould he quit the court at a time when, inſtead of having any cauſe to fear, he might have expected all things from the great credit of his ſuppoſed friend?

He retires to France. Melvil, p. 80. Camden.

Mean while, all Scotland loudly complained that no vengeance was taken for the King's murder, and at ſeeing the Queen married to the very perſon univerſally conſidered as the aſſaſſine. The King of France even wrote to his embaſſador Du Crocq, to ſignify his aſtoniſhment thereat, and his letter was ſhewn to diverſe of the nobility. At length, the earls of Argyle, Morton, Marr, Athol, Glencarn, and lord Boyd, meeting at Sterling, ſigned a confederacy, the intent whereof was to bring to condign puniſhment the King's murderers, and to get the Queen's late marriage diſſolved. They hoped to effect this with greater facility, as they had room to believe the Queen herſelf would not be againſt ſuch a compulſion, conſidering the unworthy treatment ſhe had already met with at the hands of her new ſpouſe. Melvil ſays, he heard her one day call for a knife to ſtab herſelf, not being able to bear his brutalities.

Confederacy to puniſh the King's murderers, and diſſolve the Queen's marriage. Buchanan. Melvil, p. 81, 82. Spotſwood.

p. 81.

As the confederates queſtioned not the Edinburgers countenancing their undertaking, they had projected to inveſt that city, that the Queen and Bothwell, who were there without troops, might not eſcape: but Bothwell, having notice of their deſign, retired with the Queen to Borthwick. They were purſued by the confederates; but to no purpoſe, the Queen and Bothwell being got away to Dunbar. Having miſſed their aim, the confederates marched to Edinburg, whoſe gates were opened to them, notwithſtanding the ſtrenuous oppoſition of the earl of Huntley, archbiſhop of St. Andrew's, and biſhop of Roſs, who were even obliged to take ſhelter in the caſtle, whence ſir James Balfour, whom the Queen had made governor, afforded them means to eſcape. He alſo notified to the confederates, that he would not ſurrender the caſtle, but was determined on a ſtrict neutrality.

The Queen and Bothwell retire to Dunbar. Buchanan. Melvil, p. 82.

Edinburg declares for the confederates. Buchanan. Melvil, p. 81.

During this, Mary and Bothwell, with all poſſible diligence, got together ſome forces at Dunbar: but the confederates were in a ſtrange labyrinth of perplexities. They had no money: Balfour refuſed them artillery and ammunition; and, by reaſon of the ill ſucceſs of the enterprize of Borthwick, part of their troops had deſerted. So, after ſeveral conſultations, they had almoſt reſolved to drop their enterpriſe, and return to their homes. The Queen and Bothwell, having notice of their condition, inſtantly marched away for Edinburg, in hopes of ſurpriſing them before they came to any reſolution. This news being brought the confederates in the night, inſtead of retiring, they reſolved to meet the Queen, and decide the affair by a battle. Their enemies hearing this made a full ſtop; and finding matters took a quite different turn from what they expected, ſuffered them to paſs the Eſk without oppoſition, and very ſpeedily the two armies were within a ſmall diſtance of each other. Mary ſoon perceived her troops not to be cordial in her ſervice, and that but few, either officers or private men, were willing to fight in her quarrel. Such diſcovery inſpiring her with great fear, ſhe deſired to ſpeak with the laird of Grange *, one of the confederates chieftains, who commanded a ſmall body more advanced than the reſt of their army. That laird being come, flatly aſſured her, that there was no hope of accommonation, except ſhe parted from Bothwell, who was looked on as his late Majeſty's murderer, and was moreover married to another woman; but, on that condition, the confederates would honor and obey her as they ought. Mary aſking him, whether ſhe might rely on his word? he returned to the confederates, and brought a full power to treat with the Queen on thoſe and no other conditions. Hereupon Bothwell, ſeeing no remedy, choſe to retire to Dunbar, and the Queen put herſelf into the hands of Kircaldie, who conducted her to the confederate army. The chiefs gave her a more dutiful reception than ſhe expected; but it was with great difficulty the ſoldiers were reſtrained, who exclaimed at her with moſt mortifying reflections. She was conducted to Edinburg †, and lodged in the provoſt's houſe, where a guard was ſet on her, ſo that ſhe was actually a priſoner. To all appearance, the chiefs were not yet fully reſolved what they ſhould do with her; but ſhe herſelf furniſhed them with occaſion of determining. The very night ſhe came to Edinburg, ſhe bribed one of her guard, and gave him a letter for Bothwell, replete with tender and affectionate expreſſions, ſtiling him, "Her "dear Heart," and promiſing never to forſake him. This letter falling into the hands of the confederate lords, made them reſolve to be more watchful over her, and afforded a pretenſe to ſhut her up in the caſtle of Loch-levin, under cuſtody of the earl of Murray's mother.

The Queen and Bothwell march to Edinburg. Buchanan. Melvil, p. 82.

The confederates go out to meet her. Buchanan.

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She apprehends being deſerted by her troops. Melvil, p. 83. Buchanan. Spotſwood.

* William Kircaldie.

She capitulates with the lords;

and puts herſelf into their hands. Buchanan. Melvil, p. 83. Spotſwood.

She is conducted to Edinburg, and put into cuſtody; Melvil, p. 84.

† The ſame night.

and after confined in Loch-levin. Camden. Buchanan. Melvil. Spotſwood.

The Queen complained bitterly of this uſage, and wrote to Kircaldie, reproaching him that what had been promiſed her was not performed. Kircaldie, alſo in writing replied, that he had already upbraided the lords for ſo doing; but they had ſhewed him a letter under her own hand, which ſtoped his mouth. He concluded with ſaying, he could do nothing for her, but adviſed her to think no more of a man who had another wife, and was charged with being her huſband's murderer. The Queen, as ſhe read the letter, ſhed a flood of tears.

But what occurred a few days after, was ſtill more to her prejudice. Bothwell, coming to Dunbar, ſent to Balfour, governor of Edinburg caſtle, a certain perſon for a depoſite wherewith he had intruſted the ſaid governor. It was a ſilver caſket, preſented to the Queen by Francis II, which ſhe had given to Bothwell. Balfour delivered it to the meſſenger; but (if we may credit Buchanan) gave notice of it to the confederate lords, who took it from the bearer. Howſoever this be, it fell into their hands. Breaking it open, they found many love-verſes and letters, and among the reſt ſome which contained the whole conſpiracy againſt the late King, and the manner it was to be executed. But this was not all, Buchanan ſays, there were alſo three contracts of marriage between the Queen and Bothwell, one of which was written in the Queen's hand before the King's death. Another was written in the earl of Huntley's hand, in the interval been the King's death and the Queen's third marriage; and the laſt was a contract in form, drawn up at the nuptials. Probably, the two firſt were only draughts, ſuppoſing Buchanan ſpeaks

A caſket of Bothwell's with ſome papers, intercepted. Buchanan's Detect. Spotſwood, p. 208.

(4) Melvil ſpeaks not of this confederacy. He ſays only, that the earl of Murray retired into France, without ſhewing the reaſon. Rapin.

truth;

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truth; for Melvil says nothing of the casket or contracts. However Camden, on another occasion, says that certain verses and love-letters were produced against the Queen; but mentions not the casket spoken of by Buchanan.

Bothwell retires to the isles of Orkney. Buchanan. Melvil, p. 84.

Mary's captivity, and the seizure of her papers, convincing Bothwell it would not be proper for him to continue in Scotland, he retired to the isles of Orkney, where he for some time turned pyrate, either for his subsistence, or to be revenged on the Scots.

Queen Mary obliged to resign the crown to her son. Buchanan. Melvil, p. 85. Camden. Spotswood. Hollingsh. p. 405.

Mean while, the confederate chiefs confering together upon their affairs, considered that, if they should repossess Mary of the government, they could not rely on her promises, or be secure against her resentment. They therefore concluded, that it was absolutely necessary to deprive her of the administration, and to that end, sent the earl of Lindsay (1), to persuade her to resign the crown to the Prince her son. Camden says, that in order to extort this, she was menaced with being brought to a public trial for the murder of the King her husband, for incontinency, and for breach of promise on account of religion: and Melvil affirms, the earl of Lindsay had orders to threaten her, if he deemed it necessary. The Queen was strangely surprised at this proposition: but rightly judging, it was not in her power to deny what was demanded, and that her obstinate refusal might draw on her worse troubles, she acquiesced. She did it with more readiness, as she was privately told by some of the confederates, and Throckmorton the English embassador, that whatever she signed in prison would not be of any force, but might be revoked when she should be at liberty. The confederate lords willingly consented she herself should nominate one or more regents, to govern the kingdom during the Prince's minority. She appointed the earl of Murray, either of her own choice, or because it was hinted to her, that he was desired for regent; and, in case he refused the office, she substituted the duke of Chateleraut, the earl of Argyle, and some other peers. Then, she was made to sign all the acts necessary for her resignation of the crown; and notice being sent to the earl of Murray, who was in France, preparations were made for the inauguration of the new King, who was only a year old. Queen Mary's resignation was signed the twenty fourth of June, and the infant King was inaugurated, by the bishop of Orkney, on the twenty ninth following.

p. 85.

Melvil. Ibid. Camden. p. 405.

She is allowed to appoint a regent; and nominates Murray. Buchanan. Melvil, p. 85.

Buchanan. Hollingsh.

A party formed for Mary. Buchanan. Melvil, p. 85.

Not long after, several nobles, who were not of the confederacy, met at Hamilton castle, to consult what was to be done at this juncture. The confederates having thereof notice, sent James Melvil, author of the memoirs, to inquire the cause of their assembling. They replied, they could not but think it strange, that the King should be crowned, without their being invited to the solemnity, since they were no less zealous for their country's welfare than the other peers, and believed they had reason to apprehend some ill designs were forming against them, since such important resolutions had been taken without consulting them; that therefore they were met, not with intent to offend any person, but only to provide for their own safety. Melvil says, the most prudent of the confederates were for admitting these lords to their consultation, but the others resolved to exclude them; and that this advice prevailed to the kingdom's great detriment. In effect, from this small number of peers assembled at Hamilton, rose a party which finally declared for the Queen, and served long to foment terrible combustions in Scotland.

p. 86, 88.

Sundry motives of the confederates.

The confederate leaders had not all the same views. Some acted only from private interest, and made use of the present juncture to ruin their enemies. Others, in signing the confederacy, intended to remove the scandal which the Queen's marriage had given, to get rid of Bothwell, to reinstate Queen Mary in the government, and perhaps to limit her authority by means of the states. These latter, understanding the earl of Murray was returning to Scotland, sent James Melvil to inform him of the situation of affairs, and to exhort him to behave with great moderation, and above all things to avoid coming intirely to a rupture with the Queen. They represented to him, that his interest required it, because he would be much more master of his own party while he left Mary some hopes, than if he reduced her affairs to such a state that her adversaries would have nothing more to fear from her. Murray perceiving that such conduct would in reality redound to his advantage, promised to follow their advice. But he was no sooner arrived, than he suffered himself to be swayed by the most violent of his party, who persuaded him to drive matters beyond a possibility of being ever restored. This is the representation Melvil gives of the earl of Murray's conduct. A few days after his arrival, he waited on the Queen, and instead of comforting her, as he had done formerly when she was under confinement at Edinburg, he loaded her with reproaches. This affected her most sensibly; for she had thitherto flattered herself that Murray would labor her restoration.

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Melvil, p. 87.

The earl of Murray arrives, and ill treats the Queen. Melvil, p. 87. Camden.

Mean while, the confederates requesting his acceptance of the regency, he seemed inclined to refuse it, and desired a few days consideration: but this was all grimace, and at length he accepted it. Before the states, which had been convened in his absense, assembled, he wrote to the Hamiltonians (for so were stiled those peers who met at Hamilton-castle) desiring them to join the other states in what should be deemed necessary for the kingdom's benefit: but they refused. For a while there was some talk of agreement, but insuperable difficulties occurred. Buchanan casts the whole blame on the Hamiltonians; and Melvil, on the violent ones of the confederates, with whom the regent sided. All can be conjectured is, that those who had procured the assembly at Hamilton, intended to serve Queen Mary, and wanted only a pretense to declare; which the earl of Murray furnished them with, and perhaps very imprudently. However it was, Murray, not thinking fit to defer the states convention, in expectation of accommodating with the Hamiltonians, which to him still seemed too remote, the regency was confirmed by a decree, subscribed by upwards of two hundred lords and gentlemen of the greatest distinction, as well Papists as Protestants.

He is acknowledged regent. Buchanan. Camden. Melvil, p. 87. Aug. He invites the Hamiltonians to come in: Buchanan. Spotswood. but they refuse.

The new regent's first care was to remove Balfour, who had rendered himself suspected, from the government of Edinburg castle, and to confer it on the laird of Grange. Mean while the Hamiltonians, headed by the earl of Argyle, loudly complained of their being neglected, and refused to acknowledge Murray for regent. It was easy to perceive, that their drift, under that pretext, was to form a party for Mary: and in effect, some time after they met at Dunbarton, and signed a league or association, the intent whereof was to release the Queen, and replace her on the throne. Twelve lords (2), of whom the earl of Argyle and bishop of St. Andrew's were the foremost, subscribed the bond of association: but Argyle deserted this party presently after, and repaired to the parliament. This earl, who frequently shifted sides, remained not long even with this party. As for the duke of Chateleraut he was then in France about his own private concerns. At first the regent deemed not this association very formi-

The laird of Grange made governor of Edinburg castle. Buchanan. Melvil, p. 90. Spotswood.

Association in favor of Queen Mary: Melvil. P. 88.

(1), And lord Ruthven. Spotswood, p. 211.

(2) Eleven only. Melvil, p. 88.

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dable: but it became ſo afterwards, becauſe all ſuch as eſpouſed the King's cauſe joined it by degrees, it not being eaſy for the regent to give univerſal ſatisfaction.

The regent takes poſſeſſion of all the fortreſſes. Melvil. p. 90.

During the remnant of this year, the regent poſſeſſed himſelf of all the ſtrong holds in the realm, and diſtributed the offices and governments as he judged neceſſary for the preſervation of public tranquillity. He was particularly careful that juſtice ſhould be punctually and impartially adminiſtered. Melvil blames him only for one omiſſion, viz. his not being ſo diligent as he might have been in gaining the Hamiltonians: but it muſt be remembered that Melvil himſelf manifeſtly leaned to that party. The Queen loved and eſteemed him; and conſequently it was natural he ſhould wiſh her reſtoration. He evidences in his memoirs, that he heartily deſired ſhe might be replaced on the throne, which induced him to cenſure all ſuch as oppoſed it.

A clear knowledge of the Scotiſh affairs is ſo abſolutely neceſſary for underſtanding the motives of Queen Elizabeth's conduct and politics, that it is not to be thought ſtrange that I have been ſo particular in my account of Scotland's tranſactions: the ſequel will, I hope, juſtify this long digreſſion. I return now to the affairs of England.

Elizabeth demands Calais. April 28. Camden. Speed, p. 838, &c.

The term for reſtoring Calais being expired, Elizabeth ſent into France ſir Thomas Smith, ſecretary of ſtate, and ſir William Winter maſter of the naval-ſtores, to demand the place of King Charles, conformably to the treaty of Cateau: but nothing was more remote from his Gallic Majeſty's intentions. He appointed commiſſioners to treat with the Engliſh embaſſadors, as if it was to be conſidered again to whom that place was to belong, and as if the treaty of Cateau was not to be of any account. Michael Hoſpital chancellor, who was firſt commiſſioner, made, on this occaſion, a long harangue, whereof it will be ſufficient to give the purport, to ſhew how groundleſs were the reaſons with which he ſupported the refuſal of ſurrendering Calais. He ſaid,

France refuſes it.

"By the ſame right the Engliſh demand Calais, "they may as well claim Paris; for the one, as "well as the other, was won and loſt by arms (1).

"The Engliſh plead a new title to Calais, "whereas the King of France's title is of the "ſame date with the Monarchy itſelf.

"Tho' the Engliſh had it in poſſeſſion upwards "of two hundred years, yet the right was as much "in the Kings of France, as were the dukedoms "of Guienne and Normandy, which the Engliſh "long detained forcibly: and therefore it could "not be ſaid, the French had conquered Calais, "and thoſe dukedoms, but only recovered what "to them rightfully appertained.

"Preſcription of time is of no conſideration "among Princes, but right always takes place, "and, by the law of the twelve tables, the autho-"rity remains perpetual againſt an enemy.

"Tho' the Engliſh undertook the late war for "the ſake of Calais, yet that place was not men-"tioned in the treaty of Troye, and thereby they "had not thereto any farther pretenſions.

"The clauſe inſerted in the treaty of Troye, "relating to the reſervation of rights, concerns "only ſmall and inſignificant matters, and not the "reſtitution of Calais, which is an article of the "greateſt importance.

"The pretended attempts of Francis II, in "Scotland, could by no means affect the right of "Charles IX, his ſucceſſor. Indeed the very in-"tentions of private perſons are in ſome reſpects "liable to the laws; but the caſe of Princes is "quite different.

"The late King, in aiding the Queen of Scotland, "his conſort, did no more than the Engliſh them-"ſelves had done in ſeizing Havre de Grace, "under color of keeping it for the King. More-"over, they furniſhed the Prince of Condé with "money, and therefore have forfeited their claim "to Calais.

"When it pleaſed God that the French ſhould "recover Calais, he ſet the natural bounds between "the kingdoms of France and England, according "to the Roman poet:

"Et penitus toto diviſos orbe Britannos.

"In a word, if any one had the aſſurance to "propoſe to his Majeſty the reſtitution of Calais, "he would deſerve not only death, but even a worſe "puniſhment, damnation."

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The Engliſh embaſſador's anſwer. Camden. Speed.

Smith replied, "He would not ſtay to ſhew the "weakneſs of the arguments alledged by the chan-"cellor, becauſe he could not believe the refuſing "to reſtore Calais would in good earneſt be found-"ed on reaſons ſo little plauſible. There was a "treaty made expreſly on this account, which the "chancellor never mentioned, as if he had forgot "that, on this treaty, ſigned, ratified and ſworn to "by the King of France, the Queen of England's "demand was grounded. Neither did he intend "to loſe time in combating maxims which, if ad-"mited, would render all treaties between Sove-"reigns of no effect; but would content himſelf "with anſwering two objections, which were the "moſt ſpecious. As for the treaty of Troye, he "appealed to ſome of the commiſſioners, who "were preſent at the concluſion of that treaty, "whether it was not agreed, that the reſtitution of "Calais ſhould be compriſed in the general reſer-"vation of rights, and that the reaſon which they "alledged to hinder the town of Calais from be-"ing reſerved by name was, becauſe the eight "years were not yet expired: as for Havre de "Grace, the Engliſh made a peaceable entry, being "invited by the inhabitants and the people of Nor-"mandy. In ſhort, as for the money lent the "Prince of Condé, the King of France himſelf "owned it was for his ſervice, ſince it was to pay "the German ſoldiers, who threatened to ravage "the kingdom." But all theſe reaſons were to no purpoſe, France being reſolved not to part with Calais. I ſhall here by the way obſerve, that the chancellor of France did not, in order to evade the reſtitution of Calais, make uſe of arguments drawn from the very treaty of Cateau, as he might have juſtly done, if that treaty were expreſſed in the terms mentioned by the French hiſtorians.

Elizabeth's reaſons to diſſemble.

It was not the chancellor's arguments which prevented Elizabeth's aſſerting her right to Calais; but the ſituation of her affairs, which permited her not to ingage in a war with France. Her intention was not to invade others, but to defend and maintain herſelf on the throne, in ſpite of her enemies efforts: this was her only care, during the whole courſe of her reign. Hence it was that ſhe ſometimes ſeemed inclinable to matrimony, tho', in all appearance, ſhe had no ſuch deſire. The firſt ſhe decoyed with this hope, was Charles, archduke of Auſtria, the ſame who was propoſed to the Scotiſh Queen by the cardinal of Lorrain. She carried her diſſimulation ſo far, as to ſend Thomas Ratcliffe, earl of Suſſex, in embaſſy to the Emperor Maxi-

Camden. Hollingſh.

Negociation for her marriage with the archduke of Auſtria.

(1) There was a particular treaty for Calais; but there was none for Paris. Rapin.

milian,

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milian, to ſettle the marriage-articles, the Emperor on his part having diſpatched count Stolberg to keep her in this good reſolution. The earl of Suſſex ſtayed five months at Vienna about this negociation, going thither under color of carrying his Imperial Majeſty the order of the garter: but he was accompanied by lord North, the earl of Leiceſter's creature, who was ordered by his patron to defeat the negociation as much as poſſible, by indirectly intimating to the Imperial court, that the Queen had no deſign to marry, whatever ſhe pretended. The Emperor found afterwards that North was better inſtructed than the embaſſador, who, apprehenſive of the Queen's marrying the earl of Leiceſter, did his utmoſt to adjuſt all differences and remove the objections. The main difficulty was to find expedients, on the article of religion, which ſhould ſatisfy both courts. The Emperor relaxed as much as he could, and the earl, on his part, did whatever lay in his power to remove this obſtacle. They were already agreed, that the archduke ſhould have the title of King of England, and guardianſhip of the children, in caſe the Queen died firſt. As to religion, after the Emperor had often, but in vain, demanded the privilege of a public church for the archduke, he finally conſented that he ſhould be ſatisfied with a private chapel in ſome part of the royal palace, where none of the Engliſh ſhould be admited; and if his manner of worſhip happened to give any offenſe, he ſhould forbear it for a time, and be preſent with the Queen at the church of England's ſervice. But this affair being debated in the council of England, the Queen ſent the earl of Suſſex word, that ſhe could not admit even of this. So the negociation was broke off, tho' without noiſe, with marks of eſteem and friendſhip mutually given by the Emperor and her Majeſty. By the way, this obſtacle concerning religion was the means ever uſed by Elizabeth to fruſtrate all negociations about her marriage: and therefore ſhe always treated with Catholics, becauſe ſhe was ſure of breaking off the treaty juſt when ſhe pleaſed. As for the Proteſtant Princes who offered themſelves while ſhe was of age to marry, ſhe took care to let them ſoon know they had nothing to hope. This deportment confirms the ſuſpicion which had been conſtantly entertained, that ſhe had made a ſetled reſolution never to ſubmit to the matrimonial yoke, tho' her affairs obliged her ſometimes to pretend the contrary.

It breaks off. Camden.

Remark on this affair.

Elizabeth's policy.

Embaſſy from Ruſſia Camden.

This year arrived at London embaſſadors from Ivan Baſilowitz, grand duke or Czar of Muſcovy. Their public commiſſion was, to confirm and renew the favors which the Czar their maſter had granted to the Engliſh merchants, aſſociated by the name of the Ruſſia Company. But with theſe embaſſadors returned Anthony Jenkinſon, a native of England, who had long reſided in that country, and was charged with ſome private inſtructions (1). The Czar's deſign was to make with Elizabeth a league offenſive and defenſive, with a mutual obligation to afford each other a ſafe retreat, in caſe either ſhould be expulſed their dominions. This Prince, who was a moſt notorious tyrant, was willing to provide for his ſafety, being apprehenſive his ſubjects would not always indure his oppreſſions. Elizabeth returned him a dubious anſwer, wherewith he had no reaſon to be pleaſed, and yet two years after he granted the Engliſh merchants privileges which greatly conduced to render flouriſhing their commerce in thoſe regions.

Hackluyt.

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About this time aroſe commotions in Ireland, occaſioned by the rebellion of Shan O Neal, a nobleman of great intereſt in the North; but which ended with the death of the rebel, who was ſlain by his own partiſans.

Troubles in Ireland. Camden. Stow. Hollingſh.

The duke of Norfolk, who was one of thoſe who were moſt in the Queen's favor, loſt his ducheſs this year, and by that means unfortunately was left in a condition to form projects which proved his deſtruction.

Death of the ducheſs of Norfolk. Camden.

The Netherlandiſh Affairs during this Year, underwent great changes. The grandees were divided, and ſeveral had betrayed the common cauſe. The Prince of Orange was withdrawn to his government, count Horn to his own houſe, and count Egmont continued with the governeſs, who, improving this diſſenſion, revoked whatever grants ſhe had been forced to make the Reformed. Then ſhe ſent for forces from Germany, and raiſed ſome Walloon regiments. Soon after Philip II reſolved to ſend the duke of Alva into thoſe provinces with a ſtrong power of native Spaniards, to chaſtiſe both nobles and people. Hereupon, the Prince of Orange retiring into Germany, the duke of Alva entered the country at the head of his army, without any oppoſition. On his arrival at Bruſſels, the ducheſs of Parma put the government into his hands, when the duke exerciſed inhumanities not neceſſary to be here particulariſed, they being ſo univerſally known. The counts of Egmont (2) and Horn loſt their lives by the common executioner, while Montigny underwent the like in Spain, and all the Prince of Orange's eſtates were confiſcated.

Affairs of the Netherlands. Grotius. Strada.

On the other hand, the court of France, under color of fearing the duke of Alva, who was to paſs near the borders, levied ſix thouſand Swiſſers, with deſign to extirpate the Hugonots, while the duke of Alva ſhould do the ſame in the Netherlands, purſuant to the agreement at Bayona. It may be readily comprehended that, in ſuch a juncture, Elizabeth could not attempt the recovery of Calais: it was ſufficient if ſhe could avert the flames which threatened England. Mean while, the Prince of Condé, having with difficulty eſcaped the court ſnares, re-aſſembled the Hugonots by the admiral's aſſiſtance, and was very near ſucceeding in his deſign of carrying off the King at Meaux. After this diſappointment, he blocaded Paris. In ſhort, on the tenth of November was fought at the gates of Paris a battle, wherein fell conſtable Montmorency. This action not being deciſive, the Prince marched to meet Caſimir, count Palatine, who was bringing him a ſuccor of three thouſand foot, and ſix thouſand five hundred horſe. In September, La Noue, one of the Hugonot chiefs, reduced Orleans. Thus were all England's neareſt neighbors, viz. the Scots, French and Netherlanders, in trouble and confuſion, while the Engliſh, thro' their Queen's prudent management, injoyed a profound tranquillity.

Affairs of France. Mezerai. Thuanus. P. Daniel.

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It was however at the expenſe of her own quiet that Elizabeth ſecured her peoples repoſe. She had cauſe of apprehenſion as well at home as from abroad, and conſequently was obliged to attend perpetually both to foreign and domeſtic affairs, in order to fruſtrate her enemies projects. The

Elizabeth ſtickles for the Hugonots of France. Camden.

(1) He took a very accurate map of Ruſſia, and was the firſt Engliſhman who ventured thro' the Caſpian ſea, into the country of the Bactrians. Camden, p. 408.

(2) Charles Lamoral, count of Egmont was beheaded at Bruſſels in the begining of July. The French embaſſador, who was a private ſpectator of the execution, is ſaid to have writ to Charles IX King of France, "That he had ſeen that head ſtruck "off, whoſe valor had made France twice tremble:" alluding to the battles of St. Quintin and Graveling. The Flemings were ſo fond of him, that his execution made them loſe all patience. No offers from Philip could quiet them, and they never left purſuing their revenge. 'till they had intirely ſhook off the Spaniſh yoke. Strada de Bell. Belg. l. 7.

French

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French Hugonots wretched condition gave her no ſmall uneaſineſs. Theirs and her adverſaries were the ſame; and as there was but ſmall appearance of their making head againſt the Papiſts, who were a hundred to one, and ſupported by royal authority, ſhe was apprehenſive that, after their extirpation, the ſtorm would fall upon England. It was ſcarce to be doubted that the war, which was at once carrying on againſt the Proteſtants of both France and the Netherlands, was other than a pure effect of the mutual counſels of the French and Spaniſh courts, and that exterminating the Proteſtant religion was the main object thoſe two courts had in view. Elizabeth therefore judged it abſolutely requiſite to acquaint his Gallic Majeſty, that ſhe was concerned for the preſervation of the Hugonots; whatever reaſon ſhe might have to complain of their behavior to her. To that purpoſe, ſhe ordered Norris, her embaſſador to Charles IX, to intercede earneſtly for them, and give to underſtand, that ſhe too well knew her own intereſt to ſuffer them to be intirely ruined. Theſe threats from England; the reſolution of the Hugonots, and their aſſiſtance from Germany, produced a good effect, and procured them a peace: but it was only a treacherous peace, wherein the court deſigned merely to amuſe them, and which was, on that account, afterwards named the Lame Peace. Catherine di Medicis knowing it would not be long before the war would re-kindle, reſolved to be beforehand, to prevent Elizabeth from aſſiſting the Hugonots. In order thereto, ſhe began to make the Engliſh embaſſador private intimations of a match between Elizabeth and the duke of Anjou, then barely ſeventeen years of age. Mention ſhall be made elſewhere of the ſequel of this project.

Quarrel between Philip and Elizabeth. Camden. * Sir John Hawkins.

At the ſame time Philip II evidenced his ſpleen againſt Elizabeth, by confining her embaſſador to a village. On the other hand, a certain Engliſh merchant, named Hawkins *, who went to the bay of Mexico with five ſhips, by virtue of the treaty between Charles V and Henry VIII, was inſulted by the Spaniſh fleet, which took and rifled three of his ſhips. Theſe outrages were highly reſented by Queen Elizabeth, eſpecially as the merchants were very clamorouſly importunate for a war with Spain: but ſhe did not think proper then to ſhew her reſentment, for fear of being ingaged farther than the ſituation of her affairs would admit. She had the more reaſon not to enter on ſuch a war, as at the ſame time the affairs of Scotland, which more nearly concerned her, took a new turn, and might be to her of the utmoſt conſequence.

Affairs of Scotland. Buchanan. Melvil, p. 90. Camden. Spotſwood.

Queen Mary was priſoner at Loch-levin: but that did not hinder her from having ſtill a ſtrong party, conſiſting of all the Catholics, with ſuch as envied and hated the earl of Murray, many of whom had with him the greateſt credit. In reality, the majority of theſe had little kindneſs for Mary, but fancied ſhe could afford them a plauſible pretenſe to act againſt the regent; and it was this which induced them to declare for her. On the other hand, in the regent's party, which was called the King's, there were ſome who were ingaged in it purely to ruin Bothwell, whom they hated and feared. Theſe imagined, if they could get him out of the way, matters would return to their proper channel, and the Queen might eſpouſe ſome Prince who would cauſe Scotland to reflouriſh. Kilcardie, who was of this number, being informed that Bothwell was acting the pyrate near the iſles of Schetland, equiped two veſſels, and reſolved to go in queſt of him, believing all troubles would ceaſe with his death. He was ſo lucky as to meet with him: he purſued and obliged him finally to run his ſhip a-ſhore, and eſcape to land in his boat: but the ſhip was taken with his ſervants, who, it is ſaid, gave information of many particulars relating to the late King's murder, not greatly to the Queen's honor: but there is no relying on ſuch ſort of popular rumors. Bothwell having the good fortune to eſcape, but not knowing which way to turn himſelf, at length determined on retiring to Denmark, where he was ſeized and thrown into priſon. There he lived ten years in extreme miſery, which turned his brain. Camden affirms that, not long before his death, "he ſolemnly proteſted the Queen was in "no degree privy to the murder of the King her "huſband." But, as uſual, this author acquaints us not whence he had this particular (1).

Grange purſues Bothwell, who eſcapes to Denmark, where he is impriſoned. Buchanan. Melvil. p. 84, 85.

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Several of the regent's party leave him. Buchanan. Melvil, p. 90. Spotſwood.

Bothwell being no longer to be feared, all ſuch as thro' hatred of him had declared againſt the Queen, forſook the King's party, ſome privately, others openly. Lidington and lord Boyd were among thoſe who feigned to be ſtill attached to the regent, in order to have a fairer opportunity to do the Queen ſervice. The earl of Argyle wavered for a time, but at length quited Murray, and joined the contrary faction.

The Queen eſcapes out of priſon. Buchanan. Melvil, p. 90. Spotſwood.

A few days after, the regent, being at Glaſgow, had there notice of the Queen's having made her eſcape from Loch-levin (2), and being at Hamilton caſtle, only twelve miles from Glaſgow. This news quickly ſpreading, lord Boyd, who was of the regent's council, inſtantly forſook him and repaired to her Majeſty.

She marches againſt the regent. Melvil. p. 90, 91. Buchanan. Camden.

The regent was extremely perplexed, eſpecially as he learned at the ſame time, that the Queen's friends were from every quarter amaſſing forces which flocked to her in great multitudes. This made him ſenſible, he muſt either quit his party, or try the fortune of a battle. He choſe the latter, and aſſembling ſome troops, tho' in number very inferior to the Queen's, he departed Glaſgow at the very juncture when her Majeſty ſet out in order to attack him. Melvil ſays, the Queen's deſign at firſt was not to fight, having left Hamilton caſtle only to retire to Dunbarton, but that the archbiſhop of St. Andrew's, and the other chiefs of her faction, (3) were for hazarding a battle, truſting to their numbers, and hoping, on the regent's being routed, to govern all in the Queen's name. But howſoever it was, this army, in number ſix thouſand, advancing towards Glaſgow, met the regent who was only four thouſand ſtrong, and the battle began. It is needleſs here to enter on a detail of this incounter. It ſuffices to ſay in brief, that Mary loſt the day, and, for fear of falling into her enemies hands, fled towards the borders of England. She choſe for her firſt retreat the houſe of Maxwell, baron of Herris: but, a few days after, not thinking herſelf ſafe there, or any where elſe within the realm, ſhe determined on retiring into England. On ever ſo ſlight attention to what had thitherto paſſed between Elizabeth and Mary, and to the juſt reaſons they had to diſtruſt and conſider each other as real enemies, notwithſtanding their external demonſtrations of reciprocal amity, which was all diſſimulation, it cannot be believed that Mary would have voluntarily ſought refuge in England, had it been in her choice to retire elſewhere. But there was a neceſſity either of being again in the

Battle wherein the Queen is defeated. She flies towards the borders. Vol. I. p. 91. Buchanan. Camden. Spotſwood. Anderſon's Collect. Vol. IV. p. 1, &c.

(1) By Bothwell, Queen Mary had a daughter, who was a nun at Notre Dame de Soiſſons. Jebb's Collect. Vol. II. p. 610.

(2) On May 2. By the aſſiſtance of George Douglaſs, half brother to the regent: whoſe mother was likewiſe thought to be concerned in it. Buchanan. Camden, p. 410.

(3) Chiefly the houſe of Hamilton. Some ſaid, that the archbiſhop of St. Andrew's intended to cauſe the Queen to marry lord Hamilton, in caſe they had obtained the victory. And the Queen herſelf feared the ſame. Melvil, p. 91.

power

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power of her Scotiſh adverſaries, or of ſurrendering into the hands of Elizabeth her rival. Of the two dangers, one was near and infallible: the other was yet diſtant, and not ſo certain as to deſtroy all hope of ſuccor from that Queen's generoſity. However, having fixed her reſolution, ſhe diſpatched away John Beton, one of her menials, to Elizabeth, to deſire her protection and leave to retire into England. Camden ſays, ſhe ſent by the ſame meſſenger a diamond, which ſhe had received from her as a pledge of her friendſhip, and promiſe to aſſiſt her to the utmoſt of her power, when there ſhould be occaſion: and yet this ſame author has inſerted, under the year 1582 of his annals, a letter of Mary to Elizabeth, wherein it appears this diamond was ſent back before the battle of Glaſgow; beſide, tho' very poſſibly Elizabeth might have accompanied her preſent of the diamond with ſome tender and affectionate expreſſions, and alſo ſome general promiſes, it is not likely ſhe intended to oblige herſelf ſo far as Camden would inſinuate. This is what I believe for ſeveral reaſons. Firſt, it is certain Elizabeth was never ſo well-affected to Mary. Secondly, ſuch ingagement was directly contrary to her intereſt, which required not ſhe ſhould be ſo very mindful of her rival's proſperity. Laſtly, no juncture of time can be aſſigned, when Elizabeth was under any neceſſity to carry her diſſimulation to that height. Camden adds, that Elizabeth did, by the ſame Beton, certify Mary, that ſhe would give her all the proofs of friendſhip which could be expected from a ſiſter. But, as I have often hinted, it is not always ſafe to rely wholly on this author's teſtimony. However, before this anſwer arrived, Mary, fearing to be diſcovered in her retreat, took boat, and came to Wirkinton in Cumberland, attended only by lords Herris and Fleming, and a few ſervants. The ſame day ſhe wrote to Elizabeth, acquainting her with her arrival in England. In this letter ſhe likewiſe told her; that having eſcaped from priſon, and intending to go to Dunbarton, her enemies came againſt her to diſpute her paſſage (1), and defeated her army: that this misfortune obliged her to quit her kingdom, where ſhe could not be with ſafety, to come and implore her protection; withal intreating, ſhe would order her being conducted to her preſenſe: adjoining alſo in the ſame letter, "That "her enemies, after murdering her ſervant before "her face, had commited a new crime, which they "pretended to charge her with, tho' themſelves "had ploted it, as appears by a writing under their "own hands and ſeals". It is this doubtleſs which gave Camden occaſion to ſay, under the year 1567, that the earls of Murray and Morton bound themſelves by a writing to ſupport Bothwell when he ſhould have killed the King (2). If this writing, which never appeared, were really true, it would evidently follow that Mary was not ignorant of Bothwell's being author of the King her huſband's murder, ſince ſhe knew Murray and Morton had promiſed to ſcreen him: but it is not likely, ſhe would have made ſuch a confeſſion to Elizabeth. Beſide, on ſuppoſition that Mary's letter was ſuch as Camden repreſents it, ſhe names not the earl of Murray: ſhe only imputes to her enemies the crime whereof ſhe herſelf was accuſed. We ſhall ſee hereafter how ſhe maintained what ſhe had advanced, and after what manner ſhe made her defenſe.

She reſolves on retiring to England, and ſends to Elizabeth. Leſley's negociations. p. 10. Camden. Spotſwood, Blackwood.

Elizabeth's anſwer. Leſley. Camden.

Mary arrives in England, May 17.

She writes to Elizabeth. Leſley. Camden. Anderſon, Vol. IV. p. 7. 19.

Elizabeth being informed the Queen of Scots was in England, after the loſs of a battle, ſent ſir Francis Knolles to comfort her, and ordered her to be lodged at a gentleman's houſe, where ſhe was royally treated. After that, ſhe was conducted to Carliſle (3). Here, according to Camden, Mary wrote Queen Elizabeth a ſecond letter, intreating her either to admit her to her preſenſe, or give her leave to depart elſewhere. Camden ſays, "That Elizabeth was touched with compaſſion, becauſe the "Queen of Scots offered to debate her cauſe before "her, and to ingaged to prove her adverſaries guilty "of the crime they unjuſtly loaded her with". But this hiſtorian ſtretches a little too far what Mary ſaid in her letter, ſince ſhe offered not to prove her adverſaries guilty; nor indeed did ſhe ever attempt it. There is not a ſingle word in Camden's annals concerning the Queen of Scots, but what muſt be guarded againſt. We are going to ſee Elizabeth's compaſſion for this Queen. She ſent her word, that as ſhe ſtood charged, by the public's voice, with being privy to the murder of the King her husband, or at leaſt with not inquiring after the murderers, and with keeping ſtill in her ſervice, and in her very houſe, ſuch as were accuſed of being accomplices, ſhe could not ſee her 'till ſhe was cleared fully of ſuch heinous accuſations, and deſired to know in what manner ſhe intended to juſtify herſelf. Whereupon, it was agreed, that Elizabeth ſhould hear her defenſe, and protect her if innocent. It is very probable, or rather certain, that herein Elizabeth deſigned only to gain time, and have a pretenſe to detain her 'till ſhe had determined how to proceed; in which point her council were not a little perplexed.

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Elizabeth refuſes to ſee Mary 'till ſhe has juſtified herſelf. Camden. Walſingham's negociations. Norris's inſtructions. Anderſon's Collect. Vol. IV. p. 4, 7, &c.

Diverſe methods were on this occaſion to be taken, and each had its difficulties: but, as is very uſual in the councils of Princes, the ſtar whereby the miniſters and counſellors were guided was not juſtice or equi y, but the Queen's ſafety. In much the ſame caſe Henry IV detained the King of Scotland's eldeſt ſon, who was afterwards King himſelf, under color, that he had entered his dominions without leave, and that Prince was held in durance 'till the reign of Henry VI. It cannot be denied, that a Sovereign has power to ſeize a foreign Prince, who enters his territories without a ſafe-conduct. But there are caſes wherein right rigidly aſſerted becomes the greateſt injuſtice. Such was that of Henry IV with regard to the Prince of Scotland. But in Mary's caſe, the circumſtances appeared ſtill more favorable. It was a woman, expulſed by her own ſubjects, whoſe farther violence ſhe feared, and who, far from giving room for ſuſpicion of any ill deſign againſt England, was come only for refuge, and to implore the protection of a Queen her near relation, who had always affected to give her marks of friendſhip. So to conſider Mary's fault only as a ſort of violation of national law, ſhe merited not being detained in captivity: but, as I ſaid, it is not always by theſe maxims that Sovereigns are guided. The point in debate in the Engliſh council was, not to ſearch for what was moſt conſonant to juſtice or generoſity, but what was moſt advantageous (4). The various courſes therefore which might be taken with reſpect to the Queen of Scots were examined, in order to chuſe the moſt beneficial to Elizabeth. The firſt was, reſtoring her forcibly to the throne, by way of example, that ſubjects ſhall not expel their

Sundry opinions in the council concerning Mary. Camden.

Camden. Anderſon's Collect. Vol. IV. p. 34, &c. 102, &c.

(1) The contrary appears by the teſtimony of Melvil. Rapin.

(2) The words in Camden are: "They went ſo far as to charge me with a new pretended crime, and ſign this accuſation "with their own hands." Which words ſeem not to give Camden occaſion to ſay, as M. Rapin here imagines.

(3) And June 16 was removed to Bolton, a houſe belonging to lord Scroop, warden of the Weſt-marches. Anderſon's Collect. Vol. IV. p. 6.

(4) It was at firſt reſolved in the Engliſh council, to uſe the Queen of Scots well, and reſtore her to her crown and country, as is ſhewn by biſhop Burnet. Hiſt. Ref. Vol. II. p. 417.

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Sovereigns with impunity. Tho' this was what Elizabeth ſhould have done as a Sovereign, yet other more particular conſiderations prevented her laboring to reſtore and render more powerful a Queen whom ſhe juſtly looked on as a dangerous rival. For the ſame reaſon it was to be feared, if ſhe ſent her back to Scotland, tho' without ſuccors, her faction would revive, and one victory, which was not impoſſible, might render her abſolute; in which caſe ſhe might recall the French into Scotland, and purſue the execution of the projects formed in France, in the reign of Francis II, her firſt conſort. On the other hand, if ſhe were ſent over to France, there was no certainty that ſhe would not return to Scotland: beſide, if the King of France and Princes of Lorrain were maſters of her perſon, it was very likely they would make uſe of her name to invade England, and the Pope and King of Spain join with them. There was no way therefore but to keep her in England, either free, or in priſon: but leaving her at full liberty was runing a manifeſt hazard. Her title to the crown of England would draw to her court all the Catholics and diſaffected perſons in the kingdom, as well as the French and Spaniſh embaſſadors, to aſſiſt her with their counſels. If, being abſent, ſhe had been able to form a ſtrong party in England, how much more might her preſenſe render the ſame faction more numerous and powerful. Certain it is that, notwithſtanding the Queen of England and her miniſters pretended to think it very ſtrange Mary ſhould claim the Engliſh crown, they however knew the grounds of her title, and that many people were convinced of its being even more legitimate than Elizabeth's. Finally, in detaining her in priſon, there was no queſtion Elizabeth would incur the indignation of all Europe by this exceſs of ſeverity, the motives whereof all people would not comprehend. This was however the courſe which Elizabeth took, by the advice of her council, and undoubtedly alſo by her own inclination. It is certain, beſide the reaſons of ſtate which induced her thereto, ſhe was likewiſe moved by a perſonal jealouſy of the Scotiſh Queen, who had much the advantage of her in beauty and youth, tho' very far inferior to her in other reſpects. However, to color in ſome meaſure the ſeverity which was to be uſed to this Queen, Elizabeth concluded to feign being deeply concerned for her misfortune, and extremely deſirous of being convinced of her innocence, that ſhe might afterwards give her a powerful aſſiſtance, without fear of reproach: but withal, ſhe reſolved to delay the methods to be uſed for this purpoſe, 'till time and opportunity ſhould afford room for other meaſures. From thenceforward, ſhe conſtantly refuſed liſtening to ſuch as offered to traduce Queen Mary; but then ſhe was not ſorry that ſundry accuſations were publicly ſpread againſt her, that it might not be thought ſtrange this affair could not be ſuddenly cleared. So, Camden had reaſon to ſay, Elizabeth ſeemed touched with a ſenſe of the Queen of Scotland's misfortune, and openly deteſted the behavior of the Scots: but it follows not that theſe were her real ſentiments. Her aim being only to prolong the affair, under color of laboring her priſoner's juſtification, it was not proper ſhe ſhould, by her diſcourſes, declare herſelf a party againſt her: ſhe ought rather to ſhew ſhe inclined to her ſide. Mary herſelf was long deceived by this policy. She imagined Elizabeth really intended to ſerve her: but finally diſcovering the artifice, ſhe reſolved to take ſuch meaſures as furniſhed her enemy with a plauſible pretenſe to detain her in priſon. I will venture to affirm this to be the true key of the affair, which will never be rightly comprehended if we build on what has been advanced by the hiſtorians of either faction.

Elizabeth reſolves to detain her. Camden.

Elizabeth's policy.

While all this paſſed in England, the earl of Murray called a parliament at Edinburg, to get thoſe condemned who had, in Mary's behalf, taken arms againſt the King's Majeſty. The oppoſite faction ſeeing they were like to be oppreſſed by the decree of the ſtates, exerted their utmoſt to prevent their aſſembling. They even demanded aid of the French, who concluded on tranſporting into Scotland a body of forces, under conduct of Martigues. In the interim, Mary's partiſans met at Glaſgow, to conſult how to prevent the parliament's meeting; but, as they could not agree, the earl of Argyle returned home. The earl of Huntley, more fiery than the reſt, aſſembled ſome troops, and poſted himſelf at Perth, to alarm the regent, 'till the arrival of the French ſuccors: but the civil war, which re-kindled in France, obliging King Charles to retain the army deſigned for Scotland, Huntley was obliged to retire. This reſourſe failing, the Queen's friends applied to Elizabeth, repreſenting to her, that the regent, by moſt unſeaſonably convening a parliament, was going to drive the principal lords of Scotland to deſpair, and offered to take her for umpire of their differences with the regent. This offer was very grateful to Elizabeth, becauſe ſhe could thereby render herſelf miſtreſs of the affair, and prolong it as ſhe pleaſed. She therefore gave Murray to underſtand, that he would oblige her in defering the parliament 'till ſhe was better informed of the reaſons which had induced the Scots to deprive their Queen of the adminiſtration. But he deſired to be excuſed, and held the parliament on the day appointed. Buchanan pretends that Lidington, who feigned to be attached to the regent, managed it ſo by his intrigues, that the ſtates reſolved to puniſh only ſome of the moſt guilty, and that this indulgence was a great means to ſtrengthen the Queen's party. The parliament breaking up, the regent raiſed a force to purſue thoſe who were condemned. He reduced to the King's obedience diverſe places, and would very probably have over-run the whole kingdom, had not the court of England interrupted the execution of his deſigns.

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Affairs of Scotland. Buchanan.

Buchanan.

Elizabeth takes great advantage of the troubles in Scotland. Camden. Buchanan. Spotſwood.

Elizabeth foreſaw ſuch conſiderable advantage in arbitrating the Scotiſh affairs, that ſhe took care not to let ſlip the preſent opportunity, without improving it. To compaſs her ends with greater facility, ſhe intimated (and that not very privately) that ſhe believed the Queen of Scots innocent; that ſhe herſelf was concerned in the quarrel, which all Sovereigns ought to eſpouſe, and that it was their intereſt to chaſtiſe rebellious ſubjects, who might give a dangerous precedent to others. In a word, ſhe ſo artfully diſguiſed her ſentiments, that Queen Mary's friends, blinded by theſe appearances, perſuaded that unhappy Princeſs to offer to appoint commiſſioners to defend her cauſe before the Queen of England, and ſo fell into the net ſpread for her by Elizabeth. She had no ſooner made this imprudent offer, but Elizabeth wrote to the earl of Murray, that the proceedings of the Scots in depoſing their Queen were ſo extraordinary, that ſhe could not approve them except they ſhewed, by very good reaſons, that they could not have acted otherwiſe: that if their Queen were innocent, ſhe deemed herſelf bound by all imaginable conſiderations to protect her, and reſtore her to the throne, but was willing, before ſhe came to any reſolution, to hear what they had to ſay in vindication of their conduct: that therefore, ſhe deſired the regent would ſend ſome well-informed perſons to York, where ſhe would order commiſſioners to hear what the Scots had to alledge againſt their Queen: that it was neceſſary he ſhould in perſon clear himſelf of the crimes he was accuſed of; and to conclude, ſhe gave him to underſtand, ſhe ſhould take his refuſal as

She becomes arbiter of the differences between the two parties. Buchanan. Camden.

She deſires the regent to ſend deputies into England. Buchanan. Camden. Anderſon's Collect. Vol. IV. p. 17, 18.

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as a moſt authentic proof of Mary's innocence. Elizabeth muſt have talked in a ſtile ſomewhat lofty to oblige the regent to take ſo extraordinary a ſtep: beſide, it was no leſs neceſſary to keep by that means the Queen of Scots in the belief that Elizabeth ſought only to bring her off honorably, for fear ſhe ſhould revoke the conſent ſhe had given. Elizabeth's real aim was to have a pretext to detain the Queen of Scots, 'till the affair ſhould be cleared, well knowing ſhe ſhould not want means to prolong it as ſhe pleaſed: beſide, how much ſoever ſhe pretended not to be fully informed, ſhe knew enough to judge that the Scots would bring good evidence againſt Queen Mary, and thereby furniſh her with a very natural excuſe to require a farther examination. All this was extremely agreeable to the ſcheme ſhe had laid, and afforded her means to ſilence the French and Spaniſh embaſſadors, who preſſed her continually in behalf of the captive Queen. She told them, ſhe deſigned to aid her ſiſter Mary with her whole power, and replace her in her primitive dignity; but decency required her ſaid Majeſty ſhould firſt be, in the world's eye, cleared of the crime wherewith ſhe was charged, and that all poſſible expedition was uſing to manifeſt her innocence.

The regent determines on going. Buchanan. Melvil, p. 93. Camden.

The earl of Murray was at a ſtrange loſs what anſwer he ſhould return to Elizabeth's ſummons. It was dangerous for a regent of Scotland to put to arbitration a buſineſs already decided in parliament, and diſhonorable to anſwer before a foreign power. But, on the other hand, he could ſupport himſelf only by the aſſiſtance of England; how much leſs if Elizabeth ſhould reſolve to reſtore Mary to the throne? Beſide, he was apprehenſive his refuſal would be conſtrued as a token of his miſtruſting the juſtice of his cauſe. So, after conſulting his friends on ſo nice a point, he reſolved to go himſelf to York, with eleven deputies nominated for his aſſiſtants (1). Theſe were, James Douglas earl of Morton, Adam biſhop of Orkney, Robert commendator of Dumfermling, and Patric lord Lindſay. Mary nominated the lords Herris, Levingſton, Boyd, Gavin commendator of Kylwyning, John Gordon of Locheinvarr, James Cockburne of Skirling knight, and the biſhop of Roſs. Elizabeth commiſſioned Thomas Howard duke of Norfolk, Thomas Ratcliff earl of Suſſex, and ſir Ralph Sadler, to hear what both parties had to alledge, pro and con. All theſe perſonages entered York on the ſame day, viz. the fourth of October.

Melvil, p. 93. Anderſon's Collect. Vol. IV. Part II. p. 34, 35. Buchanan. Camden. Spotſwood.

In order fully to underſtand what paſſed at the conference of York, and at another afterwards at Hampton-Court, it will be neceſſary to know what is ſaid on this occaſion in Melvil's memoirs. Without this key, there is no comprehending any thing by Buchanan's account, and ſtill leſs by Camden's, who indeavored rather to darken, than clear the affair. What Melvil relates is a ſecret, equally unknown to Buchanan and Camden.

Account of a private affair which paſſed at the York conference. Buchanan.

Very ſeemingly, the duke of Norfolk, who had buried his ducheſs the preceding year, had already formed the project of marrying the Queen of Scots, before he repaired to York; at leaſt, it may be affirmed, this duke was the chief of all Mary's friends in England; for which reaſon, he accepted the commiſſion of preſiding at the York conference, only to hinder the ſucceſs Elizabeth expected, and to break her meaſures. However ſecret Queen Elizabeth's ſcheme was kept, the duke of Norfolk was moſt apparently well appriſed of the whole; courtiers having uſually a wonderful ſagacity to diſcover what the Prince would moſt conceal: nay, it is ſaid, he had injoined the earl of Weſtmoreland, his lieutenant in the preſidentſhip of the north, to diſpatch the earl of Murray when he came upon the borders, and ſeize all his papers, in order to deſtroy the proofs he was bringing againſt Queen Mary; but, altering his mind, had revoked the order. In the begining of the conference, he ſtarted ſeveral incidents to retard concluding the affair in debate: but at laſt, perceiving all his indeavors would avail only for a few days delay, he opened his mind to Lidington, who, tho' ſuſpected by all the King's party, had attended the regent as deputy and ſecretary of ſtate. The duke told this lord, that he could not imagine what had induced the Scots to come and accuſe their Queen before Engliſh commiſſioners; that they greatly diſhonored their nation, and would one day be reſponſible for it. Lidington replied, he was very glad to find him of this opinion; that, for his part, he had uſed his utmoſt efforts to hinder the regent from taking this ſtep; that Kircaldie had done the like, but in vain; and if he had accompanied the regent, it was only in hopes of ſucceeding better in England, and deſired him to diſcourſe the regent, and attempt diſſuading him from accuſing the Queen. The duke of Norfolk thereby knowing that Murray's procedure was not approved by his whole party, and that even remonſtrances had been made him on this occaſion, hoped in ſome meaſure to prevail by arguing with him perſonally. They met therefore privately; when the duke, repreſenting to him what he had before intimated to Lidington, added, That he was much miſtaken, if he imagined Elizabeth intended to give ſentence on the difference he and his party had with the Queen of Scots: but that her ſole aim was to make them ſubſervient to her own ends: that if he deſired to be convinced of this, he had only to require a promiſe under her own hand, to give ſentence as ſoon as the proofs ſhould be produced, and to ſupport the King of Scotland's party, in caſe the Queen his mother was found guilty: that Queen Elizabeth would never give any ſuch promiſe in writing, and thereby manifeſt that ſhe ſought only to amuſe them. In ſhort, he ſo managed the regent, that before parting they agreed that Murray ſhould, when called upon to produce his evidences, demand a previous ingagement from the Queen, ſuch as had been ſuggeſted to him by the duke of Norfolk. The regent communicated not this agreement to any except Lidington and ſir James Melvil, who liked it extremely.

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Melvil, p. 99. Buchanan.

Melvil, p. 94. Buchanan. Camden.

Spotſwood.

At the next meeting, the regent being preſſed to give in his proofs againſt the Queen of Scots, replied as he had agreed with the duke of Norfolk, to the great ſurpriſe of all preſent, except thoſe who were in the ſecret. It was therefore reſolved to write to Queen Elizabeth, to inform her of this new and unexpected difficulty, and to know whether ſhe would give the regent of Scotland the ingagement he demanded. Her anſwer was, ſhe thought it very ſtrange her word could not be taken, but that a writing under her own hand ſhould be required, and prayed the earl of Murray to ſend two deputies to acquaint her with his reaſons. The regent choſe for this purpoſe Lidington (2), and Macgil, to the great amazement of all the other deputies, who could not conceive that he ſhould truſt with ſuch a commiſſion ſecretary Lidington, of whom the whole party were ſo diffident.

Melvil, p. 95. Buchanan.

(1) Melvil names ſeventeen, including doubtleſs all thoſe who attended the regent. He was himſelf of this number. Rapin.—As were alſo ſecretary Lidington, Macgil, a famous civilian, and George Buchanan. And on the Queen's ſide, lord Fleming, ſir Robert Melvil, brother to the author of the Memoirs, &c. See Melvil, p. 93.——We have, from Anderſon, rectified our authors miſtakes in the names of the Scotiſh deputies.

(2) Laird Lidington, not earl, as M. Rapin every where miſtiles him.

Not

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Not long after, Elizabeth requeſted the regent to come himſelf to London with the two deputies, whereto he conſented. Being arrived, ſhe appointed other commiſſioners to confer with them, namely, ſir Nicholas Bacon, Cecil, the earl of Leiceſter, the lord high-admiral, and ſir William Sadler. Seemingly, ſhe ſuſpected the duke of Norfolk of ſome prevarication; nor was her ſuſpicion groundleſs. She heartily wiſhed, on diverſe accounts, to have in her hands the proofs intended to be uſed in ſupport of the accuſation againſt the Queen of Scots. Firſt, to ſilence ſuch as murmured at her not moving towards reſtoring that Princeſs: and in effect it was evident that, if Mary were guilty of the crime laid to her charge, ſhe was unworthy her protection. Secondly, having theſe proofs in her power, ſhe would not only have the management of this affair, but might alſo cauſe all delays to be conſidered as ſo many favors to Mary, who moſt apparently would not dare any more to preſs for her deciſion. Hatred and jealouſy might poſſibly be a third reaſon; Elizabeth injoying a ſecret pleaſure at the mortifications of her rival. In the firſt conferences at Hampton-court, the Engliſh commiſſioners were very urgent with the earl of Murray, to give in his proofs againſt Mary. He anſwered, it was with extreme reluctance that he could reſolve to accuſe the Queen his ſiſter, and ſhould never proceed to this extremity, except it were for the real benefit and advantage of all Scotland: that therefore he required the Queen of England's written promiſe to protect the young King, in caſe the Queen his mother were found guilty.

Leſley's Negociation Anderſon's Collect. Vol. IV. Part II. p. 97, &c.

Melvil, p. 96. Buchanan. Anderſon Vol. IV. Part II. p. 44, 55.

The affair being in this ſituation, and the earl of Murray ſtill perſiſting in his demand, the earl of Morton chanced to get intelligence of his agreement with the duke of Norfolk, from ſome one whom Mary had truſted with the ſecret. Then it was Morton came to know the true motive of the regent's conduct, which hitherto ſeemed to him incomprehenſible, ſince he refuſed to accuſe the Queen, tho' he was come to England for that and no other purpoſe. He imparted the ſecret to ſome of his collegues, and they reſolved to acquaint therewith ſecretary Cecil. What paſſed afterwards between Cecil and Murray is not known; but it may be conjectured by what followed, that Murray ſuffered himſelf to be prevailed with to act directly contrary to his ingagement with the duke of Norfolk.

Melvil, p. 96.

At the firſt meeting after this diſcovery, the Engliſh commiſſioners demanding that the proofs againſt the Scotiſh Queen ſhould be given in, and the regent refuſing it, all the Scots, except Lidington, were for producing them. Then Wood, ſecretary to the regent, pretending a zeal for his maſter, ſaid, it was not from a ſpirit of cavil, as ſome thought, that the regent would not give in the accuſation, but becauſe the Queen of England refuſed the required promiſe: that this promiſe being given, he would immediately deliver the accuſation and proofs which he had all ready; and with that, he took the papers from his boſom, and ſhewed them to the whole aſſembly: but while he held them up, the biſhop of Orkney ſnatched them away without much difficulty, and gave them to the Engliſh commiſſioners. It is manifeſt that Murray had been gained by Elizabeth's miniſters, and took this way purely to ſave in ſome meaſure his promiſe to the duke of Norfolk. With this key it will be eaſy to underſtand what Buchanan and Camden ſay about the York conferences, which I ſhall but juſt mention, becauſe, as theſe two hiſtorians were ignorant of the duke of Norfolk's ſecret intentions, and the motives of the regent's conduct, what they have related cannot be of much ſervice towards clearing this part of the hiſtory.

Ibid.

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At the York conferences, Mary's deputies were heard firſt. They proteſted, that the preſent proceedings ſhould not be prejudicial to the rights of Scotland, ſince Queen Elizabeth had no power to interfere in the affairs of that kingdom. Then they ſet forth at large the injuries received by Queen Mary from her own ſubjects, and craved Elizabeth's aſſiſtance to recover her throne. The earl of Murray anſwered, that Bothwell was author of the King's murder: that he carried away the Queen with her own conſent, and publicly married her: that afterwards, ſhe reſigned the crown to the Prince her ſon: that this reſignation was confirmed in parliament, and it was not in his power to alter what the ſtates had ratified. Mary's deputies replied, that the Queen's marriage with Bothwell was not a ſufficient reaſon to depoſe her, becauſe Bothwell was legally acquited: that it was moreover evident, that Bothwell was only a pretenſe made uſe of by the rebels to act againſt the Queen, ſince they might have taken him had they pleaſed; but they let him eſcape, becauſe the Queen herſelf was their ſole object. Then they made appear, that the reſignation of the crown was forcibly extorted, ſince it was not in the Queen's power to refuſe it.

Account of the York conferences, according to Camden and Buchanan. Leſley's Negociation. Anderſon's Collect. Vol. IV. Part II. p. 52.

Camden.

Both parties being heard on theſe general points, the Engliſh commiſſioners declared, they could not admit the proteſtation againſt the Queen's being a competent judge, by reaſon of her right of Sovereignty over the Scotiſh realm. As to the regent's reply, they ſaid, her Majeſty having commiſſioned them to hear what the deputies of Scotland had to alledge againſt their Queen, they could not allow the ſtates determination to be valid, becauſe the queſtion was to know, whether they had juſt grounds to determine in the manner they had done, which could not be anſwered 'till the reaſons whereon their determination was grounded were examined. Then they appointed the ſeventh of October to examine the proofs.

Buchanan.

Melvil, p. 94.

At this meeting, the duke of Norfolk, who ſought only to gain time, required, that the regent ſhould do homage to Queen Elizabeth for the kingdom of Scotland. But Lidington anſwered for him, and affirmed, the kingdom of Scotland owed no homage to England; that if the Kings of Scotland had formerly done any, it was only for the earldom of Huntington and ſome other lands, which were ſince repoſſeſſed by the Engliſh (1).

Between this and the next meeting, on the ſeventh of October, it was that the earl of Murray made the above-hinted agreement with the duke of Norfolk. Lidington opened this ſeſſion with a ſpeech directed to the regent and deputies of Scotland, telling them, "That whereas it appeared, by the "authority granted by the Queen of England to "her commiſſioners, that her whole deſign was to "ingage the Scots to throw a blemiſh on the re"putation of their King's mother, they would "therefore do well to conſider carefully before"hand, what hazard they expoſed themſelves to, "and how they would draw upon themſelves the "reſentment of the Queen, her relations, and "friends, and the indignation of all Europe, "ſhould they impeach her of a crime which muſt "ſtain her honor, and in ſo public a manner be"fore the Engliſh, the profeſſed enemies of Scot"land. What account would they be able to give "their King, when he came of age, of a charge "ſo bold and diſhonorable to himſelf, to his

Camden.

(1) He added, the kingdom of Scotland was freer than England itſelf had been lately, when it paid St. Peter's penny to the Pope. Melvil, p. 94.

"mother,

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" mother, and to the whole nation? He therefore " for his part thought neceſſary to wave ſuch a " ſcandalous accuſation; or if they would pro- " ceed, it was at leaſt requiſite, that the Queen " of England ſhould expreſly ingage to defend " them againſt ſuch as ſhould hereafter give them " any diſturbance on this account." He concluded, with ſaying, " that he thought it his duty " to give them this advice, as he was ſecretary of " Scotland."

It eaſy to perceive, that the drift of this ſpeech was to give the regent ſome good excuſe to drop the accuſation, anſwerably to his ingagement with the duke of Norfolk. He was come from Scotland purpoſely to accuſe the Queen, being provided with all the proofs he deſigned to uſe: but had changed his mind thro' the duke of Norfolk's ſuggeſtions. It was therefore requiſite to deviſe a pretenſe for this change; and this pretenſe Lidington furniſhed, by laying before him ſuch plauſible reaſons. Camden and Buchanan were puzzled to account for the earl of Murray's ſudden change. Camden would inſinuate, that the ingagement he demanded of Elizabeth was a mere cavil to cover his miſtruſt of the juſtice of his cauſe. He ſays, the Engliſh commiſſioners earneſtly preſſed him to give proofs of the accuſation, which as yet appeared to be founded only on a few letters from the Queen, ſo much the more ſuſpicious as Lidington had privately intimated that he himſelf had often counterfeited her writing. But I believe Camden would have been at a loſs to prove, that any of the articles of this accuſation were examined at York. Buchanan, who knew as little of the ſecret as Camden, tho' he was one of the Scotiſh deputies *, pretends, that the regent, purely thro' a conſciencious ſcruple, declined accuſing his royal ſiſter in the preſenſe of foreigners.

p. 414.

* He only accompanied them.

Hampton court conference. Anderſon's Collect. Vol. IV. Part II p. 197, &c.

The York conference breaking off, and being, as I ſaid, removed to Hampton court (1) before new commiſſioners, the regent, or Wood his ſecretary, ſuffered the accuſation and proofs to be ſnatched out of his hand: which done, a day was appointed for the Scots to inlarge on their proofs. To this the regent agreed, and demanded that Mary's deputies ſhould be preſent, that they might urge their objections, in order to a farther clearing of matters (2). But the day being come, her ſaid Majeſty's deputies produced a formal revocation of their commiſſion, and exception againſt the Engliſh commiſſioners, if the French and Spaniſh embaſſadors were not joined with them. Mary demanded farther, that the earl of Murray ſhould be ſent to priſon, affirming, ſhe could convict him of being author of the King's death.

Camden.

This revocation, juſt at the critical time when the proofs againſt Mary were to be examined, gave occaſion to ſuſpect her diffidence of being able to make a pertinent anſwer. While ſhe was entertained with hope that matters would not be brought to the producing and examining proofs, ſhe had left a full power with her deputies: but immediately on her finding that Elizabeth, inſtead of ſerving her as ſhe expected, was for bringing to light what was ſufficient to blaſt her character, ſhe believed it abſolutely neceſſary to avoid ſuch examination. For this reaſon, ſhe revoked the commiſſion to her deputies, excepted againſt the Engliſh commiſſioners, and required a mere impoſſibility, being well aſſured that the French and Spaniſh embaſſadors would not receive a commiſſion from the Queen of England, as alſo that Elizabeth would never admit their being concerned in the affair. Finally, ſhe mentioned not offering to prove the earl of Murray guilty of the King's murder, 'till ſhe had revoked the power of thoſe who were in her name to have accuſed him. All theſe circumſtances give occaſion to believe, ſhe dreaded the event of this examination, tho', by her letters to Elizabeth, ſhe expreſſed herſelf moſt earneſtly deſirous of having opportunity to make appear her innocence before her Maj ſty.

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Elizabeth did not much trouble herſelf about theſe acts. Her deſign was not to judge the Scotiſh Queen, but to draw from her accuſation, and the proofs, a pretext to detain her 'till the affair ſhould be fully cleared, being reſolved never to allow the matter to be ſufficiently explained, either for or againſt, yet ſtill to teſtify how glad ſhe ſhould be to find her innocent. I ſay only to teſtify, for certainly ſhe was highly rejoiced at having in her hands proper proofs to ſhew on occaſion, that ſhe could not juſtify her. This part ſhe played for a conſiderable while.

Elizabeth's policy.

In fine, tho' Mary had excepted againſt the Engliſh commiſſioners, they however proceeded to examine the proofs. The earl of Murray produced the confeſſions of thoſe who were executed for being concerned in the King's aſſaſſination. Then he read the ſtates decree, confirming Queen Mary's reſignation of the crown to the King her ſon. After which, he produced the fatal caſket, which Bothwell would have removed from Edinburg caſtle, and ſhewed the above-mentioned letters, verſes and contracts. This is what Buchanan, who was then preſent, atteſts (3). But Camden, without deſcending to any particulars, contents himſelf with ſaying, " The earl of Murray indeavored to " prove her guilty of her huſband's murder, by " conjectural proofs and circumſtances, by ſome " few affidavits, by certain love-letters and verſes " writ, as he affirmed, with the Queen's own " hand. But theſe letters and verſes were little " regarded, there being no name or date to them."

Examination of the proofs. Decem. 3. Buchanan. Anderſon's Collect. Vol. IV. Part II p. 149, 169. p. 150, 174. Decem. 8.

Buchanan's hiſtory was in many hands when Camden compiled his annals. The firſt of theſe writers atteſts, that in the caſket were found letters containing the whole conſpiracy againſt the King, and the Queen's rape, beſide the contracts. Camden inſiſts on ſome letters and verſes, and even inſinuates their being forged. Had he writ firſt, he might have preſumed his aſſertions would not have been conteſted: but as he wrote forty years after Buchanan, he ought, in my opinion, either to have poſitively denied or explained the facts related by that hiſtorian; and therefore, as he does not confute them, it is plain he had nothing material to object thereto. He farther adds, Murray gave the commiſſioners a book of Buchanan's, intitled, the

p. 414.

(1) See a curious and circumſtantial account of this conference in Anderſon's Collect. Vol. II.

(2) On November 6 the accuſation againſt Queen Mary was produced; and indeed it was very home and expreſs. " It is " certain, and we boldly and conſtantly affirm, (ſay the regent and deputies) that as James, ſome time earl of Bothwell, was the " chief executor of the horrible and unworthy murder, perpetrate in the perſon of the late King Henry of good memory, father " to our Sovereign Lord, and the Queen's lawful huſband; ſo was ſhe of the foreknowledge, counſel, device, perſuader, and " commander of the ſaid murder to be done, maintainer and fortifier of the executors thereof, by impeding and ſtoping the " inquiſition and puniſhment due for the ſame, according to the laws of the realm, and conſequently by marriage with the ſaid " James, ſometime earl of Bothwell, univerſally eſteemed chief author of the abovenamed murder." To this the Queen's commiſſioners replied; by charging that accuſation with falſhood; by aſſerting, that ſome of the accuſers were privy to, nay, the firſt inventors of the conſpiracy for the death of the late King, as was made manifeſt before ten thouſand people at the execution of the principal offenders; and laſtly, by refuſing to proceed, unleſs Queen Mary was admited to anſwer for herſelf. Ibid.

(3) Theſe letters and verſes are to be found at the end of Buchanan's Detection; and in The tragical hiſtory of Mary Queen of Scots, which is little more than a French tranſlation of the Detection; together with the contracts and depoſitions of the witneſſes. Rapin.

Elizab. An' 1568.

Detection, wherein was a circumſtantial narrative of the King's murder, with the vouchers; but that it found little credit with the commiſſioners, "because the author's pen was venal." As to the confeſſions of thoſe who were executed, he ſays in another place, that all, even with their lateſt breath, declared the Queen innocent. Here he owns the depoſitions of the ſame people were produced againſt her, but makes not thereto a ſyllable of reply. He however adds, that Elizabeth was very well pleaſed theſe accuſations had ſomewhat impaired the Scotiſh Queen's reputation: but if the commiſſioners gave no credit to the proofs of the accuſers, as he would inſinuate, Mary's reputation could not be impaired, but, on the contrary, ſhe would have been abſolutely juſtified.

Elizabeth will not decide the matter. Anderſon's Collect. Vol. IV. Part II. p. 144, &c.

The examination being over, Elizabeth forbore to decide either for or againſt, as ſhe had reſolved. Mean while, as Mary's friends were indeavouring to raiſe troubles in Scotland, and the regent's preſenſe was neceſſary, Elizabeth took occaſion to put off the concluſion of the affair 'till a more proper ſeaſon. Thus ſhe gained her point, viz. a pretext to detain Mary 'till the buſineſs was capable of being more fully cleared, and at the ſame time ſhe might poſſibly procure proofs which might deter that Queen and her friends from ſolliciting a deciſion. Buchanan affirms, her having it intimated to the Scotiſh deputies, that thus far ſhe perceived not any thing blameable in the Scots conduct. Camden, on the other hand, ſays ſhe abhorred their inſolence. Melvil affirms her giving Mary to underſtand, that ſhe believed her wrongfully accuſed, and could not enough deteſt the arrogance of her accuſers; nor ſhould the accuſation be ever made public. The difference between Camden and Melvil is, that Melvil relates this only to ſhew to what height Elizabeth carried her diſſimulation; but Camden pretends thence to infer that ſhe really believed her innocent. After all, the accounts of theſe three authors may be equally true, becauſe Elizabeth's ſcheme was to leave the affair undetermined, and to put both parties in hope of her favor. Buchanan ſays, before the conference brake up, Murray offered to clear himſelf of the King's murder before Mary's deputies; but that they thought proper to drop the accuſation (1). They could ſcarcely do otherwiſe; for even could they have hoped to convict him, their commiſſion was revoked.

Camden. p. 415. Melvil. p. 97.

Murray acquaints Queen Elizabeth what had paſſed between him and the duke of Norfolk Melvil, p. 99. He ſhews ſome intercepted letters. Buchanan Camden. Plots diſcovered.

Tho', according to Melvil, Elizabeth ſaid ſhe would never more admit the earl of Murray into her preſenſe, ſhe had nevertheleſs with him ſeveral conferences. In theſe conferences it was, that he informed her of whatever had paſſed between him and the duke of Norfolk (2), and ſhewed her letters from Mary, which had been intercepted in Scotland, wherein ſhe complained, in very harſh terms, of the treatment ſhe received ſince her arrival in England. Moreover, ſhe hinted to her friends, that they ſhould not be diſcouraged at what had paſſed at York and Hampton-court, and that ſhe expected a powerful aid from a certain nameleſs quarter. Theſe letters, added to what was diſcovered at the ſame time, that the Pope was laboring to raiſe a rebellion in England, by means of Ridolfi, a Florentine merchant, and to Lidington's frequent conferences with the duke of Norfolk *, who was become deeply ſuſpected, obliged Elizabeth to order the Scotiſh Queen's removal to Tutbury caſtle (3).

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* At York. Mary removed to Tutbury. Camden.

The duke of Norfolk was ſo highly inſenſed againſt Murray, that he had reſolved to have him murdered in his return to Scotland: but Throckmorton having reconciled them, the duke deſiſted from his deſign. Melvil affirms, that Murray promiſed Elizabeth to ſend her the letters the duke ſhould write to him, and that he performed his promiſe (4).

Melvil, p. 98.

Affairs of France. Thuanus. Mezerai. Camden.

While all this was tranſacting in England, the French court meditated puting in execution their project of forcibly carrying off the Prince of Condé from his palace at Noyers; the peace granted the Hugonots being only to amuſe them. Happily for the Prince, he had notice of it time enough to eſcape to Rochelle. This ſcheme failing, the perſecution againſt the Hugonots was renewed with greater fury than ever. The King forbid them the exerciſe of their religion, and exiled all their preachers. Whereupon they ſollicited ſuccors from Elizabeth, who ſent them a hundred thouſand gold crowns, with a good train of artillery. She readily comprehended this to be a conſequence of the councils held at Bayona, and that if ſhe ſuffered the Hugonots to be oppreſſed, the flames would ſoon reach England. What confirmed her in this ſentiment was, that the duke of Alva took the very ſame courſe in the Netherlands, and manifeſtly evidenced that he intended utterly to deſtroy the Proteſtant religion in thoſe provinces, and render King Philip abſolute. The Prince of Orange had conducted thither from Germany a body of forces to attempt puting a ſtop to the execution of this deſign; but, for want of money to pay his troops, he was neceſſitated to retire among the Hugonots of France. This ill ſucceſs conſtraining multitudes of Flemiſh families to fly for refuge to England, the Queen permited them to ſettle in ſeveral good towns, where they greatly contributed towards advancing trade to a flouriſhing condition (5).

Elizabeth aſſiſts the Hugonots. Camden.

Grotius. Camden.

Great numbers of Flemings ſettle in England. Camden.

About the cloſe of the year, a certain accident happened which occaſioned a quarrel between Queen Elizabeth, his Catholic Majeſty and the duke of Alva. The merchants of Genoua, and ſome other Italian cities, having large ſums of money in Spain, and being agreed to tranſmit the ſame into the Netherlands (6), obtained a paſs from the King of Spain, and ſhiped this treaſure on board ſome Biſcay veſſels. Theſe ſhips being attacked in their paſſage by French pyrates, did with great difficulty eſcape into Plymouth, Falmouth, and Southampton. Elizabeth, having thereof notice, injoined the magiſtrates of thoſe places to treat the Spaniards courteouſly, and aſſiſt them in caſe the pyrates made on them any attempt. The Spaniſh embaſſador aſſuring her that this treaſure appertained to his Catholic Majeſty, obtained leave to have it landed. His deſign was to carry it by land to ſome port nearer

Quarrel between Elizabeth and Philip II. Camden.

(1) According to Buchanan, l. 19. they were compelled ſingly and ſeverally to confeſs, that they knew nothing of themſelves, why Murray, or any of his, ſhould be accuſed of the King's murder.

(2) She had been informed of it before, by means of the earl of Morton. Melvil, p. 97, 98.

(3) In Staffordſhire, where ſhe was committed to the cuſtody of George Talbot earl of Shrewsbury. Camden, p. 415.

(4) Melvil ſays, that after their reconciliation, Murray diſcovered every thing to the Queen, eſpecially his deſign to marry the Queen of Scots, and to give his daughter to the young King of Scotland. The duke had cauſed the Queen to give to Murray, who was in great want of money, two thouſand pounds, for which ſum he became ſecurity, and was afterwards forced to pay it. Melvil, p. 99.

(5) They ſettled at Norwich, Colcheſter, Sandwich, Maidſtone, and Southampton, which turned to the great advantage of England; for they were the firſt who brought into the nation the art of making Bays and Says, and other linen and woollen cloths of the like kind. Camden, p. 416.

(6) To raiſe a bank there. Ibid.

the

ELIZAB. AN' 1568. the Netherlands: but, at the ſame time, cardinal Chatillon, then in England, informed her Majeſty, that the money belonged to merchants, and that the duke of Alva was to make ſeizure thereof to help him in proſecuting the war: this was likewiſe confirmed by others. So, to deprive the duke of Alva of this aſſiſtance, ſhe took the money by way of loan, and gave ſecurity for re-payment. Some time after, the duke of Alva demanding the money, Elizabeth replied, ſhe would punctually return it, as ſoon as it appeared, by good proofs, to be his Catholic Majeſty's. On this refuſal, Alva ſeized the Engliſh merchants effects, impriſoning the owners; and her Majeſty did the like by rhe Flemings. A few days after, ſhe iſſued a proclamation on this occaſion, which was in print replied to by the Spaniſh embaſſador. But this did not ſatisfy him; he diſperſed very inſolent libels, containing grating reflections on the Queen's reputation (1): for this he was put under a guard for about two days. Queen Elizabeth made complaint to the King of Spain of his embaſſador's inſolence; but could not obtain the leaſt ſatisfaction.

AN' 1569. Plot againſt Cecil, and the occaſion Camden.

This miſunderſtanding between the Queen and Philip II was preſently ſucceeded by a diſturbance at court. Among all Elizabeth's miniſters and counſellors, there was not one ſo heartily attached to his Miſtreſs's intereſt as Cecil, ſecretary of ſtate. All the reſt had their private views, whereto they labored to adapt the Queen's and the nation's intereſts: but Cecil regarded only her Majeſty's, and was greatly in her favor. To him therefore ſhe chiefly imparted her moſt ſecret thoughts, with reſpect to the government of her realms. Diverſe privy counſellors were ingaged in the Scotiſh Queen's party; that is, they wiſhed the crown of England was ſecured to her, in caſe Elizabeth died iſſueleſs. They were of opinion, it was agreeable to equity, juſtice, and the national laws, and pretended it was the ſole means to prevent the troubles which might ariſe on the reigning Queen's deceaſe: but Elizabeth ſurmiſed that, while they conſidered the public advantages, they did not ſufficiently attend to her ſafety. Mary pretended not only to be Elizabeth's preſumptive heir: it was well known her pretenſions were far more extenſive, and that abundance deemed her title preferable to the Queen's. If therefore ſhe was actually nominated Elizabeth's ſucceſſor, it could be only in virtue of her birth-right, and not in conſequence of Henry VIII's will, where ſhe was not even named; whereas many believed Elizabeth derived her title ſolely from thence: ſo, in taking this courſe, the titles of both Queens would have been put in a competition greatly to Elizabeth's diſadvantage. Conſequently ſhe might juſtly fear that ſuch nomination would much augment Mary's partiſans, and in the end attempts would be made to ſet her on the throne before the limited time. All who were diſguſted with the adminiſtration thought the nation would gain by this change. The Papiſts moſt cordially wiſhed it, and even many among the Proteſtants, were indifferent which Queen was on the throne, as not being over and above ſcrupulous of conforming to whatever innovations might be made in religion, as had been the caſe more than once. It was therefore of the utmoſt importance to Elizabeth, to prevent Mary's being nominated her ſucceſſor; wherefore ſhe could not but have a ſingular regard for thoſe whom ſhe ſaw ſincerely attached to her particular intereſt. Among theſe Cecil was the chief, and it was he alſo whom Mary's friends conſidered as her moſt dangerous adverſary, and the more as he had frequently manifeſted his inclination to the houſe of Suffolk, before the ducheſs of that name died. This was the true motive of a plot laid, in the begining of 1569, to ruin that miniſter. The duke of Norfolk, the marquis of Wincheſter, the earls of Northumberland, Weſtmoreland Arundel, Pembroke, and others (2), entered into this ſort of conſpiracy. They accuſed Cecil of being the cauſe of Elizabeth's detaining the Spaniards money, and thereby of her manifeſtly hazarding a rupture with Spain, which could not but be extremely detrimental to the nation's commerce. They flattered themſelves that, on this charge, her Majeſty would cauſe the ſecretary to be apprehended, and then they made no queſtion they ſhould find ways enough to effect his ruin. But Elizabeth, being too clear-ſighted not to ſee into their aim and the motive of this combination, commanded them ſilence in a tone which at once deſtroyed all their hopes of ſucceſs, either then or for the future. We ſhall ſee preſently with what view they projected to deprive the Queen of this miniſter.

ELIZAB. AN' 1569. Camden. The Queen ſupports her miniſter.

Doctor Story forcibly brought over from the Netherlands. Camden. Strype's Ann.

The ſudden quarrel between Elizabeth and his Catholic Majeſty, obliging the Engliſh merchants to ſend their effects to Hamburgh, the duke of Alva prohibited all commerce with England. Then he appointed certain ſpies in every maritime place, to give him information of all ſuch as acted contrary to the prohibition. Of this number was one Story an Engliſh Papiſt, who was wonderfully buſy in detecting the private trade ſtill carried on by ſeveral perſons with the Engliſh, notwithſtanding the prohibition: but his diligence coſt him dear (3). Some time after, being decoyed on board a ſhip which he was told had brought over Engliſh goods, and ſome heretical books, he was hurried away into England, where he languiſhed in priſon ſome years, and was finally executed.

A ſort of war between England and Spain. Camden.

The Engliſh merchants met with no better treatment in Spain than in the Netherlands. Philip ordered all their effects to be ſeized, by way of repriſals for the money ſtayed in England: nor was he therewith ſatisfied. To be more fully revenged on Elizabeth, he indeavored to gain the duke of Norfolk to ſtir up a rebellion in England, and the earl of Ormond to do the like in Ireland; but the ſaid nobles gave the Queen information of his practiſes. On the other hand, tho' there was no war proclaimed between England and Spain, the Engliſh, on pretenſe of the injury done their fellow-ſubjects, made repriſals upon all the trading veſſels they met with belonging to Spaniards. They did ſo much damage to Philip's ſubjects by theſe continual cruiſings, that Elizabeth, apprehenſive of being involved in a formal war, was obliged to reſtrain them by proclamation.

Elizabeth enters into alliance with the Czar. Camden.

The Engliſh trade thus ſuffering in Spain and the Netherlands, was like to be quite loſt in Ruſſia, thro' the avarice of certain Engliſh merchants there, who had angered the Czar: but the Queen ſpeedily ſent thither ſir Thomas Randolph, who ſo managed his Czarian Majeſty, that he obtained diverſe privileges for the Ruſſia company. Not long after, the Czar ſent Elizabeth a ſplendid embaſſy, to offer a perſonal alliance. Tho' it was no great honor to be allied with a Prince ſo notorious for his inhumanities, ſhe however thought proper for the benefit of her ſubjects, to make a treaty with him, mutually promiſing to afford each other refuge, in caſe either ſhould be dethroned.

Aug. 27. Stow. Hollingſh.

(1) Under the fictitious name of Amadis Oriana. Camden, p. 417.
(2) Particularly ſir Nicholas Throckmorton. Ibid.
(3) See a particular account of this doctor John Story's treaſonable practiſes and execution in Phœnix Britannicus. Vol. I. p. 289.

While

ELIZAB. AN' 1569.

Project of a marriage between the duke of Norfolk and Queen Mary. Camden. Lesley's Negociat. Buchanan.

While Elizabeth was treating with the Ruſſian embaſſador, conſpiracies were forming in England; and ſuch as might have proved fatal to her had they not been fruſtrated. Some of the Scotiſh Queen's principal partiſans, the ſame who would have deſtroyed Cecil, had projected matching her with the duke of Norfolk. Even the earl of Leiceſter was in the plot; but, in appearance, it was only to be let into the ſecret, and diſcover all to her Majeſty. It is ſcarcely queſtionable that thoſe who undertook this affair were ſet to work by the duke of Norfolk, tho' he let his friends proceed, without appearing in it himſelf. The occaſion or pretext of their project was this. People diſcourſed that Elizabeth having declared againſt matrimony, the Queen of Scotland might poſſibly marry a foreign Prince and a Papiſt, in which caſe the Proteſtant religion would be liable to great danger, ſince it was not impoſſible that the young King her ſon might die before her: it was therefore neceſſary to think betimes of matching Queen Mary with ſome Proteſtant, that ſhe might be reſtrained, in caſe ſhe ſhould make any attempt againſt religion, on her acceſſion to the Engliſh crown. It was farther urged, that no Engliſh peer was more deſerving of this honor than the duke of Norfolk, who had moſt ſincerely imbraced the reformation. But to curb the duke's ambition, in caſe he ſhould think of carrying it too far, it was reſolved he ſhould give his daughter in marriage to the King of Scotland, that he might be intereſted in the young Prince's preſervation. Such was the ſcheme, which ſeemed not greatly criminal, eſpecially as it was agreed it ſhould not be executed without the Queen's approbation: but, moſt apparently, the directors of this affair had farther views. In effect, if they intended only the nation's welfare and advantage, why ſhould they go about to conceal their deſigns from the Queen, 'till they had ſo well taken their meaſures that it ſhould be out of her power to prevent execution? but however, without ſtaying to examine, whether it was the earl of Murray who firſt inſpired the duke of Norfolk with thoughts of this marriage, as Camden, contrary to all appearance, has aſſerted (1), the Queen of Scots was informed of the project by the biſhop of Roſs, who was very diligent in all her concerns. At the ſame time, ſhe was promiſed being reſtored to the Scotiſh throne, and declared Elizabeth's preſumptive heir, on the inſuing conditions: viz.

P 419. Lesley's Negociat.

Terms of the marriage. Camden. P 420.

That, as to the ſucceſſion to the crown of England, ſhe ſhould attempt nothing to the prejudice of Queen Elizabeth and her iſſue.

That ſhe ſhould conſent to a league offenſive and defenſive between the two kingdoms of England and Scotland.

That ſhe ſhould confirm the eſtabliſhment of the Proteſtant religion in Scotland.

That ſhe ſhould pardon ſuch of her ſubjects as had acted or appeared in arms againſt her.

That ſhe ſhould revoke the aſſignment of her right to the kingdom of England, which ſhe had made to the duke of Anjou, the King of France's brother.

That ſhe ſhould eſpouſe the duke of Norfolk.

Camden.

Mary wanted not much intreaty to make her accept the offer, with the annexed conditions. The league, indeed, ſhe ſomewhat ſcrupled, being willing, before ſhe acceded thereto, to conſult the French King. She denied having made any aſſignment to the duke of Anjou, and yet offered to procure his renunciation, if required for greater ſecurity. ELIZAB. AN' 1569.

It is eaſy to perceive the propoſers of theſe terms had been very careful to ſcreen themſelves from the law, ſince the whole ſeemed very equitable, and advantageous to both kingdoms: but they ſuppoſed Mary's reſtoration to the throne of Scotland, and her nomination to ſucceed to the crown of England. This was to be done firſt, and then the execution of what ſhe promiſed on her part was left to her honor. Herein conſiſted the artifice.

The project purſued. Camden.

Mary's conſent was no ſooner gained, than theſe projectors founded diverſe of the nobility and gentry, who, not perceiving the venom of this ſcheme, approved it, but with the proviſo, that nothing ſhould be done without the Queen's conſent. It was alſo communicated to the Kings of France and Spain, who greatly liked it, tho', moſt evidently, they would have had very little reaſon ſo to do had they believed the conditions would be punctually performed. The proceedings of thoſe who had framed ſuch a project, without conſulting the Queen, plainly manifeſt their deſign was to put the affair in ſuch a poſture that it ſhould not be in her power to obſtruct the execution when the propoſal ſhould be made her. The duke of Norfolk thought himſelf ſo ſecure of ſucceſs, that when the earl of Northumberland told him of Leonard Dacres's deſign of carrying off Queen Mary (2), he requeſted his lordſhip to prevent it, being apprehenſive ſhe would be conducted into Spain.

Elizabeth has notice of this combination. Camden.

This buſineſs paſſing thro' ſo many hands, and being ſcarcely any longer a ſecret, the duke of Norfolk juſtly feared her Majeſty would be offended at her not being appriſed of all this, and therefore, not to inſenſe her more, he deſired the earl of Leiceſter to acquaint her with the affair. Leiceſter promiſed to do it the firſt opportunity, and yet delayed it from day to day, ſo that all knew it except the Queen, who probably feigned ignorance. However, ſhe was willing to give the duke occaſion to diſcloſe his ſecret, by telling him one day, "to beware upon what pillow he laid his head;" but he pretended not to comprehend her meaning, chuſing rather that the earl of Leiceſter ſhould break the ice, as thinking him his real friend (3): but it is pretended that Leiceſter intermeddled in this buſineſs merely to ruin the ſaid duke, whom he conſidered as a dangerous rival in her Majeſty's favor. However this be, the court being at Tichfield, Leiceſter feigned himſelf greatly indiſpoſed, and the Queen going to ſee him, he expreſſed a fear and confuſion, which ſhe readily perceived and inquired the reaſon: when intreating her to pardon his having ſo long concealed a ſecret which he ought to have imparted to her, he diſcloſed every tittle of what had paſſed relating to the duke of Norfolk's marriage with the Scotiſh Queen. Elizabeth preſently after called the duke into a gallery, and, having reproached his imprudence and temerity for attempting ſuch a match, without vouchſafing to impart his deſign to her, commanded him to deſiſt from this project. The duke owned ſuch a propoſal had been made him, and he had conſented to it; but ſhewed himſelf ſo indifferent on the matter, that he told the Queen, his revenues came not far ſhort of thoſe of all Scotland, exhauſted by inteſtine broils, and that, when he was

She commands Norfolk to think no more of the marriage. Camden.

(1) Melvil ſeems to ſay the duke mentioned it firſt. p. 98.——But Leſley affirms, that the earl of Murray firſt ſet it on foot, or at leaſt promoted it ſtrenuouſly.

(2) She was then in confinement at Whinfield in Derbyſhire, under cuſtody of the earl of Shrewſbury. Camden, p. 420.—— When, it ſeems, ſhe uſed to bathe herſelf in wine. See Strype's Ann. Vol. I. p. 575.

(3) Cecil, who was told all by Leiceſter, adviſed the duke to ſpeak to the Queen himſelf. Camden, p. 420.

in

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in his tennis-court at Norwich, he thought himself as good as ſome Kings. Laſtly, he promiſed her Majeſty not to think any more of the marriage. However, as he found ſhe no longer looked on him with the ſame eye as before; that the earl of Leiceſter was far from being his friend, and that the courtiers were ſhy and avoided him, he withdrew from court, without taking leave of the Queen, and went to London. The ſame day, the biſhop of Roſs (1) ſuing for the Scotiſh Queen's inlargement, Elizabeth very peeviſhly told him, "That his miſtreſs had nothing to do but to be "quiet, except ſhe had a mind to ſee ſhorter by "the head thoſe on whom ſhe moſt relied."

He promiſes to deſiſt.

Camden.

This affair being become notoriouſly public, the Queen indeavored by all means to get information of ſuch particulars as might have eſcaped the earl of Leiceſter's knowledge. As ſhe knew the duke had frequent conferences with the earl of Murray, ſhe ſent ſir George Carey into Scotland, to requeſt his acquainting her with what he knew of the matter. Mean while the duke, being privately warned by a meſſage from the earl of Leiceſter that it was determined to ſend him to the Tower, retired into Norfolk: but repenting this haſty ſtep, which might render him ſuſpected, he returned to court, after writing to the Queen to beg her pardon, and to his friends, deſiring them to intercede with her Majeſty in his behalf. Some days after, the Queen received letters from Scotland (2), informing her of ſome paſſages ſhe knew not before, and which induced her to ſign a warrant for impriſoning him in the Tower. Then the biſhop of Roſs, who acted as Queen Mary's embaſſador, was examined, and Ridolfi the Florentine was commited to ſir Francis Walſingham's cuſtody. Lord Lumley was arreſted, the earl of Pembroke was confined to his own houſe, and all the reſt who were concerned in this project of the duke of Norfolk's marriage, were baniſhed the court, Leiceſter only excepted. The earls of Northumberland and Weſtmoreland made their ſubmiſſion to the earl of Suſſex, lord preſident of the northern marches. All theſe nobles labored to excuſe themſelves, by declaring, they had approved the project of the duke's marriage, on the expreſs condition of its not being put in execution without her Majeſty's concurrence.

He retires into Norfolk; but ſoon returns to court.

Is ſent to the Tower. Octob. 11. Camden. Stow. Hollingſh.

His accomplices diſgraced.

Conſpiracy and rebellion in the north. Camden. Stow. Hollingſh. Strype's Ann.

Elizabeth thought not proper to publiſh all ſhe knew of this affair, wherein the prime nobility of the realm were concerned: beſide, ſhe had ſome time ſince received intelligence of a conſpiracy ready to break out, and conſequently exceſs of ſeverity, at ſuch a juncture, might be very dangerous. The earls of Northumberland and Weſtmoreland, both very powerful in the north, had held diverſe conferences, whereof Elizabeth had notice, and which occaſioned her ſummoning them to court. They made ſome dilatory excuſes; but the Queen ſent them a more expreſs order, to put them under a neceſſity of relinquiſhing their enterpriſe, or ingaging in open rebellion, before they had taken proper meaſures. This ſecond order produced the effect ſhe expected. The two earls, conſcious of their guilt, and not daring to truſt themſelves in the Queen's hands, took arms, and aſſembled forces.

The deſign of theſe revolters was to free the Scotiſh Queen, tho' they mentioned her not in their manifeſto. They ſaid only, their intent was, "To "reſtore the religion of their forefathers; remove "evil counſellors from the Queen, and cauſe juſtice "to be done to the duke of Norfolk, and the "other lords now in priſon, or under diſgrace." At the ſame time, they wrote circular letters to the Catholics, inviting them to come in and join them. But moſt ſent the letters they received to the Queen; whether they were not diſpoſed to interrupt the public tranquillity, or were diſcouraged by the duke of Norfolk's impriſonment. Mean while the rebels, marching to Durham, did there burn all the Engliſh Bibles and Common-prayer-books, and celebrated the Romiſh maſs openly. Thence they repaired to Clifford-Moor, where they muſtered and found their army amounted to four thouſand foot, and ſix hundred horſe. Their main intent was to ſet at liberty the Queen of Scots, in order to place her at their head: but, on the firſt news of this inſurrection, ſhe was conveyed to Coventry (3), a ſtrong city in the very heart of England, not to be reduced without a formal ſiege, for which the rebels were not any way provided: beſide, in their march thither, they would have paſſed into a county whoſe inhabitants were not their friends.

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The rebels publiſh a manifeſto. Camden. Strype's Ann. Thuanus.

Stow. Hollingſh.

Mary removed to Coventry. Camden. Leſley's Negociations.

Mean time, forces were levying for the Queen in ſeveral parts. The earl of Suſſex was now ſeven thouſand ſtrong; lord Clinton was at the head of twelve thouſand, and the earl of Cumberland, with lord Scroop, were near Carliſle with a ſtout body of troops, beſide the gariſon which they had thrown into that city. So, the rebels finding their number not increaſe, thought proper to retire to the northern borders, where they took Bernard caſtle; but, ſoon after, apprehenſive of being ſurrounded, they diſperſed. The earl of Northumberland fled into Scotland (4). The earl of Weſtmoreland eſcaped into the Netherlands, where he paſſed the reſidue of his days, ſubſiſting on a very ſmall penſion allowed him by the King of Spain. The rebels being thus diſperſed, ſome were hanged for example (5). Forty others, who had eſcaped beyond ſea, were out-lawed, and their ſentence confirmed by the inſuing parliament. Of this number were, Charles Nevil earl of Weſtmoreland, Thomas Percy earl of Northumberland, with his counteſs, and Egremond Ratcliff, brother to the earl of Suſſex (6): all the reſt, who fled not from England, her Majeſty pardoned. Some time before this rebellion, the duke of Alva ſent to the Queen Ciapine Vitelli, a famous captain, to demand the money which had been ſtayed: but his commiſſion was ſo limited, that he was forced to write to the duke of Alva for ampler powers. The real deſign of this embaſſy was to have in England a leader of experience to head the male-contents, and ſuch forces as the duke of Alva was to ſend over. La Mothe, governor of Dunkirk, diſguiſed like a common mariner, had already ſounded the ports, as he afterwards confeſſed: but Elizabeth broke all theſe meaſures, by conſtraining the two leading rebels to appear in arms ſooner than they deſigned.

The rebels diſperſe, and the earls betake themſelves to flight. Camden. Stow. Hollingſh. Leſley's Negociations.

Some are puniſhed. Camden. Thuanus.

Others pardoned. Camden. Thuanus.

This rebellion was ſoon followed by another,

(1) Camden ſays, it was the Spaniſh embaſſador. p. 420.

(2) Brought by the abbot of Dumfermling; wherein ſhe received information, that the duke had been practiſing with the earl of Murray at Hampton court, to favor and aſſiſt his marriage, &c. See Camden, p. 421.

(3) And commited to the cuſtody of the earls of Shrewſbury and Huntington. Camden, p. 422.

(4) To Harclaw. The occaſion of his revolt was, a ſuppoſed wrong done him by the Queen, in granting away from him a rich copper mine, found upon his eſtate. Camden, p. 422.

(5) Sixty-ſix were executed at Durham, and ſeveral at York and London. Camden, p. 423.

(6) As alſo Edward Dacres of Morton, John Nevil of Leverſege, J. Swinborne, Thomas Markenfeld, Chriſtopher Nevil, Richard, Chriſtopher, Marmaduke, and Thomas Norton, Robert and Michael Tempeſt, George Stafford, and about forty more of noble extraction. Ibid.

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whereof Leonard Dacres, a gentleman of the north (1) was chief. He had ſome buſineſs at court, which he was ſolliciting when the former inſurrection ſhewed itſelf. On the news, he went and offered his ſervice to her Majeſty, who accepted it, as being ſenſible of his great intereſt in the northern counties. Having received from the Queen a commiſſion to raiſe forces, he wrote to the earls of Northumberland and Weſtmoreland, that the troops he ſhould raiſe, by virtue of his commiſſion, ſhould be at their lordſhips diſpoſal: he even put them in hopes of foreign ſuccors, as he had been aſſured by certain embaſſadors at London. His main deſign was to carry off the Scotiſh Queen; but he was diſappointed, by her being ſent to Coventry: ſo, finding himſelf at the head of three thouſand men, after taking ſome caſtles (2), he reſolved to expect lord Hunſdon, who was marching towards him with the gariſon of Berwick (3). The battle was fought near the little river Gelt. Dacres behaved very gallantly; but, being vanquiſhed, fled into Flanders, where he died. Elilzabeth pardoned all his followers.

He is defeated and goes over to Flanders. Feb. 22. Hollingſh.

Commotions in Ireland. Camden. Thuanus.

At the ſame juncture, Ireland was not without commotions, wherein his Catholic Majeſty appeared to be concerned, having diſpatched thither to foment them a certain captain, named Juan de Mendoza. thoſe combuſtions were ſoon appeaſed (4).

The duke of Norfolk remains in priſon.

It is uncertain, whether the duke of Norfolk had any hand in the late rebellion in England. Several circumſtances made againſt him. Firſt, as moſt inſurrections neceſſarily require ſome preparatives, it might be thought the rebels were geting ready, at the very time the duke of Norfolk and his friends were diſpoſing matters to obtain Elizabeth's approbation of the projected marriage. In this expectation, he had hindered Dacres from attempting to free the Queen of Scots, as he had intended. Secondly, all the rebels motions tended to Mary's releaſe, and moſt of her friends were diſcouraged when they underſtood the duke of Norfolk's being in the Tower. Laſtly, the rebels themſelves, in their manifeſto, alledged their taking arms was in order to procure his releaſe. But on the other hand, it is certain this noble peer was never called to any account, and the Queen was contented with keeping him in priſon 'till September, in the year following. Hence it may be ſeemingly infered that there was no proof againſt him: but poſſibly her Majeſty thought it not adviſeable to let the people know the prime nobility of the realm were concerned in this conſpiracy.

Affairs of Scotland. Buchanan. Anderſon's Collect. Vol. IV. Part II. p. 196. Spotſwood. Thuanus.

Towards the cloſe of laſt year, I left the earl of Murray in England, where he had played many and very oppoſite parts. On his arrival in Scotland, he aſſembled all the lords of the King's party at Sterling, to communicate what he had done in England; and his conduct was approved.

The duke of Chateleraut arrived at London from France, a little before the earl of Murray's departure. He forthwith demanded Queen Elizabeth's aid and protection to obtain the regency of Scotland, as being the young King's neareſt relative. But Queen Elizabeth was too well acquainted with her own intereſt to fall into ſuch a ſnare, and to favor a perſon whoſe conduct had ever been very ambiguous, and who, in all appearance, had not, at the Gallic court, imbibed favorable notions of the King's party. The duke, not being able to obtain what he ſollicited, ſuffered Murray to depart, and went not to Scotland 'till ſome time after him. He brought a patent from Queen Mary, wherein it appeared that, by a new and unheard-of right, ſhe had adopted him for her father, and as ſuch commited to him the regency of the kingdom. The earl of Murray, hearing the duke aſſumed the title of regent in virtue of this patent, immediately aſſembled troops to force his ſubmiſſion to the government, reſolving no other authority but the King's ſhould be acknowledged in Scotland. Since Mary's defeat and flight, her party was ſo infeebled that Chateleraut was unable to reſiſt. All his dependance was on the good ſucceſs of the project, which was then forming in favor of the duke of Norfolk, after which he queſtioned not geting advantage of the earl of Murray: but, as it was not in his power to haſten the execution of the project in England, he was forced to confine himſelf to the indeavoring to gain time, by propoſing to accommodate matters; plainly perceiving that the way of arms could not be ſucceſsful in his preſent circumſtances. He therefore ſet his friends to diſcourſe the regent; and it was agreed that he ſhould repair to Glaſgow, acknowledge the King's authority, and renounce Mary's; for which ſome advantages he had required were granted him. Notwithſtanding this agreement, he, in order to attain his ends, raiſed freſh difficulties: but the regent, not ſatisfied with his evaſions, began to march with his army to attack him. Then the duke, having no other refuge, was obliged, together with lord Herris, to wait on the regent. A few days after, the regent having aſſembled at Glaſgow the grandees of the King's party, it was reſolved that a proclamation ſhould be publiſhed, offering to all who had hitherto refuſed acknowledging his Majeſty's authority, to receive their ſubmiſſions, and reſtore them to the injoyment of their eſtates. But the earls of Argyle and Huntley would not accept thoſe conditions, being highly diſguſted at the duke of Chateleraut's puting himſelf into Murray's power. At the ſame time, Queen Mary wrote letter after letter to her friends, exhorting them to ſtand firm, and giving them hopes of a ſpeedy and happy revolution in her affairs. She was then in expectation of the ſucceſs of the projects concerning her marriage with the duke of Norfolk.

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The regent's proclamation not meeting with the expected ſucceſs, and no one appearing to accept the proffered favors, he departed for Edinburg, carrying with him the duke of Chateleraut and lord Herris. He had delayed thus long to preſs them to make their ſubmiſſion to the King, becauſe he was deſirous it might be a general affair. But finding at laſt that the Queen's friends were in no haſte to make their ſubmiſſion, he reſolved to incite them by the duke of Chateleraut's example, who was chief of their party, and ſummoned him to perform the agreement made at Glaſgow. The duke, ſeeing himſelf preſſed, fought excuſes, ſaying he did not mean to treat for himſelf alone, but for the Queen's whole party, and therefore could do nothing without the concurrence of the other peers, and her Majeſty's approbation. Whereupon, the regent aſking him, what he intended to do if the Queen approved not the agreement of Glaſgow?

(1) Second ſon to William lord Dacres of Gilleſland. The cauſe of his diſguſt was this: his brother's ſon dying young, (on May 17 this year, Stow, p. 663.) a great eſtate fell to his nieces, who were contracted, by the duke of Norfolk their father-in-law, to two of his ſons. He entered a ſuit againſt his nieces, and the cauſe going againſt him, he fell to plotting, and attempted to reſcue the Queen of Scots, tho' in vain. Camden, p. 423.

(2) Greyſtock, Naworth, and other caſtles. Ibid.

(3) Which conſiſted only of fifteen hundred horſe and foot. Hollingſh. p. 1213.

(4) They were raiſed by Edmund and Peter Boteler, brothers of the earl of Ormond, who being ſent over, perſuaded his brothers to lay down their arms. Camden, p. 423.

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He replied, that he believed himſelf not bound to any thing. The circumſtances of the duke of Norfolk's plot, the ſucceſs whereof he expected every moment, made him think it not very dangerous to talk thus. However, the regent finding himſelf thus amuſed, commited both him and lord Herris priſoners to the caſtle.

The duke of Chateleraut ſent to priſon. Buchanan. Spotſwood,

This is the account Buchanan gives us of Chateleraut's impriſonment; which account the circumſtances of affairs renders very probable. But Camden and his copiers have been pleaſed to ſay only, the regent having ſummoned at Edinburg the lords of both parties, to labor ſome agreement, the duke of Chateleraut and lord Herris firſt repaired thither, and were ordered to priſon. In this manner has Camden maimed and disfigured the hiſtory of Scotland, to give ſome color to his invectives againſt the earl of Murray. I am about producing another inſtance of either his prepoſſeſſion, or inſincerity. I have reſerved it 'till now, tho' it be not its proper place, becauſe it would have been impoſſible to convince the reader of my aſſertion, were he not firſt informed of what has been advanced concerning the Scotiſh Queen's affairs. This ſort of digreſſion will, I hope, find a pardon.

Camden. p. 418. Leſley's Negociat.

Camden, immediately after a very ſuccinct account of King Henry Darnly's aſſaſſination, in 1567, and having inſinuated that the earl of Murray was the real author thereof, ſays, that the ſame Murray earneſtly preſſed Queen Mary to eſpouſe the earl of Bothwell, to which ſhe conſented at laſt, after much difficulty. He then proceeds thus:

Camden. p. 404.

" I ſhall willingly inſert here what George earl " of Huntley and the earl of Argyle, who were " the principal lords of Scotland, proteſted ſoon " after, as I have taken it from an original, ſigned " with their own hands, which they ſent to Queen " Elizabeth, viz.

Anderſon's Collect. Vol. IV. Part II p. 188.

" Foraſmuch as the earl of Murray and others, " to color their rebellion againſt the Queen, whoſe " authority they uſurp, do openly ſlander her, as " guilty of the murder of her huſband; we do " publicly proteſt and witneſs theſe things following. " In the month of December 1566, when the " Queen was at Craigmillar, Murray and Liding- " ton acknowledged before us, that Morton, Lind- " ſay and Ruthven ſlew David Rizzo, with no " other intent than to ſave Murray, who was at " that very time to be proſcribed. Therefore, " that they might not appear ungrateful, they " greatly deſired, that Morton and the reſt who " were baniſhed for Rizzo's murder, might be " recalled. But this they ſaid could not be done, " unleſs the Queen were divorced from her huſband, " which they promiſed to accompliſh, would we " but give our conſent. Afterwards Murray pro- " miſed to me (Huntley) that my ancient inheri- " tance ſhould be reſtored to me, and I ſhould be " an everlaſting favorite with the exiles, if I would " but countenance the divorce. Then we applied " to Bothwell for his conſent alſo. And laſtly, we " came to the Queen, and Lidington, in the name " of us all, earneſtly intreated her to reverſe the " baniſhment of Morton, Lindſay, and Ruthven. " The King's faults and offenſes againſt the Queen " and the realm, he agravated with very great " bitterneſs; and ſhewed how much it concerned " the Queen and ſtate, that the divorce ſhould be " made out of hand, it being impoſſible for the " King and Queen to live together in Scotland with " ſafety. She anſwered, ſhe had rather withdraw " for a time into France, 'till her huſband ſhould " be ſenſible of the errors of his youth, being un- " willing any thing ſhould be done to her ſon's " prejudice, or her own diſhonor. To this Liding- " ton replied, we who are of your council will " look to that. But I command you, ſays ſhe, " to do nothing that may blemiſh my honor, or " offend my conſcience. Let the thing remain as " it is, 'till God pleaſes to provide a remedy from " above: that which you imagine will be for my " good, may, I fear, turn to my hurt. To which " Lidington ſaid: Pleaſe to leave matters to us, " and you ſhall find nothing will be done but " what is juſt, and what the parliament will ap- " prove. A few days after, the King happening " to be murdered in a moſt execrable manner, we " do, from the inward teſtimonies of our con- " ſciences, hold in for certain, that Murray and " Lidington were the authors, contrivers and " abettors of this regicide, whoever were the " actors."

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This proteſtation, as may be eaſily obſerved, ſquares exactly with Camden's deſign in his annals of Queen Elizabeth, namely, to clear Mary from the crime of murdering the King her huſband, and to accuſe the earl of Murray. But withal, it is directly contrary to the teſtimony of Melvil, an eye-witneſs, who in his memoirs ſays not a ſingle word which can give occaſion to ſuſpect the earl of Murray was thought guilty of the murder. If this proteſtation therefore be true, Melvil's memoirs muſt be only a heap of fables, which no man of ſenſe will ever believe. But to ſhew that this writing is counterfeit, it will be proper to examine it particularly, and make ſome remarks which will diſcover the forgery.

Camden begins with ſaying: " I ſhall willingly " inſert here what George earl of Huntley, and " the earl of Murray, who were the principal lords " of Scotland, proteſted ſoon after.

This ſoon after, muſt have been two whole years at leaſt, as I ſhall ſoon demonſtrate.

" As I have taken it from an original, ſigned " with their own hands.

Camden has not affixed their ſaid lordſhips hands to the writing, probably, becauſe he knew not in what order they were to be ranged. However, in a certificate, one would think the ſignature is a point very material.

" Which they ſent to Queen Elizabeth.

Admiting this proteſtation to have been real, it could not be ſent to Queen Elizabeth 'till the latter end of 1568 at the very ſooneſt, when the earl of Murray went to York to accuſe Queen Mary before the Engliſh commiſſioners. This remark diſcovers the artifice of Camden, who, deſignedly neglecting to date the writing, places it in his annals the begining of 1567, immediately after the King's death, as if at this very juncture Murray had been accuſed of that Prince's murder; whereas it was not 'till after Queen Mary's retreat into England that ſhe thought of caſting the crime on him. It was not therefore thro' pure negligence that Camden dated not the proteſtation.

" Foraſmuch as the earl of Murray and others, " to color their rebellion againſt the Queen, whoſe " authority they uſurp, do openly ſlander her as " guilty of the murder of her huſband.

The earl of Murray cannot be ſaid to have uſurped the Queen's authority, 'till after he was declared regent, or the Queen to have accuſed him publicly of killing the King; 'till the York conference, or rather 'till that of Hampton court, that is, in October or November 1568. Now, at that time the two factions were actually formed. Murray was head of the one, and Huntley of the other. So, ſuppoſing this writing not to be forged, what opinion can a reader have of the atteſtation of one avowed enemy againſt another? As to the earl of Argyle, Buchanan affirms, he was retired a little before to his own houſe; ſo that it is not probable he ſhould join with the earl of Huntley to frame this certificate at the time it muſt be ſuppoſed to have been

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been drawn. Were it dated, we might ſpeak of it with more certainty.

" We do openly proteſt and witneſs theſe things " following. In the month of December 1566.

This way of begining argues it was now ſome time ſince the matters they are about to mention were tranſacted.

" When the Queen was at Craigmillar, Murray " and Lidington acknowledged before us, that " Morton, Lindſay and Ruthven ſlew David Rizzo, " with no other intent than to ſave Murray, who " was at that very time to be proſcribed.

I have already made appear by Melvil's teſtimony, that the earl of Murray, far from owning that Rizzo was killed on his account, would not join with the party of the murderers, but remained conſtantly attached to the Queen. Beſide, the earl of Argyle, author of this proteſtation, was then a fugitive as well as Murray, and was no leſs to be condemned than he, and yet he ſpeaks here of this affair as if he were a ſtranger to it, tho' he was the moſt conſiderable of thoſe who were to be baniſhed, and tho' Melvil affirms, it was for his and the others ſakes who had taken arms againſt the Queen, Murray excepted, that Rizzo was murdered.

" Therefore that they might not appear un- " grateful, they greatly deſired, that Morton, and " the reſt who were baniſhed for Rizzo's murder, " might be recalled.

What has Lidington to do here, when he was never concerned in Rizzo's affair? and wherein conſiſted his ingratitude, if the exiles were not recalled?

" But this, they ſaid, could not be done unleſs " the Queen were divorced from her huſband.

Rizzo was killed by the King's order, and in his preſenſe, and ſolely, according to the author of this proteſtation, to ſave the earl of Murray. The point was to get recalled the murderers, who had been baniſhed for this murder commited by the King's order, and theſe exiles cannot be recalled by the Queen, the only perſon offended, except ſhe is divorced from the King. Let this conſequence be well examined, and it will never be thought, that the earls of Huntley and Argyle were ſo weak as to reaſon in ſo wretched a manner. In December * 1566, that is, about the time of the Prince's baptiſm, the King was looked on as a cypher, and expoſed to all ſorts of inſults from the Queen.

" Which they promiſed to accompliſh, would " we but give our conſent.

All that time the earl of Murray had no credit at court. It was Bothwell who ruled all. I know not how it ſtood then with Lidington. However, Murray and Lidington are repreſented here as the perſons who were to be the chief agents in accompliſhing the Queen's divorce, and as wanting for that purpoſe only the bare conſent of the earls of Huntley and Argyle. This carries not with it the leaſt probability.

" Afterwards Murray promiſed to me (Huntley) " that my ancient inheritance ſhould be reſtored to " me, and I ſhould be an everlaſting favorite with " the exiles, if I would but countenance the " divorce.

The author of the proteſtation has confounded the times. Murray, having then no power, could not make any ſuch promiſe to the earl of Huntley: none but Bothwell was able to make and perform it. Beſide, it is not likely the Queen, when ſhe recalled the earl of Huntley, who was under ſentence of death, ſhould ſtill detain his ancient inheritance which had been confiſcated.

" Then we applied to Bothwell for his conſent " alſo.

This confounds the whole hiſtory of Scotland. Murray and Lidington are made authors of the project of Queen Mary's divorce, and the earl of Bothwell, as one who is only to give conſent, tho' it is certain he had then abſolute ſway over the Queen, who married him very ſoon after.

" And laſtly, we came to the Queen, and Li- " dington, in the name of us all, earneſtly intreated " her to reverſe the baniſhment of Morton, Lindſay " and Ruthven. The King's faults and offenſes " againſt the Queen and the realm, he agravated " with very great bitterneſs; and ſhewed how " much it concerned the Queen and ſtate, that the " divorce ſhould be made out of hand, it being " impoſſible for the King and Queen to live toge- " ther in Scotland with ſafety.

Can it be conceived that, to induce the Queen to pardon men who had killed her favorite in her preſenſe, and by the King her huſband's expreſs order, there ſhould be occaſion to agravate the King's faults, and demonſtrate to the Queen, that ſhe muſt be divorced from him?

" She anſwered, ſhe had rather withdraw for a " time into France, 'till her huſband ſhould be " ſenſible of the errors of his youth, being un- " willing any thing ſhould be done to her ſon's " prejudice, or her own diſhonor.

The author of this proteſtation repreſents the Queen in December 1566, as being under oppreſſion, and ſpeaking of retiring into France 'till the King ſhould be pleaſed to amend his errors. This ſuffices to manifeſt the whole to be a forgery; for it is not likely, the earls of Huntley and Argyle ſhould argue in this manner.

" To this Lidington replied, We who are of " your council will look to that. But I command " you, ſays ſhe, to do nothing that may blemiſh " my honor, or offend my conſcience. Let the " thing remain as it is, 'till God pleaſes to provide " a remedy from above: that which you imagine " will be for my good, may, I fear, turn to my " hurt.

The artifice of theſe words, which are put into Mary's mouth, conſiſts in this: the Queen having commanded all theſe nobles to do nothing with reſpect to her divorce, Murray and Lidington found no other way to get the exiles recalled, but by having the King aſſaſſinated. As if the King alone was an invincible obſtacle to the recalling the baniſhed lords, who killed Rizzo by his orders, and in his preſenſe. I confeſs the reaſoning appears to me incomprehenſible.

" A few days after, the King happening to be " murdered in a moſt execrable manner.

What has been juſt related paſſed in December 1566, according to the proteſtation, and the King was killed in February 1567, that is, two months after. Now can it be ſuppoſed, that the earls of Huntley and Argyle could poſſibly miſtake ſo groſly, as to call two months a few days?

" We do, from the inward teſtimonies of our " conſciences, hold it for certain, that Murray and " Lidington were the authors, contrivers, and " abettors of this regicide.

The inference the author of this paper would draw, that the earls of Murray and Lidington were the contrivers of the King's murder, from their having projected the Queen's divorce, appearing doubtleſs to him liable to ſtrong objections, he ſeems partly to give it up, when he grounds it wholly on the inward teſtimony of Huntley's and Argyle's conſciences.

" Whoever were the actors."

It was notorious that Bothwell was the contriver of the King's murder, and Camden himſelf makes no ſcruple to own it, joining however with him the earl of Murray. But the author of the proteſtation durſt not name him, becauſe it was giving a ſenſible wound to the honor of her Majeſty,

* Not September, as our author conſtantly miſtakes it. Prince James was Chriſtened December 15, 1566.

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Majeſty, who, within a few months, married the murderer.

I ſhall only add one remark, which to me ſeems deciſive to demonſtrate the forgery of this paper. Lidington was never accuſed, but in this writing only, of being concerned in King Henry's murder (1). On the other hand, ſo far was he from being conſidered as the Queen's enemy, that he was rather vehemently ſuſpected by the young King's and the earl of Murray's party, and not without reaſon. What Melvil ſays of him, and of the occaſion of the York and Hampton-court conferences, is a clear evidence that he continued ſiding with the regent only to have opportunities to ſerve Mary. Buchanan confirms Melvil's teſtimony, in a book intitled, The Camelion, wherein he pretends to ſhew, that Lidington betrayed the young King's party; and in his hiſtory he drops many the like expreſſions againſt him. Now, how can it be imagined that the earls of Huntley and Argyle, heads of Mary's faction, ſhould be ignorant that Lidington was privately laboring for them? If they knew it, can there be any likelihood that, at the very time when Lidington was at York or Hampton-court, and frequently confering with the duke of Norfolk to prevent Murray's accuſing the Queen, theſe two chiefs of the party ſhould publicly accuſe their ſecret friend of being author of the King's murder, eſpecially as there was not the leaſt ground for ſuch a charge? But, very poſſibly, the author of this proteſtation was ignorant of Lidington's ſecret practiſes; and ſeeing him among thoſe who attended the regent at York, imagined he might ſafely unite them in one accuſation.

But howſoever it was, tho' this proteſtation be as true as it appears to be counterfeit, it cannot ſerve for proof to ſupport what Camden advances concerning the earl of Murray, becauſe it will be ſtill true, that it came from one of his moſt inveterate enemies. I return to what paſſed in Scotland during the year 1569.

The regent has advice of Norfolk's deſigns. Melvil, p. 100. Buchanan. Spotſwood.

Not long after the duke of Chateleraut's arreſt, the regent convened the chief nobility at Perth, to communicate to them certain letters he had received, whereon it was neceſſary they ſhould conſult. The firſt was from a friend in England (2), to give him notice of the project in favor of the duke of Norfolk to eſpouſe the Scotiſh Queen, telling him withal, the conſpiracy was in ſuch a ſtate, that all the forces of Great-Britain were not ſufficient to prevent its ſucceſs; and adviſing him therefore to think in time of his own affairs.

Mary deſires her marriage with Bothwell may be nulled. Buchanan. Spotſwood.

The ſecond letter was from Queen Mary, and directed to the ſtates of Scotland. It was to deſire, that the validity of her marriage with the earl of Bothwell might be examined; adding, if any eſſential defect appeared therein, ſhe would very willingly conſent it ſhould be diſſolved. As Bothwell was ſtill living in Denmark, it was requiſite his marriage with the Queen ſhould be annulled, before ſhe could eſpouſe the duke of Norfolk. For this reaſon ſhe wanted the ſtates of Scotland to get it diſſolved, pretending only to give her conſent to it, tho' without it ſhe could not proceed.

Queen Elizabeth's demands to the ſtates of Scotland for Mary. Buchanan. Camden. Spotſwood.

The third letter was from Queen Elizabeth, to the ſame ſtates, to demand, in Mary's favor, one of theſe three particulars. The firſt, "That ſhe "ſhould be reſtored to the throne as formerly." The ſecond, "That ſhe ſhould reign jointly with "the King her ſon." The third, "That ſhe "might live in Scotland, with ſuch honors as ſhould "not be prejudicial to the King's authority." Camden, who agrees in this with Buchanan, will have it, that theſe demands of Elizabeth are to be conſidered as the effect of her compaſſion for the Queen of Scots. But where was the compaſſion, to propoſe to the ſtates three things ſo diſproportionate, and to leave the choice to them? She knew, the two firſt would be rejected; and tho' the third ſhould be accepted, many difficulties would occur before it could be ſettled. Thus, what Camden conſiders as the effect of Elizabeth's pity, was in reality only a conſequence of the project ſhe had formed, to prolong the affair, under the ſpecious color of favoring her priſoner.

The Scotiſh peers, aſſembled at Perth, concluded that Queen Mary's letter ought not to be anſwered, becauſe ſhe addreſſed to the ſtates as if ſhe was ſtill their Sovereign, which they would not allow. She did what ſhe could to remove this difficulty; but all her indeavors ſerved only to confirm them the more in their reſolution. They were far from being willing to facilitate Mary's marriage with the duke of Norfolk, by gering Bothwell's diſſolved. Mary, who knew not of their being ſo well acquainted with her ſecrets, highly complained of their ſcrupling to annul a marriage which had ſerved them for a pretext to take arms againſt her: but very little regard was had to her complaints.

The Scotiſh peers anſwer to Elizabeth. Buchanan. Thuanus.

As to Elizabeth's demands, their lordſhips reſolved to reject the two firſt, and accept the third, if Mary would therewith be ſatisfied, and ſent their anſwer to the court of England by a certain young gentleman. But Elizabeth, who only ſought to gain time, wrote to them, that ſhe deſired a perſon of more conſideration might be ſent to confer with her concerning a matter of ſuch weight. This occaſioned their deputing Robert Pitcairn.

The regent has Lidington arreſted; Melvil, p. 100. Buchanan. Spotſwood.

While Pitcairn was on his way, the regent, finding Mary's faction daily grew ſtronger, thro' the hopes wherewith Norfolk's project inſpired the whole party, judged it requiſite to make ſure of Lidington's perſon. This miniſter, by feigning himſelf attached to the King's party, ſerved Mary to the utmoſt of his power, and, as he was a man of good ſenſe and capacity, did the regent abundantly more prejudice, by outwardly ſiding with him, than if he had openly declared for the Queen. So, the regent having on ſome pretenſe decoyed him to Sterling, ordered him to be apprehended, and ſent priſoner to Edinburg: but Kircaldie coming unexpectedly with part of the caſtle gariſon, reſcued him, promiſing to ſee him forth-coming when required. This glaring action rendered Kircaldie ſtrongly ſuſpected by the King's whole party (3).

who is reſcued by Kircaldie. Melvil. Buchanan.

Mean while, the duke of Norfolk being ſecured in the Tower, without having compaſſed any of his deſigns, all Mary's projects, as well in Scotland as England, evaporated in ſmoke. Shortly after, the earls of Huntley and Argyle were reconciled to the regent, and ſubmited to the King's authority; whereby the Queen's faction was, for a while, in ſome meaſure quite extinct. This ſhews how far Mary and her adherents grounded their hopes on the duke of Norfolk. I ſhall cloſe this year with a brief recital of what paſſed in France and the Netherlands.

Mary's faction in Scotland much infeebled. Buchanan.

Affairs of France. Mezerai. Thuanus. P. Daniel.

The war continued in France during the whole year 1569. On the thirteenth of March was fought

(1) Here our author is again miſtaken. Melvil expreſly ſays, "That Captain Crawford was directed to accuſe Lidington, "before the privy-council, of the late King's murder, and being accuſed of ſo odious a crime, he was commited to ward." p. 100. The ſame is atteſted by Buchanan, l. 19. and Spotſwood, p. 232. But Melvil obſerves (in the ſame page) that he and ſir James Balfour "were wrongfully purſued, only by the malice and envy of their enemies for their offices."

(2) Sir Nicolas Throckmorton. Spotſwood, p. 230.

(3) Melvil ſays, Kircaldie reſcued Lidington, with the conſent of the King's party, which is not very likely. Melvil was a very intimate friend, and great admirer of the laird of Grange. Rapin.

Eliz. An' 1569. the battle of Jarnac, wherein fell the Prince of Condé. Ardelot, the admiral's brother, did not long ſurvive him. Some time after, the duke of Deuxponts conducted into France a body of troops to aſſiſt the Hugonots; but he died there in June, leaving his command to count Mansfeldt, who joined the admiral. With this reinforcement the admiral laid ſiege to Poitiers, but was forced to raiſe it in September. In October, the Hugonots loſt the battle of Moncontour. This defeat obliged the admiral to ſend for a ſpeedy aid from Elizabeth, who lent him money on the Queen of Navarre's jewels, which were remited to her in pawn. She alſo ſuffered a company of a hundred gentlemen-volunteers to be raiſed, to ſerve in the Hugonots army (1). The campain ended with taking St. Jean d'Angeli, which the King became maſter of before the end of October.

Camden.

The Netherlandiſh affairs. Grotius. Strada.

The duke of Alva ſtill continued his oppreſſions in the Netherlands. He had ſet up the Inquiſition, and ordered the council of Trent to be received, as well as the new biſhops, whoſe juriſdiction had been hitherto rejected. The bloody council ſtill acted with fury. All privileges and immunities of the cities, univerſities and provinces, were left to his Catholic Majeſty's diſcretion. In a word, the duke of Alva ordered the hundredth part of all revenues to be paid the King, after that, the twentieth part of the real, and the tenth of the perſonal eſtates, every time they were ſold. Some magiſtrates of towns, having preſumed ſo far as to appeal to King Philip from theſe ordinances, were ſeverely puniſhed. In ſhort, theſe provinces being now conſidered by the Spaniards, but as a conquered country, the whole people were reduced to a ſtate of deſperation.

An' 1570. The earl of Northumberland ſeized in Scotland. Buchanan. Camden. Leſley.

Very early in the inſuing year, 1570, the earl of Murray, having notice that the earl of Northumberland was concealed in Scotland, found means to have him ſeized, and then impriſoned him at Loch-levin. Camden ſays, he offered to deliver to Elizabeth the ſaid earl in exchange for Queen Mary; but this carries not with it the leaſt probability. That Queen was better guarded in England than ſhe could be in Scotland; and Murray was no ſtranger to Elizabeth's reaſons never to releaſe her.

Murray aſſaſſinated. Buchanan. Melvil. p. 102. Thuanus. Some Scots ravage the Engliſh borders. Buchanan. Spotſwood. Camden.

A few days after, Murray was ſhot thro' the body by one of the family of Hamilton, who pretended it to be only in revenge of a private injury: but it ſoon appeared to be by direction of Mary's party (2). On the morrow, thoſe of the families of Scot and Carr, the Queen's moſt zealous friends, entered England in arms, and deſtroyed the borders with fire and ſword. As they had no particular ground for this incurſion, it is eaſy to perceive, they were excited by the heads of Mary's faction, who were willing to attempt giving a new turn to affairs. Their ſcheme was this:

Motives of this invaſion. Buchanan. Thuanus.

The Scotiſh Queen's party was ruined, and without any likelihood of being ever able to raiſe its head, as the earl of Murray could be always certain of ſuccors from England in caſe of neceſſity: wherefore the chiefs of that faction (3), whoſe ſubmiſſion to the King was involuntary, formed new projects. They conſidered the ſtrict union between England and Scotland, as a ſtrong ſenſe againſt all their attempts in Mary's favor, and therefore reſolved to break it at any rate. To ſucceed, they judged it abſolutely neceſſary firſt of all to diſpatch the earl of Murray, that the kingdom might for ſome time be in a ſort of anarchy, as in effect it happened. That done, they hoped, by provoking the Engliſh on their borders, they ſhould excite them to take vengeance on the Scots without diſtinction; that this would revive the old enmity between the two nations, and ſo all Scotland would be united againſt England; that then ſuccors might be ſafely ſent for from France and Spain, and the project be reſumed of invading the Engliſh borders, while the Catholics ſhould on their part act within the kingdom. Lord Seaton's embaſſy to the duke of Alva, and the Pope's bull, of which mention ſhall preſently be made, plainly evidence this to have been their intent, tho' Camden is pleaſed to conſider this invaſion as a mere caprice of the Scots and Carrs.

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Lidington, being ſet at liberty, labors for the Queen. Buchanan.

Immediately on Murray's aſſaſſination, Kircaldie releaſed Lidington, who uſed all his art to hinder the King's party from approaching to the election of a new regent. He intimated, that Scotland would never injoy quiet, except choice was made of a regent who ſhould be approved by the two parties, and conſequently it was neceſſary to aſſemble the chiefs of both ſides, that they might bring matters to the requiſite concluſion. What he urged had indeed the appearance of good: but he knew, it would be difficult to aſſemble all the grandees in one place, and even tho' they ſhould actually meet all together, they would never agree on the choice. However this ſerved to gain time, in hopes that Queen Elizabeth, by reſolving to revenge the injury ſhe had received, would drive to deſpair all the Scots, and unite againſt her the whole Scotiſh nation. He ſucceeded in the firſt part of his deſign, and by his intrigues ſo managed, that the election of a regent was poſtponed. But he was not ſo happy in the other part of his project. Elizabeth and her council were too wiſe to fall into the ſnare. On the contrary, the more they found that indeavors were uſed to unite all the Scots in one party, the more they judged it neceſſary to keep them divided, nothing being ſo advantageous to Elizabeth as to foment confuſion and diſcord in that kingdom, 'till ſhe could take other meaſures.

Elizabeth avoids the ſnare laid for her.

She complains of the violators of the peace, but not of the whole nation. Buchanan. Melvil. p. 105. Spotſwood. Camden.

To that purpoſe, ſhe ſent Randolph into Scotland, to complain of the inroad made into England: but inſtead of charging the whole nation, as was expected by the authors of this invaſion, ſhe ſaid withal by her embaſſador, ſhe was very ſenſible thoſe who governed Scotland were not concerned in this inſult on the Engliſh, and therefore ſhe was willing to diſtinguiſh the innocent from the guilty: that ſhe however demanded a ſuitable reparation, and if they who were at the helm could not procure it for her, ſhe offered them the aſſiſtance of her forces: that, in caſe they refuſed it, ſhe would ſend an army into Scotland, not to attack the Scots in general, but to puniſh ſuch only as wantonly, and without provocation, had inſulted the Engliſh. As it was then a time of anarchy, there being no re-

(1) They were commanded by Henry Champernoon, with this motto on his colors, "Finem det mihi Virtus." Among the volunteers was Walter Ralegh, a very young man, who now firſt began to be taken notice of. Camden, p. 423.

(2) It was done by James Hamilton, nephew to the archbiſhop of St. Andrew's, who, after the battle of Langſide, had been ſentenced to be hanged: but eſcaping, by ſurrendering his eſtate, which he indeavored in vain to recover, he vowed revenge, which he accompliſhed at Linlithgow, on the 23d of January, 1570, upon the regent, who was moſt innocent, and had reſtored him to liberty. The regent, it ſeems, was told of it, and yet would not be at the pains to ſearch the houſe. The murderer eſcaped into France, where, it is ſaid, he was offered a great reward to aſſaſſinate admiral Coligni, but refuſed to do it, ſaying, tho' he had, to his ſorrow, revenged his own juſt grievances, he would never commit murder for reward. Buchanan. Thuanus, l. 46. Melvil, p. 103.——Thus fell the regent, "the good regent," as Melvil calls him, who adds, "for ſo he was, and "will ever deſervedly be called. He was at firſt of a gentle nature, well inclined, good, wiſe and ſtout." Thuanus highly extols him, for his courage, juſtice, humanity, and other virtues.

(3) The Hamiltonians, particularly the biſhop of St. Andrew's. Buchanan.

gent

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gent yet, anſwering the embaſſador was put off 'till May, when the ſtates would be aſſembled. Randolph inſiſted not on a ſpeedy anſwer, but contented himſelf with exhorting the Scots to peace and concord, while he privately labored to foment their diviſions, and hinder their union. This is what Melvil clearly ſhews in his memoirs. Mean while, Elizabeth prepared an army, which ſhe intended to ſend into Scotland, as well to revenge her ſubjects, as to ſupport the King's party, and procure the election of a regent, who ſhould not act contrary to the intereſt of England.

Melvil, p. 105.

Notwithſtanding the chiefs of Mary's faction ſaw Elizabeth would not fall into their net, they indeavored however to inſenſe her againſt the whole nation, by libels and ſcandalous calumnies which they took care to publiſh. But all their artifices were not capable of making her alter her courſe. Mean while, her army, which was to be commanded by the earl of Suſſex, was preparing with all poſſible diligence.

Libels publiſhed in Scotland againſt Elizabeth, who avoids the ſnare. Buchanan.

During this interim, Mary's adherents, having reſumed courage ſince the earl of Murray's death, held frequent councils upon the ſituation of their affairs. Their aim was to gain time, in expectation of the ſuccors, of which Verac the French envoy (1), gave them hopes. They alſo expected ſupplies from the Netherlands; and as the aids could not be ready ſo ſoon as they wiſhed, they indeavored to amuſe the King's party by propoſals of agreement: but theſe latter conſtantly refuſed coming to any concluſion 'till the ſtates were aſſembled.

Buchanan. Thuanus. Spotſwood.

In this interval, the laird of Grange releaſed the duke of Chateleraut, lord Herris, and all the other priſoners, and thereby Mary's faction was conſiderably reinforced: nevertheleſs it could not yet have been very ſtrong, as being able to act only by negociations. Howſoever it was, the heads of that party reſolved to meet at Linlithgow, under title of the ſtates, as deeming themſelves (there being no regent) to have as much right to convene the ſtates as had their opponents. In this aſſembly they vainly ſought means to ingage England to break with the whole Scotiſh nation. Elizabeth was too much on her guard to be eaſily ſurpriſed: ſo that finally perceiving they could not ſucceed, they judged it neceſſary for their ſafety to attempt geting poſſeſſion of Edinburg; but as this could not be effected by force, they deſired permiſſion of the magiſtrates of that city to hold there the aſſembly. This was readily granted; but the Edinburgers kept ſuch ſtrict watch, that Mary's friends were balked of their deſign. Mean time, ſundry negociations between the two parties were ſet on foot; none of which produced any effect.

Kircaldie ſets his priſoners at liberty. Melvil. p. 105.

Mary's party aſſemble, and try in vain to take Edinburg. March. Buchanan. Spotſwood.

Soon after, on news of the earl of Suſſex's being come to Berwick, the Edinburg aſſembly broke up. The chiefs had already diſpatched deputies to Elizabeth, to indeavor diverting the threatened ſtorm, and to gain time 'till the French ſuccors arrived. They even offered to make her umpire, and were ſo well ſeconded by the French embaſſadors, that ſhe readily conſented to be mediatrix between the two parties. But ſhe inſiſted, that the affair for which ſhe ſent forces into Scotland, had no relation to the differences between the two factions, it being only to chaſtiſe the violators of the peace, who were owned by neither party; nor indeed was either able to procure her any ſatisfaction: ſo the earl of Suſſex received no counter-orders. When that general had reached Berwick, the duke of Chateleraut ſent Melvil, to know whether he intended to join one of the parties, or labor their reconciliation. Melvil, in his memoirs, ſays that, in his conferences with the earl of Suſſex, he found the earl had orders indeed to favor the King's party, but would not quite diſcourage the Queen's. He infers, that his chief aim was to continue the troubles in Scotland; which is very likely.

The Engliſh army approaches. Buchanan. Spotſwood.

Elizabeth accepts being umpire between the two parties; but on certain conditions. Camden.

The Engliſh army entering Scotland in April, ravaged the lands of the Scots and Carrs, and of thoſe who were concerned in the late incurſion into England (2). Camden ſays, in this expedition were burned upwards of three hundred houſes, and about fifty caſtles. Melvil adds, the earl of Suſſex aſſaulted and took the caſtles of Hume and Falſt, belonging to lord Hume, to oblige that nobleman, who had thitherto remained in a kind of neutrality, to declare for Mary's party, leſt the balance ſhould incline too much to the King's ſide. This conjecture is grounded on the project formed by the Queen's faction, to unite all Scotland, and on Elizabeth's intereſt to prevent ſuch union.

Early in May the ſtates, ſummoned in the King's name, met at Edinburg. Their firſt care was to depute Robert Pitcairn to Elizabeth, to beſpeak her favor, and acquaint her with their being ready to chuſe a regent to her liking.

While Pitcairn was on his way, Mary's partiſans beſieged the caſtle of Glaſgow, which made a braver defenſe than they expected. The earl of Suſſex having thereof notice, detached ſir William Drury, governor of Berwick, with a thouſand foot, and two hundred horſe. At their approach, the beſiegers retired and diſperſed themſelves in the mountains. Mean while Drury, being joined by a body of Scotiſh royaliſts, ravaged the lands of the Hamiltons, and took the caſtle of that name, appertaining to the duke of Chateleraut.

In the interim Pitcairn, returning from England, reported to the ſtates, that Elizabeth thought it very ſtrange that, ſince Murray's death, ſhe had not been informed of the poſture of affairs in Scotland; that her ignorance in that reſpect had kept her in ſuſpenſe concerning the courſe ſhe was to take: that at length, tired with continual ſollicitations, ſhe had conſented that a conference ſhould be held between the two parties, wherein ſhe was very willing to act as mediatrix, provided they would both refrain from violent methods, and leave things as they were: that ſhe deſired therefore the ſtates to obſerve this condition, and defer the election of a regent 'till the ſucceſs of this conference ſhould be known. This demand greatly imbaraſſed the ſtates. They could remain no longer without a head, and yet durſt not diſoblige the Queen of England, who alone was able to ſupport them. Wherefore they reſolve to elect an Inter-Rex, who could be revoked without any conſequence, and the choice fell on the earl of Lenox, then in England. Soon after, they received from Elizabeth a letter, acquainting them with her conſent that they might chuſe a regent, and recommended to them the earl of Lenox, who was inſtantly elected.

Mean while the earl of Huntley, receiving from Spain money and ammunition, took the field, and reſtored the caſtle of Brechin. Not long after, the earl of Lenox arrived in Scotland, and when the ſtates brake up reſolved to recover that caſtle, which was of ſo great importance. He aſſembled for that purpoſe his forces at Linlithgow, and demanded

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Elizabeth's deſigns. Melvil, p. 105, 106

The earl of Suſſex enters Scotland; April 17. and puniſhes the violators of the peace. Camden. Melvil. p. 104, 106. Buchanan. Stow. Hollingſh.

The ſtates called in the King's name meet. Buchanan.

Siege of Glaſgow. Buchanan. Spotſwood. Hollingſh. Camden.

Elizabeth demands a penſion of arms. Buchanan.

The ſtates chuſe an Inter-Rex. The earl of Lenox is made regent. Buchanan. Camden.

The regent takes Brechin, and diſperſes Huntley's troops. Camden. Melvil, p. 107. Spotſwood.

(1) Thuanus calls him Verac, and ſpeaks of him as one ſent by the Guiſes, and not by the King of France. The Engliſh and Scots call him Virac, and mention him as the French King's envoy. Rapin.

(2) Lord Scroope, warden of the weſt-marches, entering alſo Scotland, April 18, burned and deſtroyed as far as Dumfriſe. More than 300 towns and villages were razed, overthrown, and burned by the Engliſh in this expedition. Stow, p. 666.

artillery

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artillery and ammunition of Grange, governor of Edinburg caſtle, who refuſed, on pretenſe he would not be inſtrumental in ſheding the blood of his countrymen. Grange was properly of the Queen's party, but had other views than the reſt of her friends. His project was to ſet himſelf at the head of a third party, with which he pretended the other two ſhould join, to reſtore Mary to the crown, on certain conditions: and this occaſioned his ruin, as will hereafter appear. Sir James Melvil, author of the memoirs ſo often quoted, was in the ſame ſentiments, as he diſcovers in ſeveral places, but probably waited for a more favorable opportunity to declare.

Buchanan. Thuanus. Leſley's Negociations.

Grange's refuſal hindered not the regent from maſtering Brechin, and forcing the earl of Huntley to betake himſelf to the mountains, whether he could not be eaſily purſued. Soon after, Mary's party obtained a truce, thro' inſtances made by Elizabeth, who ſought only to prolong the affair; as, on their part, Mary's friends ſtrove to gain time, to wait the effects of the duke of Alva's aſſurances. Some time before, they had ſent him lord Seaton to deſire aid, and he had promiſed them ten thouſand men: but the diſorders which unexpectedly aroſe in the Netherlands prevented him from being ſo good as his word (1).

Rym. Fœd. Vol. XV. p. 687. Camden. Buchanan.

Plots in England to free Queen Mary. Camden. Thuanus.

While theſe matters paſſed in Scotland, diverſe plots were forming in England to free the captive Queen. Monluc, biſhop of Valence, came to London, and very earneſtly ſollicited the Scotiſh Queen's liberty: nor was the Spaniſh embaſſador leſs urgent on the ſame article. Queen Elizabeth was the more jealous of France's and Spain's zeal for Mary, as at the ſame time his Holineſs* cauſed a bull, dated laſt year, to be affixed one night in diverſe parts of London (2), whereby he excommunicated Elizabeth, and abſolved her ſubjects from their oath of allegiance. On the other hand, it was diſcovered, that ſome Norfolk gentlemen were combined to arm themſelves and raiſe a rebellion in that county (3). This conſpiracy taking vent, the authors were apprehended: but her Majeſty pardoned all except three, of whom two were John Throckmorton, and Felton who poſted up the bull. Likewiſe ſoon after, ſhe had intelligence, that two of the earl of Derby's ſons had ploted the Queen of Scots releaſe. As John Leſley biſhop of Roſs, who acted as Mary's embaſſador, was the chief promoter of all theſe plots, it was thought fit once more to confine him to the biſhop of London's palace: he had not been long at liberty, having been under arreſt for being deeply concerned in the earl of Northumberland's conſpiracy. Notwithſtanding the juſt ſuſpicions which all theſe machinations might give Elizabeth of the duke of Norfolk, who was conſidered as head of the Scotiſh Queen's faction, he was diſcharged from the Tower (4): but it was not 'till after he had expreſſed great repentance for his fault, and proteſted, both verbally and under his hand, that he would never more think of eſpouſing the Queen of Scots.

Bull ſet up at London againſt the Queen. Speed. Camden.

* Pope Pius V.

Conſpiracy diſcovered. Leſley's Negociations. Camden.

Leſley's Negociations.

The duke of Norfolk releaſed. Leſley. Camden. Thuanus.

Elizabeth might very eaſily perceive, that the Scotiſh Queen was the ſole cauſe of all theſe combinations and diſturbances. If her own quiet would have been the conſequence of that Queen's releaſe, ſhe would gladly have ſet her at liberty. But tho' Mary's adherents, and thoſe who ſollicited in her behalf, pretended they acted only from a motive of compaſſion, and exclaimed againſt the injuſtice of detaining her in priſon, Elizabeth was not ignorant that their views extended much farther. The Pope, Spain, the houſe of Lorrain, the duke of Alva, the Engliſh, Scotiſh and Iriſh Catholics confined not themſelves to the freeing this unhappy Queen from captivity: their aim was to ſet her on the throne of England; and conſequently it was more dangerous for Elizabeth to releaſe than keep her confined: but ſhe did not think proper to divulge her thoughts; as her adverſaries were, on their part, extremely careful to conceal their deſigns. She therefore continued feigning herſelf to deſire nothing more cordially than to find means to reſtore Mary to the Scotiſh throne, provided it could be effected without danger to England. To this end, ſhe ſent Cecil (5) to make her ſome captious propoſitions, tending merely to amuſe the public. Mary, giving them a hearing, returned a general anſwer, declining to make particular replies to each article, without the conſent of her chief partiſans in Scotland, to whom ſhe deſired they might be communicated, in order to their anſwering them as they ſhould judge requiſite. The propoſals, with the Scots anſwers, were to the following purport, viz.

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Leſley's Negociat.

Camden. Thuanus.

I. The Queen of Scots ſhall ratify the Edinburg treaty, and renounce her claim to the crown of England, during the life of Queen Elizabeth and her iſſue.

Leſley's Negociat. Camden. p. 429. Thuanus.

Anſwer. "Agreed.

II. She ſhall not make or renew alliance with any power whatever againſt England.

Anſwer. "By renouncing the alliance of France, "the Queen will forfeit her dower, and the Scotiſh "nation be great loſers: wherefore the Queen of "England muſt make amends for theſe things ſome "other way.

III. She ſhall admit no foreign troops into Scotland.

Anſwer. "Agreed, with this reſtriction, unleſs "ſhe is not able with her own forces to ſuppreſs the "rebellions of her ſubjects.

IV. She ſhall hold no intelligence with the Engliſh or Iriſh, without the Queen of England's knowledge.

Anſwer. "Agreed, provided the Queen of "England will hold none with the Scots.

V. She ſhall deliver up the Engliſh and Iriſh rebels.

Anſwer. "If there are any Engliſh or Iriſh re-"bels in Scotland, they muſt be demanded of thoſe "who have taken arms againſt their Queen.

VI. She ſhall make the Engliſh borderers amends for the loſſes ſuſtained in the late invaſion.

Anſwer. "Commiſſioners on both ſides ſhall be "appointed to examine the damages.

VII. She ſhall proſecute, and puniſh according to law, the murderers of King Henry, and of the earl of Murray.

Anſwer. "Agreed.

VIII. She ſhall give her ſon for hoſtage.

Anſwer. "Her ſon is not in her power.

IX. She ſhall not marry any Engliſh ſubject without the Queen of England's knowledge, nor

Elizabeth's reaſons to detain Mary in priſon.

(1) However, he ſent them ten thouſand crowns. Leſley's Negociat. p. 108. Hamilton, rector of Dunbar, had, ſome time before, privately procured out of the Netherlands great ſtore of arms and powder, ſeven great guns, and ſome money, for Huntley, the Queen's lieutenant in Scotland. Camden p. 426.

(2) This bull is dated February 25, 1569, and may be ſeen in Speed, p. 842; and in Camden, p. 427. It was fixed on the biſhop of London's palace gate, by John Felton, who had his reward. See Phœnix Britannicus, Vol. I. p. 415.

(3) Their deſign was to ſet the duke of Norfolk at liberty. Camden, p. 428.

(4) Where the Plague, which then raged in London, was got, and he was remited to his own houſe, the Charter-houſe, where he lived under the eaſy confinement of ſir Henry Nevil Camden, p. 429.

(5) Queen Mary was then at Chatteſworth in Derbyſhire. Camden, p. 429. Leſley's Negociat. p. 109.

any

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any other without conſent of the ſtates of Scotland.

Anſwer. "To be tied to theſe terms is a thing "unworthy of a Queen.

X. The Scots ſhall not paſs into Ireland without the Queen of England's permiſſion.

Anſwer. "Agreed, provided the Iriſh be not "ſuffered to paſs into Scotland without the Queen "of Scots leave.

XI. She ſhall give ſix hoſtages of the Queen of England's naming.

Anſwer. "Agreed, provided the duke of Cha-"teleraut, the earls of Huntley, Argyle and Athol "be excepted.

XII. If ſhe attempted any thing againſt Queen Elizabeth, ſhe ſhall forfeit the right ſhe claims to the crown of England.

Anſwer. "Agreed, on condition that in the like "caſe the Queen of England will be liable to ſome "equivalent penalty.

XIII. The caſtles of Humes and Falſt ſhall be three years in poſſeſſion of the Engliſh.

Anſwer. "This cannot be granted. On the "contrary, the Queen of England is required to "reſtore theſe caſtles to lord Humes.

XIV. Some places on the borders of Galloway or Cantyr ſhall be put into the hands of the Engliſh, to hinder the Scots from infeſting Ireland.

Anſwer. "To deliver ſuch places to the Engliſh "would be creating a perpetual war in Scotland.

All theſe articles ſhall be confirmed and ratified by the ſtates.

No anſwer to this article.

Remarks on theſe propoſals and anſwers.

In cloſely examining theſe propoſals, it would be very eaſy to ſhew that ſome were only to create a belief of Elizabeth's acting with moderation and ſincerity; that others were but ſnares to ſurpriſe the Queen of Scots; and that the execution of ſome was utterly impracticable. Elizabeth's intention was therefore purely to amuſe the public.

On the other hand, the replications were as little proper to procure any accommodation between the two Queens. They who drew theſe anſwers pretended, that Mary ſhould treat with Elizabeth upon equal terms, as ſhe might have done had ſhe been on her throne at Edinburg: but the Engliſh had no ſuch meaning. Mary was priſoner in England, and the point was to releaſe and reſtore her to the throne. She accepted the ſaid terms to obtain theſe two great advantages; but withal ſhe is made to ſay, that ſhe expected Elizabeth ſhould be bound to the like or equivalent conditions: which was the ſame as ſaying, that otherwiſe ſhe would not accept what was offered her. Nothing could be more pleaſing to Elizabeth, ſince it was a certain means to prolong the negociation. Had Mary accepted theſe propoſals without any reſtriction, ſhe would perhaps have imbaraſſed Elizabeth's council: at leaſt they would have been forced to ſeek means to obſtruct the execution, and thereby the Engliſh court would manifeſtly have incurred the whole blame.

Moſt certainly, Elizabeth had no mind to releaſe her priſoner on any terms whatever. She was a very dangerous rival, even when in priſon; how much more ſo had ſhe been at liberty? From her return to Scotland, on the demiſe of her firſt conſort, King Francis II, ſhe had never ceaſed holding intelligence in England, or attempting to excite Elizabeth's ſubjects to rebellion. This is what very evidently appears in Melvil's memoirs. Her misfortune in falling under Elizabeth's power induced her not to diſcontinue her practiſes. On the other hand, her project of marrying the duke of Norfolk, the earl of Northumberland's conſpiracy, and the correſpondence of her adherents with foreign courts, tended only to raiſe her to the throne of England, even while Queen Elizabeth was living. In a word, it was manifeſt, that the Pope, King of Spain, Princes of Lorrain, Engliſh Catholics, all the Iriſh, and part of the Scots, were laboring to accompliſh this deſign. How imprudent then would it have been to releaſe her, that ſhe might the better proſecute her pretenſions? Indeed, on King Francis II's deceaſe, ſhe relinquiſhed the title of Queen of England, and proteſted ſhe claimed not the crown of England 'till after Elizabeth and her iſſue: but that a bare proteſtation may ſerve for ſecurity, the ſincerity of the perſon proteſting muſt be firſt well eſtabliſhed. Here was quite the contrary; Mary's whole procedure evidencing ſhe deſiſted not from her claim: ſo her bare proteſtation was only her word, on which it was very hazardous to rely. Certainly, this Queen's greateſt unhappineſs conſiſted in having over zealous adherents, who by every ſtep they took were ſtill puſhing her towards deſtruction. But this is no wonder: they acted not for her ſake, but to advance their own particular intereſts and thoſe of Popery, to all which ſhe ſerved for a pretext. James Melvil, who was not Mary's enemy, obſerves in his memoirs, that both parties equally prejudiced her, the one in acting directly againſt her, the other in ſerving her too zealouſly. He adds, the Queen's party groundleſly flattered themſelves with ruining their adverſaries, who were ſupported by England. The reaſon he gives is very ſtrong, viz. that there was no likelihood of her party's ever receiving much aſſiſtance from the French court, which dreaded nothing ſo much as ſeeing the two crowns of England and Scotland on the ſame head. On this occaſion he recites a certain paſſage, which may be of great ſervice to diſcover the ſituation of Mary's affairs. Sir Robert Melvil, returning from his embaſſy to England, gave Queen Mary a paper, ſigned by twenty-five Engliſh earls and barons, promiſing to ſet her on the throne of England. Mary ſent this paper to the cardinal of Lorrain, her uncle, deſiring withal the aſſiſtance neceſſary to execute that deſign. But the cardinal himſelf diſſuaded Queen Catherine di Medicis from thinking on any ſuch enterpriſe, demonſtrating the prejudice France would receive by the union of the two kingdoms of England and Scotland: nay, to prevent its being effected by other means, they gave notice thereof to Queen Elizabeth, who always feigned ignorance of what ſhe was told by the French court. Melvil affirms, he had this from the Scotiſh Queen's own mouth, at a time when ſhe was diſſatisfied with the cardinal. It is then evident, that the eagerneſs of Mary's friends was prejudicial to her: but, more particularly, thoſe who continued the war in Scotland only helped to ſecure the affairs of Elizabeth, who thereby was ſheltered from the quarter ſhe had moſt to fear; whereas the Scots, by their union, would have been more conſiderable, and Elizabeth would undoubtedly have had more condeſcenſion for her priſoner. On this principle it was that Grange and Melvil labored to procure ſome agreement between the two factions, wherein they indeavored to render Mary a very eſſential ſervice: but it was no eaſy matter to induce rigorous men to ſacrifice their paſſions and intereſts to the public welfare. The council of England improving theſe diſpoſitions, never ceaſed fomenting the troubles of Scotland, under color of appeaſing them, 'till it ſhould be Elizabeth's intereſt to end them. This Melvil plainly ſhews in his memoirs; but it would be tedious to alledge the proofs. Thus Mary was in a wretched condition, thro' the ill counſels which were given her, and which ſhe was ſo unwiſe as to follow with ardor. The biſhop of Roſs, her agent at London, a great zealot for his religion, but whoſe views were not very extenſive, did her infinite damage by his paſſion and pains to cheriſh the diſcontent of the Engliſh Catholics. As Elizabeth had

Melvil, p. 112.

Diſpoſition of the French court concerning Mary.

Melvil, p. 60, 63, 68, &c.

Melvil, p. 89 &c.

The biſhop of Roſs in vain ſollicits the Potentates in Mary's behalf. Leſley's Negociation. Camden.

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had good ſpies, ſhe was not ignorant that this pretended embaſſador was concerned in all the ſchemes formed againſt her, whence ſhe could not but infer, that he acted conformably to his miſtreſs's inclinations and orders. As ſoon as this prelate had the articles propoſed to Mary, he ſent copies to the Pope, to the Kings of France and Spain, and to the duke of Alva, intimating to all theſe Potentates, that Mary would be at length conſtrained to accept them, if ſome vigorous effort was not made in her favor: but his ſollicitations were fruitleſs. The King of Spain being then imployed in his marriage with Ann of Auſtria his niece (1), daughter of the Emperor Maximilian, left the care of ſuccoring the Scotiſh Queen to the duke of Alva; but the duke was himſelf ſufficiently buſied in the Netherlands. Thoſe of Bruſſels having refuſed paying the hundredth penny, gibbets were already erected to puniſh the diſobedient, when he heard the Prince of Orange was levying forces in Germany. So, inſtead of aiding the Queen of Scots, he was preparing for the war which he ſaw ready to kindle in the Flemiſh provinces, and wherein he would very ſeemingly have to deal as well with the Netherlanders as the Germans.

Affairs of the Netherlands. Grotius. Strada. Camden.

As for the court of France, beſide their never really intending to ſet the Engliſh crown on Mary's head, but only to create Elizabeth troubles, they began to form projects which admited not their eſpouſing Mary's cauſe openly. Tho' King Charles had gained ſeveral victories over the Hugonots, he with vexation beheld he had ſtill to begin again, and that theſe people chuſing rather to die ſword in hand than at the ſtake or gallows, it would be extremely difficult to deſtroy them by open violence. He therefore reſolved, in order to attain his ends with more facility, to amuſe them with a peace, which he granted them in Auguſt this year. From that time his ſole care was to diſſemble his ſentiments, and make them believe they had nothing more to fear from him. To convince them the better that the deſign of extirpating them was intirely relinquiſhed, Catherine di Medicis propoſed a marriage between the King her ſon and Elizabeth; who replied in two words, "that he was too great and too little." This project failing, Catherine propoſed her ſecond ſon, the duke of Anjou, as a more ſutable match. This was therefore no favorable juncture for the Queen of Scotland, ſince the French court could not publicly undertake any thing in her behalf without diſconcerting their own meaſures.

The French court's project againſt the Hugonots. Thuanus.

Propoſals of marriage to Elizabeth. Digges's embaſſ.

Camden.

An' 1571.

Secretary Cecil was created baron of Burleigh, the begining of 1571. No man had better deſerved than he to receive this mark of diſtinction, which was very conſiderable in the reign of a Queen who confered honors with great circumſpection.

Cecil made lord Burleigh. Feb. 25. Dugdale. Camden.

I have more than once intimated that Elizabeth was reſolved not to declare openly for either of the Scotiſh factions, but to prolong the negociation as much as poſſible, that ſhe might never want a pretenſe for detaining Mary in priſon. We are now to ſee a conſequence of this reſolution in the courſe ſhe purſued during the year 1571. Tho' in June, laſt year, ſhe had agreed to a conference between the two parties, of which ſhe was to be mediatrix, ſix months were paſſed, and nothing more ſaid of it. At laſt Elizabeth, reſolving to negociate her marriage with the duke of Anjou, queſtioned not but, on that occaſion, the French court would ſtrongly ſollicit her in the Scotiſh Queen's behalf. To be provided therefore with a plauſible evaſion, ſhe finally cauſed the conference to be held in the months of February and March, that ſhe might be able to tell his Gallic Majeſty, that Queen Mary's affair was upon terms of agreement; being however fully determined ſo to manage, that the conference ſhould be quite fruitleſs.

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The earl of Morton, Pitcairn, and others, were ſent from Scotland to the conference, which was to be held at London, to maintain the King's cauſe. For Mary, appeared the biſhops of Roſs and Galloway, with lord Levingſton; and Queen Elizabeth appointed ſeven of her privy-counſellors (2) to hear the reaſons of both parties. They immediately required the earl of Morton, and his collegues, to declare plainly the Scots inducement to depoſe their Queen, and give the crown to the Prince her ſon. The Scotiſh deputies delivered a large remonſtrance in writing, wherein they took for granted, that the Queen was privy to the King her huſband's death, and afterwards married the earl of Bothwell the murderer: that to juſtify their conduct with regard to the Queen, there were too points to be examined, the one of fact, the other of right. For the firſt, they ſtood to the proofs given by the earl of Murray, at Hampton-court, before the Engliſh commiſſioners, and which the Queen of England had in her hands: that the ſaid earl had ſo evidently proved Mary guilty of the crime laid to her charge, that they thought it needleſs to repeat the ſame things, which beſide they could not even think on without exceſſive reluctance.

Conference at London between the two Scotiſh factions. Buchanan. Leſley. Spotſwood. Feb. 20.

Feb. 28.

As to the point of right, which conſiſted in knowing, whether the Scots had power to depoſe their Sovereigns when they became unworthy of the throne, they maintained, it was a right inconteſtable, injoyed by the Scotiſh nation, even from the commencement of their monarchy. This principle they ſupported with diverſe inſtances drawn from the hiſtory of Scotland, and of other countries, as Spain and Denmark.

Elizabeth ſtill purſuing her ſcheme, not to declare herſelf, replied to the Scots remonſtrance, which was communicated to her, very ſuccinctly, that ſhe was not thoroughly convinced of the juſtice of their proceedings, and deſired them to confer with her miniſters, in order to find ſome expedient to adjuſt this matter. But they ſaid, it was needleſs to ſearch for expedients, ſince they had no power to agree to any diminution of the King's authority. Whereupon Elizabeth cauſed a propoſal to be made to Mary's agents, which ſhe knew they would not accept; namely, to give her in hoſtage the heads of their party, with ſome places in Scotland (3). In effect, they haughtily rejected it, and made other offers which the Engliſh commiſſioners rejected in their turn. Finally, they demanded of the Scots, to give the young King of Scotland in hoſtage to the Queen; to which they anſwered, they were not impowered to ingage in any ſuch promiſe. Camden ſays here, that Mary's agents made a jeſt of this evaſion, affirming, "the deputies wanted not power, ſince the "ſame crime renders all the complices equal.

Elizabeth protracts the affair. March 1.

March 5. Camden. Leſley.

March 20.

Camden.

Elizabeth, at length admiting the Scotiſh deputies to audience, agreed with them, that the affair could not be determined but by the ſtates of the kingdom. Then, ſhe deſired them ſo to order it, that another conference ſhould be held in Scotland during the ſeſſion of the parliament, which was to

Buchanan. April 4.

(1) Queen Elizabeth ſent Charles Howard, with a fleet, in which were ſeveral noblemen, to convoy her from Zealand to Spain. Camden, p. 430.

(2) Viz. the earls of Leiceſter and Suſſex, Nicolas Bacon lord-keeper, the earl of Oxford lord-chamberlain, William lord Burleigh, ſir Walter Mildmay, and ſir Francis Knolles. Spotſwood, p. 248.

(3) The lords demanded, were the duke of Chateleraut, the earls of Huntley and Argyle, lord Humes, lord Herris, and another; and the places required were the caſtles of Dunbarton and Humes, for three years. Camden, p. 431. Leſley's Negociat. p. 127.

meet

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meet in May. She however detained them ſome time longer, being willing to know, before their departure, whether the Queen of Scots would conſent to the conference: but, ſo far was ſhe from agreeing to it, that ſhe loudly complained of her deputies ſuffering her right to be called in queſtion, and revoked their powers; nevertheleſs, ſhe ordered the biſhop of Roſs to reſide ſtill at London, as her embaſſador. This gave Elizabeth great ſuſpicion, being ſenſible that prelate was the chief promoter of all the combinations againſt her; but ſhe durſt not refuſe him, for fear of giving occaſion to ſay, ſhe did not own Mary for Queen, and thereby wound her pretended impartiality. At length, April eight, the Scotiſh deputies departed, after a ſix weeks fruitleſs ſtay in London: nor was it Elizabeth's intention that this conference ſhould produce any agreement. Tho' this did not evidently appear in her whole conduct, it might eaſily be ſeen in a letter of Cecil to Walſingham, then embaſſador in France, wherein he frankly told him, that the ſole aim, in that conference, was to gain time. Another letter to Walſingham from the earl of Leiceſter on the ſame ſubject, manifeſtly diſcovers Elizabeth's policy. The earl informed him of her Majeſty's having concluded, that Mary was unworthy to ſway the ſcepter, but could ſcarcely be perſuaded her ſubjects had power to depoſe her: that therefore ſhe remained in ſuſpenſe, not being able to determine either to reſtore Queen Mary, or defend the Scots cauſe, as not deeming it intirely equitable. During this pretended uncertainty, Mary remained ſtill in priſon.

The conference breaks up. Buchanan. Leſley's Negociat. Camden.

Buchanan.

Elizabeth's policy. Walſingh. Negociat.

The truce between the two Scotiſh factions being expired, during the conference at London, or not long after, the earl of Lenox took by ſurpriſe the town of Dunbarton, which had 'till then been in the hands of Mary's partiſans. Verac, the French embaſſador, was taken there, and ſent to St. Andrew's, whence he was ſuffered to make his eſcape without much difficulty. But the caſe was otherwiſe with the archbiſhop of St. Andrew's, * who being alſo taken priſoner on the ſame occaſion, and ſent to Sterling, was ſentenced to be hanged. A certain prieſt charged him with being a complice in the late King's murder; with which accuſer (1) being confronted, inſtead of defending himſelf, he only aſked, what thoſe prieſts merited who revealed the ſecrets of confeſſions? It is reported that Cardan, going to Scotland to cure him of a dropſy, told him, when he had reſtored him to health, that he had by the help of his medicines freed him from the preſent danger, but it was not in his power to prevent his dying on a gibbet.

Affairs of Scotland.

Dunbarton ſurpriſed. Buchanan. Leſley's Negociat. Thuanus. Hollingſh.

Archbiſhop of St. Andrew's hanged. Buchanan. * James Hamilton.

It was not ſolely what related to Scotland which found imployment for Elizabeth. She was ingaged in another buſineſs which gave her no leſs trouble, by reaſon of its difficulties, and the conſequences wherewith it might be attended. Her miniſters, knowing her enemies were in perpetual motion, and when one ſcheme failed were inſtantly contriving another, grew apprehenſive leſt in the end her prudence would be over-matched. In Walſingham's negociations is a letter, from a ſecretary of ſtate, telling him, that while the Scotiſh Queen's affair was in hand, her friends were meditating how to carry her off, whereof the court had ſome dark intimations. The earl of Leiceſter wrote to the ſame embaſſador, that Mary's adherents were bolder than ever, which apparently proceeded from their hopes of the ſucceſs of ſome freſh attempt. The miniſters therefore believed marriage alone could ſecure Queen Elizabeth from ſo many conſpiracies which were from day to day renewed. Her alliance with ſome powerful Prince would naturally produce a good effect, by reaſon of the ſuccors which might thence be had on occaſion, beſide that it would ſtrike a dread into her Majeſty's enemies. On the other hand, they imagined, if it pleaſed the Almighty to bleſs her nuptials, the birth of a Prince would deprive the Scotiſh Queen of very many partiſans. On this principle, they never ceaſed repreſenting to Elizabeth the reaſons which ought to determine her to marry. At length, whether ſhe really yielded to theſe reaſons, or to be freed from their importunities, ſhe told them, that nothing prevented her but the difficulty of finding a ſuitable match; nor was it in reality eaſy to make a fit choice. The party muſt be either a Proteſtant or a Romaniſt: but as her inducements to marry were chiefly two, viz. to make a ſtrong alliance, and to have a ſucceſſor; in chuſing a Proteſtant, the firſt of theſe inducements would not be anſwered, becauſe there was no Prince of the Reformed religion whoſe alliance could be greatly advantageous to England. In determining on a Papiſt, there was no choice, ſince the duke of Anjou, the King of France's brother, was the only fit perſon: but this project wanted not its difficulties. Her Majeſty gave to underſtand, that in marrying ſhe did not mean to give herſelf a maſter, or even an equal, ſince ſhe was reſolved to hold the reins of government alone, and communicate to her conſort only the external honors of royalty. In the ſecond place, ſhe did not pretend the Engliſh Catholics ſhould reap any advantage from her eſpouſing a Prince of their belief: but there was no likelihood the duke of Anjou would ſubmit to what Elizabeth required, or diſſemble his religion to injoy the bare title of King, which ſufficed not to ſatisfy his ambition. Mean while, the miniſters were ſo urgent with their royal miſtreſs to marry, that at length they obtained her conſent to treat with France on that head: but, very ſeemingly, ſhe gave her conſent only becauſe ſhe imagined it would be in her power to break off the negociation whenever ſhe pleaſed, by the difficulties ſhe ſhould ſtart. However, ſhe concealed her ſentiments from her miniſters. Burleigh, for ſome time, thought her ſincere. The earl of Leiceſter was not intirely of that opinion, but knew not what to think. Howſoever it was, Elizabeth was told, that Catherine di Medicis, having fully comprehended the motives which induced her to reject the propoſals of a marriage with Charles IX, had intimated, that the duke of Anjou would be properer for her: it was alſo hinted to her, that the young Prince was not any way a bigot, and might poſſibly be brought to the church of England's communion; wherefore nothing remained but ſo to manage that the French court ſhould ſeem to make the firſt advances, after which the treaty might commence. To that end it was that, in Auguſt 1570, Norris was recalled from his embaſſy in France, to make room for ſir Francis Walſingham, who was doubtleſs deemed a properer perſon to manage this affair, being alſo a creature of lord Burleigh, who was highly deſirous of the marriage.

Elizabeth's miniſters ingage her to negociate her marriage with the duke of Anjou. Walſingh. Thuanus. Camden. P. Daniel.

Camden.

Walſingham ſent embaſſador to France. Walſingh. Negociat. p. 18.

Walſingham continued the whole reſidue of this, and part of the next year at Paris, without any overture being made, and yet the match was much talked of. He thereof ſent notice to the Engliſh court, and preſently after received inſtructions from Burleigh, importing, that if any perſon of diſtinction ſhould ſpeak to him of the marriage, he might anſwer, that, on the report, he had taken care to inquire how her Majeſty ſtood inclined in that reſpect, and found, as the good of her people was her chief

(1) John Hamilton, one of the chief actors in this murder, diſcovered the whole to his confeſſor, who revealed it to others. Buchan. l. 20.

view,

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view, ſhe had reſolved to marry, if ſhe could meet with a ſuitable match. Soon after, lord Buckhurſt being ſent to Paris, as embaſſador extraordinary, King Charles, and his mother Queen Catherine, opened their minds to him on that ſubject, and a negociation commenced: but as this project was not executed, I ſhall here content myſelf, without deſcending to particulars, to ſhew the real cauſes of breaking off the ſaid treaty.

The marriage begins to be negociated. Walſingh. Negociat. Stow.

It is in a manner certain that neither Elizabeth nor the French court had any inclination to conclude this marriage, tho' it ſeemed to be ſeriouſly negociated on both ſides. Elizabeth found a double advantage in this feigned negociation. Firſt, ſhe amuſed her own miniſters, who preſſed her earneſtly to marry. Secondly, her adverſaries, believing this alliance was actually on the point of being concluded, would of courſe remain quiet: and indeed, it was not likely they ſhould think of attacking her, when they ſaw her ſo near being ſtrictly united with France. It was therefore requiſite, the better to amuſe thoſe who might have formed plots againſt her, to ſhew ſome earneſtneſs for this marriage, leſt, if ſhe acted with indifference in this affair, her moſt ſecret thoughts ſhould be diſcovered.

Charles IX and Elizabeth equally diſſemble.

Elizabeth's reaſons.

On the other ſide, the French court propoſed this marriage only to amuſe Elizabeth, and with her all the Proteſtants of Europe, but particularly the Hugonots. To all appearance, Charles IX had already formed the inhuman project which brake out in the year inſuing. But this was only the begining of a more extenſive ſcheme, which was to deſtroy all Proteſtants in general, and attack Elizabeth, when ſhe leaſt expected ſuch a viſit. The Pope and King of Spain were ingaged in the deſign, and feigned being alarmed at what was negociating at Paris, purely to intrap with more facility thoſe they intended to ſurpriſe. It was therefore neceſſary for the court of France to appear paſſionately deſirous of the match, and to yield as far as poſſible, but without coming to any concluſion in point of religion. So the difficulties ſtarted by Elizabeth, in this negociation, were greatly ſubſervient to the deſigns of France, as they gave room to make advances capable of deceiving the public, and cauſing it to paſs for granted that they had no ill deſign againſt the Proteſtant religion: by this means they removed all ſuſpicion both from the court of England and the Hugonots. In effect, it was ſcarcely to be even imagined that, while King Charles IX and his mother teſtified ſuch a zeal to accompliſh the propoſed marriage, they were meditating the extirpating all the Hugonots in France: nay, they were extremely careful to remove ſuch ſuſpicion by their conſummate diſſimulation towards them, pretending to give ear to the leading Hugonots, and repoſe in them intire confidence. Nevertheleſs, the French court, ſpite of the many precautions uſed to conceal their deſigns, made Elizabeth extremely jealous during the whole negociation, by their preſſing and repeated inſtances for the Scotiſh Queen's inlargement. Elizabeth could not comprehend this way of proceeding. The King of France, as ſhe thought, having propoſed her eſpouſing the duke of Anjou, and a ſtrict alliance between the two crowns, ſhould have been intirely in her intereſt, whereas ſhe ſaw him zealous for Mary's, which was directly oppoſite: nay, ſhe alſo at the very juncture diſcovered that France privately favored the Queen of Scots project, which could not be reconciled with the deſign of the marriage and alliance. For this reaſon ſhe frequently intimated to Charles and his mother, that ſhe was offended at their conduct: but ſhe was anſwered with proteſtations of friendſhip, eſteem and regard, and with excuſes that, Mary being Queen dowager of France, leſs could not be done than to ſollicit in her behalf. Charles did not even ſcruple to own privately, that what he did was merely for form, that he might not appear abſolutely to abandon that unfortunate Queen. It will perhaps be thought ſtrange, that Charles ſhould not carry his diſſimulation ſo far as to declare openly, he would no farther concern himſelf about Mary; but ſuch a piece of politics would have ſpoiled all. The deſign of the religious league was to extirpate the Hugonots at once, that being freed from the fear of any diverſion in France, the Catholics might carry their arms into England. If therefore Mary's reſtoration to the throne of Scotland could have been obtained, whether by treaty or ſollicitation, or any other way, England might have been invaded with much greater eaſe, while inſurrections were raiſed within the kingdom: this was the ſcheme which had been formed from the begining of Elizabeth's reign. To invade England by ſea, would neceſſarily have been very expenſive, beſide that ſuch an undertaking was liable to greater inconveniencies, as Philip II afterwards experienced. Scotland therefore alone could afford a paſſage; but to that end the kingdom was to be governed by perſons well affected to the Catholic religion. This was the aim of all the intrigues, public and private, for the Queen of Scots reſtoration. I am perſuaded that ſuch as have intimated, that compaſſion for Queen Mary induced her adherents to act for her, had no juſt idea of the inceſſant and extraordinary movements in her favor: not that I ſhall offer to deny that, among thoſe who ſerved her, ſome acted from that motive; but that was not the ſentiment of thoſe who managed affairs. In the intention of thoſe, Mary's reſtoration was only a means to execute more momentous projects.

Reaſons of Charles IX.

Leſley's and Walſingh. Negociat.

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It is therefore certain, the court of France never ſeriouſly thought of accompliſhing the marriage, and, in all appearance, Queen Elizabeth herſelf was as little inclined to it, tho' her miniſters did their utmoſt to perſuade her. As ſhe had at firſt declared by Walſingham, that ſhe would not allow the duke of Anjou exerciſe of his religion, the court of France imagined there would be no great danger in making ſome advances with reſpect to that point, ſince they were almoſt ſure of finding therein occaſion of rupture, as well as a continual pretenſe to prolong the treaty as they pleaſed. The duke of Anjou came therefore by degrees to be ſatisfied with a ſmall chapel in ſome private corner of the palace, and the French embaſſador had orders to proteſt, that the duke could not be contented with leſs, and to demand a poſitive anſwer in ten days. Hitherto the Queen had refuſed to agree that the duke ſhould have the exerciſe of his religion at all, nay had pretended, he ſhould accompany her when ſhe went to chapel, and be preſent at divine ſervice. The buſineſs then was to anſwer the duke's propoſal, which probably was to be the laſt: but, while ſhe was deliberating, the French embaſſador ſhewed to ſome courtiers of diſtinction letters from Paris, whereby it appeared, the court of France inſiſted not on that article ſo ſtrenuouſly as ſome would have inſinuated. On the other hand, lord Burleigh was informed, by a French gentleman of good conſideration, that if the Queen ſtood her ground, the court of France would finally give way. Moreover Walſingham wrote from Paris, that the duke of Montmorency had given his opinion in council, that it would be beſt not to make the leaſt mention of religion in the marriage treaty, which was the ſame as leaving this article intirely to Queen Elizabeth. All theſe inſinuations were ſo many ſnares laid for Elizabeth by the court of France, to induce her to refuſe what ſeemed ſo very reaſonable, and that it might appear the rupture proceeded not from the duke. She ſuffered herſelf to be over-reached, and in her anſwer deſiſted not from her pretenſions.

They cannot agree on the article of religion. Digges's compleat embaſſad. p. 82, 101.

p. 100.

Walſing. Negociat. p. 97.

Elizabeth's obſtinacy convincing the King of France

Camden.

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France that he might venture to proceed one ſtep farther, he offered to leave this article of religion undetermined. But Elizabeth would not agree to it, ſaying, it would be a moſt infallible means to ſow diſcord between her and her ſpouſe. In a word, the Gallic court went ſo far, as to be ſatisfied with the Queen's promiſe in writing, that the duke of Anjou ſhould not be proſecuted according to the laws of England, if he ſecretly exerciſed his religion in a private chapel. Whereupon Elizabeth, with great difficulty, agreed at length to this:

Camden. p. 433.

"That if the duke of Anjou would promiſe to "accompany the Queen when ſhe went to chapel, "and would not refuſe to hear and learn the prin- "ciples of the church of England, ſhe would "agree, that neither himſelf nor his family ſhould "be compeled againſt their conſcience to conform "to the Engliſh church, 'till they ſhould be other- "wiſe perſuaded. Moreover, that neither himſelf "nor his domeſtics, the number of whom ſhould "be agreed on, ſhould be diſturbed in the uſe of "any rites and ceremonies different from thoſe "eſtabliſhed by law, provided they were not re- "pugnant to the word of God, and on condition "it were done in a private place, for the ſatisfying "their conſciences, and ſo as the people might "not take occaſion from thence to violate the "eſtabliſhed laws of the land." It was with much difficulty that the French embaſſador got the terms, "repugnant to the word of God," to be changed into theſe, "repugnant to the church of God."

It is eaſy to perceive that, when Elizabeth ſeemed to relax a little on this article, ſhe added reſtrictions which required explication, and which left a door to go back, in caſe ſhe had been taken at her word. Hence therefore it may be infered, that ſhe did inſiſt ſo much upon the article of religion, only becauſe ſhe thought it ſerviceable to break off the negociation. Accordingly we find, in Walſingham's memoirs, that the earl of Leiceſter, and lord Burleigh, were finally convinced of her not being any way inclinable to matrimony.

The negociation breaks off.

The affair ſtanding thus, Charles IX told Elizabeth, by La Mothe Fenelon his embaſſador, that he thought her anſwer very hard, and deſired her to ſend ſome truſty perſon to ſettle with him all matters concerning the marriage. Her Majeſty replied, ſhe could not proceed to any other article, without firſt knowing whether the King and duke intended to allow what ſhe had propoſed touching religion: ſo, the buſineſs there came to a ſtop. Charles ſtill feigned to expect the truſty perſon he had demanded, and the Queen pretended ſhe waited for the court of France's conſent to the article about religion, as ſhe had ſent it. This negociation laſted from March 'till September, and the rupture altered not the good intelligence between the two courts. On the contrary, Charles thanked the Queen for dealing with him ſo frankly, and, without farther mention of the marriage, deſired to conclude with her a defenſive league. Elizabeth readily conſented. As ſhe had no ally, it was her intereſt to unite with France, as well to diſingage that crown from the Queen of Scots intereſt, as to diſcourage the Pope, King of Spain, and Engliſh Catholics, by this alliance: but ſhe knew not that Charles's aim was only to amuſe both her and the Hugonots, whoſe deſtruction was determined, tho' he affected to careſs and make uſe of them, to execute his pretended projects againſt Spain. However this be, Elizabeth ſent ſecretary Smith into France, to negociate the league, jointly with Walſingham.

While the Queen's marriage with the duke of Anjou was treating at Paris, and both ſides affected to publiſh it would ſoon be concluded, the Queen of Scots was grievouſly imbaraſſed, as plainly perceiving ſhe was going to loſe France. This doubtleſs obliged her to turn towards Spain, and indeavor obtaining thence the aſſiſtance ſhe wanted. To that purpoſe, ſhe diſpatched Ridolfi to the Pope, and the King of Spain, to acquaint them with the ſtate of her affairs. At the ſame time ſhe wrote to the duke of Norfolk, and ſent him in cypher the copy of her letters to Rome and Madrid, recommending to him Ridolfi as a truſty perſon to whom ſhe deſired him to give letters of credit. On the receipt of theſe letters, the duke ordered Higford his ſecretary, who had the key, to decypher them, and then bid him throw them into the fire. But whether Higford was already gained by the court, or deſigned to betray his maſter, he hid all theſe papers under a mat in his bed-chamber.

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Mary turns to Spain. She imploys Ridolfi the Florentine. Leſley's Negociat. Camden. Thuanus.

The duke of Norfolk reingages in Mary's intereſt. Leſley's Negociations. Camden. Thuanus.

Ridolfi, who was the Pope's private agent, did all he could to perſuade the duke of Norfolk to undertake the Queen of Scots defenſe. He repreſented to him, there were in England many malecontents, who would be glad to ſee him at their head, and by that means he might revenge the injuries he had received, and the long impriſonment he had indured. He put him in hopes of powerful ſuccors from the Pope and King of Spain, adding, that in this he would do no wrong to Elizabeth, ſince it was only to obtain her conſent to marry the Queen of Scots, and oblige her to tolerate the Romiſh creed in England. At the ſame time the biſhop of Roſs frequently told the duke, by Barker, one of his confidents, that by the help of his friends, who were very numerous, it would be eaſy for him to ſeize the Queen, become maſter of her perſon, and detain her in cuſtody 'till he had eſpouſed Queen Mary, and provided for the ſecurity of the Catholic religion. But the duke rejected the biſhop of Roſs's project, and even refuſed to give Ridolfi the credential letters which he deſired for the courts of Rome and Madrid, and for the duke of Alva. But tho' the duke of Norfolk's whole procedure in this affair is not particularly known, it is however certain, he ingaged in it too far, in expectation of eſpouſing the Scotiſh Queen: but it cannot well be conceived, how he intended to accompliſh his enterpriſe, or what he deſigned to do after marrying her ſaid Majeſty. Nevertheleſs it is eaſy to conjecture that his Sanctity and the Catholic King, who ſet to work both Ridolfi and the biſhop of Roſs, would never have thought of imploying the duke of Norfolk, had they not received from him ſome aſſurances, that he would conform to their meaſures.

The duke proceeds cautiouſly, but reſumes the project of marrying Queen Mary. Leſley's Negociations. Camden.

Ridolfi, having confered with the Pontif and duke of Alva, informed a certain domeſtic of the Scotiſh Queen's, named Baily, of what he had negociated; and, as this man was bound for England, gave him diverſe letters for Queen Mary, the Spaniſh embaſſador, the biſhop of Roſs, and the duke of Norfolk (1). Baily was no ſooner landed at Dover, but he was ſeized. His packet was taken from him, and ſent to lord Cobham, governor of the Cinque-Ports. But the biſhop of Roſs, having notice of this accident, ſo artfully managed lord Cobham, the duke of Norfolk's ſecret friend, that the letters were changed, and in their ſtead were put others containing nothing criminal, or of moment, which were delivered to the council. However, Baily was put to the rack, and confeſſed the true letters were in the biſhop of

Ridolfi's intrigues partly diſcovered. Leſley's Negociations. Camden. Thuanus.

(1) And lord Lumley. Camden, p. 434.

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Roſs's hands. But the biſhop had taken care to ſend beyond ſea, with his ſecretary, all the papers which might do him a prejudice: ſo nothing was found at his houſe; nevertheleſs he was arreſted, and commited to the biſhop of Ely's cuſtody.

Lesley's Negociations. Spottiwood.

Not long after, the court made a new diſcovery, which proved fatal to the duke of Norfolk. The French embaſſador, intending to diſtribute ſome money in Scotland among the Queen's friends, applied to the duke of Norfolk, who deſired him to put it into the hands of Higford and Barker, to deliver it to one Brown, who was to convey it to Lowther and Baniſter, and theſe were ordered to ſend it to lord Herris. Brown, who was not in the ſecret, receiving the money well packed up, and finding by the weight it was gold, whereas he had been told it was ſilver, carried it to the ſecretary of ſtate. The packet being opened, there was found a letter in cypher from La Mothe Fenelon to Verac the French embaſſador in Scotland. Hereupon Higford, the duke of Norfolk's ſecretary, being apprehended, immediately confeſſed he had that money from the French embaſſador. He diſcovered likewiſe where he had hid the Queen of Scots papers, which the duke his maſter had ordered him to decypher and tranſcribe. This ſufficed to get the duke of Norfolk arreſted and ſent to the Tower, the ſeventh of September. Upon him was found a long memorial in cypher, dated the ſeventh of February this year, wherein the Queen of Scotland told him, ſhe was adviſed to retire to Spain rather than France, by reaſon of the duke of Anjou's marriage with Elizabeth, which was much talked of. She added, when ſhe ſhould be in Spain, ſhe would feign a deſire to marry Don Juan of Auſtria; but that the duke ſhould not be alarmed at it, becauſe ſhe reſerved herſelf for him. Finally, after ſpeaking of Elizabeth in very injurious terms, ſhe deſired the duke to diſpatch Ridolfi to Rome with inſtructions (1).

Camden. Lesley. Digges.

Stow. Hollingſh. Digges's embaſ. p. 139.

The duke confeſſes part of what he is accuſed of. Oct. 10, 11. Lesley's Negociations. Camden.

The duke of Norfolk being examined, confeſſed that, about a year ſince, he received four letters in cypher from the Queen of Scots, and had anſwered them; but ſaid, it was only to thank her for her good-will, and to perſuade her to rely intirely on the Queen. He ſaid farther, that the biſhop of Roſs having preſſed him to write to the duke of Alva by Ridolfi, he had refuſed it, neither would he give him any inſtructions about the affair for which he went to Rome. He confeſſed alſo, he had helped to convey to Verac a letter from the French embaſſador reſiding at London. As to the papers he had received from the Queen of Scots by Ridolfi, he ſaid, they were burned, as he really believed. Then his houſe was ſearched, and the cypher which the Queen of Scots and he uſed was found with the papers hid by the ſecretary. Some of the accomplices, who were apprehended, confeſſed all they knew, without torture.

Conſultations about the biſhop of Roſs. Octob. 24. Lesley's Negociations. Camden. Thuanus.

While proofs were collecting againſt the duke of Norfolk, in order to form his proceſs, the council debated on what was to be done with the biſhop of Roſs. He aſſumed the character of the Scotiſh Queen's embaſſador, and had ſeemingly been acknowledged for ſuch, Elizabeth not having thought proper to deny Mary the title of Queen, or openly to ſhew ſhe was a priſoner. So the caſe being ſomewhat uncommon, certain civilians (2) were conſulted upon three queries. Firſt, whether an embaſſador, convicted of conſpiring againſt the Prince to whom he is ſent, ought to injoy the privileges of an embaſſador? The civilians replied, ſuch embaſſador, by the law of nations, forfeits his privileges. Secondly, whether a Prince depoſed can give his miniſter or agent the title of embaſſador? The anſwer was, the right of ſending embaſſadors belonged only to Sovereigns, and a Prince legally depoſed cannot confer that title. (It muſt be obſerved, Elizabeth had not owned that Mary was legally depoſed.) Thirdly, whether a Prince who comes into another Prince's dominions, and is there held priſoner, can have a public agent? And, whether that agent may ſtile himſelf embaſſador, even if it be notified to him that he ſhall be no longer acknowledged for ſuch? It was anſwered, (3) [If ſuch a Prince has not forfeited his royalty, he may have ſuch agent; but whether that agent may ſtile himſelf embaſſador, and be ſo reputed, depended upon the authority of his commiſſion. And] a Prince may forbid any embaſſador his dominions, if he does not keep within the bounds of his office: but however, the privileges of embaſſadors are not to be violated.

Elizab. An' 1571. Lesley's Negociations. Camden.

He is brought before the council. Octob. 24. Lesley's Negociations.

Theſe queries being thus anſwered, the biſhop of Roſs was brought before the council, and charged with intriguing to diſturb the kingdom's tranquillity. He refuſed at firſt to anſwer, inſiſting on the privileges of embaſſadors: but, at length, ſeeing this defenſe was little regarded, and witneſſes began to be produced againſt him, he ſaid, that by a cuſtom inviolable grown into a law, the Engliſh and Scots could not be evidences againſt each other. It was thereupon examined, whether this cuſtom was to take place any where but on the borders, eſpecially in a caſe where the ſafety of a Queen and realm was concerned. In ſhort, the biſhop was ſent to the Tower, and ſome time after examined on twenty-three articles, to each of which he anſwered in particular: but Camden has not thought fit to give us either the examination or the anſwers. He ſays only in general, that the biſhop excuſed the Queen his miſtreſs, for that, being a priſoner, and in the flower of her age, it was no wonder ſhe ſhould uſe her indeavors to eſcape: that the project of her marriage was formed by the advice of diverſe Engliſh peers, ſome of whom were privy-counſellors: that indeed the duke of Norfolk had promiſed to think no more of the affair; but his promiſe was not capable of breaking a prior ingagement (4): finally he labored to juſtify his own conduct, for that being an embaſſador, he was obliged to ſerve the Queen his miſtreſs to the utmoſt of his power: adding, that he propoſed the deſign of ſeizing the Queen to the duke of Norfolk, only to try him; and he refuſed to name the great men who had promiſed to aſſiſt him in this attempt; but he confeſſed, that, by the orders of the Queen his miſtreſs, he had conſulted the earl of Arundel, Lumley, Throckmorton, and the lord viſcount Montague, about the Queen of England's demand, that the King of

His anſwer. Camden.

Octob. 26.

Camden. p. 435.

(1) This memorial, according to Camden, was not found about the duke, but being ſent to him by Queen Mary, with the copy of her letters to Rome and Madrid, he ordered it to be burned with the reſt. But Higford, on his being taken up, diſcovered to the council where it was hid, with the letters. This was a draught of Queen Mary's deſigns, which the duke of Norfolk, imagining Higford had burned, denied at firſt every thing that Higford had confeſſed; but when the council produced Higford's and others confeſſions, together with the draughts and letters to the duke's face, he was amazed, thinking they had been deſtroyed. The earls of Arundel and Southampton, the lords Lumley and Cobham, Thomas Brooke, Henry Percy, Lowder, Powel, Goodyer, Baniſter, &c. were taken up alſo, and confeſſed what they knew. Camden, p 434, 435.

(2) Not the judges, as M. Rapin miſtakes; it not being their buſineſs.

(3) We have, between crochets, ſupplied from Camden what our author has omited: viz. the firſt part of their anſwer to this query.

(4) If Bothwell lived ten years in Denmark, as Camden ſays in another place, it is not to be conceived how Queen Mary could promiſe, under oath, to marry the duke of Norfolk in 1570, ſeeing Bothwell was then alive. Rapin.

Scotland

ELIZAB. AN' 1571.

Scotland ſhould be put into her hands. This is all Camden ſays of the biſhop of Roſs's defenſe: but it is not unlikely the fear of death, with which he was threatened, made him diſcover ſome particulars which Camden has not been pleaſed to publiſh, as will hereafter appear.

The Queen informs the court of France of the duke of Norfolk's affair. Digges's Ambaſ. p. 147.

The duke of Norfolk's impriſonment making a great noiſe in France and elſewhere, Elizabeth cauſed the reaſons to be imparted to Charles IX by Killegrew, whom ſhe ſent to Paris to eaſe Walſingham, who was indiſpoſed. The new embaſſador told the Queen-mother, that it was now two years ſince the Queen of Scots, without giving thereof any information to his royal miſtreſs, had deſigned marrying the duke of Norfolk, who was therefore impriſoned in the Tower, without however being deprived of the injoyment of his eſtate: that afterwards, the duke ſwore to relinquiſh all thoughts of that marriage, and the Queen of Scots, both by letters and agents, promiſed the like: that nevertheleſs they had ſtill continued their intrigues, as it was eaſy to prove by their own letters; and, under color of freeing the Scotiſh Queen, had projected to ſet her on the throne of England, by raiſing a rebellion in the kingdom, and calling in foreign troops, which evidently appeared by their letters and the confeſſions of their accomplices: that the Queen of Scots had expreſly ordered her agents to conceal her deſigns from the court of France, becauſe ſhe was intirely devoted to Spain, having even reſolved to convey her ſon thither, and eſpouſe Don Juan of Auſtria.

Act to maintain the Queen's title. D'ewes, p. 136, &c. Statut. Camden.

In the preſent ſituation of the French court, Elizabeth's complaints againſt the Queen of Scots were not much regarded. But the parliament of England took the Queen's intereſt extremely to heart, and to prevent the dangers to which ſhe was expoſed by combinations, paſſed a very remarkable act. It was provided, "That if any man ſhould "attempt the perſonal hurt of the Queen, or the "depriving her of any part of the ſovereignty; "raiſe war, or ſtir up others to war againſt her: "if any one ſhould dare to give out that another "perſon has a juſter title than ſhe to the crown; "or ſhould ſay ſhe is a heretic, ſchiſmatic or infidel; or ſhould uſurp her right and title during "her life; or ſhould affirm the parliament has not "power to ſettle and limit the ſucceſſion to the "crown, every ſuch perſon ſhould be guilty of "high-treaſon (1)". It was moreover inacted, "That whoſoever, by bulls or other mandates of "the Pope, ſhould reconcile any man to the church "of Rome, and thoſe who ſhould be ſo reconciled, ſhould be guilty of treaſon: that whoſoever ſhould relieve ſuch reconcilers, or ſhould "bring into England any Agnus Dei's, Grains, "or other things conſecrated by the Pope, ſhould "incur the penalty of a Præmunire, loſs of goods, "and perpetual impriſonment." It was provided "likewiſe, "That all the fugitives ſhould within "ſuch a time, under forfeiture of their eſtates, "return and ſubmit themſelves to the government, and that all the fraudulent conveyances of their lands ſhould be void." It was alſo moved, That if, for the future, the Queen of Scots ſhould be concerned in any conſpiracy, ſhe ſhould be proceeded againſt by law, as the wife of an Engliſh peer. But Elizabeth ſuffered not this bill to paſs, being ſatisfied with giving her priſoner to underſtand what ſhe would be expoſed to if ſhe continued her practiſes.

Before we examine what inſued on the late diſcoveries, it will be requiſite we take a tranſient view of what paſſed in Scotland, after the earl of Morton's return. Early in May, the Queen's party poſſeſſed themſelves of Edinburg, by the aſſiſtance of Kirkaldie, laird of Grange, who favored them, tho' he pretended to keep the caſtle for his Majeſty. This done, the chiefs of that party convened ſuch ſtates as belonged to their faction at Edinburg; and then alſo the earl of Lenox aſſembled the ſtates of young King James's party in the ſame city's ſuburbs. Theſe two parties did nothing but vent reciprocal reproaches, and, as if they had given each other the word, they reſolved each apart to meet again in Auguſt, the King's ſtates at Sterling, and the Queen's at Edinburg. Theſe reſolves being, at the time appointed, put in execution, the lords at Edinburg formed the project of forcibly carrying away thoſe peers of the adverſe faction, who were at Sterling without any precaution. Melvil ſays, his friend Grange was the author, contriver and manager of this enterpriſe. He would have headed them perſonally, but his friends would not ſuffer him to be expoſed to the danger: this is the ſame Grange, whom Melvil repreſents as a neutral perſon, and aiming only at the good of his country. This project was executed with ſuch conduct and ſucceſs, that the regent and the earl of Morton were inſtantly made priſoners. In all appearance, few of the King's lords would have eſcaped, had not the victorious ſoldiers fallen to plundering: but while they were diſperſed about the town, the earl of Mar ſallied from the caſtle with the gariſon, and compeled them to retire. In the diſorder, the earl of Morton fortunately eſcaped, but the regent was carried away, and murdered on the road in cold blood by one hired to do it, in ſpite of the officer who guarded him. A few days after, the earl of Mar, * was elected regent, to the exceſſive mortification of Morton, who aſpired to that dignity, and was ſupported by the Engliſh embaſſador.

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Continuation of the Scotiſh affairs. Buchanan. Melvil, p. 113. Spotſwood. Camden.

Buchanan. Melvil, p. 113.

The earl of Lenox killed, and the earl of Mar choſen regent. Buchanan. Melvil.

* John Erſkin.

To rightly comprehend the poſture of Scotland's affairs, it is neceſſary to conſider, that tho' there ſeemed to be only two factions in that realm, viz. the King's and the Queen's, it had nevertheleſs five, there being ſo many different opinions in thoſe two; whence followed that all of the ſame party looked not one and the ſame way. Some were wholly attached to the Queen, and their chief view was to reſtore Popery. Others earneſtly adhered to the King's party and the Proteſtant religion. The new regent, like his predeceſſor, was deſirous to unite both factions, and labored to bring all to the young King's obedience, which he hoped to accompliſh, by granting the Queen's adherents whatever favors they could reaſonably expect. Grange and his friends had formed the ſame deſign of uniting the two parties, but in ſuch a manner as that the kingdom ſhould be governed in the Queen's name. In fine, the earl of Morton, who was penſioner to the court of England, was at the head of a fifth party who, tho' outwardly for the King, ſought only to thwart ſuch as were for uniting the two factions. This was properly Elizabeth's party, or at leaſt the party ſhe moſt favored, notwithſtanding ſhe affected a neutrality. Her embaſſador Randolph, a man of a great genius, and very fit for his office, was the inſtrument ſhe made uſe of to ſtrengthen it. Nothing could be more prejudicial to England, than the union of the two parties, which was, at any rate,

Remark on the factions of Scotland.

(1) The act goes on: "And if any one, during the Queen's life, ſhould by book written or printed, maintain that any perſon "is, or ought to be the Queen's heir or ſucceſſor, except the natural iſſue of her body, &c." But abundance of jeſts were paſſed on the clauſe, "except the natural iſſue of her body," ſince, in law, thoſe children are called natural which are begoten out of wedlock. So that Camden (p. 436.) ſays, being then a young man, he himſelf often heard people ſay, that the word natural was inſerted into the act by Leiceſter, with a deſign, one time or other, to impoſe ſome baſtard ſon of his upon the Engliſh for the Queen's natural iſſue.

ſtrenuouſly

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ſtrenuouſly indeavored. It was to be feared that, after this union, Queen Mary's partiſans would grow too powerful in the parliament, and procure reſolutions contrary to Elizabeth's and England's intereſts. Thus diſcord among the Scots was yet for Elizabeth's advantage, 'till affairs ſhould take a different turn. But as Mar, the new regent, was a perſon not to be directed as ſhe wiſhed, ſhe previouſly laid her meaſures to procure the earl of Morton a party capable of being oppoſed to the regent, if requiſite. Such was the poſture of Scotland's affairs in 1571. We muſt now examine what was tranſacting in France.

Affairs of France. Mezerai.

Diſſimulation of Charles IX. Thuanus.

During this whole year, the court of France uſed the higheſt diſſimulation to draw the Hugonots into their ſnares: no favors at court but for them. King Charles feigned a diffidence of his brother, the duke of Anjou, and to be diſpleaſed with the Guiſes, who, as he gave out, held him in a ſhameful dependency. Beſide this, he made uſe of two very effectual method to deceive the admiral. The firſt was, to counterfeit a fixed deſign of making war upon Spain, and of intruſting him with its management. The ſecond was, to conclude the marriage of his ſiſter, Princeſs Margaret, with the King of Navarre. After that, the admiral and Hugonots no longer doubted the King's being well-diſpoſed towards them, eſpecially as they ſaw him very intent upon the duke of Anjou's marriage with the Queen of England, and as compliant as poſſible with reſpect to religion.

Affairs of the Netherlands. Grotius. Strada.

At this very time, the Prince of Orange was laboring to put in motion the Netherlands, having reſolved to make ſome attempt while his Catholic Majeſty's arms were imployed againſt the Infidels(1). The Kings of Sweden and Denmark refuſing to aid him, he applied to Elizabeth, who durſt not give him aſſiſtance, tho' ſhe was not ignorant of the correſpondence held by the duke of Alva in Scotland and England with Mary's party: ſhe even forbid her ports to all ſuch ſhips of Holland and Zealand, as acted againſt the Spaniards. In this extremity, the Prince of Orange ſent his brother, count Lewis, to King Charles IX, who loaded him with careſſes, and even imparted to him the falſe ſecret of his pretended deſign to make war upon Philip: but all this was only to deceive him. Mean while, count De la Marc, with twenty-four cruiſing veſſels, did the Spaniards all poſſible damage. This was all the Prince of Orange could effect during this year.

Camden.

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The duke of Norfolk tried and condemned. State-Trials. Stow. Hollingſh.

The ſixteenth of January, the duke of Norfolk was brought to his trial, before the peers of the realm. His accuſation ran; 1. That he had attempted to deprive the Queen of her crown and life, and ſeize the throne himſelf, by the help of foreigners. 2. That, unknown to the Queen, he had treated a marriage with the Queen of Scots, tho' he knew ſhe had uſurped the title and arms of England. 3. That he had lent her a great ſum of money. 4. That he had ſupplied with money the earls of Northumberland and Weſtmoreland, who were baniſhed the kingdom, and declared enemies of their country. 5. That he had writ to the Pope, King of Spain, and duke of Alva, deſiring aid to free the Queen of Scots, and reſtore the Popiſh creed in England. 6. Laſtly, that he had ſent ſupplies to lord Herris, and others her Majeſty's enemies in Scotland.

It may in general be ſaid, that the duke made a very weak defenſe to moſt of theſe articles: but he could not eaſily deny what was proved againſt him by his own letters, and the confeſſions of his ſervants and accomplices. Beſide, a certain intercepted letter from the biſhop of Roſs, in priſon, to Queen Mary, clearly evidenced the duke had formed pernicious deſigns againſt the government. Camden thought not proper to give us the contents of the ſaid captive prelate's epiſtle: but it was ſeemingly very much to the purpoſe; ſince the duke deſired to ſee whether it was the biſhop's own hand. When he was ocularly convinced of it, he made the ſame defenſe as the biſhop had done before, urging, that the teſtimony of a Scot againſt an Engliſhman was not valid. In this they both groundleſly pretended to take advantage of a cuſtom introduced on the borders of the two kingdoms, where, in caſes of depredation, the evidence of one nation againſt the other was not admited, as being parties: but this cuſtom was not become ſo general as to be of ſervice to the duke in his cauſe. The ſtrength of his defenſe was, that his deſign to marry the Scotiſh Queen could not be deemed high-treaſon, neither could it be thence infered, that he intended to ſeize the throne. The Queen's attorney replied, that all the circumſtances of the affair, and the duke's whole procedure manifeſtly ſhewed he aimed at ſomething more than barely to eſpouſe a depoſed and impriſoned Queen; for, by the meaſures he would have taken with ſome foreign powers, it plainly appeared that, in marrying the Queen of Scots, he deſigned to aſſert her claim to the crown of England. Finally, after a long examination, he was condemned by his peers as guilty of high-treaſon: but the ſentence was not executed 'till June.

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Creation of peers. May 4. Camden. Dugdale. Stow.

Mean while, the Queen created Walter d'Evreux earl of Eſſex. He was deſcended, by the great Grandmother's ſide, from the noble family of Bourchier, which had long borne that title. At the ſame time, lord Clinton, high-admiral, was made earl of Lincoln, and four new barons were ſummoned to the inſuing parliament.

Act on the duke of Norfolk's account.

The parliament, underſtanding that ſchemes were formed to free the duke of Norfolk, paſſed a ſtatute, whereby it was death to attempt the delivery of a priſoner condemned for high-treaſon. By the ſame act, it was perpetual impriſonment and forfeiture of eſtate, if the priſoner was only accuſed of high-treaſon, tho' not condemned (2).

His execution. State-Trials. Camden. Hollingſh.

At length Elizabeth, having been long in ſuſpenſe, ſigned a warrant for the duke of Norfolk's execution, on the ſecond of June. He confeſſed part of his crimes, excuſed himſelf as to the reſt, and in general owned he was juſtly condemned: but he declared, he never had any thoughts of reſtoring the Popiſh religion in England, and that he died a Proteſtant. He was ſon to the earl of Surrey, beheaded in the latter part of Henry VIII's reign, for quartering the arms of Edward the Confeſſor with his own, without the King's permiſſion. All of that family had firmly adhered to the Catholic religion, except this duke who, very early in Queen Elizabeth's reign, imbraced the reformation. Since he declared that he died in the Reformed religion, I ſee not how his ſincerity can juſtly be queſtioned: but who can tell how far his ambition might have carried him, had he found his projects more practicable? At leaſt, it cannot be denied, that they who ſet him to work fancied they had reaſon to rely on him. After all, if any one doubts that the end of this conſpiracy was to re-eſtabliſh Popery in England, he may be ſatisfied by the teſtimony of Hieronymo Catena, in the life of Pius V. Inſtead of clearing the ſaid Pontif, that author makes him glory in having been the promoter of this deſign, and in having ſent Ridolfi

Camden.

(1) The Moriſcoes of Andaluſia, &c. had revolted.

(2) Before arraignment, forfeiture of eſtate during life, and impriſonment during the Queen's pleaſure. If arraigned, death: if condemned, the penalty of high-treaſon was to be incurred. This was only during the Queen's life.

into

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into England to excite the Engliſh to rebel againſt Elizabeth.

The Queen of Scots examined. Camden. Thuanus.

Ten days after the duke of Norfolk's death, Elizabeth ſent privy-counſellors to the Queen of Scots, not to accuſe her criminally, as Camden affirms, but to inform her of what ſhe had been charged with at the trials of Norfolk and his accomplices, and to tell her, the Queen would be extremely glad ſhe could juſtify herſelf. It was chiefly to let her know that her practiſes were diſcovered, and therefore ſhe had been more cloſely confined and the number of her domeſtics reduced. Elizabeth was alſo well pleaſed to let her ſee, ſhe had good ſpies, and knew that it was not barely to obtain her liberty that ſo many powers imployed their intereſt in her behalf, but rather to ſet her on the throne of England. Wherefore the privy-counſellors repreſented to her, 1. That ſhe had aſſumed the title of Queen of England, and afterwards refuſed to ratify the treaty of Edinburg whereby ſhe had ingaged to renounce it. 2. That ſhe would have married the duke of Norfolk without the Queen's knowledge, and there was reaſon to believe it was with deſign to dethrone her, ſince ſhe would have uſed foreign troops to ſet the duke free. 3. That ſhe was deeply concerned in the northern rebellion. 4. That ſhe had relieved the rebels in Scotland and Flanders. 5. That ſhe had ſent Ridolfi to the Pope and King of Spain, to ſollicit them to invade England. 6. That ſhe had received letters from the Pope, wherein he aſſured her of his protection. 7. That ſhe had procured the Pope's bull, to abſolve the Queen's ſubjects from their oath of allegiance. 8. Laſtly, that ſhe had ſuffered her agents in foreign parts to ſtile her publicly, Queen of England. All theſe facts were but too true; however, as it was not eaſy to convict her that ſhe had acted with the intention aſcribed to her, ſhe therefore boldly made her defenſe to this effect:

Mary's anſwer.

That if ſhe had aſſumed the title of Queen of England, it was by command of the King of France her conſort, and ſhe had quited it on his deceaſe; nay, ſhe had declared, and ſtill did declare, ſhe would not claim it ſo long as Elizabeth or her iſſue lived: that, in deſiring to marry the duke of Norfolk, ſhe had no deſign to hurt Elizabeth, but rather was of opinion the match would be advantageous to England: that if ſhe had not renounced the marriage, it was becauſe ſhe was contracted to the duke (1): that ſhe deemed herſelf obliged, by conjugal love, to warn him of the danger, and perſuade him to make his eſcape: that ſhe was acceſſary to no rebellion, but, on the contrary, was always ready to diſcover whatever came to her knowledge, if Elizabeth would have vouchſafed to ſee and hear her: that ſhe had never relieved the Engliſh rebels, but only recommended the counteſs of Northumberland to the duke of Alva: that hearing Ridolfi was in the Pope's favor, ſhe made uſe of him in concerns no way relating to England: that ſhe had not imployed any perſon to free her, but had willingly liſtened to ſuch as offered their ſervice for that purpoſe, and with that view had given her cypher to Rolſton and Hall: that the letters ſhe had received from the Pope, contained only matters of piety and conſolation: that ſhe was not the procurer of the bull, and had only ſeen a copy of it, which when ſhe had read ſhe threw into the fire: that if any in foreign parts ſtiled her Queen of England, ſhe could not help it: that ſhe had never deſired aid of the Pope, or the King of Spain, to invade England, but implored their aſſiſtance to reſtore her to her kingdom: finally, that in caſe ſhe was to ſtand trial, ſhe deſired it might be before the parliament, as a Princeſs of the blood-royal of England.

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Theſe anſwers evidence, that Mary denied not the facts, but only the intention aſcribed to her. But, on the other hand, tho' this intention could not be fully proved, her bare denial was not ſufficient to ſhew ſhe never had it, or to efface the ſuſpicions entertained of her. However, as there was no deſign to bring her to a trial, the affair reſted there; but Elizabeth was ſtill perſuaded, that the end of Mary's and her friends intrigues and extraordinary movements was to dethrone her.

Negociation of the defenſive league with France. Walſingh. Negociat. Digges's com. emb.

The negociation of the defenſive league between France and England was ſtill continued at Paris, with great diſſimulation on Charles's ſide. He inſiſted on difficulties which ought not to have cauſed any delay, ſince his ſole aim was to make uſe of this league to ſurpriſe the Hugonots; but this ſerved the better to ſcreen his deſigns. He pretended to be much afraid of the power of Spain, and therefore was obliged to join with England. The difficulties of the league conſiſted in two points. Firſt, Elizabeth required, that both parties ſhould mutually promiſe to aſſiſt each other, in caſe either ſhould be attacked, tho' on account of religion: but Charles ſaid, he could not admit of that clauſe, for fear of offending his ſubjects, and all the Catholic powers. He was however willing to agree, that the article ſhould be expreſſed in more general terms, which ſhould have the ſame meaning, namely, that the two parties ſhould mutually defend each other, if either was attacked on any account whatever. The Engliſh embaſſadors objected, that England feared no attack, but only on account of religion, whereas France had numberleſs quarrels with other ſtates, and therefore the condition would not be equal. To remove this difficulty, Charles offered to write to Elizabeth a letter with his own hand, wherein he would declare, that he underſtood the cauſe of religion to be included in the general clauſe. But the Engliſh not being ſatisfied with this ſecurity, required at leaſt a private article under the great ſeals of France and England. Charles thereupon loudly exclaimed againſt the injury done him, in believing him capable of falſifying his word, and ſaid, he prefered his honor to his life. Walſingham, one of the Engliſh plenipotentiaries, was ſo biaſſed in Charles's favor that he thought him a perfectly honeſt man: he even wrote to lord Burleigh, that he did not doubt but the ſecurity was ſufficient. In ſhort, after many debates, Elizabeth was contented with the letter which Charles offered.

Difficulties of the negociation. Firſt. Ibid p. 155, 191.

p. 169.

p. 173, 180.

Second difficulty. p. 170, 177, 191.

The ſecond difficulty conſiſted in that the King of France would poſitively include Queen Mary in the treaty, whereto Elizabeth would not conſent. She thought it very ſtrange, that the King of France ſhould ſo heartily eſpouſe the Scotiſh Queen's intereſt at ſuch a juncture. Mary was uſing her utmoſt indeavors to dethrone her: the deſign of the league between France and England was for a mutual defenſe againſt the attacks of their enemies, and at the ſame time France eagerly labored to have the Queen of Scots releaſed, that is, inable her to execute her deſigns. Such a procedure was incomprehenſible to Elizabeth, and it gave her many ſuſpicions. However, as ſhe believed the league neceſſary for her ſafety, ſhe overlooked diverſe particulars which juſtly made her diſtruſt his Gallic Majeſty's ſincerity. The ſole expedient could be deviſed to ſurmount this difficulty, was inſerting in the treaty a dubious clauſe to this effect, "That "both parties ſhall maintain the preſent laws of "Scotland." Elizabeth underſtood the preſent and actual government of that kingdom, under the king's

(1) Since Bothwell was alive, how could ſhe be contracted to the duke of Norfolk? Rapin.

 authority;

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authority; and Charles had in view the preceding government, under Mary's adminiſtration, conſidering the preſent as illegal: but withal he intimated, that he deſired the inſerting thoſe terms, which were capable of a double meaning, only to avoid the blame of abandoning the Queen of Scots. Elizabeth imagined it a great advantage, that Mary was not mentioned in the treaty. Theſe two difficulties being removed, the league was ſigned at Blois, the 11th of April being to the following purport, viz.

Articles of the league between France and England. Camden. p. 443.

Charles and Elizabeth ſhall mutually aſſiſt each other againſt all perſons who ſhall attack them under any pretenſe whatſoever.

The league ſhall remain in full force 'till a year after the deceaſe of either party.

The party requeſted ſhall be bound to ſend to the party requiring, a ſuccor of ſix thouſand foot, or of five hundred lances, (which form a body of cavalry fifteen hundred ſtrong) at his option, with eight warlike ſhips, manned with twelve hundred ſoldiers, the whole at the expenſe of the party requiring.

There ſhall be no innovations made in Scotland, but the two contracting powers ſhall indeavor to preſerve the peace of that kingdom, according to the preſent laws, without admiting the approach of any foreign forces.

Mutual embaſſies. Camden. Walſingh. Negociat. p. 206, &c. 214. Stow. Camden.

Some time after, Elizabeth diſpatched over to France the earl of Lincoln, to ſee the treaty ſworn; and marſhal Montmorency came to London on the ſame account. Elizabeth ſwore to the league the ſeventeenth of June, and honored the marſhal with the order of the garter. While Montmorency was at the Engliſh court, he never ceaſed ſtrongly to ſollicit for the inlargement of Queen Mary, to whom this eagerneſs did more hurt than good. On the other hand, Elizabeth ordered the earl of Lincoln to ſhew the King of France the intercepted letter, from the Queen of Scots to the duke of Alva, wherein it appeared that ſhe put herſelf intirely under the protection of his Catholic Majeſty. Montmorency would likewiſe have reſumed the affair of Queen Elizabeth's marriage with the duke of Anjou, but did not much inſiſt thereon: ſeemingly, he had no orders to preſs it very ſtrenuouſly, conſidering what happened in France immediately on his return, I mean, the maſſacre of St. Bartholemew's, wherein were inhumanly butchered admiral Chatillon, and all the Hugonots who had been decoyed to court, under color of the nuptials of the King of Navarre with Princeſs Margaret, King Charles's ſiſter. It is needleſs to expatiate on this horrible maſſacre, ſo univerſally known: it ſuffices in a word to obſerve, it demonſtrated to all who had the uſe of their faculties, that France had then the moſt perfidious court our world ever beheld.

The Paris maſſacre. Mezerai. Walſing. Negociat. p. 246, 251. Thuanus. Camden. P. Daniel.

Conſequences of the maſſacre. Walſingh. Ib p. 301. Du Maurier.

This maſſacre threw all the Proteſtants in Europe into the utmoſt conſternation, eſpecially when they knew it was openly approved at Rome (1). The Proteſtant Princes of Germany began to prepare for their defenſe, believing it was only the introduction of a combination to deſtroy their religion throughout Chriſtendom, and the Swiſſers in a diet reſolved never more to ſupply France with forces. But the Engliſh court reflected on it particularly, not queſtioning its being a conſequence of the Bayona league, and that the ſtorm would ſoon break upon England. Walſingham, who had expreſſed ſuch a ſingular eſteem for Charles IX, wrote letter after letter, to give warning, that he was no longer to be truſted, tho' he ſhould repeat his proteſtations of friendſhip to her Majeſty, and his aſſurances punctually to obſerve the late treaty (2).

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Charles IX ſhews great regard for Elizabeth. Walſingh. Negociat.

It was not without reaſon that Charles ſtill deſired to keep fair with Elizabeth. Tho' he had maſſacred infinite numbers of his Hugonot ſubjects, he ſaw the reſt runing to their arms to ſcreen themſelves from his butchery. The city of Rochelle, which was as their bulwark, had refuſed to open her gates to the King's forces. Some were already in arms in Languedoc, and other provinces, and in all appearance Charles was on the point of entering into a new war, wherein he would have to deal with a deſperate people. Apprehenſive as he was that Elizabeth would aid the Hugonots with all her forces, there was no diſſimulation but what he practiſed to divert her from it. When ſhe told him, by her embaſſador, that after the late maſſacre ſhe could no longer repoſe in him any confidence; he indeavored to excuſe himſelf in the beſt manner he could. One while he ſaid, it was done without his knowledge; another while, that he was forced to it, in order to prevent a conſpiracy formed by the admiral againſt him, the Queen his mother, and his brothers. Nevertheleſs, at the very juncture while he expreſſed the greateſt deſire to maintain a good intelligence with Elizabeth, he was taking private meaſures to raiſe her diſturbances both in England and Scotland. After the maſſacre of St. Bartholomew's, the Pope ſent a legate into France. The duke of Savoy, a great friend to Spain, was come to Paris, and Charles's pretended dread of Philip's deſigns was intirely vaniſhed: nay, there was a ſtrict union between the two Kings. On the other ſide, Walſingham gave frequent notice, that the duke of Guiſe held ſecret conferences with the Scots, and the Queen-mother ſent very often for the biſhop of Glaſgow, Mary's embaſſador, at unſeaſonable hours. All theſe particulars were plain indications to Elizabeth and her council, that the friendſhip of France was not to be relied on, tho' it had been earneſtly ſollicited.

Walſingh. Negociat. p. 296, 275, 280, 286 299.

Elizabeth's jealouſy. Ib. p. 259, 265, 268, &c.

Affairs being in this ſituation, Elizabeth could not readily determine what courſe ſhe ſhould take. She ſuſpected ſome dangerous machination was on foot, but could not be certain. On one hand, ſhe was afraid, France and Spain were in league againſt her; but ſhe could not conceive how it was poſſible for them to agree, their intereſts being diametrically oppoſite: nevertheleſs ſhe conſidered that Charles IX ſuffered himſelf to be biaſſed by the Lorrain Princes, whoſe views and his were widely different, and who regarded their own private intereſt more than the welfare of France: beſide, his exceſs of religious zeal might cauſe him to overlook his true intereſt. In this ſtate of uncertainty, ſhe judged it moſt adviſable to ſtand on her guard, and make preparations as if ſhe was to be ſpeedily invaded, and to equal the King of France in diſſimulation, giving him however to underſtand, that ſhe was not to be eaſily laid aſleep; ſo, both playing the hypocrite, never were known ſuch ſtrong and ſo frequent proteſtations of friendſhip between Charles and Elizabeth, as in the firſt months after St. Bartholomew's maſſacre. Both ſaid, they deſired above all things to keep the league inviolably, tho' Charles had no occaſion for Elizabeth's aid, and Elizabeth could no longer depend on the amity of ſuch an ally. There was ſcarce a poſſibility of their having any real love for each

Charles and Elizabeth equally diſſemble. Ib. p. 257.

(1) Medals were ſtruck in memory of this horrible fact; having on one ſide the King ſiting on a throne, and treading on dead bodies, with this motto, Virtus in Rebelles: and on the reverſe, the arms of France crowned between two columns, and Pietas excitavit Juſticiam 24 Auguſti 1572. See a print of the medal in P. Daniel, Vol. VIII. p. 786.

(2) In one of his letters to ſir Thomas Smith, he informs him, that all the Hugonots lands, which would amount to many millions, were to be ſold, and imployed in the conqueſt of countries. And if ſo, England was in no ſmall danger. Digges's compleat embaſ. p. 425.

other.

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other. Charles looked on Elizabeth as the protectreſs of the creed he was laboring to extirpate, and Elizabeth could only conſider him as a Prince without faith or honor, and as a ſworn enemy to the religion ſhe profeſſed. Notwithſtanding all this, Charles offered to renew the league with a freſh oath, and propoſed a marriage between Elizabeth and his youngeſt brother, the duke of Alenſon. In ſhort, to give Elizabeth a ſenſible mark of his pretended friendſhip, he intreated her to ſtand godmother to the Princeſs brought him by his Queen, laſt October. Elizabeth anſwered to the firſt propoſal, that the treaty of Blois not having been violated on her part, ſhe ſaw no manner of neceſſity to renew or confirm it by freſh oaths. As to her marrying the duke of Alenſon, ſhe ſo expreſſed herſelf, that ſhe left it undetermined, whether ſhe would accept or refuſe it. And in anſwer to Charles's requeſting her to be godmother to the Princeſs his daughter, ſhe ſaid that, notwithſtanding her ſubjects, and diverſe foreign Princes diſſuaded her from entering into a ſpiritual alliance with a ſworn enemy of the Proteſtant religion, ſhe was willing however to give him a proof of her deſire to preſerve their mutual friendſhip, as far as ſhe was able. Thus, it was all diſſimulation on both ſides: but I know not whether Elizabeth can be juſtified for not having refuſed this laſt article, in order at leaſt to notify her deteſtation of Charles's late horrible barbarity. Howſoever this be, the whole reſidue of this year paſſed in reciprocal proteſtations of a ſincere amity, but withal, in a mutual diffidence. Charles was apprehenſive Elizabeth would aſſiſt the Hugonots, and thereby all his meaſures be broken. Elizabeth had a mind, before ſhe came to any concluſion, to dive ſomewhat deeper into the deſigns of her adverſaries, and to that purpoſe it was requiſite for her to keep, at leaſt outwardly, ſome correſpondence with King Charles. Mean while, the Hugonots knew not what to think of her. They ſaw themſelves on the brink of deſtruction, conſidering the great power wherewith King Charles was preparing to attack them, and at the ſame time they beheld Elizabeth, who was their ſole refuge, appearing as godmother to the daughter of their perſecutor and butcher: but the Hugonots protection was not the point ſhe had chiefly in view: her zeal for the Proteſtant religion was ever ſubordinate to her own particular intereſt.

Charles offers Elizabeth to renew the league, and match her with the duke of Alenſon.

He deſires her to be godmother to his daughter.

The Queen's anſwer. Walſingh. Negociat.

Elizabeth's diſſimulation. Ib. p. 279, &c.

Opinions of the Hugonots on her account.

The earl of Northumberland who, after his being ſeized in Scotland, had been ſurrendered to Elizabeth, was beheaded in this juncture wherein the Queen thought ſhe could not uſe too much precaution for her own ſecurity (1).

The earl of Northumberland beheaded. Stow.

I muſt now touch on the Scotiſh affairs, whereon Elizabeth's eye was conſtantly fixed. The diſcovery of Norfolk's conſpiracy had greatly weakened Mary's faction. Some had abandoned her cauſe, and others were ready to do the like: if they ſtill perſevered, it was only to obtain advantageous terms for ſhifting ſides. Grange, governor of Edinburg caſtle, Lidington, lord Hume, Robert Melvil, and ſome others, who were in the caſtle, ſtill affected a ſort of neutrality, and a fervent zeal for their country's welfare: but they made this welfare to conſiſt in a certain union of the two factions, which ſhould not be any way to the captive Queen's detriment; that is, they would have the King's authority to be annulled; and if it could not be agreed, that the ſtate ſhould be governed in Mary's name, as indeed it was very difficult to gain that point, at leaſt that the adminiſtration of affairs ſhould be put into the hands of a certain number of regents elected by both parties, without any mention of Queen or King: by this means they would have preſerved Queen Mary's rights intire, and fruſtrated all the adverſe faction's meaſures. Very apparently, James Melvil, author of the memoirs, was in the like ſentiment, tho' he deſired to be looked on as neuter, and as ſuch was imployed on both ſides to officiate as mediator. However, thoſe of this party durſt not fully open their minds, but flattered themſelves that, being maſters of Edinburg caſtle, with the help of ever ſo few ſuccors, they ſhould be able to ſupport their pretenſions. They imployed the whole winter of the year 1572 in ſeveral negociations in France and the Netherlands, to obtain the aid they wanted. From both theſe quarters they were put in hope of aſſiſtance; but it was only empty promiſes without the leaſt effect. The French court durſt not pull off the mask, for fear of obſtructing the grand deſign, which was executed within a few months. For that reaſon, they at length conſented that the Queen of Scots ſhould not be mentioned in the treaty of Blois. They were contented to agree with the Engliſh embaſſadors, that the two crowns ſhould ſend plenipotentiaries into Scotland, to adjuſt the differences between the Scots, or compel them to lay down their arms. In effect, Charles IX nominated Du Crocq, who had been frequently in Scotland, to labor this agreement, ordering him to paſs thro' England, and ſtrongly ſollicit Elizabeth to ſend the Scotiſh Queen over to France. He moreover gave him certain inſtructions, which he was to communicate verbally to the captive Queen. Elizabeth thought this proceeding very extraordinary, juſt as the treaty of league was going to be concluded: ſo, ſuſpecting ſome myſtery in this conduct, ſhe flatly refuſed Du Crocq leave to ſee Mary, and even to purſue his journey to Scotland 'till the league was ſigned.

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The court of France ſuſpected by Elizabeth with reſpect to Scotland. Walſingh. Negociat. p. 156, 177, 181.

A few days after, ſhe made a diſcovery which greatly increaſed her ſuſpicions. Lord Seaton, a Scot, who ſtiled himſelf Mary's embaſſador to the duke of Alva, had taken a journey to Paris, and there held diverſe conferences with Charles and the Queen-mother. Then he returned to Bruſſels, and not long after ſet out for Scotland: but the ſtormy weather obliging him to land at Harwich, he diſguiſed himſelf like a common ſeaman, and, before it was known who he was, croſſed England, and arrived at Edinburg, where he frequently confered with Grange, and the other chiefs in the caſtle. As he could not take with him his papers, they were found in the ſhip, whereby it was diſcovered that his inſtructions ran to incourage thoſe in Edinburg caſtle to hold out, and give them hopes of a ſpeedy aſſiſtance. It was alſo known, he was commiſſioned ſome time before, by the Scots of Mary's faction, to aſſure the duke of Alva that, with a little aid, it would be eaſy to carry off the young King, and tranſport him to Spain. Finally, Elizabeth had alſo notice, that Grange and his aſſociates, who had commenced a treaty of accommodation with the earl of Mar, would hear no more of it, ſince they had ſeen lord Seaton. All this, added to Du Crocq's inſtances for the Queen of Scots liberty, and for leave to ſpeak with her, induced Elizabeth and her council to conclude that this envoy was not ſent into Scotland to appeaſe the troubles of that kingdom, but rather to foment them. This was the more credible, as he had ſaid himſelf, that his inſtructions reached no farther than to exhort the Scots to peace. Suffering him therefore to confer with Mary, or to purſue his journey into Scotland, would not have been very prudent.

Elizabeth's ſuſpicions increaſe. Walſingham. Camden.

p. 181.

(1) Thomas Piercy, earl of Northumberland, was, for a ſum of money, delivered to lord Hunſdon, governor of Berwick, by Morton, who had been extremely beholden to the earl during his exile in England. He was beheaded at York. Auguſt 22. Stow, p. 673.

It

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It has been already obſerved, that the court of England was no leſs active than that of France to perpetuate the combuſtions in Scotland; and this was certainly ſo during the earl of Lenox's regency, the Scotiſh Queen's party being then very ſtrong, and it was to be feared the two factions would unite to England's great detriment. But after the duke of Norfolk's death the caſe was altered. Queen Mary's faction being conſiderably debilitated, the council of England thought it time to terminate the commotions of Scotland, by giving ſome content to thoſe in the caſtle of Edinburg, in order to induce them to ſubmit to the King, and ſurrender that important fortreſs. To this end, the earl of Mar, with Elizabeth's conſent, had begun with thoſe of the caſtle a negociation, interrupted by the arrival of lord Seaton.

She takes new meaſures with regard to Scotland. Melvil. p. 115.

The league between France and England being ſoon after concluded, the earl of Mar thought it a favorable opportunity to reſume the negociation with thoſe of the caſtle; and to that purpoſe offered them, by James Melvil, very advantageous conditions. Melvil inſinuates, that the regent's inducement to this accommodation was only to free his country from the Engliſh yoke. He adds farther, that Grange, ſcrupling to demand any terms for reſtoring Scotland's tranquillity, left it to the diſcretion of the regent, who privately ſwore to the peace, in preſenſe of two or three perſons only. But Walſingham's memoirs evidence Melvil not to have been well informed, ſince this agreement was made with Elizabeth's approbation, and even ſome articles were ſigned, whereof ſecretary Smith ſent a copy to Walſingham at Paris.

Negociation of the regent of Scotland with Mary's party. Melvil. p. 117.

This project was defeated by the death of the earl of Mar. He went to Edinburg with deſign to have this private treaty approved, and the earl of Morton was the chief perſon to be prevailed with to ſign it. To this end, he made him a viſit at Dalkieth, where he was honorably received, and treated magnificently: but before the banquet was over, he found himſelf ſeized with a violent illneſs, which ſcarcely ſuffered him to ride to Edinburg, where he died. Many ſuſpected he was poiſoned. However, on the twenty-fourth of November, the earl of Morton was choſen regent, by the intereſt of Elizabeth's friends in Scotland.

Death of the regent. Octob. 29. Walſingh. Negociat. Melvil, p. 118.

Morton elected regent.

Nothing could be more advantageous to Elizabeth, than to ſee the regency of Scotland in the hands of a perſon who depended on her, and whom ſhe could manage in a manner juſt as ſhe pleaſed. But, on the other ſide, the court of France, where the Guiſes then ruled, finding that, by the earl of Morton's promotion, they were on the point of utterly loſing Scotland, reſolved to do their utmoſt to ruin the new regent, and ſupport thoſe who ſtill held the caſtle of Edinburg: and in effect that was their only way to preſerve any ſort of influence on the affairs of that country. The duke of Guiſe, who managed all, plainly foreſaw that the earl of Morton, if left unmoleſted, would not fail, with England's aſſiſtance, abſolutely to cruſh Mary's party, and ſhut out for ever the French from Scotland. He reſolved therefore to ſend thither Verac, with money to ſupply the occaſions of thoſe in the caſtle, under color of laboring to appeaſe the troubles. But Verac not being ſoon enough ready, the money was put into the hands of Grange's brother, who had been ſent into France to ſollicit ſuccors. At the ſame time, great pains were taken to gain the earls of Argyle and Athol; and the duke of Chateleraut was told, if Grange could hold out 'till Whitſuntide, he would be ſtrongly aſſiſted by the Pope, Spain, and France: this was what Walſingham, who had good ſpies at Paris, had frequently writ to the court of England. It was therefore no longer Elizabeth's intereſt to foment diviſions among the Scots: on the contrary, it was requiſite Mary's faction ſhould be deſtroyed, before the meaſures which were taking in France and Flanders could have their effect. We ſhall ſoon find ſhe neglected not her intereſt.

He is devoted to England.

The court of France attempts his ruin. Walſingh. egociat. p. 296.

Ib. p. 299, 302.

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During this whole year, the Scotiſh Queen and her adherents greatly relied on the duke of Alva's aſſiſtance, and yet they had nothing to hope from that quarter. From the begining of the year to the Pariſian maſſacre, the duke had been ſo imployed, that it was not poſſible for him to think ſeriouſly on Queen Mary's concerns, tho' he wanted not inclination to annoy Elizabeth. Count De la Marc, whom (to avoid a rupture with Spain) the Queen had driven from her ports, had ſeized the Briel in Holland, and by that unexpected blow revived the courage of thoſe who wiſhed a deliverance from the Spaniards domination. Not long after, the whole province of Holland threw off their yoke, and Fluſhing, with ſome other towns in Zealand, followed that example. The duke of Medina-Celi, ſent afterwards from Spain with a fleet, was defeated by the confederates, and moſt of his ſhips taken. In a word, while the duke of Alva was buſied in reducing the revolted towns in Holland, the news of Mons being ſurpriſed by count Lewis of Naſſau obliged him to quit Holland in order to attempt the recovery of that city. Mean while, the Prince of Orange entered the Netherlands at the head of a ſtout army raiſed in Germany (1). On the other hand, Charles IX ſent Naſſau five thouſand foot and five hundred horſe, commanded by Genlis, which were defeated by the duke of Alva, to whom Charles himſelf had ſent notice of the march of this aid, deſigned only to amuſe the Hugonots. The tragedy, which was preſently after acted in France, having opened the Prince of Orange's eyes, he was forced to diſband his army, finding the King of France, who promiſed to contribute towards its ſupport, would not keep his word. Mean time, the duke of Alva was imployed in the ſiege of Mons, which ſurrendered not 'till the nineteenth of September. After the ſiege, his troops under conduct of Frederico de Toledo his ſon, were buſied in taking Zutphen, Naerden, and other places. Hence it appears that, during the courſe of this year, the duke of Alva was not able to ſend any forces to Scotland, tho' Mary's friends were ſtill building on ſuch ſuccors. Mary's expectation of aſſiſtance from Spain proved greatly to her detriment, becauſe, when her practiſes were diſcovered, Elizabeth became more intent on ending the troubles of Scotland: beſide, the King of France grew ſomewhat cool, when he found Queen Mary threw herſelf into the arms of the Spaniards (2).

Affairs of the Netherlands. Grotius.

Camden.

An' 1573. Charles's and Elizabeth's diſſimulation. Walſingh. Negociat. P. 304, 307, 315, 318, &c. Stow. Jan. 18.

Tho' Charles IX and Elizabeth were exceſſively jealous of each other, they however held a regular correſpondence capable of deceiving thoſe who were unacquainted with the intereſts of the two courts. Nothing paſſed on both ſides but proteſtations and aſſurances of obſerving inviolably the treaty of Blois. The begining of the year 1573, Elizabeth ſent the earl of Worceſter (3) to Paris, to ſtand in her ſtead to the Princeſs, Charles's daughter, who was named Elizabeth. She had ordered her embaſſador not

(1) He had alſo ſuccors from England; Thomas Morgan carried over three hundred men to Fluſhing; and afterwards procured nine companies more. Camden, p. 443.

(2) This year Queen Elizabeth had the ſmall-pox. Ibid. p. 445.

(3) William Somerſet. He carried with him a font of gold weighing 326 ounces. Stow, p. 675.

to

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to be preſent at the maſs during the baptiſmal ceremony, and, in caſe it was inſiſted on, to deſire the Queen of Navarre to ſtand for him.

Marriage of the duke of Alenſon re-propoſed. Camden. Walſingh.

A little before, Queen Catherine had ſent to Elizabeth count Rais, her confident, to propoſe once more the marriage of the duke of Alenſon, her third ſon: but this was not the ſole motive of his coming. The ſaid count had orders to obſerve what paſſed in England, where count Montgomery, and ſome other French refugees, were equiping a fleet to relieve Rochelle, which, after a long blocade, was at length formally beſieged: the duke of Anjou commanded at the ſiege, having with him the duke of Alenſon, his brother, and all the Catholic nobles of France. Elizabeth anſwered, concerning the propoſal of the marriage, that ſhe was very willing to begin a treaty about it, provided the article of religion was firſt ſettled; elſe it was in vain to ſay any more of it.

Elizabeth's anſwer.

Much about this time, Montgomery ſailing to the relief of Rochelle, the French embaſſador exclaimed againſt his being ſuffered to depart, and alſo that the Engliſh merchants had ſupplied the beſieged with proviſions. Anſwer was made, that thoſe who lately ſailed from the ports of England, were perſons diſowned, and bore counterfeit colors, and, if they could be taken, ſhould be rigorouſly chaſtiſed. As for the merchants, they were men who followed their gain where-ever they hoped to find it; and, not being able to ſend their commodities to any other port of France, ſince the people were left at liberty to butcher whom they pleaſed, it was no wonder they ſhould ſend them to Rochelle, where they could vend them with ſafety. Apparently, the court of England had connived at Montgomery's armament (which however had no effect) and at ſending proviſions to the Rochellers. This was all the aſſiſtance Elizabeth gave the Hugonots in their wretched condition. She had reſolved to avoid a rupture with France; whether ſhe hoped to gain that nation to her intereſt, or make the world believe the union between her and King Charles to be ſtricter than it was in reality. This was doubtleſs to render her enemies, both at home and abroad, leſs eager to form plots againſt her.

Complaints of France about the ſuccors given to Rochelle; Walſingh. Negociat. evaded by the Queen. Camden.

End of the war in Scotland.

We are at length on the point of ſeeing a period put to the troubles of Scotland. Morton, the new regent, having good intelligence of what paſſed at the court of France, and knowing it was reſolved powerfully to aſſiſt the Queen's faction, after the reduction of Rochelle, believed he ought to improve this interval to prevent their deſigns. He propoſed therefore to Grange, by James Melvil, to renew the negociation begun before the earl of Mar's death. Grange and his aſſociates made at firſt ſome ſcruple, becauſe they expected the French ſuccors promiſed them by lord Seaton: however, not to give occaſion to ſay, they were quite averſe to peace, and in order to gain time 'till Whitſuntide, Grange replied, he was willing to accept the ſame terms had been offered by the earl of Mar, provided the Queen's whole party were included in the treaty. The regent, who was better informed than Grange imagined, eaſily judged this anſwer tended only to prolong the negociation by the difficulties in procuring general content. He refuſed therefore to treat with the whole party, and offered to give Grange and his friends all the ſatisfaction they could reaſonably expect; but his offer was rejected. Whereupon he turned to the duke of Chateleraut, and the earls of Huntley and Argyle, who were not ſo ſcrupulous as thoſe of Edinburg caſtle. They treated for themſelves and dependents, that is, for almoſt all the reſt of Mary's party, without regarding the concerns of Grange and his aſſociates. They perceived no farther reliance was to be had on the aſſiſtance of France, which was too remote, and withal very uncertain, conſidering the inteſtine feuds wherewith that realm was afflicted. The treaty which they made with the regent, aſſiſted by Drury and Killegrew, the Engliſh embaſſadors, was to this purport:

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That they ſhould ſubmit to the King, and conform to the eſtabliſhed religion: and that whoſoever violated this article ſhould be declared a traitor. Camden. p. 448. Spotſwood.

That the ſentences pronounced againſt the Hamiltons and Gordons ſhould be repealed; excepting however ſuch as concerned the murders of the earls of Murray and Lenox, which ſhould be left to the Queen of England's deciſion.

That the Queen of England ſhould bind herſelf by ſome public inſtrument, that the Hamiltons and Gordons ſhould not be proſecuted for the murder of the earls of Murray and Lenox, without her expreſs conſent.

The ſtates of the realm, meeting ſoon after, did by their authority confirm this agreement.

Grange no ſooner had notice of the agreement which was negociating between the regent and the heads of Mary's faction, but he ſtrove to raiſe obſtacles by offering to ſurrender Edinburg caſtle in ſix months: but as the regent had better intelligence than Grange imagined, it was eaſy for him to perceive this offer tended only to gain time 'till the French ſuccors ſhould arrive (1). At length, when Grange underſtood Mary's chief adherents were on the point of ſigning their treaty, he offered inſtantly to deliver the caſtle, provided he might put it into the hands of the earl of Rothes; but the regent judged it not proper to ſtation in that fortreſs a governor of Grange's nomination: beſide, the whole procedure of thoſe in the caſtle, and the evaſions they uſed to avoid ſurrendering it, ſufficiently manifeſted their little cordiality to have matters accommodated; ſo, without farther ceremony, he proclaimed them traitors, and prepared to beſiege them in good earneſt. Melvil ſays, on this occaſion, that he knows not what rage poſſeſſed the regent, to deſire to gain a place by way of ſiege which was offered to be ſurrendered voluntarily and inſtantly. It is not indeed very probable that the earl of Morton ſhould willingly expoſe himſelf to the difficulties of ſuch a ſiege, could he have obtained the place otherwiſe: but what Melvil aſcribes to the regent's rage, may, with much more likelihood, be imputed to the cavils of thoſe of the caſtle, who ſtrove to prolong the time 'till the promiſed ſuccors ſhould arrive. In Walſingham's negociations are diverſe letters from Queen Elizabeth, lord Burleigh, and ſecretary Smith, blaming Grange and his companions for their fool-hardy preſumption and inſuperable obſtinacy, in attempting alone to maintain the troubles of Scotland. Melvil, Grange's intimate friend, gives quite another turn to this affair, and throws the whole blame on Morton.

Melvil, p. 119, 120. Spotſwood.

p. 120.

Digges's Ambaſ.

Howſoever this be, the regent, not having many forces, and wanting artillery and ammunition, by reaſon the public magazine was in Edinburg caſtle, Camden. Spotſwood.

(1) The following project was formed between the court of France and Queen Mary's party; that marquis de Maine ſhould land at Air, with one thouſand foot, and, after joining the Queen's friends, repair to Edinburg, whoſe caſtle Lidington and Grange had promiſed to deliver to the French, and, in conſideration thereof, were to have a penſion in France; after which they were to fortify themſelves at Loughbreton, Brochty, Dundee, and Aymouth: and then the duke of Guiſe was to come over with forces to deliver the Queen of Scots; and, at the ſame time, her friends in England, who were very numerous, were to riſe. See Digges's Compl. Embaſ. p. 314.

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applied to the Queen of England. I have already shewn of what consequence it was to the said kingdom that the commotions in Scotland should be ended before France was in a condition to interfere. For this reason, Elizabeth hesitated not to conclude with the regent a treaty wherein, among others, were included the following articles:

Elizabeth's treaty with the regent. Camden.

Elizabeth should send to the regent men, ordnance and ammunition, for besieging Edinburg castle, jointly with the Scots.

No capitulation shall be granted to the besieged, without the regent's and English general's mutual consent.

The castle, if reduced, shall be delivered to the King of Scotland.

On the castle's reduction, all the prisoners there taken shall be detained, to be proceeded against according to law, the Queen of England being therewith first acquainted.

Camden. Stow. Hollingsh.

Pursuant to this treaty, her said Majesty ordered sir William Drury to march into Scotland with fifteen hundred men, and a train of artillery, which was a manifest violation of the Blois treaty, which ran, "That no foreign troops should be suffered to "enter Scotland." But as Elizabeth had, by lord Seaton's papers, discovered that France designed to infringe this very article, she doubtless thought it would be a piece of folly to suffer herself to be anticipated. Howsoever it be, the castle was invested, and the besieged, for a whole month, made a most desperate defense: but their water then failing, they were forced to surrender at discretion, if we may credit the English and Scots of the King's party. Melvil affirms, on the contrary, that they capitulated, but the capitulation was not regarded. Thus much is certain, the laird of Grange, James Kirkcaldie his brother, and some others, were condemned to be hanged, and the sentence was accordingly executed (1). Lidington died in prison, having, as some affirm, poisoned himself. Lord Hume and sir Robert Melvil were released (2). Thus ended the civil wars of Scotland, and here Elizabeth's adversaries lost all hope of invading her from that quarter. From what has been hitherto advanced on this subject, a reader may readily comprehend how highly the Scotish affairs imported Queen Elizabeth. Accordingly, she was ever studiously intent on the transactions of Scotland, where she very successfully managed her interest with the most refined policy.

Siege and taking of Edinburg castle. Melvil, p. 120, 121.

Grange hanged. Camden. Melvil, p. 122. Spotswood.

Verac arrested at Scarborough and sent to London. Walsing. Negociat. p. 334.

Just when Mary's chief partisans were about to sign their treaty, Verac, who was sent into Scotland to incourage the party to stand their ground, was forced by a storm into Scarborough. The president of the northern Marches, having thereof notice, ordered him to be conveyed to London, without giving ear to any of the arguments he alledged against it in pleading his character. It was afterwards known that, the moment he was seized, he burned all his papers. The French embassador was very clamorous, highly exclaiming that Verac was hindered from pursuing his voyage to Scotland: but he was told, that her Majesty had no advice of the sending this embassador, and if she had known it would have taken care he should have been treated with the respect due to his character: that he had been brought to London, by the general order given the president of the north to deal thus by all foreigners who should land in those parts, except they were known to be merchants.

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Elizabeth's lofty expressions to the French embassador. Walsingh. Negociat. p. 335.

The embassador was not extremely well satisfied with this answer; but he had still less reason to be so with that he soon after got to his urgent request for leave to have with the Scotish Queen a private conference. This request had been often in vain repeated. At length Elizabeth, tired with his importunities, flatly told him, she was not ignorant of the practises of the King of France and Queen-mother, in favor of Mary, and how they stood affected to England: that nevertheless she had always inviolably observed the late treaty (3), and would still observe it, chusing rather the breach should come from France, than from her: that, in case of a rupture, she questioned not she should be able to defend herself, being well assured of the affection of her subjects: that she could scarcely restrain some who offered to relieve Rochelle at their own expense, and maintain in Gascogne, six months, an army of twenty thousand foot, and two thousand horse.

On the embassador's demanding leave for Verac to pursue his journey to Scotland, the Queen agreed to it, after some affected delays: but while she was puting obstacles in his way, she caused a letter to be sent from the earl of Morton, telling her, that Verac's coming to Scotland would be very displeasing to him, as well as to the duke of Chateleraut, and the earl of Huntley, with whom he was in perfect friendship: that therefore he believed the envoy would do well to save himself the trouble of that journey. While they were debating at London about this affair, the castle of Edinburg surrendered, and so Verac's journey became intirely needless.

Queen Catherine unwarily discovers herself. Walsingh. Negociat. p. 342.

Queen Catherine di Medicis, politic as she was, could not help making a false step, in discovering to Walsingham, that the French court's design was to foment the troubles of Scotland. On the said embassador's warm complaints of the intrigues of France with respect to Scotland, she protested, that neither the King her son nor herself comprehended his meaning, and that their intention was only to persuade the Scots to agree, and acknowledge Queen Mary for their Sovereign. That is the very point, replied the embassador, the Queen my mistress complains of, since it is a direct breach of the treaty of Blois. Catherine, finding she had said too much, turned the discourse, and complained of Verac's being detained in England. To which Walsingham made the same answer as had been given to La Mothe Fenelon, at London.

Elizabeth in profound tranquillity. Camden. Strada.

Scotland being in peace, under the authority of the young King, and of a regent devoted to England, Elizabeth was freed from great anxieties. The recalling the duke of Alva from his government of the Netherlands was a farther augmentation of her felicity. The commander Requesens, who succeeded De Alva, finding he had full imployment, refused interfering in the affairs of England and Scotland, and so Elizabeth had nothing to apprehend from that quarter. Her enemies had no longer admitance into Scotland, and England being safe from all attacks but by sea, she lived some years in great tranquillity: beside, France was not in condition to make any considerable attempt upon her, as well

(1) Melvil gives Grange a most extraordinary character. He says, he heard Henry II of France say, (pointing to him) "Yonder "is one of the most valiant men of our age." The grand constable of France would never speak to him uncovered. Camden says, a hundred of the family of the Kirkaldies offered to be vassals for ever to the regent, to pay a yearly pension of three thousand marks, and two thousand pounds Scotish in hand, if he would spare his life. He was (says Melvil) gentle and meek, like a lamb in the house, but like a lion in the field. King James, when he came of age, took up his bones, and buried them honorably, restoring his heirs, p. 122, 123.

(2) Lord Hume died, soon after, in Edinburg castle, where he was confined. Ibid.

(3) Probably, she had some evasion to excuse sending her troops into Scotland. Rapin.

for

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for want of naval forces, as becauſe of the civil wars which deſolated the kingdom.

Mean while Elizabeth, being deſirous alſo to ſecure herſelf from all domeſtic attempts, commanded the biſhop of Roſs, author and promoter of all the machinations formed againſt her, to depart England. He deemed his coming off ſo eaſily a ſingular happineſs; and, retiring to France, continued his practiſes, tho' to very little purpoſe. He there wrote a hiſtory of Scotland, from the earlieſt times to the year 1561. What he ſays of the earl of Murray, towards the cloſe of this performance, treating of the firſt commotions in Scotland, and which Camden has taken care to copy, plainly ſhews what might have been expected from him, had he continued it to the end of the war.

The biſhop of Roſs ſent away. Novemb. Leſley's Negociations. Camden.

Tho' Elizabeth had, in her anſwer to the propoſal concerning her marriage with the duke of Alenſon, inſiſted that the article of religion was firſt to be ſettled, nevertheleſs Catherine di Medicis failed not preſſing her on the ſame topic. She ſaid, the court of France would yield in that point, but ſpecified not how far they deſigned to extend their conceſſions. Moreover, ſhe made the duke of Alenſon, then at the ſiege of Rochelle, to write her ſeveral letters, expreſſing his ardent longing to have the marriage ſucceed. In a word, ſhe was ſo earneſtly ſollicited for permiſſion that the duke might make her a viſit, that ſhe conſented, provided he would not take it amiſs if he was obliged to return without bringing the affair to any concluſion: but the ſiege of Rochelle holding longer than was imagined, prevented his ſaid Highneſs from taking the advantage of this permiſſion.

France preſſes Elizabeth about the marriage. Camden.

This ſiege, which had laſted ſo long, was finally raiſed, on the twenty-fifth of June, after the city had withſtood thirty thouſand cannon ſhot, nine general aſſaults, beſide twenty of leſs moment, and the effects of ſixty mines. The duke of Anjou loſt upwards of twelve thouſand men. The news of his being elected King of Poland, and of the Poliſh embaſſadors being on their way to offer him that crown, afforded him a pretenſe to relinquiſh his enterpriſe, which perhaps would not have ended to his honor; and the raiſing this ſiege brought with it peace to the Hugonots, who were ſcarcely able to ſupport themſelves. Charles IX was jealous of his ſaid brother, whom the Queen-mother loved paſſionately. This created between the King and his mother a diſſenſion which, very ſeemingly, was fatal to King Charles. He thought it long 'till his brother was ſet out for Poland, and the Queen ſtill found ſome freſh excuſe to retard his departure. At length, Charles conceived ſuch ſuſpicion of all theſe delays, that he could not forbear threatening the Queen his mother, who was finally obliged to ſuffer this her beloved ſon to depart, and the King would needs accompany him part of the way: but he could not go ſo far as he deſigned, by reaſon of a diſtemper wherewith he was ſeized, and of which he never recovered. Elizabeth, having intelligence of his Poliſh Majeſty's departure, and of King Charles's indiſpoſition, judged it not convenient to receive the duke of Alenſon's viſit, before ſhe had a fuller knowledge of the royal family of France's affairs. She therefore wrote him a letter, deſiring he would poſtpone his journey, and gave him for reaſon, that the Engliſh would not look with a good eye on a Prince coming from the ſiege of Rochelle, and wearing a ſword tinged with the blood of their brethren.

Siege of Rochelle raiſed. Thuanus. Mezerai.

The duke of Anjou elected King of Poland.

Peace granted to the Hugonots.

Affairs of France. Mezerai.

Camden.

Elizabeth refuſes Alenſon's viſit.

This year, Walter d'Evreux, earl of Eſſex, had leave to paſs into Ireland, there, at his own expenſe, to conquer a certain province*. But his enterpriſe was not ſucceſful, on account of his being clandeſtinely obſtructed by his enemy the earl of Leiceſter (1).

The earl of Eſſex goes to Ireland. Camden. Stow.

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* Clandeboy.

Queen Elizabeth's letter to the duke of Alenſon not being capable of diſcouraging him, he made freſh inſtances for leave to come into England, to which Elizabeth at length yielded and ſent him a ſafe conduct. But, in the interim, the Queen his mother, ſuſpecting he deſigned to ſupplant the King of Poland, his brother, in caſe King Charles died, ſo ordered it that the King ſet a guard over him as well as the King of Navarre, who was charged with ſuggeſting to him this deſign. However this be, the Queen-mother, perceiving Charles's end approached, thought fit to take this precaution, to ſecure the crown to the King of Poland, who was then abſent. In effect, Charles IX died the thirtieth of May, in the twenty-fifth year of his age. The manner of his death was ſo extraordinary that it gave occaſion, not only to the Proteſtants but the Catholics themſelves, to conſider it as a ſtroke of divine vengeance for the horrible maſſacre he had ſo inhumanly procured. The blood guſhed out of all the paſſages of his body, and even ſpouted thro' his pores. The Queen-mother ſo well took her meaſures that, prevailing on the expiring Monarch to confer on her the regency of the kingdom, ſhe kept all quiet 'till the arrival of his Poliſh Majeſty, who ſucceeded his brother, by the name of Henry III. He arrived in France the fifth of September, but came not to Paris 'till about the middle of February, in the year inſuing.

AN' 1574.

The duke of Alenſon put under a guard. Mezerai.

Death of Charles IX. Mezerai. Thuanus.

Henry III ſucceeds.

Nothing memorable paſſed in England during the year 1574. The ſole paſſage Camden has remarked in his annals, is the marriage of Charles earl of Lenox, the Scotiſh King's uncle, with Elizabeth Cavendiſh, the counteſs of Shrewſbury's daughter. As this match was made unknown to Elizabeth, ſhe impriſoned the mothers of the new-married couple.

Marriage of the earl of Lenox. Camden.

In the Netherlands, the confederates took Middleburgh in Zealand. But on the other hand, Lewis count of Naſſau, who was leading an army to his brother the Prince of Orange, loſt a battle on Moker-heath, near Nimeguen, and was himſelf ſlain, with his brother Henry, and Chriſtopher count Palatine. This ſame year, the Spaniſh troops mutinying, ſurpriſed and plundered Antwerp, where they made immenſe booty. The governor of thoſe provinces, to avoid greater miſchiefs, was forced to pardon them.

Affairs of the Netherlands. Grotius. Strada.

Stype's Ann. Vol. II p. 395.

AN' 1575.

As ſoon as Henry III was arrived in France, it was in his council reſolved to make war upon the Hugonots, tho' they had given no occaſion; and preſently after hoſtilities were renewed. Mean while, as Henry apprehended the Queen of England would aſſiſt thoſe whom he deſigned to extirpate, his firſt care was to renew with her the league of Blois, after moving the queſtion to her, whether "the mutual defenſe againſt all men, mentioned in "that league, did include the cauſe of religion?" Elizabeth anſwered, it did, as ſhe could prove by a letter from the late King, which ſhe had by her: adding, if he were attacked on account of religion, and required her aid, in virtue of the treaty, ſhe ſhould be always ready to give it. Indeed, ſhe ran no great risk in making that offer, being fully perſuaded the French King would not uſe Engliſh troops againſt the Hugonots: beſide, by the terms of the league, ſhe was not bound to ſend him any forces, ſince, inſtead of being attacked, he was himſelf the aggreſſor. However, Elizabeth's an-

Affairs of France. Mezerai. Camden.

Camden.

(1) The commerce between England and the Netherlands, which had been prohibited ever ſince 1568, was renewed in January, this year, and the articles agreed on at Briſtol were ratified by the King of Spain.——This year alſo Queen Elizabeth renewed and confirmed the charters of the city of London. Camden, p. 446, 449. Rymer's Fœd. Vol, XV: p. 701, 719.

ſwer

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swer to Henry might have given the Hugonots ill notions of her, had she not privately supplied the Prince of Condé with money to pay the army which Prince Casimir, count Palatine, was levying for them in Swisserland and Germany.

A Tumult on the borders of Scotland. July. Camden.

England was indifferently quiet during the year 1575. Only a single occurrence happened on the borders of Scotland, where sir John Forster and Carmichel holding a conference, each at the head of a troop of his own nation, quarreled and fought. The English were worsted, sir George Heron lost his life, and Forster, being taken prisoner, was conducted to the earl of Morton, who treated him very courteously, but detained him some time, lest, if he were presently dismissed, he might attempt a revenge. Having finally released him, he made him promise to appear in Scotland at a set day. Elizabeth thought the regent of Scotland's procedure somewhat strange, and at first took this affair very heinously; but Morton found means to appease her, by making all the submissions she required. This year died the duke of Chateleraut (1).

AN' 1576. Death of the earl of Essex in Ireland. Sept. 22. Camden.

The year 1576 affords as little matter for the history of England as did the preceding. We find only that the earl of Essex died in Ireland, and the earl of Leicester privately married the widow, unknown to Queen Elizabeth, tho' he was suspected of having got Essex poisoned. He was still so firmly fixed in the good graces of his royal mistress, who was so biassed in his favor that no man durst tell her his thoughts. It was one of Queen Elizabeth's greatest failings to place her esteem on a person who so little deserved it.

As it is necessary for the sequel of our history to know what passed in England's neighborhood, I cannot well avoid making a brief digression, not so much to inform the reader of matters sufficiently known, as to refresh his memory.

Affairs of the Netherlands. Grotius. Strada. Camden.

Don Luis de Zuniga Requesens, governor of the Netherlands, died this year. After his decease, the council of state administered alone the Flemish provinces affairs, 'till a new governor should arrive. The council consisted of natives and Spaniards. Soon after, the Spanish militia happened to mutiny, and determined on pillaging Brussels. The magistrates, alarmed at the danger, applied to the council of state, who declared the mutineers rebels, tho' several of the counsellors favored the seditious: and in effect, presently after, the small town Alost was sacked, and the council of state took no care to punish the authors of that outrage, or prevent the like calamities wherewith other towns were menaced. For this reason, certain of the Brabant nobility drew together at Brussels a company of the citizens, and investing the place where the council of state held their sessions, expeled such of the members as were suspected to countenance the mutineers, and placed in their stead persons better affected to their country's welfare. The new council of state, thus composed, joined the confederates, who were now in arms in defense of their liberties, and they entered together into a league to rid themselves of all the Spaniards. Then Hieronymo de Roda, a Spaniard, one of those who were expeled the council, headed the revolters, and sent for the Spanish troops which were in Holland, with whom the Germans joined. This body, grown very considerable, plundered Maestricht and Antwerp, without any possibility of preventing them.

The Prince of Orange, who was in Holland, seeing the affairs of the Netherlands reduced to this point, offered the council of state his troops, his person, and the assistance of the provinces of Holland and Zealand, which began to make a separate state under his government. On this offer, the said council determined on entering into treaty with those two united provinces. The conferences were held at Gaunt, where with unanimous consent, Luxemburg excepted, was formed the alliance of the Netherland provinces, named the Union, or Pacification of Gaunt, for the defense of their laws and liberties. Notwithstanding this, they were still willing to acknowledge his Catholic Majesty's authority, provided he would govern according to their ancient laws. This union being thus formed, the fortresses raised by De Alva, to keep the Netherlands in subjection, were every where demolished. Some time after, the association was sworn by the clergy and nobility, solemnly approved by the council of state, and published at Brussels. Philip II thereby lost in a manner all his authority in the Netherlands, having only the bare title of Sovereign, except he would confine himself to the rights injoyed by his predecessors; which was very far from his intentions.

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Pacification of Gaunt.

Affairs of France. Mezerai. Thuanus. P. Daniel.

France injoyed not more tranquillity than the Netherlands. The duke of Alenson had assembled an army against the King, in favor of the Hugonots. On the other hand, the Prince of Condé, with the forces levied by Prince Casimir in Germany, entered France and joined the duke of Alenson. Thus the Hugonots, whom the court had destined to extermination, were in a condition to sell their lives at a dear price, having at their head the King's brother, the King of Navarre, the Prince of Condé, with a gallant body of troops thirty thousand strong: but the Queen-mother had the address to disconcert all their measures. She sent them offers of peace, and during the negociation found means to sow jealousies among them, and win from them the duke of Alenson and Prince Casimir. Finally, she ingaged them to agree to a pacification which, for all its seeming advantages, proved fatal to them, as it disunited their forces. This treaty was concluded the ninth of May, and six months after registered by the parliament of Paris. The Hugonots had never obtained a peace so advantageous since the troubles commenced. In October, the duke of Alenson came to court, where the Queen his mother absolutely disingaged him from the Hugonots party. He then assumed the title of duke of Anjou, borne by the King his brother before his accession to the Gallic throne.

No sooner was the peace signed than, answerably to the sincerity for some time since practised by the French court, they took new measures to extirpate the Hugonots. Treaties and oaths went then for nothing, and were considered only as legal snares to intrap heretics. Cardinal Este, the Pope's legate, and Don Juan of Austria, who was going governor-general of the Netherlands, arrived at the court of France, and had on this subject diverse conferences with the King, the Queen-mother, and the duke of Guise. Guise was looked on as head of the Catholic party, and therefore his eminence the legate did with him concert measures whereof King Henry had very little knowledge. The method by them judged propereſt to attain their end, was to unite several societies, made in diverse provinces by the zealous Catholics, and form one general association against the ancient creed's adversaries. This is what was named the Holy Union, or simply, the League. Humieres was the first who signed it in Picardy, from whence it afterwards spread throughout the Kingdom. Of

Maimbourg. Hist. de la Ligue.

(1) James Hamilton duke of Ghateleraut, and earl of Arran, was great grandson to James II of Scotland by his daughter. He was appointed tutor to Mary Queen of Scots, and governor and presumptive heir of the kingdom during her minority. On his delivering her to the French, he was made duke of Chatel Herault in France. Camden, p. 454.

this

ELIZAB. AN' 1576. this league his Holineſs was the chief promoter, his Catholic Majeſty gloried in being ſtiled its protector, and the duke of Guiſe, who aimed at being declared the head, ſupported it to the utmoſt of his ability. The Queen-mother moſt readily acceded, not thro' any religious zeal, but becauſe the Hugonots had threatened calling her to account for her adminiſtration during her regency. In fine, the King himſelf, ſeduced by ill counſels and his own ſupine indolence, was hurried away with the torrent, ſuffering the increaſe of that evil which was one day to prove is deſtruction.

The late pacification being negociated, the Hugonots earneſtly ſollicited a general meeting of the ſtates, imagining, beſide many deputies of their own perſuaſion, they ſhould have for them the duke of Alenſon's party, and abundance more who were diſſatisfied with the government. But when the deputies came to be elected, the duke of Alenſon had already ſhifted ſides; moreover the court, by intrigues and liberalities, found means to get choſen a great number of deputies who were the Hugonots enemies: ſo the ſtates, aſſembling at Blois, inſtead of making any motions in favor of the Reformed religion, were juſt ready to intreat his Majeſty's confirmation of the league, and his appointing the duke of Guiſe for head; but King Henry, now grown extremely jealous of Guiſe, reſolved to parry that blow. To that end, he declared himſelf head of the league, and ſigning it firſt with his own hand, cauſed all his court grandees to ſubſcribe, and ſent it into the provinces that all others might do the like. Soon after, the ſtates having ſent to requeſt him, that he would not allow in his kingdom any religion but the Catholic, he anſwered; it was his intention; and if he was under a neceſſity of promiſing the contrary, even with oaths, he would keep thoſe promiſes and oaths only 'till he had forces ſufficient to inable him to retract. Thus the Hugonots were conſtrained to defend themſelves to the laſt drop of their blood, without the leaſt hope of ſeeing any end to their calamities by a treaty, ſince the King himſelf declared he would never make any with them but only to deceive them.

AN' 1577. Affairs of the Netherlands. Grotius. Strada. Camden. p. 458.

Don Juan of Auſtria, early in the year 1577, entered the Netherlands, full of vaſt projects. He was a Prince of great genius, and of ambition ſuitable to his birth. The condition of a ſubject was a burden of which he would gladly have been eaſed. All his views tended to ſovereignty. His firſt ſcheme was to make himſelf King of Tunis. That failing, he thought of marrying the Queen of Scots, and becoming Sovereign of all Great-Britain. Camden affirms, he had this from the mouth of Antonio Perez, who told him moreover, that the project was imparted to and approved by Pope Gregory XIII, but was concealed from King Philip: ſeemingly, this was the ſubject of Don Juan's conferences at Paris with the duke of Guiſe. Thus Don Juan, when he arrived in the Netherlands, had in his head two grand deſigns: firſt, abſolutely to ſubdue thoſe provinces: ſecondly, to poſſeſs himſelf of England and Scotland. Elizabeth was not ignorant of the firſt; but to the ſecond ſhe was yet a ſtranger.

Grotius. Strada.

The pacification of Gaunt was communicated to the Spaniſh court, and Philip, giving way to the times, thought proper by his edict to confirm it: ſo, when Don Juan of Auſtria came to the Netherlands, he was forced to ſign it before he was owned for governor. This was followed by a general aſſembly held at Marche en Famine, where it was reſolved to publiſh what they termed a Perpetual Edict, for expeling from their country all the Spaniſh troops, purſuant to the Gaunt treaty. Philip approving alſo this edict, the Spaniards were tranſported into Italy, all fortreſſes remaining in poſſeſſion of the ſtates. Hitherto Don Juan had been forced to diſſemble: but, ſome time after, he took off the maſk and ſurpriſed the caſtle of Namur. At the ſame time, he ſollicited the German troops, who were waiting for their arrears, to ſurrender the places where they were in gariſon: but he was prevented by the ſtates, who found means to gain thoſe troops before him. The ſtates imputed this rupture to Don Juan's ambition, and carried their complaints to the King, to whom Don Juan alſo wrote, that the cabals of the Prince of Orange had conſtrained him to provide for his own ſafety. Howſoever this be, the ſtates of Brabant called the Prince of Orange to their relief, and gave him the ſuperintendency of their country, by confering on him the title of Ruart (1). This procedure raiſed a jealouſy in the duke of Arſcot, and ſome other Brabant grandees, who, to ruin the Prince of Orange's credit, propoſed to the united provinces the electing a governor-general, under color they ſhould all have the ſame head. The Prince of Orange perceived he was aimed at, but, not to give occaſion to a fatal diviſion of the confederates forces, oppoſed not the election. The choice fell on Archduke Matthias, the Emperor Rodolphus II's brother, and the Prince of Orange was declared his lieutenant. However in the Archduke's patent were inſerted certain conditions which left the whole authority to the ſtates, but gave Matthias the title and honors of governor. This done, Matthias ſtealing away, as was pretended, from his brother the Emperor's court, repaired to the Netherlands, where he was put in poſſeſſion of his dignity. Then the ſtates proclaimed war againſt Don Juan, who had taken care to be prepared, by ſending to Italy for troops, which were already on their way.

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Strada, l. 9.

Archduke Matthias choſen governor of the Netherlands.

The ſtates declare war againſt Don Juan.

Then, and not before, Elizabeth perceived ſhe muſt turn her eyes towards what paſſed in the Netherlands, becauſe, at the ſame time, the Prince of Orange informed her of Don Juan's deſign to marry the Queen of Scots, and the ſtates ſent embaſſadors to requeſt her aſſiſtance. So, finding that Prince's views to be more extenſive than ſhe imagined, ſhe immediately gratified the ſtates deſire, by lending them a hundred thouſand pounds ſterling (2). Camden ſpeaks here of a treaty whereby her Majeſty ingaged to aſſiſt the ſtates with a thouſand horſe well-mounted *, on condition the commander † of the ſaid ſuccors ſhould be admited into the council of ſtate, and nothing determined without his concurrence. But Grotius mentions not ſuch treaty in his annals of the Netherlands. He ſays only, from that time Elizabeth ſo far concerned herſelf with the united provinces affairs, that ſhe ſuffered not the ſtates to come to any important reſolution without giving her notice. In effect, it was highly her intereſt ſo to order it, that the war, now begining in the Netherlands, ſhould be continued in ſuch a manner as to diſable Don Juan of Auſtria from executing his projects upon England. Nor were theſe projects a mere chimerical invention of the Prince of Orange, to ingage Elizabeth in the

Embaſſy of the ſtates to Elizabeth.

Don Juan's deſigns. Grotius. Strada. Camden.

Elizabeth lends the ſtates money. Camden. p. 458.

* And 5000 foot.

† Who was to be a native of England.

It is her intereſt to aid the Netherlands.

(1) A dignity anſwering to that of Dictator among the Romans. Strada, l. 9.

(2) For eight months. She told the embaſſadors, that if they could borrow that ſum of money any where, ſhe, and the city of London, would become ſecurity for it; on condition, that certain towns in the Netherlands, which ſhe ſhould name, would become bound to repay the money within a year. She had ſent them 20,000 l. laſt year, and exhorted them at the ſame time, not to change their religion nor their Prince, and not to receive the French into the Netherlands. Camden, p. 456, 458.

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defenſe of the Netherlands. Famiano Strada makes thereof poſitive mention in his hiſtory: he even ſays, Gregory XIII ſent a nuncio to Don Juan with fifty thouſand crowns, to be imployed in the projected expedition upon England, but that he was forced to uſe it in his war againſt the ſtates. Mean while, at the very juncture when Elizabeth lent money to Philip II's enemies, ſhe wrote to him, That ſhe deſigned not any way to violate the ancient alliance between England and the houſe of Burgundy: that, on the contrary, ſhe ſupplied the confederates with money, only to ſecure theſe provinces to him, and hinder them from deſperately throwing themſelves into the arms of France. Very probably, Philip was not abundantly ſatisfied with theſe reaſons, but feigned to be ſo, not to induce Elizabeth to do more.

Strada.

Her letter to Philip II. Grotius. Camden. Stow. p. 682, &c.

Continuation of the affairs of France. Mezerai. Thuanus. P. Daniel.

At this time the affairs of France were in a moſt deplorable ſituation. The ſtates procedure at Blois could not but raiſe a civil war in the kingdom. The Hugonots, finding their deſtruction reſolved on, made a counter-league, whereof the King of Navarre was declared general, and the Prince of Condé appointed for his lieutenant. The former edict of pacification being revoked, as had been determined by the ſtates, hoſtilities were renewed on both ſides, but with great diſadvantage to the Hugonots, who found themſelves much infeebled: however, as this war too highly increaſed the credit of Guiſe, of whoſe power King Henry was exceſſively jealous, his ſaid Gallic Majeſty judged it his intereſt to grant a peace to the Hugonots. Thenceforward this Monarch plunged himſelf into ſenſualities, and ſuch extravagant profuſeneſs that he forfeited the love and eſteem of his ſubjects. The Lorrain Prince well knew how to improve the advantages the King's conduct procured him, as will in the ſequel plainly appear.

An' 1578.

The Pope and King Philip's deſigns upon Ireland. Camden. Walſingh. Negociat. p. 58—93. Strype's Ann. Vol. II. p. 8—10.

While Elizabeth aided the Netherland confederates, under color of preventing their applying to France, Philip retaliated this courteſy by attempting to raiſe a rebellion in Ireland. This project was formed ſome time before, in favor of his Holineſs, Gregory XIII, who wanted to procure for his ſon, Giacomo Buoncompagno, the crown of that iſland. Of this ſcheme Thomas Stukely, a fugitive Engliſhman, was the original author, and Philip II undertook to ſupply whatever was requiſite towards its accompliſhment. In the year 1570, Stukely repaired to Pius V, and perſuaded him, it would be very eaſy to burn the Engliſh fleet, and then conquer Ireland; and to that purpoſe he deſired the command of a few ſhips, and three thouſand Italians. The ſaid project, which could not then be executed, was reſumed under the Pontificate of Gregory XIII, who was allured with the hope of procuring the crown of Ireland for his above-named baſtard. As Stukely knew that, beſide the royal navy, Elizabeth could, in caſes of neceſſity, equip a good number of other ſhips, he propoſed the freighting of as many Engliſh veſſels as poſſible, by Flemings, French, Spaniards, Italians, &c. and the ſending them ſome long voyage: that effected, he was to attack the navy-royal, which was then very weak, and try to burn the ſhips in the ſeveral harbors. Next he propoſed to make a deſcent in Ireland, where he queſtioned not being joined by the native Iriſh; and after expulſing the Engliſh, he was to get his Sanctity's ſaid ſon proclaimed King. There is no great appearance of King Philip's much depending on the ſucceſs of this enterpriſe; but he doubtleſs hoped to cauſe a diverſion which ſhould hinder Elizabeth from aſſiſting the revolted Netherlanders, or at leaſt convince her, that ſhe ought to be more cautious of offending him. However this be, the Pontif, having confered on Stukely ſeveral honorable titles (1), taken from the kingdom of Ireland as if he had been in poſſeſſion, furniſhed him with ſome ſhips, and eight hundred Italian ſoldiers, maintained by his Catholic Majeſty. Stukely ſailed from Cività Vecchia, and ſafely arrived at Liſbon, with intent to purſue his voyage and undertaking. But Don Sebaſtian, King of Portugal, being then paſſing into Africa, to war upon the Moors, perſuaded Stukely to accompany him in his expedition, and obtained King Philip's permiſſion. Not long after, they both periſhed in the moſt memorable battle of Alcazar (2), and Philip relinquiſhed the project of conquering Ireland for that of ſecuring the crown of Portugal on the demiſe of old cardinal Don Enrique, who ſucceeded Don Sebaſtian.

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Continuation of the Netherlandiſh affairs. Camden. Grotius. Strada.

The war commencing in the Flemiſh provinces, ſeveral companies of volunteers in England were raiſed, who went to ſerve the ſtates, with Queen Elizabeth's conſent, or at leaſt connivance. On the other hand, part of the Spaniſh troops, diſmiſſed on Don Juan of Auſtria's arrival, were now returned to the Netherlands, and Alexander Farneſe, ſon of Octaviano, had brought Don Juan a ſtout band of Italians. With theſe forces, Don Juan gained, at Gemblours, a ſignal victory over the ſtates army, which was followed by the reduction of diverſe places. Some time after, King Philip offered peace to the ſtates; but, as it was on conditions widely different from the Gaunt pacification, and as he talked not of recalling Don Juan of Auſtria, his offer was rejected.

Diſſenſions in the Netherlands. Grotius. Strada. Thuanus.

The ſtates affairs were nevertheleſs in a very indifferent poſture. The jealouſies among their grandees, and the diverſity of religions, bred very dangerous troubles in this new-born republic. The duke of Anjou and Prince Caſimir equally offered their aſſiſtance to the ſtates, who knew not which way to turn: but at this very juncture there occurred a lucky and very unexpected accident. The city of Amſterdam which thitherto had been for the King, determined on joining the confederates, and thereby conſiderably ſtrengthened their party. On the other hand, what paſſed ſoon after, in the ſame city, greatly increaſed the ſuſpicion and diſtruſt of the Catholics. Thoſe who had been baniſhed, on account of religion, being recalled, found means to expel the magiſtrates, and put that city's government into the hands of the Reformed. The like was done at Haerlem, Utrecht, and other places; and this gave the Catholics reaſon to ſuſpect that, under color of maintaining the cauſe of liberty, there was a deſign to aboliſh the ancient religion, contrary to the pacification of Gaunt: and therefore, to prevent the execution of this project, the Catholics propoſed to give the government of the ſtate to the duke of Anjou, a Prince attached to his religion, and over whom they hoped the Prince of Orange would not have the ſame influence as over Matthias. The Prince of Orange not thinking proper to oppoſe this motion, for fear of confirming the Catholics ſuſpicions, the duke of Anjou was by the ſtates declared "Protector of the Bel-" gic liberties."

The duke of Anjou is choſen protector of the Belgic liberties.

The diviſions continue.

Mean while, the Reformed, fearing the duke of Anjou's arrival would produce ſome change prejudicial to their religion, preſented to the ſtates a petition, deſiring to be admited to the exerciſe of

(1) Marquis of Lemſter, earl of Wexford and Caterlaugh, viſcount Morough, and baron of Roſs. This Stukely was a profuſe bragging man, who, after ſpending his eſtate, fled into Ireland, where being diſappointed of the hopes he had of being ſteward of Wexford, he vented many ſcurilities againſt the Queen, and then made his eſcape from Ireland to Pius V. Camden, p. 462.

(2) Wherein fell three Kings; two Mauritanians, and Don Sebaſtian.

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the public offices, as well as the Catholics. This requeſt was granted, on condition the Catholics ſhould injoy the ſame privilege in Holland and Zealand; but theſe two provinces, without directly oppoſing this reſolution, found means however to evade the annexed condition. Thence aroſe great diviſions among the confederates. The Catholics would yield nothing in the provinces where they were maſters, ſince Holland and Zealand did not perform what was ordained, and the Reformed would forcibly ſeize what had by the ſtates been granted.

Thoſe of Gaunt augment the diſſenſion. Strada.

While theſe diſputes ſenſibly prejudiced the union of the confederate provinces, it fell out that the inhabitants of Gaunt expeled all the Romiſh prieſts from their city, and, without obeying the Archduke and Prince of Orange, who commanded their being recalled, prepared for their defenſe, in caſe any attempt ſhould be made to compel them to ſubmit. On the other hand, thoſe of Artois and Haynault refuſed to ſuffer the Reformed in their territories, and even pretended, that the Gauntois ought by force to be reduced to their duty. But the Prince of Orange ſtoutly oppoſed all violent methods, by reaſon of the manifeſt danger of turning againſt themſelves the arms of the confederates, at a juncture when Don Juan of Auſtria was preparing to do his utmoſt to deſtroy them: and in effect, ſoon after, he attempted to force the ſtates army, which was ſtrongly intrenched; but was vigorouſly repulſed. This attempt failing contrary to his expectation, he made freſh offers of peace, to amuſe the ſtates 'till the arrival of a conſiderable body of troops, which were on their march. For the ſame reaſon, the ſtates readily entered into treaty to gain time, becauſe they expected Prince Caſimir with an army, and the duke of Anjou, who was now on the borders of Haynault with eight thouſand men. Don Juan's ſuccors coming firſt, he broke off the negociation, and renewed the hoſtilities, being at the head of thirty thouſand foot, and ſixteen thouſand horſe. Prince Caſimir arriving alſo preſently after, the army of the ſtates was ſixty thouſand ſtrong, while the duke of Anjou took the ſmall town of Binck in Haynault. Caſimir's army was chiefly paid by Queen Elizabeth, whoſe intereſt it was to hinder Don Juan from growing too powerful in the Netherlands, tho', feigning to be ignorant of his deſigns, ſhe found other pretenſes to juſtify her aſſiſting the ſtates.

Camden. Thuanus.

Strada.

The diviſions between Gaunt, and the provinces of Artois and Haynault, rendered ineffectual the ſtates grand armament. Some of their troops, complaining they were not duly paid, quited the army, and ſeized Menin. Soon after, colonel Montigny followed their example with his whole regiment, and headed all the deſerters: after that, he joined the troops of Artois, and made inroads into the province of Flanders. Then thoſe of Gaunt, ſeeing their neighbors ſo powerful, and able to give them law, called Prince Caſimir to their relief, and promiſed to pay his troops. The Prince accepted their offer, and coming to Gaunt the duke of Anjou refuſed to join the ſtates army, except Prince Caſimir would return with his Germans; and, as he could not prevail, he retired to France, leaving his troops free to join thoſe of Montigny. Thus theſe two Princes, who came into the Netherlands purpoſely to aid the confederate provinces, ſerved only to ruin their affairs, by fomenting diſcord among the inhabitants. Some time after, Caſimir paſſed into England, probably to vindicate his conduct to Elizabeth, who had

Caſimir comes into England, Camden. Strada.

ſupplied him with money to raiſe and maintain his men.

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Death of Don Juan of Auſtria. Grotius. Camden. Strada.

Don Juan of Auſtria had not time to improve the troubles raiſed in the Netherlands, being prevented by death, the firſt of October. There had been a conſpiracy againſt him, for which two Engliſhmen, namely, Ratcliffe (1) and Grey, were executed. But he could not eſcape the poiſon which, if we may credit certain writers, was given him by order of the King his brother. On his deceaſe, the Prince of Parma aſſumed command of the army 'till farther orders from the court of Spain. His principal care was to cheriſh the diſſenſion among the Flemings, and the inhabitants of Haynault and Artois, wherein he ſucceeded to his deſire.

The duke of Anjou preſſes his marriage with Elizabeth. Camden. Thuanus.

While the duke of Anjou was in the Netherlands, he ſent into England a gentleman, named Bacqueville, to renew the treaty of his marriage with Queen Elizabeth. The King of France alſo ſent thither Rambouillet on the ſame errand, being very deſirous to get rid of a brother who gave him great uneaſineſs thro' his levity, which ſuffered him to be directed by perſons who had not always his intereſt in view. Her Majeſty received theſe envoys ſo very graciouſly, that it was univerſally preſumed ſhe really intended to marry. It is no eaſy matter to decide whether, being then forty-five years old, ſhe ſeriouſly thought of eſpouſing the duke of Anjou who was only twenty, or, taking a ſort of pride in being courted, deſigned merely to amuſe this youthful Prince. For my part, I really take it to be a pure effect of her policy, that her adverſaries, on the rumor of her going to marry the duke of Anjou, might be leſs eager to purſue the projects they had formed againſt her: I mean the private deſigns upon her life, ſince there was not then any likelihood of her being openly attacked, nor conſequently any urgent reaſon for determining her to marry. She had nothing to fear from Scotland. France was not then in a condition to make any conſiderable attempt upon England. The King of Spain was wholly intent on procuring the crown of Portugal. Finally, the ſituation of the Netherland affairs permited not Don Juan of Auſtria to execute his vaſt projects. Thus, in all appearance, Queen Elizabeth on this occaſion acted ſolely thro' policy. But before I recite the event of this negociation, it will be requiſite to give a general knowledge of what was tranſacted in Scotland during the year 1578.

Affairs of Scotland. Melvil. p. 124.

The earl of Morton ſtill governed that kingdom as regent, but ſo as daily to make himſelf freſh enemies. If Melvil is to be credited, he was haughty and avaricious. He ſought pretenſes againſt the rich, to rob them of their eſtates, and could ſuffer about him ſuch only as were liberal of their adulations. Elizabeth, whoſe intereſt it was to preſerve peace in Scotland, under the adminiſtration of a perſon on whom ſhe could depend, was apprehenſive leſt at length the regent's ill conduct would deprive her of that advantage. Wherefore ſhe diſpatched Randolph into Scotland, under color of congratulating the King, who was then between eleven and twelve years old, on the progreſs he was making in his ſtudies: but this embaſſador's chief buſineſs was to inſtill into the earl of Morton ſomewhat more moderation, and perſuade him to live in a good underſtanding with the earls of Argyle and Athol, and ſome other nobles, who, being diſſatisfied, might in the end raiſe troubles in the kingdom. The regent took this advice in good part; but, not knowing

Camden. Thuanus.

(1) The Spaniards gave out, that Ratcliffe at his death confeſſed he was let out of the Tower purpoſely to commit this murder. But the Engliſh, who were preſent, deny he made any ſuch confeſſion. Camden, p. 460, 461. Strype's Ann. Vol. II. 494.

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how to improve it, was himself the sole cause of his ruin.

Melvil,p.125.

The King had for governor Alexander Erskin, son or brother of the late earl of Mar, and four preceptors, one of whom was George Buchanan. The earl of Morton having imprudently disobliged these men, they found means to irritate the young King against him. This was not very difficult, considering the King's age, the continual access they had to him, and the frequent occasions the regent gave them to take notice of his ill management. When they had prepared young James in a manner to their wish, they sent for the earls of Argyle and Athol, who had already privately taken measures to execute their purpose. These two peers easily enough persuaded the King to lay aside this troublesome regent, and assume to himself the reins of government (1), promising therein to assist him. This was done so suddenly, that the earl of Morton, who suspected nothing, was not able to prevent it. The general states meeting at the same time, confirmed by their authority what the King had done, and appointed a council of twelve peers, among whom was the earl of Morton: but the said earl, instead of taking his place in the council, feigned to be quite weary of the court, and retired to his own house, where he seemed wholly imployed in cultivating his garden.

King James assumes the reins of government. Melvil,p.126. Camden. Spotswood.

Melvil,p.126.

The young King having taken the government into his hand, sent thereof immediate notice to Queen Elizabeth, demanding withal the lands of the late earl of Lenox, his grandfather, and the renewal of the alliance between England and Scotland. It was not Elizabeth's and her council's method to be guided by motives of generosity, but rather to use artifice, in order to reap all possible benefit from every occurrence. Nothing could be more equitable than the Scotish King's demand. The countess of Lenox his grandmother, who lately died in England, had, during her life, injoyed the estate assigned her by Henry VIII, her uncle, when she married the earl of Lenox. He gave also certain lands to the earl her husband, to support the honor of being married to a Princess of the blood-royal. Who could therefore be their more legitimate heir than the King of Scotland, their grandson? The council of England pretended the inheritance might be claimed by Arabella, daughter of Charles Stuart, younger brother to the late earl of Lenox, under color that she was born in the kingdom; tho' in England the Princes of the royal family are not to be considered as foreigners, in what place soever they are born. Not that Elizabeth designed absolutely to debar the Scotish King from his inheritance, but desired to hold him in submission, by giving him to understand that the same reason might be used to deprive him of his right to succeed to the crown of England, and that he wanted her to surmount the difficulties which might occur. For this reason, she ordered the rents of those lands to be sequestered by lord Burleigh. As to the renewing the alliance between the two crowns, she appointed commissioners to treat of that affair with the Scotish embassadors. These commissioners required the embassadors, to make propositions answerable to the gratitude due from the King their master to her Majesty, for placing and supporting him on the throne, at the expense of her treasure, and the blood of her subjects. The embassadors replied, they had only power to renew the alliance between the two crowns, with one additional article for defense of the Protestant religion, received in Scotland since the last treaty. The English, desiring to make this alliance to be considered as highly advantageous to the King of Scotland, proposed that, in return for the favors King James had received, and daily did receive, from their royal mistress, and for the advantages this league was to procure to Scotland, he should promise not to make any alliance with other Princes or states, nor to marry without the Queen of England's concurrence. But the embassadors absolutely rejected this proposition.

The King of Scotland's request to Elizabeth. Camden.

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Mean while, the earl of Morton, who had correspondents in Sterling, where the King resided, appearing one night at the town-gate with a band of armed men, it was opened to him, and he entered without opposition: he then went directly to the palace, possessed himself of the King's person, and, expeling all those of the adverse party, resumed the office and dignity which he had been constrained to relinquish. The earl of Athol, who had been made chancellor, died soon after, not without suspicion of poison. We must now return to the affairs of England.

The earl of Morton reassumes his authority. Camden. Melvil,p.126.

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Prince Casimir left not the court of England 'till about mid-February. He had been honored and caressed very extraordinarily, the Queen having given to understand she would be pleased if that Prince's stay in England was rendered as agreeable as possible. Before his departure, she confered on him the order of St. George, and herself buckled on his garter. It was not without views that she so caressed, and supplied with monies this Palatine Prince. He had still a considerable body of troops ready to assist the Protestants. In her then situation, nothing was more deserving of her care than to prevent the Protestants of France and the Netherlands from being ruined, since on their preservation depended her safety. Casimir was her instrument to continue in the Flemish provinces troubles which procured her the injoyment of quiet slumbers. When he arrived there, he found his cavalry had all accepted the duke of Parma's pass for their safe return into Germany, because, wanting their pay, they would no longer continue either in the service or country.

Prince Casimir highly caressed by Queen Elizabeth. Camden. Stow. Feb. 8.

Simié, the French envoy, promotes the duke of Anjou's affairs. Camden. Thuanus.

At this very juncture, Elizabeth was also busied in another affair which required her whole attention: I mean, the negociation of her marriage with the duke of Anjou. Beside Rambouillet and Bacqueville, who had been in England some time on that account, his Gallic Majesty had likewise dispatched away thither Simié, a man of capacity, and extremely fit for the purpose. The Queen of England possessed a bountiful portion of wit and sense, and had a perfect knowledge of her own interests; but was not exempt from the passions and failings incident to her sex. Simié, having soon dived into her disposition, lost not his time in soliciting the duke of Anjou's suit by reasons of state and polities; she was in all those matters a greater proficient than himself: but he so well knew the propereſt method to win her heart, that he gained her ear more than the duke of Anjou himself could have done. All were surprised at the great change they saw in her, and at the progress the duke of Anjou had made by Simié's mediation; nay, it was even presumed that he had used philters or other such impious arts, so unaccountable was his address to render himself agreeable; if himself was not all the while her Majesty's dupe. He, above all, took great care to ruin the earl of Leicester, not having the same reasons as the English courtiers to manage that favorite. It was he who disclosed to the Queen Leicester's clandestine marriage with the earl of Essex's widow, and this discovery gave her such emotions that she was on the point of sending him

Camden.

(1) He was not then full twelve years old.

to

ELIZAB. AN' 1578.

to the Tower (1). Leiceſter ſtormed to ſee himſelf thus braved by a foreigner; it is even affirmed, that he bribed one of the guards to aſſaſſinate him: at leaſt it is certain that her Majeſty, apprehenſive the French envoys might receive ſome inſult, took them under her eſpecial protection, and by proclamation commanded that none ſhould preſume to offer them any affront. Soon after, as the Queen was in her barge on the Thames, with the three French envoys, a piſtol-ſhot from a boat, wounded one of her barge-men. The man who fired it was inſtantly ſeized, and menaced with the rack; but he cleared himſelf ſo ingenuouſly, that the Queen was perſuaded of his innocence. She took occaſion from her pardoning this man, to diſplay the affection ſhe had for her ſubjects, ſaying, "She could believe no-"thing of her people, which a parent could not "believe of his own children."

Leiceſter great enemy to Simié.

A Piſtol fired into the Queen's barge. July 17. Camden. Stow.

Not long after this accident, the duke of Anjou came incog' to England with only two ſervants. He went to court, without being known, and after ſome private diſcourſe with her Majeſty, returned to France. Two months after, the Queen ordered ſome of her moſt truſty privy-counſellors to examine together the advantages and miſchiefs which might ariſe from her marriage with the duke of Anjou, and bring in their report (2).

The duke of Anjou viſits Elizabeth incognito. Camden. Strype's Ann. Vol. II.

AN' 1579.

While Elizabeth was intent on gaining the King of France's friendſhip, the duke of Guiſe was framing a ſcheme which might one day create her great diſturbances. As England could be conveniently invaded only from Scotland, Guiſe, who had not relinquiſhed the project formed by the late duke his father and the cardinal his uncle, was deviſing means to accompliſh it, by ſeting at variance Elizabeth and the King of Scotland. He for that purpoſe made uſe of Eſme Stuart, Baron d' Aubigny, who came to Scotland under color of paying his reſpects to the King, as his near relation. He was ſon of John Stuart, younger brother of Matthew earl of Lenox, the young King's paternal grandfather. This baron, who was ſettled in France, where his family held the lordſhip of Aubigny, being come to the King, ſo artfully inſinuated himſelf into his good graces, that he ſoon became a great favorite. There was alſo, about the ſame time, another nobleman, deſcended from a branch of the Stuart family diſtinguiſhed by the name of Oghiltry, who was greatly in King James's favor. Theſe two favorites joined together to ruin the earl of Morton, as well for their own intereſt-ſake, as becauſe it was neceſſary, in order to execute the duke of Guiſe's deſigns, to be rid of a perſon too firmly attached to the intereſt of England. To compaſs their ends, they perſuaded the King to take a progreſs into ſome of his counties, well knowing the regent had imployment which would not admit his attendance. Morton, no way diſtruſting theſe youths, who ſeemed only to mind trifles, oppoſed not this progreſs; during which, however, the two favorites inſtilled into King James the utmoſt averſion to the regent, and a ſtrong deſire to be freed from him. We ſhall ſee preſently the effects of this averſion: but it is firſt requiſite we briefly recite what had paſſed in the Netherlands (3).

Eſme Stuart tries to ſet James and Elizabeth at variance. Melvil, p. 127. Camden.

Stuart of Oghiltry, another of James's favorites. Melvil, p. 129.

The two favorites ſet King James againſt Morton. Ibid.

The ſtates army being conſiderably weakened by the Germans retreat, the Prince of Parma beſieged Maeſtricht, while plenipotentiaries on both ſides were treating a peace at Cologn: but this negociation ſerved only to increaſe the diſunion among the confederates. From that time diverſe of the nobles left them. Montigny repaired to the Prince of Parma's army with the forces under his command. Artois and Haynault made a ſeparate treaty, and ſome other provinces returned to the Catholic King's obedience. The Prince of Orange, ſeeing this defection, ſpared not his indeavors to unite ſtill more ſtrictly the provinces which perſiſted in the reſolution to throw off King Philip's yoke. He finally ſucceeded, and cauſed the famous union of Utrecht to be ſigned, between Holland, Zealand, Friſeland and Utrecht, the articles whereof are to be ſeen in the hiſtories of thoſe countries. Gaunt and Ypres acceded afterwards to this union, and the Prince of Orange was nominated governor-general of Flanders. Mean while, the Prince of Parma took Maeſtricht, after which he diſbanded moſt of the Spaniſh and Italian troops, according to his promiſe. This ſincerity procured him Mechlin, Liſle and Valenciennes.

Affairs of the Netherlands. Grotius. Strada. Thuanus.

ELIZAB. AN' 1579.

The Utrecht union. Grotius. Strada. Du Manrier.

The city of London increaſing exceſſively, to the detriment of other towns, Elizabeth judged it neceſſary to remedy this inconveniency. She therefore, early in the year 1580, iſſued a proclamation, prohibiting any new buildings within three miles of the city-gates, on pain of impriſonment, and forfeiture of the materials (4). It would have redounded greatly to England's advantage, had this prohibition been punctually executed even to this day, ſince the city is now ſpread to ſuch a degree that it is grown a monſtrous head to a moderate-ſized body, to which it bears no manner of proportion.

AN' 1580.

Prohibition againſt inlarging London. Camden.

But there was a ſtill more preſſing evil, which it was no leſs neceſſary to remedy: I mean, preventing the Engliſh ſeminaries in foreign countries from ſending Popiſh eccleſiaſtics to preach up in England ſedition and rebellion, under color of adminiſtering the ſacraments to Papiſts. The prieſts expeled England in the begining of this reign, had ſet up a college at Douay * by means of William Allen, a native of Oxford, afterwards cardinal. During the duke of Alva's government in the Netherlands, all the projects, formerly obſerved to have been ſet on foot in favor of the Scotiſh Queen, were formed in this college. But Don Luis de Requeſens having baniſhed all the Engliſh fugitives from thoſe provinces, the members of Douay college retired, ſome to Rome, others to Rheims, where they erected ſeminaries, under protection of his Holineſs and the cardinal of Lorrain, archbiſhop of Rheims. It was theſe two ſeminaries which ſupplied the Catholics in England with prieſts. While the court imagined theſe men only adminiſtred the ſacraments privately to thoſe of the Romiſh perſuaſion, no notice ſeemed to be taken: but it was finally diſcovered that they were indefatigably ſedulous in ſpreading pernicious principles, which might be attended with ill conſequences. They maintained, that the Pope had full power to dethrone Kings, * and, Elizabeth being excommunicated and depoſed by Pius V's bull, her ſubjects were freed from their al-

Engliſh ſeminaries at Rome and Rheims. Camden.

* In 1568.

* By divine right.

(1) Had not Suſſex, tho' his deadlieſt adverſary, generouſly diſſuaded her; being of opinion, that no man ought to be moleſted for lawful marriage. However, Camden affirms, that Leiceſter was confined to Greenwich caſtle. Camden, p. 471.

(2) See the articles propoſed by the duke for his marriage, in Strype's Ann. Vol. II. p. 561.

(3) This year, February 20, died ſir Nicolas Bacon. He was ſucceeded by ſir Thomas Bromley, lord chancellor.——November 21, died alſo ſir Thomas Greſham, founder of the Royal Exchange, and of Greſham college in London. Stow, p. 685, 686——This year alſo, Amurath Chan, Emperor of the Turks, upon treaty betwixt William Harebourn, an Engliſhman, and Muſtapha Bey, a Turkiſh baſſa, granted that the Engliſh merchants might freely trade throughout the Turkiſh dominions. Whereupon the Engliſh merchants, by the Queen's privilege, aſſociated themſelves into a company, called the Turkey-Company. Camden, p. 472.

(4) And ordered, that no more than one family ſhould dwell in a houſe. Camden, p. 476.

Eliz. An' 1580.

legiance. Four of theſe dangerous emiſſaries were condemned and executed for daring to maintain publicly, that the Queen was rightfully depoſed.

Four prieſts executed. Stow. Camden.

This prevented not thoſe two ſeminaries from continually ſending into England incendiaries, with whom were joined Robert Parſons and Edmund Campian, Jeſuits, who were the firſt of that order imployed to preach the ſaid dangerous tenets. They had obtained of the Pope a bull, dated the fourteenth of April, 1580, declaring that Pope Pius's bull did for ever bind Elizabeth and the Heretics, but not the Catholics, 'till a favorable opportunity ſhould offer to put it in execution. Theſe two Jeſuits had profeſſed the Proteſtant religion, and even borne offices in the univerſity of Oxford (1). After that, withdrawing from England they returned from time to time, appearing one while like eccleſiaſtics, then again like ſoldiers, or in ſome other diſguiſe, and frequented the Papiſts houſes under pretenſe of inſtructing and comforting them, but in reality, to inſpire them with ſedition and rebellion: nay, they had the aſſurance to challenge the Proteſtant clergy to diſpute in print. All this reaching Elizabeth's ears, ſhe iſſued a proclamation, commanding all thoſe who had any children * beyond ſea, to give in their names in ten days, and call them home within a month, with a prohibition to ſupply them with money after that time. By the ſame proclamation, all perſons were inhibited entertaining or haboring any Jeſuits or Prieſts, ſent from the ſeminaries of Rome or Rheims, on pain of being puniſhed as ſeditious traytors and rebels.

First Jeſuits in England. Camden.

Strype's Ann. Vol. II. p. 645, &c.

Proclamation injoining parents, &c. to recal children from foreign parts. Jan. 10. Camden. Strype's Ann. Vol. III.

* Wards or relatives.

Not long after were diſperſed printed books, intimating that the Pope and King of Spain had combined to conquer England and reſtore the Catholic religion, and exhorting the Engliſh Papiſts to incourage the deſign. Hereupon Elizabeth iſſued a ſecond proclamation, declaring, ſhe was ignorant of the practiſes of her enemies, but by the Almighty's bleſſing, and the help of her loyal ſubjects, ſhe was able to withſtand their attacks, both at home and abroad: that moreover, as the plots which were contriving were not only againſt her perſon, but alſo againſt the whole kingdom, ſhe did not intend to be cruel to the good, by ſparing the bad; and therefore ſuch as for the future would not keep within bounds of their duty, were not to expect any favor.

A ſecond menacing proclamation. Camden.

Deſcent of the Spaniards in Ireland. Camden. Stow.

The Pontif's and Catholic King's menaces were not intirely vain, ſince this very year gave light to a conſpiracy formed againſt Ireland. Arthur Grey, lord-deputy of that iſland, had intelligence that ſeven hundred Spaniards and Italians, ſent by the Pope and Philip II, were landed without oppoſition, under conduct of a certain Italian, named San Joſeppo, and had raiſed a fort they called Del Oro. * The earl of Ormond, who was not far from thoſe quarters, poſting thither with ſome troops, took a few priſoners, who declared, they had brought arms for five or ſix thouſand men, who were to join them, in order to drive from that iſland all the Engliſh. Ormond, not having forces ſufficient to beſiege the fort, contented himſelf with inveſting it, 'till the arrival of the lord-deputy, then on his march to join him. Soon after, the fort was beſieged in form, and on the fifth day forced to ſurrender at diſcretion. This good ſucceſs was ſullied by the cruelty of the Engliſh, who, under pretenſe of the great difficulty of guarding ſo many priſoners, cut in pieces the Spaniards, and hanged all the Iriſh.

* The gold fort.

This year was memorable for the return of Francis Drake from his voyage round the world. He had navigated in America, on the north and ſouth ſeas, and amaſſed a prodigious quantity of gold and ſilver taken from the Spaniards. At his return, which was in November, the Queen knighted him, and was pleaſed to dine in the ſhip which had made ſo great a voyage. After that, ſhe ordered it to be drawn aſhore near Deptford, and certain inſcriptions to be ſet up in memory of this notable navigation (2).

Eliz. An' 1580.

Drake's return from his voyage round the world. Camden. Stow.

Bernardino de Mendoza, the Spaniſh embaſſador, made loud complaints againſt Drake. He required that he ſhould be chaſtiſed for his depredations, and daring to ſail in the ſeas which were under the King of Spain's dominion, and that all the treaſure plundered upon the Spaniards might be reſtored. He was told, that the Indian ocean was common to all the nations of Europe, and that the Engliſh no way allowed either the property aſſumed by the King of Spain, or the pretended donation of the Romiſh biſhop, who had no right to diſpoſe of countries and ſeas which belonged not to him: that Drake ſhould be always ready to anſwer in law whenever he ſhould be attacked, and, to prevent that captain's converting the gold and ſilver to his own uſe, her Majeſty had ordered all the effects he had brought home to be ſequeſtered, with deſign to give his Catholic Majeſty ſatisfaction, if he could prove the ſame rightfully appertaining to him or his ſubjects, tho' the charges ſhe had been at in defending Ireland againſt the Spaniards attacks, amounted to a far greater ſum. However Elizabeth afterwards returned ſome part of this treaſure.

The Spaniſh embaſſador's complaints againſt Drake.

Queen Elizabeth's reply. Camden.

Henry Fitz-Alan, earl of Arundel, died this year. He was the laſt of that illuſtrious family, which had flouriſhed in England upwards of three hundred years (3). One of his daughters married Thomas Howard, duke of Norfolk, and thence it was that the title of earl of Arundel devolved to the Howard family.

Death of the earl of Arundel. Feb. 24. Dugdale. Camden.

The religious war in France was renewed in January, and ended in November, by a ſixth pacific treaty.

Affairs of France.

This year Philip II ſeized the throne of Portugal, vacant by the death of the aged cardinal-King Don Enrique. Don Antonio, prior of Crato, natural ſon of Don Luis, the late King's brother, would have diſputed the crown with the ſaid Catholic Monarch; but the forces of theſe two competitors being very unequal, Don Antonio's efforts proved fruitleſs.

Philip II gets poſſeſſion of Portugal. Camden.

The affairs of Scotland began to give Elizabeth ſome uneaſineſs, becauſe ſhe knew King James's two favorites were uſing their utmoſt indeavors to turn him againſt England. The firſt point of their project was, to complete the ruin of Morton, whom they had already deſtroyed in his Majeſty's favor. The ſecond, to ingage King James to marry a French Princeſs. The third, to perſuade him, after his marriage, to declare the duke of Guiſe his lieutenant-general. The advices which Elizabeth received on this occaſion wanted no proof, ſince ſhe had long known the deſign to invade her from Scotland, and ſince what was projecting at the Scotiſh court was very proper to bring it about. She moreover ſaw, that the two favorites, one of whom was wholly devoted to the houſe of Lorrain, gained more and more the love and confi-

Affairs of Scotland. Melvil. Spotſwood.

(1) Viz. Robert Parſons was born in Somerſetſhire, and educated at Baliol college. Edmund Campian was a Londoner, fellow of St. John's college, and proctor of the univerſity in 1568. Camden, p. 477.

(2) He ſailed from Plymouth the 13th of December 1577, and returned to the ſame port November 3. 1580.

(3) From the time of Richard Alan, who, (being deſcended from the Albeney's, ancient earls of Arundel and Suſſex) in the reign of Edward I, received the title of earl without any creation, in regard of his being poſſeſſed of the caſtle and lordſhip of Arundel. Camden, p. 481.

dence

ELIZAB. AN' 1580.

dence of King James, who delighted to load them with favors. D'Aubigny had been made earl, and then duke of Lenox (1), and James Stuart was honored with the title of earl of Arran. On the intelligence ſhe had received, ſhe judged it neceſſary to begin with opening the young King's eyes in relation to his favorites ſchemes, or put him under a neceſſity to ſhew that he approved them, which could not but produce great diſcontent among the Scots. To this effect, ſhe diſpatched away to Scotland ſir Robert Bowes, to accuſe the duke of Lenox, before the King and council, of holding with the court of France, and particularly with the duke of Guiſe, intelligence deſtructive both to Scotland and England. The council of Scotland, governed by the duke of Lenox, thought not proper to admit the accuſation; but James, in order to juſtify his ſaid favorite, ſent into England lord Humes to wait on her Majeſty, who refuſed him audience. Nothing could be more pleaſing to the Scotiſh King's two favorites than the miſunderſtanding which began to be formed between their maſter and the Queen of England. Not to give him time to cool, one day, as the earl of Morton was preſent in the council, the earl of Arran charged him with being concerned in the King's murder. He was thereupon inſtantly arreſted, ſent to priſon in Edinburg caſtle, and afterwards removed to Dunbarton.

D'Aubigny created duke of Lenox, and Stuart earl of Arran. Melvil. p. 128. Camden.

Bowes ſent to Scotland to accuſe Lenox.

He is ill received. Spotſwood. Camden.

Morton ſent to priſon. Melvil, p. 127. Spotſwood.

AN' 1581.

Elizabeth underſtanding Morton's diſgrace, and finding his attachment to England was the ſole cauſe of it, immediately diſpatched Randolph to ſollicit in his behalf: but the favorite's intention being rather to exaſperate than appeaſe, his interceſſion was in vain. Randolph ſeeing the King ſo beſet that it was not poſſible to prevail, demanded audience of the ſtates, then aſſembled. He repreſented, how neceſſary a good underſtanding with England was to them; what the Queen his miſtreſs had done for Scotland ſince the King's birth; how great affection ſhe had ever expreſſed for him, and with what pains and charge ſhe had always protected his faithful ſubjects: that, notwithſtanding all this, the duke of Lenox was indeavoring to ſow diſcord between the two kingdoms, and had ſo far ſucceeded, that the King now looked on the Queen of England, his good kinſwoman, as a declared enemy. The ſtates heard his harangue, and returned a general anſwer, which demonſtrated their being directed by the court: ſo, finding he could obtain nothing, either from the King or ſtates, he began to practiſe on the grandees, to perſuade them to riſe in arms, while Elizabeth ſhould ſend forces towards the borders (2). As all this could not be tranſacted without the knowledge of James and his favorites, the government of Sterling was taken from the earl of Mar, who was ſuſpected of being too good a friend of the Engliſh, and the King publiſhed orders to all his ſubjects fit to bear arms, to hold themſelves ready for a march on the ſhorteſt warning. But as Elizabeth's meaning was only to terrify the King of Scotland, and not to make war upon him purely for the earl of Morton's ſake, ſhe ordered her troops to retire. Probably, Elizabeth's indeavors to ſave the priſoner, rather haſtened his ruin, ſince preſently after he was condemned and beheaded. He confeſſed, the earl of Bothwell imparted to him his deſign to kill the King, but denied any hand in the murder. He ſaid alſo, he had intended to carry the King into England, that, being educated among the Engliſh, he might find leſs difficulty to obtain the crown of that kingdom on Queen Elizabeth's deceaſe. Randolph, ſeeing the Queen his miſtreſs had no deſign to ſupport the Scotiſh grandees whom he had gained, retired without taking his audience of leave.

Randolph ſent to Scotland; Camden. Spotſwood.

but obtains nothing from either King or ſtates. Melvil, p. 127. Camden. Strype's An. Vol. II p. 621.

He tries to ſtir up a rebellion in Scotland. James provides for his defenſe. Melvil, p. 127. Spotſwood.

The earl of Morton beheaded. June 2. Camden. Melvil, p. 128.

ELIZAB. AN' 1581.

The earl of Morton being dead, the two favorites became more and more maſters of the King and the whole adminiſtration, without regarding what murmurs were among the people, who with the utmoſt indignation beheld themſelves at the mercy of two raw and unexperienced ſtriplings. The duke of Lenox had ſome good qualities; but had no knowledge of the affairs of Scotland, and was moreover a zealous Papiſt, and deemed the duke of Guiſe's creature. This gave ground for apprehenſion that he had formed projects deſtructive to Scotland's religion and liberty. The earl of Arran was a mere atheiſt, and one of the wickedeſt men exiſting, if Melvil's teſtimony is to be abſolutely credited. He pretended to be the duke of Lenox's friend, but labored his ruin; by giving him counſels ſufficient to make him forfeit the love and eſteem of both nobles and people. On the other hand, he gave the Reformed eccleſiaſtics private intimations that their religion was in imminent danger, if timely care was not taken to oppoſe the duke's pernicious deſigns. By theſe ſecret practiſes he ſo managed that Lenox became odious to the whole kingdom.

The two favorites grow odious.

Their character. Melvil. p. 128, 129.

During theſe tranſactions in Scotland, the court of France earneſtly preſſed the duke of Anjou's marriage with Elizabeth. Her ſaid Majeſty having finally agreed with Simié on the principal articles Henry III diſpatched over to England a pompous embaſſy, conſiſting of Francis of Bourbon Prince of Dauphiné, Arthur Coſſe marſhal of France, preſident Briſſon, and ſome other perſons of diſtinction. Theſe embaſſadors were received with great ſplendor and magnificence, and the Queen appointed to treat with them lord Burleigh high-treaſurer, Edward Clinton earl of Lincoln, lord admiral of England, Thomas Ratcliffe earl of Suſſex, Francis Ruſſel earl of Bedford, Robert Dudley earl of Leiceſter, ſir Chriſtopher Hatton, and ſir Francis Walſingham, lately made ſecretary of ſtate in the room of ſir Thomas Smith, deceaſed. As all things were in a manner ſettled, the following articles, which were to be digeſted in form of treaty, after being approved by the King of France and the duke his brother, were drawn by common conſent.

The articles of Queen Elizabeth's marriage with the duke of Anjou ſetled. Camden.

Articles.

The marriage ſhall be conſummated within ſix weeks after ratifying the treaty.

The duke of Anjou, and ſuch of his domeſtics as are not Engliſh, ſhall injoy free exerciſe of their religion, in ſome certain place to be appointed within his court.

The duke of Anjou ſhall alter nothing in the religion now received and eſtabliſhed in England.

After conſummation of the marriage, he ſhall bear the title of King of England, but the adminiſtration of affairs ſhall remain in the hands of her Majeſty alone.

Whereas the duke has demanded, that he may be crowned King of England and injoy that honor in caſe he ſhall come to be guardian of the children he may have by the Queen, it is agreed, her Majeſty ſhall lay this affair before the parliament, and promote it as far as lies in her power.

Letters patent, &c. ſhall run in the name of the King and Queen, as in the time of Philip and Mary.

The Queen ſhall by authority of parliament, aſſign the duke a very honorable penſion, to be diſpoſed of as he pleaſes.

(1) He was alſo made chamberlain of Scotland, and captain of Dunbarton caſtle. Camden, p. 472.
(2) Seventeen companies were ſent thither. Melvil, p. 127.

She

Elizab. An' 1581.

She ſhall procure the parliament to aſſign him alſo a yearly penſion, in caſe he ſurvives her.

The duke ſhall make the Queen a dowry of forty thouſand crowns, yearly, from the duchy of Berry, and ſhall put her in preſent poſſeſſion thereof.

As to their children, the ſubſequent articles ſhall be ſettled, which ſhall be ratified in the parliaments of England and France, viz.

All the children, as well males as females, ſhall ſucceed to their mother's inheritance, each in their order, according to the cuſtom of England.

If the crown of France happens to fall to the duke of Anjou, or his heirs, and there be two males, the eldeſt ſhall ſucceed in the kingdom of France, and the ſecond in that of England.

If there be but one ſon, he ſhall inherit both crowns, but ſhall be obliged to reſide in England eight months in every two years.

If the duke never accedes to the crown of France, his children ſhall inherit his appenage.

If he ſurvives her Majeſty, he ſhall have the guardianſhip of the children; of the males 'till they are eighteen, and of the females 'till fifteen years of age.

If the duke dies before the time of guardianſhip be expired, it ſhall be left to the parliament's diſpoſal.

"After theſe articles relating to the children, and "ſerving to ſettle the ſucceſſion, it was farther "agreed:"

The duke ſhall preſer no foreigner to any poſt or office, in England.

He ſhall not carry her Majeſty out of the kingdom, without her own and the expreſs conſent of the peers.

If ſhe dies iſſueleſs, he ſhall pretend no claim to England.

He ſhall not convey the crown-jewels out of the kingdom.

He ſhall leave all fortreſſes in the hands of the Engliſh, and ſhall not remove from thence any warlike ſtores.

There ſhall be a particular treaty of league between France and England, with the proper ratifications.

By a ſeparate article, ſigned apart by itſelf, it was agreed, "The Queen ſhall not be bound to "conſummate the marriage, before ſhe and the "duke of Anjou ſhall thoroughly ſatisfy each other "in certain points, and ſhall certify the King of "France thereof within ſix weeks." It is not known on what account it was neceſſary to take this precaution.

The duke of Anjou made Sovereign of the confederate provinces.

The Netherland ſtates had, ſince laſt year, begun to treat with the duke of Anjou, concerning their offer of the Sovereignty of the confederate provinces, and this negociation was ſo far advanced, that the conditions were now agreed. So ſoon as the Prince of Orange was in a manner ſure of the ſucceſs of this affair, he ſo ordered, that the ſtates declared the King of Spain to have forfeited his Sovereignty in the Netherlands, and the duke was hourly expected to take poſſeſſion of his new dignity, and oppoſe the Prince of Parma, who was beſieging Cambray. In effect, the duke arrived in Auguſt, with an army of twenty thouſand men, and forced the Prince of Parma to raiſe the ſiege, and retire to Valenciennes. He made his entry into Cambray the eighteenth of Auguſt, and was declared Prince thereof, having firſt taken the oath.

Philip II is degraded from the Sovereignty. Grotius. Strada.

Elizabeth ſtarts difficulties about her marriage. Camden. Digges's embaſ.

During this interval, Queen Elizabeth made appear that ſhe had altered her mind with regard to her marriage, or had never in earneſt thought of accompliſhing it. She only wanted a pretext to break off, or at leaſt to defer it 'till time ſhould produce a more favorable opportunity. To this end, ſhe ſent into France James Sommers, clerk of the council, to require that, purſuant to the laſt marriage-articles, a league offenſive and defenſive ſhould be inſtantly concluded between France and England. Henry III anſwered that, in the articles no mention was made of a league offenſive, but he was ready to ſign a defenſive one. Sommers replied, the league mentioned in the articles muſt be deemed offenſive, ſince there was already a league defenſive concluded in 1572, which, not having been violated, wanted no renewal. Elizabeth thereupon diſpatched away to Paris ſecretary Walſingham, to improve this difficulty, and add ſome others. Walſingham therefore told the King, when the Queen his miſtreſs firſt reſolved to marry, it was only to ſatisfy her ſubjects, who deſired a certain ſucceſſion by her children, to which end ſhe had prefered the duke of Anjou before all other Princes, on account of his perſonal qualities, and royal deſcent: nevertheleſs ſhe could not think of conſummating the marriage, 'till ſhe perceived whether it was pleaſing to her people, for fear ſhe ſhould be accuſed of conſidering too late: that ſhe heard, with grief, that many of her beſt-diſpoſed ſubjects were averſe to the marriage, and for that reaſon ſhe thought it neceſſary to delay it, tho' ſhe had ſtill the ſame eſteem for the duke of Anjou: that beſide, ſince concluding the articles, certain matters had fallen out which required her to think more attentively of her ingagement: that the duke having accepted the ſovereignty of the Netherlands, had incurred the diſpleaſure of his royal brother, and this new dignity could not but ingage England in a war with Spain, it not being poſſible for the duke to be in war and the Queen his ſpouſe remain neutral: that ſhe therefore believed the preſent juncture very unſeaſonable to conſummate the marriage; and that it was proper to defer it 'till the duke ſhould be diſingaged from his war, and the offenſive and defenſive league between France and England concluded, according to agreement. Henry, plainly perceiving this to be a mere evaſion, briefly replied, he was ready to renew the defenſive league, and would treat of a league offenſive as ſoon as the nuptials were accompliſhed.

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Digges's embaſ. p. 352. Camden.

The duke of Anjou arrives in England. Camden.

All this paſſed while the duke of Anjou was in the Netherlands. Having raiſed the ſiege of Cambray, and taken Cateau in Cambreſis, the ſtates preſſed him to join his forces with their army, to improve that fair opportunity: but the approach of winter furniſhed him with a plauſible excuſe to remand his troops into France, that he might imbark and perſonally ſollicit his affairs in England. He arrived there in November, and the reception given him by her Majeſty was ſo exceedingly courteous and reſpectful, that he deemed himſelf as good as ſure of ſucceſs. The Queen, diſcourſing him one day, as the anniverſary of her coronation was celebrating, took from her finger a ring, and put it on the duke's, which made all preſent imagine ſhe then plighted him her faith.

He is well received. Novemb. 1. Stow.

The Queen gives him a ring. Camden.

She ſuddenly retracts. Camden.

Mean while, this marriage was loudly and publicly murmured at, both in court and city. Walſingham, Hatton, and others of the Queen's confidents *, were extraordinarily clamorous. Such of her ladies as were moſt intimate with her, never ceaſed repreſenting to her all the miſchiefs which might thence accrue both to herſelf and the whole kingdom, and, by perſuaſions intermingled with tears, ſtrove to divert her from this reſolution. I know not whether I am miſtaken in ſuſpecting all this to be a mere farce, acted by her ſaid Majeſty's private orders, to furniſh a pretext to retract. Miniſters, courtiers and favorites are ſeldom known ſo openly to oppoſe their Sovereign's will, if they are not certain of approbation. Howſoever this be, the Queen having paſſed that whole night without taking any reſt, amidſt the ſighs and tears of her ladies,

* Particularly the earl of Leiceſter.

ELIZAB. AN' 1581.

ladies, went in the morning to the duke's apartment and had with him a private converſation. When ſhe withdrew, the duke was ſeen to throw away the ring ſhe had given him, and preſently to take it up again, heavily exclaiming againſt womens inconſtancy and Engliſh levity.

Remark on Elizabeth's conduct.

Elizabeth's whole conduct in what related to this marriage was ſo ſingular, that there is no gueſſing at her real ſentiments. Had the affair been barely a negociation, protracted and broke off when on the point of concluſion, there would not be much room for wonder. Nothing was more conformable to this Queen's character, and I may venture on ſaying to her intereſt: but the ſigning and ſealing the marriage-articles raiſes a difficulty not eaſily removed. It is ſcarce probable this politic Princeſs ſhould think of thus ſtrangely impoſing on a brother of the Gallic Monarch, and who might himſelf one day be King of France, Henry being thitherto iſſueleſs. This is ſo much the leſs credible, as there was then no viſible neceſſity of carrying to ſo high a pitch her diſſimulation. For my part, I can not better account for this extraordinary conduct than by ſaying, that when the negociation firſt commenced, her deſign was only to amuſe the duke of Anjou; that, afterwards ſhe ſuffered herſelf to be won, and ſigned the articles with ſincerity, in a reſolution to perform them; but that after ſigning ſhe repented, and choſe rather to affront the Prince than keep her word. Then it was that ſhe carried her diſſimulation to the greateſt height, in expreſſing a moſt extraordinary value and eſteem for the duke, and laboring withal to put him out of conceit with the marriage. There are two facts extremely difficult to be reconciled, otherwiſe than by coming into my ſaid ſuppoſition. The firſt is, during the duke's ſtay at court, a man loſt his hand for having ſatyriſed on her intended marriage (1): after that, ſhe publiſhed a manifeſto, to ſatisfy the public, that the duke of Anjou had no ill deſign againſt the Proteſtant religion, nor had made even a ſingle demand in favor of the Catholics. The ſecond fact, very oppoſite to the firſt, is, that ſhe took the opportunity while the duke was with her, to put to death Edmund Campian, a Jeſuit, with three other prieſts (2), convicted of attempting to raiſe diſturbances in the kingdom, and obſtinately maintaining, that the Queen was legally depoſed. It is eaſy to perceive, if her eſteem and affection for the duke of Anjou had been ſuch as ſhe pretended, ſhe would at leaſt have defered chaſtiſing thoſe men 'till after his departure: but, moſt indiſputably, her deſign was to let him ſee he would not find in his marriage thoſe comforts he fancied to have reaſon to expect. Howſoever all this might have been, or which way ſoever we explain her proceedings, there is not, in my opinion, any juſtifying either her ſigning the articles, or her ſubſequent retractation.

Camden. Strype's Ann.

Decemb. 1. Camden. Hollingſh.

The Papiſts expoſe themſelves to Elizabeth's ſeverity. Camden.

Whatever her Majeſty's intention might be in this negociation, it certainly was very detrimental to the Engliſh Catholics, who, entertaining great hopes from this marriage, were too haſty to diſcover them. When it was publicly known that the articles were ſigned, England was ſuddenly overrun with Romiſh prieſts, Jeſuits, and other Papiſts, who hoped to be ſecure there under the duke of Anjou's protection. Among theſe, ſome were ſo ſtupid as openly to vent the moſt extravagant doctrines concerning the Pope's power, a crime then unpardonable, becauſe it tended to deprive the Queen of her royalty, and raiſe a rebellion. It is therefore no wonder that the furious zeal and imprudence of ſome of the Catholics drew on the whole body ſeverities to which Elizabeth would not have been eaſily led, had they been contented with living quietly and exerciſing their religion in private, without attacking the government. What did them ſtill more injury was, that ſome of them owned they were come into England with power to abſolve every one in particular from the oath of allegiance, from which Pius V's bull had abſolved the whole nation in general.

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Don Antonio of Portugal retires to France and thence to England.

This year Don Antonio, prior of Crato, who pretended to the kingdom of Portugal, and had been crowned at Liſbon, being expulſed thence by the Catholic King's arms, withdrew into France. He afterwards repaired over to Elizabeth, who granted him a competent allowance, and put him in hope of farther aſſiſtance.

AN' 1582.

Statutes againſt Papiſts.

The parliament, meeting early in 1582, while the duke of Anjou was ſtill in England (3), paſſed certain very rigid laws againſt the Catholics, wherein all thoſe are declared guilty of high-treaſon, "who "ſhall indeavor to diſſuade her Majeſty's ſubjects "from their allegiance to her, and from the reli-"gion eſtabliſhed in the kingdom, or ſhall recon-"cile them to the church of Rome, as alſo thoſe "who ſhall be thus reconciled. Thoſe alſo are "fined in two hundred marks, and one year's im-"priſonment, who ſhall ſay maſs, and they who "ſhall be knowingly preſent at maſs are fined in a "hundred marks, with impriſonment alſo for a "year. Moreover, they who abſented themſelves "from their pariſh-churches on the days appointed "for divine ſervice, are fined in twenty pounds "for each month's abſenſe." It muſt be obſerved, that hitherto only one ſhilling, to the uſe of the poor, had been exacted for abſenſe on Sundays and Holy-days. This ſhews, that before the ſtatutes againſt Papiſts were not over and above ſevere, neither were they, it is certain, rigorouſly executed: but the indiſcrete zeal of thoſe who would not be ſatisfied with this lenity, occaſioned all the Catholics to be deprived of thoſe advantages.

The duke of Anjou quits England. Camden. Stow. Hollingſh.

The duke of Anjou, and thoſe who had attended him into England, had occular demonſtration of the conſtraint they ſhould live under if the marriage was accompliſhed. To all appearance, the proceedings of the Queen and parliament againſt Papiſts, did not a little contribute to comfort him, and perhaps put him out of conceit with a country ſo oppoſite to France: nay, it is not unlikely, all this was done in his ſight with that very view. He departed in February, having received from the Queen many tokens of eſteem and affection, the moſt ſubſtantial whereof was a good ſum of money (4) to aſſiſt him in maintaining war in the Ne-

Rym. Fœd. Vol. XV. p. 792.

(1) John Stubbs of Lincoln's-Inn. His book bears title, "The diſcovery of a gaping gulph, wherein England is like to be "ſwallowed by another French marriage, if the Lord forbid not the banns, by letting her ſee the ſin and puniſhment thereof:" He, and William Page who diſperſed the copies, were condemned to loſe their right hands. Which was done accordingly, by driving a cleaver thro' the wriſt with a mallet, upon a ſcaffold at Weſtminſter. I remember (ſays Camden) being preſent, that Stubbs, after his right hand was cut off, took off his hat with his left, and ſaid aloud, "God ſave the Queen." But the multitude ſtood ſilent, either out of horror of the puniſhment, pity to the man, or hatred of the match. Camden, p. 487. The Queen, on occaſion of this book, publiſhed a long proclamation, dated Septemb. 27, to be ſeen in Strype's Ann. Vol. II. p. 562, &c

(2) Ralph Sherwin, Luke Kirby, and Alexander Brian. They were indicted on the treaſon act 25 Edw. III. Before theſe, no more than five prieſts had ſuffered death in this reign. Camden, p. 487.

(3) There was no ſeſſion of parliament this year. The act here mentioned, was made in the ſeſſion held in the year 1580. D'ewes, p. 266, &c. M. Rapin has been miſled by Camden, p. 487.

(4) A hundred thouſand crowns of gold, each crown worth 6 s. ſterling, or 60 ſols French money. Rym. Fœd. Vol. XV. p. 792.

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He is inaugurated duke of Brabant. Strada. Camden. Du Maurier.

therlands. Her Majeſty, having accompanied him to Canterbury, ordered diverſe of the Engliſh nobility to wait on him as far as Antwerp, where he ſoon after received the ducal crown of Brabant. By all theſe tokens of amity and eſteem, and by her extraordinary civilities, Elizabeth was willing, in ſome meaſure, to repair the mortifications ſhe made him undergo during his abode in England. It is abundantly probable that his ſtay there was not to his advantage, and ſerved only to diſcover the mediocrity of his genius and other qualities.

Elizabeth's ſtate of uncertainty,

Elizabeth was too clear-ſighted not to perceive that her conduct in the negociation of her marriage could not but diſguſt the King of France; and therefore readily comprehended that, even had there been no other reaſon but this alone, ſhe could not greatly depend on his friendſhip. On the other hand, ſhe was not ignorant how angry the King of Spain was, that intire bodies of Engliſh ſerved the Netherlandiſh ſtates, commanded by general Norris. Tho' theſe troops went under the denomination of volunteers, or men who had no owners, ſerving at their own charge, it might nevertheleſs well be preſumed, that they were not there in ſuch numbers without their Sovereign's either tacit or expreſs conſent: beſide, it was ſcarcely poſſible for Elizabeth to conceal the ſupplies of money ſhe had given Prince Caſimir and the duke of Anjou, towards maintaining their armies. Philip II was the moſt potent Prince in Europe, and his late acquiſition of Portugal had rendered him ſtill more formidable, particularly to the Engliſh. He was ſupported by the Pope, and had but too much influence in the King of France's council. But Elizabeth had no friend on whom ſhe could rely. The duke of Guiſe was actually laboring to alienate from her the King of Scotland. The Iriſh wanted only a favorable opportunity to revolt, and the Engliſh Catholics were inceſſantly excited to rebellion by the Pontif's emiſſaries. To theſe may be added a great number of Proteſtants, the Scotiſh Queen's partiſans, who only waited ſome good occaſion to expreſs the affection they bore her. Elizabeth's miniſters could not, without dread, reflect on all thoſe circumſtances: they were in continual apprehenſion that ſome terrible ſtorm was going to fall on England. To this fear was owing, firſt the league defenſive with France, and then the project of her Majeſty's marriage with the duke of Anjou, the miniſters judging it in a manner impoſſible ſhe ſhould ſupport herſelf without ſome powerful alliance.

She relies on her peoples affection;

Mean while, whether Elizabeth thought herſelf able to prevent or repel the danger, ſhe took but few precautions, relying wholly on the affection of her own ſubjects: this was her beſt, or rather her only refuge; and therefore to attempt corrupting them, or removing the love and eſteem they had for her, was wounding her in a very ſenſible part. To this muſt be aſcribed her tender expreſſions whenever ſhe had occaſion of ſpeaking to the people. It muſt notwithſtanding be acknowledged that ſhe won her ſubjects love not only by words and other external demonſtrations, but chiefly by very ſubſtantial deeds. Let any one peruſe the whole Hiſtory of England, and he will find no reign wherein juſtice was adminiſtered ſo impartially, or the Engliſh injoyed their privileges more peaceably, or were freer from wars abroad and at home, or from extraordinary taxes and impoſitions; in a word, wherein the kingdom was more flouriſhing. Queen Elizabeth ran not into any unneceſſary expenſes, and her treaſury being regularly managed, the ſubjects had no cauſe to murmur, ſince whatever they gave was imployed for their own benefit.

and wins it by laudable methods.

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But it was not at home only that Elizabeth labored for the felicity of her people; her care extended likewiſe abroad. This year ſhe ſent embaſſadors to Frederic II, King of Denmark, under color of carrying him the order of the garter: but the chief motive of this embaſſy, was to induce that Prince to deſiſt from certain duties paid by Engliſh traders in paſſing the Sound, wherein however ſhe could not poſſibly ſucceed. Frederic thankfully received the collar of that order, but refuſed to take the uſual oath, becauſe he had before refuſed doing it when admited into St. Michael's order by the King of France.

She ſends St. George's order to the King of Denmark. Camden.

Tho' Henry III had no reaſon to be greatly ſatisfied with Elizabeth, he however gave her notice that the duke of Guiſe was forming ſome project in favor of the Scotiſh Queen, and was to imbark in Normandy certain forces, deſtined either for England or Scotland, tho' he pretended ſending them to Flanders. For this reaſon ſhe recalled ſir Walter Mildmay, diſpatched to treat with Queen Mary, or at leaſt under that pretenſe.

Henry III warns Elizabeth of the duke of Guiſe's deſigns. Camden. Strype's Ann. Vol. III. p. 98.

As there was no likelihood that the duke of Guiſe would invade England directly, but, on the contrary, all things looked as if he deſigned to execute ſome ſcheme in Scotland, Elizabeth turned her thoughts wholly to that kingdom's affairs. They were then in a violent convulſion. Some perſons of great diſtinction, among whom were the earls of Mar, Lindſay and Goury, highly indignant at beholding their native land ſubject to the domination of a minor, ſcarce fifteen years old, and a couple of heedleſs unexperienced youths, who had nothing leſs in view than the kingdom's welfare, combined to ſeize the King's perſon and remove his two favorites. To that end, taking their opportunity while they were both abſent from court, and the King intent on hunting near Athol, they ſent and invited him by the earl of Goury to paſs a few days at his houſe at Huntingtoun, and when he came there, ſecured his perſon. This was named the Ruthven-Conſpiracy, becauſe Ruthven was the ſur-name of earl Goury's family: for the ſame reaſon, the conſpirators were ſtiled, the Ruthven Lords. The earl of Arran, one of young James's favorites, aſſembled ſome people, and attempted to free his maſter, but was repulſed and forced to retreat to Ruthven caſtle, where the earl of Goury received him and ſaved his life; but kept him priſoner. The duke of Lenox, hearing what had paſſed, ſpeedily retired to Dunbarton, of which he was governor, and the King was carried to Sterling, free in appearance, but in reality a priſoner.

She attends the affairs of Scotland. Melvil. Camden. Strype, Vol. III. The Ruthven conſpiracy in Scotland. Melvil, p. 129, 132. Camden. Spotſwood.

On this news Elizabeth, who probably was not ignorant of the conſpirators deſign, ordered Henry Carey immediately to depart for Scotland, and offer the young King her ſervice. But James, terrified by thoſe who had him in their power, anſwered, that all was done by his own conſent, and he was very well pleaſed with the lords who were about him. Melvil however affirms, that the King found means to tell Carey privately the contrary to what he had ſaid in public. The King of France ſent likewiſe into Scotland La Mothe Fenelon, to indeavor ſupporting the favorites, knowing thoſe who had ſeized the King were all friends to England: this envoy had alſo orders to acquaint King James, that the Queen his mother, who had hitherto refuſed to own him for King, agreed to make him her aſſociate in the royalty.

James avows the conſpiracy. Melvil, p. 132. Camden. Melvil, p. 132. Camden. Spotſwood. Queen Mary agrees to ſhare the royalty with her ſon.

Mary wrote ſoon after to Queen Elizabeth, to ingage her in the King her ſon's deliverance. But ſhe took a very

Camden. Mary's letter to Elizabeth.

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a very improper way to obtain this favor, since her letter abounds with reproaches for the barbarity of her usage (1).

The calendar reformed.

This year, Pope Gregory XIII published his bull for reforming the calendar, and ordered ten days of this very year to be cut off at once. As England and the other Protestant states refused complying with this ordinance, as flowing from the Papal authority, thenceforwards commenced a difference of ten days in the dates, the one counting it the first day of the month, when it was the tenth with the others. This difference still subsists in some places, and particularly in England *, where the ancient manner of reckoning is yet used, adding however the new stile.

* Also in Sweden, &c.

Elizabeth feigns a desire to release the Queen of Scots. Camden.

Camden pretends, that Elizabeth was deeply moved with Mary's letter, and that compassion for the afflicted Queen induced her to consult her council on what terms she should be released. We shall presently be certified that this step she took was very far from demonstrating any real inclination to set her at liberty: it is abundantly more probable that she sought only to amuse her, and, by giving her hope of deliverance, had no other view than to put a stop to the machinations incessantly hatching in her favor, and free herself from the sollicitations wherewith she was perpetually importuned. However this be, some time after the receit of her letter, she sent to her Robert Beal (2), one of the clerks of her council, with certain articles founded on Mary's offer of associating her son in the government. Consequently they supposed a previous agreement between them; but never had there been a more improper juncture to negociate this agreement, since King James was captive in the hands of Queen Elizabeth's partisans. Here follow the articles, with some remarks, which will serve to manifest Elizabeth's aim in feigning a desire to release her prisoner:

Conditions proposed. Camden. Spotswood.

I. The Queen of Scots and the King her son should promise to attempt nothing prejudicial to England.

"It is easy to perceive, that this article is ex-
"pressed in such general terms as required a large
"explanation.

II. She should disclaim, as unjust, whatever was done by Francis II, her first consort, and ratify the treaty of Edinburg.

"The former part of this article was very ge-
"neral, and liable to abundance of cavils. As to
"the latter part, it must be observed, that Mary
"could not ratify the treaty of Edinburg but with
"the restriction she had offered: so, in proposing
"to her the ratification of that treaty, simply and
"absolutely, a snare was laid for her, or else she
"was put under a necessity of rejecting this ar-
"ticle.

III. She should discover, disavow and censure all such conspiracies against Queen Elizabeth as were come to her knowledge.

"This was accusing her of being concerned in
"these conspiracies, and making her own it, which
"was very hard measure for Mary. She could
"have done no more, had she been fully con-
"vinced of Elizabeth's sincerity, of which there
"is not much probability.

IV. She should contrive nothing against the government of England, ecclesiastical or civil.

"Mary was a Catholic, and the laws of
"England excluded the Catholics from all
"posts: so, if she agreed to this article, with-
"out farther explanation, it might have been in-
"fered, that she excluded herself from succeeding
"Elizabeth.

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V. She should claim no right to the crown of England during Queen Elizabeth's life, and, after Elizabeth's decease, should refer her title to the parliament's judgment.

"This was actually spreading a net to intrap
"Mary, in making her acknowledge her title to
"be dubious, tho' she did maintain, and had al-
"ways maintained, that it was inconteſtable.

VI. She should swear to these articles, to the end there might be no room for the objection taken from her not being at liberty.

VII. The King her son should ratify them by oath and writing.

"To inable the King of Scotland to ratify these
"articles, it was necessary first that he should au-
"thentically agree, that he was King only as asso-
"ciated by the Queen his mother, which was not
"then in his power, as being actually prisoner to
"the Ruthven lords, who no way owned Queen
"Mary's authority.

VIII. For the performance of this article Queen Mary should give hostages to the Queen of England.

"This article was also liable to many diffi-
"culties, concerning the number and quality of
"the hostages."

It is therefore evident that Elizabeth proposed these articles to Mary merely to amuse her and the world, at a time when it was not possible even to enter into treaty on this subject; beside their being almost all insnaring and liable to discussions which the court of England might have prolonged as they pleased. Camden says, the Scots of the English party were utterly averse to this agreement, affirming it was owing to the French court's cabals. True it is, had the conditions proposed been advantageous to Mary, very possibly Elizabeth would have set the Scots to oppose the treaty: but concluded this was not at all necessary, since she had taken sufficient care to prevent Mary's accepting them. p. 491.

Affairs of Scotland. Melvil, p. 132. Spotswood.

I must now return to what passed in Scotland this year. Were any one confined to what Camden says, the idea to be thence formed would be very imperfect. This is one of those passages wherein that historian has thought fit to be extremely succinct, lest he should wound the reputation of King James, in whose behalf he compiled his annals of Queen Elizabeth: but, fortunately, we have Melvil's memoirs, which give us a fuller information.

Lenox, seeing his young master in the Ruthven lords hands, and his own small hope of being able to form a party strong enough to free him, withdrew into France, where he soon after died.

Mean while, the lords of Ruthven, whose sole aim had been to remove from the King his two favorites, finding one was in prison and the other in France, thought proper to convene the states, where King James was present. He declared, whatever they had done was with his consent, and to his satisfaction. He wrote the like to the general assembly of the kirk, whereupon the states and the kirk did, by authentic acts, approve whatever had been transacted. This done, the King was no longer watched, but left intirely at liberty. Spotswood.

Soon after, King James assembled the nobility at St. Andrew's, before whom he declared that, tho' he had been detained against his will, he was however sensible all was done for his service: that he intended not to call any person to account, but would speedily publish a general act of oblivion. To Melvil. p. 136.

(1) This year, about the end of September, died the learned George Buchanan. Spotswood, p. 325 ——— This year also, one Peter Morris a Dutchman, invented an engine, and pipes, for conveying the Thames water for the use of the city of London. Stow, p. 696.

(2) To treat with her, together with George Tabot earl of Shrewsbury, in whose custody Mary was. Camden, p. 491.

evidence

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evidence his forgeting what had occurred, he viſited the earl of Goury, who caſting himſelf at his feet, craved pardon, which he very readily obtained.

All being thus quiet, James appointed twelve counſellors to aſſiſt him in governing the ſtate. But, very ſoon after, his affection for the earl of Arran reviving, he wiſhed to ſee him; and as all his counſellors were unanimouſly againſt it, he proteſted he would again diſmiſs him in twenty-four hours; but was not ſo good as his word, for he retained him ever after. In a ſhort ſpace, the favorite had over him ſuch influence, that he would not ſuffer any but him to interfere in public affairs: whereupon the council of twelve being no longer conſulted, broke up of themſelves. Arran no ſooner found himſelf abſolutely reſtored than he ſuggeſted to his royal maſter, that he had made a falſe ſtep, in not chaſtiſing the inſolence of thoſe Ruthven lords, and finally perſuaded him to alter his reſolution. So, inſtead of the promiſed amneſty, he iſſued a proclamation, commanding the accomplices of the Ruthvan conſpiracy to come and implore pardon for their crime. Every one plainly ſaw the difference between this proclamation, and the agreed on act of oblivion. James being free had declared, that they who had detained him intended no ill, and for that reaſon he had promiſed them a pardon: but, by the proclamation, he conſidered them as criminals, and obliged them to ſubmit to his mercy, at a time when he ſuffered himſelf to be governed by one of thoſe very favorites againſt whom they had formed their combination. This ſufficed to induce thoſe lords to retire, ſome to their own homes, and others into England, to wait for another opportunity to ruin their enemy (1).

p. 137.

p. 138.

Elizabeth's letter to the King of Scotland. Melvil. p. 139, 140.

Elizabeth, being informed of the Scotiſh King's procedure, and the danger of Arran's utterly ruining the Engliſh party, wrote to King James, repreſenting the conſequences, and mixed in her letter ſome reproaches for breach of promiſe. She moreover told him, ſhe intended to ſend ſecretary Walſingham to diſcourſe him from herſelf. James returned a reſolute anſwer, and vindicated himſelf for not performing his promiſe, ſince it was extorted from him when a captive. This excuſe might have ſerved, with reſpect to what he ſaid to the ſtates; but it was inſufficient, ſince he repeated the ſame to the nobility when at full liberty: however, he promiſed the Queen to proceed no farther 'till Walſingham's arrival. Mean while, the favorite made the earl of Goury undergo ſo many mortifications, that he at length forced him to quit the court.

She ſends Walſingham to him. p. 147.

Walſingham, being arrived, imparted to King James, in two private audiences, the Queen's advice concerning the management of his affairs: but as this advice tended to the earl of Arran's ruin, the embaſſador brought back no very ſatisfactory anſwer (2).

The duke of Anjou's attempt on the Netherlands fruſtrated. Grotius. Strada. Stow.

The duke of Anjou being, from the very beginning of this year, too much confined by the conditions impoſed on him by the ſtates, attempted to ſeize Antwerp, and ſeven or eight other towns of the Netherlands, all on the ſame day: but, miſſing his blow, he was obliged to retire to Dunkirk, and thence into France. Mean while, the ſtates affairs were in a melancholy ſituation. The Prince of Parma made this year great progreſs, and very likely would at length ſucceed, in obliging all the united provinces to return to his Catholic Majeſty's obedience.

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Affairs of France. Mezerai. Thuanus.

In France, Henry III deported himſelf ſo unaccountably that he daily incurred the contempt of his ſubjects. In public, he affected a great vehemency of devotion, while in private he plunged himſelf into luxuries the moſt criminal. Philip II, taking advantage of Henry's indolence with regard to his affairs of greateſt importance, left no means uneſſayed to create him troubles which ſhould prevent his undertaking to protect the Netherlanders, who ſhewed a ſtrong inclination to put themſelves under France's domination. He firſt tried to perſuade the King of Navarre to take the field, promiſing to aid and protect the Hugonots. This failing, he applied to the duke of Guiſe, who accepted the ſuccors offered by Philip, to revenge the mortifications he daily received from Henry's minions.

An' 1584. Affairs of Scotland. Melvil. p. 150.

When Queen Elizabeth's advice to the King of Scotland had on him a good effect, or Melvil's remonſtrances, as himſelf hints in his memoirs, made ſome impreſſion on his mind, he ſeemed reſolved to put a ſtop to all proſecutions againſt the Ruthven lords. To that purpoſe, he aſſembled the nobility at Edinburg, there, with the advice of his grandees, to terminate this affair by publiſhing a general amneſty, as was his original deſign: but this project was, malgre the King himſelf, defeated by the earl of Arran, a perſon of a bold and daring ſpirit. On the grandees arrival at Edinburg, he diſcourſed each apart, intimating, that the King's intention was only to get his conduct with regard to the lords of Ruthven approved, after which he would pardon them, on their acknowledging they owed that favor to his clemency. Thoſe peers, finding the point was only to ſave his Majeſty's honor, and imagining no detriment would thereby accrue to the fugitives, promiſed the favorite to do as the King deſired. So, when James aſked their advice in this matter, they anſwered, it was their opinion he acted with extraordinary lenity, in opening the fugitives a way to obtain their pardon. This done, the earl of Arran told him, if, after this declaration, he publiſhed the act of oblivion, without the fugitives owning themſelves guilty, he would diſoblige his nobility by neglecting their advice, and extremely injure his own dignity. Thus the fugitives reaped not any advantage, tho' the aſſembly was convened purely in their behalf.

p. 152, &c.

Spotſwood.

Melvil, p. 154.

The grandees declaration drove the lords of Ruthven to deſpair. They were conſtrained to implore pardon for what the King had approved, as done for his ſervice: nay, they could not be aſſured of obtaining this promiſed grace ſince, as the King had once departed from his word, they could not repoſe in him any farther confidence. The earl of Arran, having gained his point, became haughtier and more inſolent, and ſo violently perſecuted all his adverſaries that he finally induced them to form a new conſpiracy againſt him (3). Tho' the earl of Goury had ſpared this favorite's life, and had procured the King's pardon very particularly, yet was he never ſuffered to be at reſt 'till he had forced him to aſk leave to quit the realm. He was now at Dundee, in order to retire into England, when he had notice that the earls of Mar, Angus, and Glames, who were fled into Ireland, had in hand ſome project againſt the favorite.

p. 155. Spotſwood.

(1) Camden turns this whole affair to the King's advantage, by paſſing over in ſilence all the particulars related by Melvil. Rapin.

(2) The earl of Arran put on him all the affronts could be invented. See Melvil, p. 148.

(3) He made all the inhabitants of Scotland tremble under him, and every man to depend upon him, daily inventing and ſeeking out new faults againſt ſeveral perſons, to obtain the gifts of their eſcheats, lands, benefices, &c. Melvil, p. 155.

This

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This news induced him to ſtay in Scotland, and at laſt he himſelf entered into the conſpiracy, without however moving from Dundee. The confederates had ſo well laid their meaſures that, arriving unexpectedly in Scotland, they inſtantly poſſeſſed themſelves of Sterling.

Melvil. p. 155, 156. Camden. Spotſwood. April 16.

Mean while the court, having before received ſome confuſed intelligence of this conſpiracy, and knowing the earl of Goury was concerned, ordered him to be arreſted, which was done accordingly, juſt as the conſpirators became maſters of Sterling. This quite diſheartened them. As Goury was King James's near relative, they fancied he had deſignedly ſuffered himſelf to be apprehended, and, believing themſelves betrayed, they abandoned their enterpriſe and fled the kingdom. It coſt the earl his life, being conveyed to Edinburg, and there beheaded (1). Thus the earl of Arran, in ſpite of his enemies, ſtill maintained his poſt. He was extremely odious to the whole nation, being not only abominably wicked and atheiſtical, but moſt inſatiably ravenous. There was alſo another particular whereat the Scots were not a little concerned and diſturbed; viz. James had, for ſome time, held private intelligence with the Queen his mother, which bred a fear that he would ingage in deſigns deſtructive to the ſtate and religion. He had ſecretly accepted the aſſociation ſhe offered him, and it was ſeen that none but the Queen's known friends had acceſs to him: nay, it was whiſpered that he intended to turn Papiſt, and began to liſten to the French court's, or rather the duke of Guiſe's propoſitions.

April 24.

Melvil. p. 158.

Elizabeth ſends Daviſon into Scotland to gain the earl of Arran. Melvil. p. 157.

All this was but too ſufficient to give Elizabeth great uneaſineſs. She feared the Scotiſh King would be perſuaded to take a French wife, and ſuch a marriage produce ill effects for England. Wherefore to prevent, if poſſible, the miſchiefs which might happen from that quarter, ſhe ſent Daviſon into Scotland, under color of excuſing her protecting the Scotiſh fugitives, notwithſtanding James had demanded them by virtue of the treaty of alliance concluded between the two kingdoms: but Daviſon's main errand was to attempt gaining Arran to his royal miſtreſs's intereſt. This method was better and ſpeedier than to ſupport the Scotiſh male-contents, who were always to be ſupplied with money, without being certain of the ſucceſs of their undertakings: beſide, the Queen thereby ran the hazard of intirely loſing King James. That Prince wanted not ſenſe, but, as he was young, unexperienced, and too much ſwayed by his favorites, it was to be feared that, on the account of other peoples concerns, he would be drawn into projects detrimental to both kingdoms. Daviſon's ſucceſs in his negociation was complete, with reſpect to the earl of Arran, and, by means eaſily gueſſed at, prevailed on him to be guided by her Majeſty. Before his return to England, it was agreed, that lord Hunſdon for England, and the earl of Arran for Scotland, ſhould meet on the borders, and make a regulation proper to preſerve a good underſtanding between the two kingdoms. Under this pretenſe, theſe two peers conſered, and before they parted made a private treaty, whereby the earl of Arran ingaged to keep King James three years unmarried. Elizabeth pretended, ſhe deſigned to give him a Princeſs of the Engliſh blood-royal who was not yet marriageable. This was at leaſt the pretext wherewith the treaty was colored.

Daviſon ſucceeds.

Melvil, p. 158.

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While all this was in agitation, Gray, a noble young Scot, inſinuated himſelf ſo far into King James's favor, that the earl of Arran, growing jealous, found means to procure his removal, by geting him ſent embaſſador to Elizabeth. Gray was no ſooner in England, but the Queen won him by her careſſes and bounties. This embaſſador thenceforwards feigned to be ſtrongly attached to Queen Mary's intereſt, and by that means drew from her ſecrets which Elizabeth knew how to improve. The earl of Arran, having ſome intelligence of this intrigue, notified it to King James, in order to ruin his ſaid rival; but as, very ſeemingly, he could bring no proof of what he advanced, Gray, being returned to Scotland, was very well received by the King, and in his turn ſpared no pains to ruin the favorite.

Elizabeth diſcovers Mary's ſecrets by Gray, the Scotiſh embaſſador. Melvil. p. 158.

While this was tranſacted in Scotland, ſchemes were projecting in England in the royal captive's favor: but certain intercepted letters, to Queen Mary from Francis Throckmorton (2), affording ſome inſight into the conſpiracy, Throckmorton was arreſted. Immediately Thomas lord Paget and Charles Arundel fled to France, and gave out, the Catholics were ſo violently perſecuted in England, that it was not poſſible for them to ſtay there without manifeſt danger: that forged letters from the Queen of Scots were left in their houſes, to force either their bringing them to the ſecretary of ſtate, or making themſelves guilty by concealment. Elizabeth undoubtedly had ſpies to watch the motions of the Papiſts, having but too much reaſon to ſuſpect their fidelity (3): nay, it is very poſſible that, among theſe ſpies, there were ſome who, to improve their ſervices, laid ſnares for thoſe people. Such as undertake that imploy, of what religion ſoever they be, are not uſually the honeſteſt men: but the Engliſh Papiſts behavior having made theſe precautions neceſſary, the knowledge of what paſſed among them was of the utmoſt conſequence to Queen Elizabeth. Diverſe books, as well printed as in manuſcript, were handed about, wherein the Queen was moſt inſufferably calumniated and defamed. She was charged with having put to death many Catholics without cauſe, having firſt racked them to extort their acknowledgment of crimes whereof they were innocent. Her maids of honor were exhorted to ſerve her in the ſame manner as Judith did Holofernes, and by ſo noble a deed to render themſelves worthy of holy mother church's applauſe throughout all future ages (4). Theſe books, with what had been diſcovered after Throckmorton's arreſt, occaſioned many to judge that ſome grand combination was ready to break out.

A conſpiracy diſcovered. Camden. Hollingſh. p. 1370, &c.

Stow. Hollingſh.

Mean while Elizabeth, deſirous of ſhewing that it was not for their religion that certain Papiſts had ſuffered the law, ſent for all the judges, and ſharply reproved them, for having been too ſevere in the tortures they had inflicted on thoſe delinquents. This was, very ſeemingly, done to furniſh them with opportunity to clear themſelves from this charge by a proper apology, which was made public. They affirmed, "That no perſon had "been made to ſuffer for his religion, but only

Elizabeth condemns the judges ſeverity. Camden.

They clear themſelves. Hollingſh. p. 1357.

(1) Becauſe the earl of Arran was fully reſolved to have his lands, and therefore, to effect his deſign, he ingaged to divide them with ſeveral others, on condition they would aſſiſt him in ruining the earl of Goury. Melvil, p. 156.

(2) Eldeſt ſon of John Throckmorton, chief juſtice of Cheſter, who had lately been put out of the commiſſion. Camden, p. 497.

(3) Theſe perſons were particularly ſuſpected, Henry Percy earl of Northumberland, and his ſon; Philip Howard earl of Arundel, and his brother William, with the earl of Arundel's Wife; and Henry Howard, their uncle, the duke of Norfolk's brother. Camden, p. 497.

(4) The author of theſe books was never diſcovered, but the ſuſpicion lighted upon Gregory Martin of Oxford, very learned in the Greek and Latin tongues. Carter, a Bookſeller, who procured them to be printed, was executed. Stow, p. 497.

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"for dangerous practiſes againſt her Majeſty and "the ſtate; that Campian, the Jeſuit, had in "reality been put to the rack, but with ſo little "violence, that he was preſently able to walk and "ſubſcribe his confeſſion: that Brian, one of his "accomplices, obſtinately refuſing to utter or write "the name of that perſon who pened the papers "found about him, was indeed denied food 'till he "aſked it in writing." However, the Queen, willing to take from her enemies all occaſion of ſlandering her in other countries, prohibited torturing any perſon whatever, and was ſatisfied with tranſporting from her dominions ſeventy prieſts who were in priſon, and of whom ſome were under ſentence of death: among theſe were certain Jeſuits, who afterwards proved very ungrateful for this favor. Perhaps indeed, on this occaſion, ſhe acted not ſo much from a motive of clemency, as to ſeparate what her enemies were conſtantly for uniting and confounding, viz. religion and crimes againſt the ſtate, under pretenſe that the majority of conſpirators were Papiſts.

The Spaniſh embaſſador found to be in the plot. Camden. Hollingſh. p. 1371, &c.

Before Throckmorton was apprehended, he ſent a cabinet full of papers to Mendoza, the Spaniſh embaſſador, whereof the court had notice (1). He denied all at his firſt examination: but at the ſecond confeſſed, "that, going ſome few years ſince to "the Spaw, he confered ſeveral times with Jeney "and ſir Francis Ingleſield, two Engliſh fugitives, "how England might be invaded (2): that after "his return, Morgan, another fugitive in France, "told him, the Catholic Princes had formed a de"ſign to free the Queen of Scots, and to imploy "the duke of Guiſe for that purpoſe: that nothing "was wanting, but to know what ſuccors might "be depended on from the Engliſh Catholics: that, "in order to take their meaſures the better, Charles "Paget, under the counterfeit name of Mope, was "ſent into the county of Suſſex, where the duke of "Guiſe intended to land: that he (Throckmorton) "imparted the project to the Spaniſh embaſſador, "who had been already informed of it, and ſhewed "him the ports where it would be propereſt to "land: that he moreover acquainted the ſame em"baſſador with the names of the great men to "whom he might freely open his mind, becauſe, as "he was a public perſon, he would not be ſo nar"rowly watched: finally, that he confered with "him how men might be privately raiſed in Eng"land, to have them ready when the foreign troops "ſhould arrive."

He is ſent for by the council. Camden.

On theſe depoſitions, the Spaniſh embaſſador was cited before the council, where he was told what was alledged againſt him by Throckmorton. As he was undoubtedly conſcious of his not being ſufficiently innocent to clear himſelf from theſe accuſations, he, by way of recrimination, took it into his head to charge the Queen with detaining the Spaniards money ſhe had ſeized, and with aſſiſting the duke of Anjou. Then, he fell foul of the miniſters, ſaying, That, by their ill counſels, they inceſſantly labored to ſow diſcord between the Queen and his Catholic Majeſty. A few days after, Elizabeth ordered him to depart the kingdom, which he readily obeyed, deeming himſelf very happy in coming off ſo eaſily. However, when he was got into France, he loudly complained, as if in England the law of nations had been violated in his perſon. Mean while, the Queen diſpatched Wade (3) to Spain, to inform King Philip of what had paſſed, and to tell him ſhe was ready to receive from him another embaſſador. But the Catholic King denied audience to this envoy, who alſo in his turn refuſed imparting to the prime miniſter the contents of his embaſſy.

Defends himſelf very indifferently.

He is ordered to quit the land. Camden. Strype's Ann. Vol. III. c. 14.

The Queen ſends to acquaint Philip, who refuſes audience.

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When Throckmorton was brought upon his trial, he denied what he had confeſſed at his examination, affirming, he had purpoſely invented it to avoid torture: but after his condemnation, on the evidence of his own letters to the Queen of Scots, and papers found in his coffers, he owned all, and even made a more circumſtantial declaration than before; and yet when he came to the gallows, he again denied all he had confeſſed.

Throckmorton executed. July 10. Stow. Camden.

Elizabeth, as ſhe could not doubt her adverſaries were inceſſantly projecting how to deprive her of the crown, and ſet it on the Scotiſh Queen's head, lived in a perpetual uneaſineſs, and under the apprehenſion that ſome one of their ſchemes would finally ſucceed: wherefore, in order to dive deeper into the deſigns of her enemies, ſhe ſeemed inclinable to reſume the negociation commenced with Queen Mary. To this end, ſhe ſent Wade, at his return from Spain, to acquaint her, ſhe was ready to renew the treaty which had been interrupted, and would for that purpoſe very ſpeedily diſpatch to her ſir Walter Mildmay; but withal ſhe let her know, that ſhe inſiſted on two conditions, namely, that ſhe ſhould prevail with the King, her ſon, to grant the pardon promiſed the Ruthven lords, and put a ſtop to the plots of the biſhop of Glaſgow, her embaſſador in France.

Elizabeth renews the negociation with the Queen of Scots,

and ſends Wade to her. Camden.

At this time happened the ſurpriſe of Sterling, the impriſonment of earl Goury, and the conſpirators flight into England. Hereupon Elizabeth ſent Beal, to requeſt Queen Mary to intercede with the King her ſon for the fugitives, and inform her of the duke of Guiſe's deſigns, as ſhe had promiſed Wade. Mary anſwered, ſhe had promiſed nothing, but on condition ſhe ſhould be releaſed: that ſhe would readily intercede for the Scotiſh fugitives, provided any advantage would thence accrue either to herſelf or the King her ſon, and that thoſe criminals would confeſs their fault. She did not deny, ſhe had deſired the duke of Guiſe to uſe his indeavors to free her; but ſaid, ſhe knew nothing of his deſigns, nor, if ſhe did, would ſhe diſcover them, except ſhe was aſſured of her deliverance. She beſought Elizabeth to uſe her with more humanity, and deſired the treaty might be concluded with her before the Scots were treated with. Adding finally, that as the King of France had owned and received her embaſſador jointly with her ſon's, as Princes aſſociated, Elizabeth would be pleaſed to get this aſſociation publiſhed in Scotland.

and then Beal. Camden.

Mary's anſwer.

Elizabeth took care not to ſerve her in what ſhe deſired, her aim being only to draw from her a ſollicitation in behalf of the Scotiſh fugitives, and ſome light into the duke of Guiſe's deſigns, on the uncertain hope of the accommodation wherewith ſhe flattered her: but finding ſhe could not any how prevail, ſhe relinquiſhed the negociation as uſeleſs. However, perceiving by Mary's anſwer, that the King of Scotland had accepted the aſſociation, ſhe was afraid ſome dangerous plot was hatching in that kingdom. This was what chiefly induced her to reſolve on gaining the earl of Arran at any rate, wherein ſhe ſucceeded, as has been obſerved.

The negociation broken off.

Not long after, Elizabeth alſo diſcovered that her enemies ceaſed not their practiſes. A certain Scotiſh Jeſuit, named Creighton, paſſing by ſea to Scotland, being attacked by pirates, tore ſome papers he had about him, and threw them over-board: but,

Other plots diſcovered. Camden.

(1) The reſt of Throckmorton's coffers being ſearched, there were found in them two catalogues; one, of the ports in England, which were convenient to land forces at; and the other of the gentlemen all over England, who profeſſed the Romiſh religion. Camden, p. 489.

(2) And to that end he had drawn theſe two catalogues. Ibid.

(3) He was clerk of the council. Camden calls him Waadus, or Waad, but his true name was ſir William Wade.

by

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by a very extraordinary accident, the wind prevented the ſcattered papers from touching the water, and blew them back into the ſhip, ſome one of whoſe equipage was at the pains of picking them up. Theſe ſcraps being given to Wade, he paſted them together on another paper with no ſmall labor and patience, and by that means a plot was diſcovered, framed by the Pope, the King of Spain, and the duke of Guiſe, to invade England. Whereupon, by the earl of Leiceſter's means, a general aſſociation of men of all degrees and conditions was formed in England, who bound themſelves by oath to proſecute even to death whoſoever ſhould make any attempt againſt her Majeſty Queen Elizabeth.

A general aſſociation in Queen Elizabeth's favor. Camden.

Mary ſends propoſals to Elizabeth. Camden.

The Scotiſh Queen readily perceived that the plots of her friends were diſcovered, ſince the aſſociation was a clear evidence that Elizabeth thought herſelf in danger. As ſhe was afraid ſhe could not avoid the effects of this aſſociation, in caſe it came to be known that ſhe was concerned in theſe conſpiracies, ſhe uſed freſh indeavors to free herſelf from captivity. To that purpoſe ſhe ſent Naue, her ſecretary, to Elizabeth with theſe propoſals:

That if ſhe might be releaſed, ſhe offered to enter into a cloſer amity with the Queen of England: to renounce the title of Queen of England, and never lay claim to the crown of that kingdom ſo long as Elizabeth was living: to ſign the aſſociation: to make a league defenſive with England (ſo far as might ſtand with the alliance between France and Scotland) provided that nothing was done in England to her diſadvantage, before ſhe herſelf, or the King her ſon, was heard in the parliament: to ſtay in England 'till hoſtages were given: to make no change in the religion eſtabliſhed in Scotland, on condition that whatever had been inacted to her diſgrace ſhould be repealed: to recommend to her ſon ſuch counſellors as were inclined to preſerve a good underſtanding with England: to procure a pardon for the fugitives, provided they would own themſelves guilty: to treat of no match for the King her ſon without Elizabeth's knowledge. She required, on her part, that the treaty ſhould be made with her and the King her ſon jointly, and promiſed to have it ratified by the duke of Guiſe. Moreover, ſhe deſired matters might be ſpeedily concluded, for fear ſome accident ſhould obſtruct the treaty. Finally, ſhe beſought Queen Elizabeth to give her ſome token of her eſteem, by granting her a little more liberty.

Remark on this ſubject.

Had Mary made theſe offers at any other time, Elizabeth would poſſibly have liſtened to them: but, in the preſent juncture, they only ſerved to increaſe her ſuſpicions, ſince it was evident they purely aroſe from a dread inſtilled into the priſoner, by the aſſociation and diſcovery of theſe conſpiracies.

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Camden pretends, contrary to all appearance, that Elizabeth, being ſatisfied with theſe propoſals, was on the point of giving Mary her liberty, had ſhe not been prevented by the clamors of the Scots. Hence he takes occaſion to make a long invective againſt the Preſbyterians and their preachers, and to accuſe them of inſolence, contempt of the King's perſon, and rebellion againſt the laws. Here alſo he ſpeaks of the ſuppreſſion of Buchanan's writings, a topic quite foreign to the purpoſe. Finally, he would have Preſbytery to be conſidered as the ſole cauſe of the obſtacles to Mary's deliverance, ſpite of Elizabeth's good intentions towards her. This is no wonder, it being the modiſh ſtile in England during the reign of James I, to whom court was made by exclaiming againſt the Puritans. I however acknowledge it not to be abſolutely improbable that, on this occaſion, Elizabeth even ſet the Scots on forming the obſtacles mentioned here by Camden: but it is very unlikely that, at a time when ſhe ſaw her enemies in league againſt her to place Mary, tho' a priſoner, on the Engliſh throne, ſhe ſhould really intend to releaſe her, and ſo inable her the better to execute her deſigns. To take Elizabeth's diſſimulation for her real intention was a mere artifice of Camden, thereby to inſinuate that ſhe deemed Mary innocent of the machinations which were perpetually framing: but he contradicts himſelf by ſaying, a little after, that Mary, loſing all hope of agreement, finally liſtened to dangerous counſels, and wrote to the Pope, and King of Spain, ſolliciting them "to haſten what they had in hand "with all ſpeed, let what would happen to her." It is therefore evident that ſhe was conſcious of ſome project already on foot, and had given ear to thoſe pernicious counſels before the time mentioned by Camden. But the Queen of England, better informed than Mary imagined, knowing what meaſures were taken to carry her off, removed this dangerous priſoner from the earl of Shrewſbury, and commited her to the cuſtody of ſir Drue Drury, a man of vigilance, if ever any was ſuch (1). Camden ſays that Leiceſter, at once deſirous of freeing Elizabeth from thoſe anxieties which the Scotiſh Queen created her, bribed certain ruffians to aſſaſſinate the priſoner; but as none durſt give them orders for leave to approach her, Drury's watchfulneſs obſtructed their geting acceſs to her. If this denotes the earl of Leiceſter's villany, and perhaps, in Camden's intention, that of Elizabeth herſelf, it likewiſe manifeſts how dangerous a perſon the Queen of Scots was deemed, ſince it was thought Elizabeth's life could not be ſafe but by her death: it is not therefore likely that Elizabeth ſhould then even dream of ſeting her at liberty. The ſame author ſays, that, intirely to alienate Queen Elizabeth's affection from the Queen of Scots, it was whiſpered in her ears, that a reſolution was taken to deprive her of the crown, and ſet it on Mary's head: that a council had been held, wherein cardinal Allen for the Engliſh eccleſiaſtics, Inglefield for the laity, and the biſhop of Roſs for the Scotiſh Queen, all three impowered by the Pope and King of Spain, had agreed that Elizabeth ſhould be aſſaſſinated, King James depoſed, and Mary given in marriage to ſome Engliſh Catholic nobleman: that this nobleman ſhould be elected King of England, and the crown ſettled on his heirs. He adds, Walſingham diligently inquired who this Engliſh nobleman might be, and that the ſuſpicion fell on Henry Howard, brother to the late duke of Norfolk (2).

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Mary put under Drury's cuſtody. Camden. p. 501.

Affairs of the Netherlands. Grotius. Strada. Du Maurier.

During this year, the united provinces affairs daily grew worſe, the Prince of Parma from time to time poſſeſſing himſelf of their towns. At length, to reduce them as it were to the laſt extremity, Heaven permited the Prince of Orange to be aſſaſſinated by one Baltazar Gerard, a Burgundian.

(1) Sir Amias Powlet was alſo joined in the commiſſion with him, to take care of Mary. She was then in Tutbury caſtle. Camden, p. 501.

(2) This year, in April, Walter Raleigh, Eſq; went to diſcover the country adjoining to Florida in the Weſt Indies, and returned in Auguſt, bringing with him two of the natives. Hollingſh. p. 1369. —— Within this year alſo, Charles Nevil, the laſt earl of Weſtmoreland of this houſe, ended his life in a miſerable exile. From this family ſprang (beſide ſix earls of Weſtmoreland) two earls of Saliſbury and Warwick, one earl of Kent, a marquis of Montacute, a duke of Bedford, a baron Ferrars of Oſley, barons Latimers, barons Abergavenny, one Queen, five ducheſſes, not to reckon counteſſes and baroneſſes, one archbiſhop of York, and a great number of gentlemen. Camden, p. 501.

Philip,

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Philip, his eldeſt ſon, being then in the King of Spain's hands, and educated in the Romiſh religion, the ſtates confered the government of Holland and Zealand on his ſecond ſon Maurice, aged about eighteen. Mean while, the Prince of Parma, improving the ſtates conſternation, laid ſiege to Antwerp. In this diſtreſs, the ſtates, finding it utterly impoſſible to ſupport themſelves with their own forces, debated whether they ſhould put themſelves under the protection of France or England, and finally reſolved for France: but Henry III was then involved in troubles which admited not his accepting their offer; ſo, finding no incouragement from that quarter, they were forced to apply to the Queen of England. We ſhall ſee next year the ſucceſs of this negociation.

Affairs of France. Mezerai. Thuanus. Hollingſh. P. Daniel.

The commotions wherewith France had been ſo long agitated, and which ſeemed to be ſomewhat appeaſed, were renewed by the duke of Anjou's death, occurring in June. As King Henry had no iſſue, and was preſumed incapable of having any, the duke of Guiſe projected to ſeize the throne, as deſcended from Charles the Great: this at leaſt is what diverſe have charged him with, not without great probability. But as Henry of Bourbon, King of Navarre, was become firſt Prince of the blood, ſince the duke of Anjou's demiſe, a pretenſe was to be found to exclude him from the throne, otherwiſe it would not be poſſible for the duke of Guiſe to execute his project. It was not difficult to find a pretext, ſince the King of Navarre profeſſed the Reformed religion: ſo Guiſe, covering his ambition with the cloke of religion, pretended to have no other view but to maintain the Catholic creed, which would be in the utmoſt peril if a Hugonot aſcended the throne. The King, who knew his deſign, did all he poſſibly could to perſuade the King of Navarre to change his religion, and Guiſe, perceiving indeavors were uſed to break his meaſures, renewed the league firſt at Paris, and then in the provinces: by this means he could have an army ready on the firſt occaſion; the people being ſo ſtupidly infatuated as to imagine he only aimed at preſerving of the Chatholic religion. Mean while the duke of Guiſe, having notice that the King deſigned to arreſt him, withdrew to his government of Champagne, where on the laſt day of December he ſigned a private league with the King of Spain, who, under a religious pretext, ſought only to foment the troubles in France: but as Guiſe would not have it thought that he aſpired to the crown, the treaty ran, that the cardinal of Bourbon ſhould be raiſed to the throne, on Henry III's deceaſe, and, to that end, the King of Spain ſhould find fifty thouſand crowns monthly. Thus, by means of the duke of Guiſe, Philip II kindled in France a flame which long devoured that kingdom, and hindered the French from thinking on acquiſitions in the Netherlands (1).

An' 1585. Parry's conſpiracy. Camden.

In the begining of 1585, Elizabeth diſcovered a conſpiracy, whereof William Parry was the author. He was a gentleman of Wales, member of the houſe of commons, and had ſignaliſed his zeal for the Catholic religion in oppoſing alone a bill prefered in the lower houſe againſt the Jeſuits. He ſpake on that occaſion with ſo much paſſion and vehemency, that he was commited to cuſtody (2), but was, in a few days, re-admited into the houſe. Scarcely had he regained liberty, when Edmund Nevil *, who claimed the inheritance of the earl of Weſtmoreland, lately deceaſed in the Netherlands, accuſed him of conſpiring againſt the Queen; whereupon he was ſent to the Tower. He owned, "he "had a deſign to kill the Queen, and was perſuaded "to it by Morgan, a Popiſh refugee in France; "that he held intelligence with Jeſuits, the Pope's "nuncios and cardinals (3); that the better to de"ceive the Queen, and procure free acceſs to her "perſon, he returned from France into England, "and diſcovered the whole conſpiracy to her; that "afterwards, repenting of his wicked intention, "he laid aſide his dagger every time he waited "on her, leſt he ſhould be tempted to commit the "murder; but, at length, cardinal Allen's book, "wherein he maintained it to be not only lawful, "but honorable to kill Princes excommunicated, "falling into his hands, he read it, and felt himſelf "ſtrongly incouraged to purſue his firſt deſign; "that Nevil, his accuſer, coming to dine with him "propoſed to attempt ſomething for the Scotiſh "Queen's deliverance, to which he anſwered, he "had a greater deſign in his thoughts; that a few "days after, Nevil coming to ſee him, they re"ſolved to kill the Queen, as ſhe rode abroad to "take the air, and on the Bible ſwore ſecreſy; but "that, in the interim, Nevil, hearing the news of "the earl of Weſtmoreland's death, accuſed him, March 2. "in hopes of procuring the earl's inheritance, to "which he laid claim." Upon this confeſſion, he was condemned and executed.

D'ewes, p. 340. Hollingſh. p. 1382 — 1396. Feb. 11. * Not Henry as M. Rapin miſtakes.

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This conſpiracy occaſioned the parliament to take extraordinary care of the Queen's and kingdom's welfare. The general aſſociation was admited, approved, and confirmed by unanimous conſent. It was likewiſe inacted, that at leaſt "twenty-four commiſſioners, choſen and appointed "by the Queen, ſhould make inquiſition concern"ing thoſe who ſhould excite rebellions in the "kingdom, attempt againſt the Queen's life, or "claim any right to the crown of England. "That the perſon for whom, or by whom any "attempt ſhould be made, ſhould be utterly in"capable of ſucceeding to the crown, deprived "for ever of all right and title to it, and proſe"cuted to death, if declared guilty by the ſaid "twenty-four commiſſioners."

The parliament confirms the aſſociation. Act againſt Queen Mary.

It was impoſſible not to perceive that they here aimed directly at the Queen of Scots, for whoſe ſake all theſe combinations were forming; wherefore, very probably, from this time her death began to be determined; the two Queens being no longer able to ſubſiſt together; at leaſt the council of England were of this opinion. Mary doubted not that the law was inacted againſt her. Perhaps ſhe would have prevented the fatal effects of it, could ſhe have reſolved to renounce all correſpondence in the kingdom, and in foreign countries: but ſhe had not the prudence to take this wiſe courſe, or poſſibly to avoid the ſnares laid for her, nor was quick-ſighted enough to perceive ſhe only ſerved for a blind to her pretended friends to execute other projects.

The parliament was not contented with this ſevere ſtatute for her Majeſty's preſervation. It was farther inacted, "That all Popiſh prieſts ſhould "depart the realm within forty days: that thoſe "who ſhould afterwards return, ſhould be guilty "of high-treaſon: that to receive or harbor them "ſhould be felony." It was declared alſo, "That "thoſe who were educated in foreign ſeminaries,

Another againſt the Papiſts. Statut. c. 2.

(1) Henry, King of France, having the laſt year been choſen into the order of the garter, Queen Elizabeth ſent this year, in January, Henry earl of Derby to France, to inveſt the King with the proper robes and enſigns. Camden, p. 501. Stow, p. 700.

(2) He ſaid, that the bill favored of treaſons, was full of blood, danger, deſpair, and terror to the Engliſh ſubjects of this realm, and full of confiſcations, &c. D'ewes, p. 346.

(3) During his ſtay abroad, he held a correſpondence with lord Burghley, pretending to be mighty zealous for Queen Elizabeth. Strype's Ann. Vol. III. p. 79, &c. 188.

"if

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"if they returned not into England within ſix "months * and made not their ſubmiſſion before "a biſhop, or two juſtices of peace †, ſhould be "guilty of high-treaſon. That if any perſon, "thus ſubmiting, ſhould within ten years approach "the court, or even come within ten miles of it, "his ſubmiſſion ſhould be void. That thoſe who "ſhould, directly or indirectly, convey any money "to ſtudents, or others in ſuch ſeminaries, ſhould "incur the penalty of a Præmunire, loſs of goods, "and perpetual exile. That if any of the peers "of the realm ſhould offend againſt this act, they "ſhould be brought to trial by their peers. That "whoſoever ſhould know any Popiſh prieſt, or "Jeſuit, lurking in the kingdom, and ſhould not "diſcover him within four days, he ſhould be "fined and impriſoned at the Queen's pleaſure. "That if any perſon ſhould be ſuſpected of being "a prieſt, or Jeſuit, and refuſe to ſubmit himſelf "to examination, he ſhould be impriſoned 'till he "ſubmited. That they who ſhould ſend their "children to Popiſh colleges or ſeminaries, ſhould "be fined in one hundred pounds ſterling. That "if thoſe who were ſent thither did not return "within a year, they ſhould be incapable to ſucceed "as heirs to any eſtate. That if the wardens of "the ports ſhould ſuffer any, except merchants, to "croſs the ſeas, without her Majeſty's licenſe, "ſigned by ſix privy-counſellors, they ſhould be "turned out of their places. That the maſters of "ſhips who received any paſſengers without ſuch "licenſe, ſhould forfeit their ſhips and goods, "ſuffer a year's impriſonment, and be incapable of "exerciſing navigation for the future."

* After notice.
† Within two days after their return.

This is the moſt rigorous act againſt the Catholics during Queen Elizabeth's reign: but they could blame only themſelves, or rather the indiſcrete zeal of ſome among them, who never ceaſed ploting againſt her, and laboring to ſet the Scotiſh Queen on the throne of England. Even this ſtatute ſufficed not to ſtop them, 'till they finally carried their zeal to ſuch a height, that the deſtruction of one of the Queens became abſolutely neceſſary for the other's preſervation.

The earl of Arundel apprehended. April 25. Camden. Stow. p. 703.

Philip earl of Arundel, eldeſt ſon of the duke of Norfolk, had, thro' the Queen's grace and favor, been reſtored in blood (1) and to his father's eſtate, three years before: but he afterwards turned Papiſt; and being twice cited before the council to anſwer to certain accuſations entered againſt him, was confined to his houſe. Six months after he was releaſed, and came to the houſe of peers, but withdrew the very firſt day, to avoid being preſent at the ſermon. As he was vehemently bigoted to the religion he had imbraced, he reſolved to quit the kingdom to injoy its free exerciſe, and before his departure wrote a letter to the Queen, which was not to be delivered 'till after his departure. This letter abounded with complaints that his innocence was oppreſſed. He ſaid; "that, to avoid the misfortune befallen his "grandfather and father, and to ſerve God with "freedom, according to his conſcience, he had re-"ſolved to quit the kingdom, but not his allegiance "to his Sovereign." But his own ſervants betraying him, he was, when juſt ready to imbark, apprehended and ſent to the Tower.

The earl of Northumberland ſhoots himſelf. Camden. Stow. p. 706, &c. Hollingſh. p. 1403, &c.

Henry Percy, earl of Northumberland, brother to the late earl who was beheaded, was alſo in the Tower, having been charged with being concerned in Trockmorton's conſpiracy, and holding correſpondence with lord Paget and the duke of Guiſe. He was, on the twenty-firſt of June, this year, found breathleſs in bed, ſhot with three bullets under his left pap. As he was alone in the chamber, which was bolted on the inſide, it viſibly appeared he was his own murderer.

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Elizabeth menaced from diverſe quarters. Camden.

The calm Elizabeth had for ſome years injoyed, began to be converted into ſtorms, which threatened her from all quarters. To three principal cauſes this change muſt be aſcribed. The firſt was the duke of Guiſe's power, which was little inferior to that of the French King himſelf. A ſecond cauſe may be imputed to the flouriſhing condition of Philip II, who, after acquiring the crown of Portugal, was on the point of reducing to his obedience the revolted Netherland provinces. The third was the hopes wherewith Elizabeth's enemies flattered themſelves of gaining the Scotiſh King, and making uſe of him to invade England. I mention not the court of Rome, or the Engliſh Papiſts, who conſtantly remained in the ſame diſpoſition, ſo there was not in that reſpect any novelty. The Queen of Scots was ever the ſtumbling-block. It was ſhe who gave birth to all the machinations. Her deliverance from captivity was deſired, in order to ſet on her head the crowns of England and Scotland, and by her means reſtore Popery in both kingdoms. Such were the projects of Elizabeth's adverſaries. She could not thereof be ignorant, ſince they had purſued them from the very begining of her reign; as, on her part, ſhe had made it her whole buſineſs to break their meaſures: but ſome advantages which ſhe had hitherto injoyed began to fail her. Theſe were firſt, the jealouſy between the crowns of France and Spain, which had reſtrained both from attacking her openly. Secondly, the French Hugonots had been able to ſupport themſelves, and diſable that court from making any attempt upon England. Thirdly, while the Netherland confederates affairs were proſperous, they had ſo imployed the Spaniſh forces, that it was not poſſible for Philip to think ſeriouſly of foreign enterpriſes. But, at the time I am ſpeaking of, the ſcene was quite changed. France was in ſuch a ſituation as left Elizabeth no room any longer to build her ſafety on the jealouſy between the French and Spaniſh crowns, that foundation becoming too feeble. The duke of Guiſe, her mortal enemy, was more powerful in France even than the King himſelf, and was moreover ſupported by the Spaniard. In all probability, the Hugonots would be utterly cruſhed, and the Netherlands ſoon brought under the Spaniſh yoke, which once effected, England would indubitably be invaded. Elizabeth was therefore to think betimes of preventing the impending danger, or reſolve to ſuſtain alone the efforts of her enemies. Prudence required that ſhe ſhould previouſly attempt averting thoſe attacks which were preparing againſt her, without however neglecting the means of withſtanding them, if ſhe ſhould be forced to it. The ſcheme ſhe laid was this, as in the ſequel will plainly appear. Firſt, ſhe reſolved to make alliances, if poſſible, with the two Northern crowns and the German Proteſtants, even were it only to excite jealouſies in her enemies. Secondly, to ſend the confederate Netherlanders a powerful ſuccor, to keep the King of Spain imployed in thoſe provinces. Thirdly, to aſſiſt the French Hugonots, to obſtruct their being too eaſily oppreſſed, being very ſenſible the duke of Guiſe would be unable to attempt her while the civil wars found him imployment in France. Laſtly, ſhe thought there was no better way to break her enemies meaſures, than indeavoring, if poſſible, to have the Scotiſh King in her power, or, if that failed, exciting in Scotland diſturbances which ſhould prevent that young Prince's framing projects detrimental to England. It is likewiſe extremely pro-

(1) As was alſo his brother Thomas in this year's parliament. See D'ewes, p. 341, 342.

bable that this was the very time when Mary's death was determined, since her life was the foundation of all the plots against Elizabeth, both at home and abroad; at least, if it was not then fully resolved on, very seemingly Elizabeth and her council were determined not to spare that Queen when the necessity of affairs required her being sacrificed to the public safety. This I acknowledge is barely a conjecture; but it is grounded on the then situation of Elizabeth's affairs.

Elizabeth sends Bodley into Germany. Camden.

To execute the first part of her scheme, she sent sir Thomas Bodley into Germany and Denmark, to indeavor persuading the Protestant Powers to make a league defensive with England (1). Among other instructions, he had orders to acquaint the King of Denmark, that the duke of Lorrain, when he courted Queen Elizabeth, pretended a right to the crown of Denmark, as grandson of Christiern II, by his daughter. I know not the success of Bodley's negociations; but as Elizabeth was extremely frugal of her treasure, she possibly used not the propereſt means to gain the German Princes to her interest. As for the second and third articles of Elizabeth's scheme, relating to France and the Netherlands, they shall presently be touched on. With regard to the fourth, concerning Scotland, we find it explained in Melvil's memoirs, if we may however give intire credit to this writer, who seems not a little prejudiced against Elizabeth.

She attempts to frustrate King James's project of marriage. Melvil, p. 158, 161.

The King of Scotland, being determined on marrying, cast his eyes on the eldest daughter of his Danish Majesty, who having thereof some notice, concluded on sending to Scotland an embassy under color of treating a firm alliance between the two kingdoms, and withal to give King James opportunity to propose his marriage. Melvil pretends that Elizabeth, having intelligence of the project, resolved to use her indeavors to render it abortive (2). Not that this match was any way unsuitable for the King of Scotland, but it imported Elizabeth that he should not marry at all, except he would take some English lady of her chusing, or rather, she wished to have him in her power before he married. She therefore wrote to him, "That, in order to "preserve a constant good understanding between "him and herself, she intended to send a person "who should reside at his court in quality of her "embassador, not to trouble his Majesty with "business, but entertain him with pleasant dis-"courses, and bear him company in his recreations: Camden. Spotswood. "that she had chosen for that purpose Edward "Wotton, a man of wit and a great traveller, "imagining he would be very proper to divert "him agreably, and hoped he would take great Melvil, p. 159. "delight in his conversation." Melvil, who was ordered to receive this agent, remembered to have seen him formerly at Paris, at his uncle Dr. Wotton's, the English embassador; and that, young as he was, he had over-reached that stanch old states-man constable Montmorency (3). Of this he warned King James, who regarded it not: on the contrary, this embassador partook of all his pleasures, and became a sort of favorite. p. 161.

Affairs of Scotland. p. 162, &c.

The Danish embassy being arrived in Scotland, Wotton, and some of James's ministers, procured those Danes to receive so many mortifications, that they were on the point of returning in very great discontent. But Melvil, informing them how matters stood, persuaded them to have patience; and indeed James, being afterwards undeceived of p. 165, 166. some notions instilled into him against the King of Denmark, sent them back better satisfied. He soon after dispatched away to the said Prince, Peter Young *, his almoner, to thank him for his embassy, and to acquaint him, that he would very speedily send him proper embassadors. The real motive of Young's voyage was to see the King of Denmark's two daughters, and inform his royal master of their qualifications.

p. 167.

* Our author misnames him Patric.

During this interim, the earl of Arran's credit sensibly decreased, by the address of Gray his rival, who was a greater proficient at managing King James than himself. Moreover, Wotton contributed, to the utmost of his ability, towards ruining that favorite; for, beside Elizabeth's having no farther need of him since she had won Gray, he was a man on whom she could not much rely. Also a certain occurrence, on the borders, proved extremely prejudicial to Arran. Thomas Carr, laird of Fernihurst, who had married his niece, being in conference with sir Francis Russel (4), the earl of Bedford's son, on affairs relating to both kingdoms, one of the English was taken in the very act of pilfering; and this occasioned between the two convoys a scuffle (5), wherein Russel lost his life. The English embassador was very clamorous on the matter, pretending the earl of Arran had excited his nephew to commence this quarrel purely to create a rupture between the two kingdoms. On his complaints, the earl of Arran was confined to his own house, and Fernihurst sent to prison, where he soon after died.

Francis Russel killed on the borders. Camden. Melvil, p. 166. Stow.

July 16.

Elizabeth, being informed of this fact, demanded a solemn reparation. James did not refuse it: but pretended he could not come to any decision 'till he had proofs. This was no easy matter, by reason of the custom, elsewhere mentioned, which allowed not the evidence of the English against the Scots, or of the Scots against the English, concerning what passed on the borders. This difficulty causing the affair to be prolonged, and the earl of Arran having his liberty, Elizabeth took occasion to permit the Scotish exiles, who had taken sanctuary in England, to return home. Wotton being informed of the Queen's design, labored to corrupt several Scotish courtiers, and gain them to Elizabeth's interest. If Melvil is to be credited, the King's greatest confidents were of this number. Wherefore Wotton, finding himself so well supported, formed the project of surprising the King in Sterling Park and carrying him into England: but, being disappointed, he determined on forcing the castle guards, and had already prepared all things necessary to execute his design, when James, having thereof some notice, broke his measures by a sudden departure from Sterling. Then Wotton, finding himself discovered, privately retired without taking leave. This was the person whom Elizabeth sent King James, to entertain and divert him!

Queen Elizabeth demands satisfaction. Camden.

She suffers the Scotish fugitives to return home. Camden.

Wotton projects carrying off the King of Scotland. Melvil, p. 167, 168.

He is disappointed, and steals away.

But all the danger was not over. James was surrounded by such as corresponded with the fugitives, and hindered him from providing for his safety. The fugitive lords were now entered Scotland, where they had drawn together three thousand men, and were marching directly to Sterling, whither the King was returned, without the least precaution taken at court to obstruct their progress. This negligence, owing to such traitors as James had about him, afforded the male-contents opportunity to present themselves at the gates of Sterling; whereupon

The fugitives march with a power against James. Melvil, p. 168, 169. Camden. Spotswood.

They seize his person,

(1) He was sent to the King of Denmark, the elector Palatine, the dukes of Saxony, Wirtemberg, Brunswic, and Lunenburg, the marquis of Brandenburg, and the landgrave of Hesse. Camden, p. 504.

(2) The earl of Arran had promised her not to let the King marry in three years. Melvil, p. 166.

(3) Look back to near the end of Queen Mary's reign.

(4) The earl of Bedford, his father, died next day. Stow, p. 709.

(5) The Scots were about three thousand, and the English exceeded not three hundred. Camden, p. 505.

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his Majeſty, being thus unexpectedly ſurpriſed, was forced to put himſelf into their hands: but the earl of Arran luckily found leiſure to eſcape. The male-contents having the King in their power, treated him with ſuch reſpect and ſubmiſſion, that they finally perſuaded him they were not his enemies, as he had been made believe. He acknowledged having been miſled by Arran's pernicious counſels, and conſented that the exiles ſhould be reſtored to their eſtates. By this revolution, Elizabeth had the ſatisfaction of ſeeing the Scotiſh King guided by counſellors from whom ſhe had nothing to apprehend, whereas before ſhe was under a perpetual dread with reſpect to the affairs of that kingdom. Soon after, colonel Stuart, going to Copenhagen, began there a treaty concerning King James's marriage with one of the Daniſh Princeſſes.

and are reſtored.

Treaty about James's marriage. Melvil. p. 171.

Mean while, the united provinces affairs were in a ſituation ſo dangerous, that the ſtates could no longer hope to make head againſt the Catholic King, if they were not effectually aſſiſted. Henry III having refuſed the ſovereignty offered him by the ſtates, they applied to Elizabeth, who alſo refuſed it, for fear of ingaging in a work too imbaraſſing. She well comprehended that the war, which ſhe muſt neceſſarily carry on againſt Spain for the preſervation of this Sovereignty, would involve her in exceſſive expenſes, which ſhe ſhould not be at liberty to leſſen as ſhe pleaſed. She choſe rather, in purſuance of her ſcheme, to give the ſtates a powerful aid, and the King of Spain a diverſion, becauſe this aid might be increaſed or diminiſhed anſwerably to the ſituation of her affairs. She made therefore a treaty with them, promiſing to find them five thouſand foot, and a thouſand horſe, under command of an Engliſh general. It was agreed, ſhe ſhould pay theſe troops during the war, on condition of being reimburſed when the war was ended, in the following payments; the firſt year of the peace, all the monies advanced in the firſt year of the war, and the reſt in four years: that, for ſecurity of payment, Fluſhing and Rammekins in Zealand, and the Briel in Holland, ſhould be delivered into her hands: that the governors ſhe placed there (1), ſhould exerciſe no authority over the inhabitants: that all the ſums being reimburſed, theſe places ſhould be reſtored, not to the King of Spain, but to the ſtates: that the Engliſh general, and two others of her nomination, ſhould have a place in the council of ſtate, and no peace or truce be made without mutual conſent: that if the Queen ſhould put to ſea a fleet, the ſtates ſhould therewith join a like number of ſhips, under command of the Engliſh admiral: laſtly, that the ports ſhould be open and free to both nations (2).

Hollingſh. p. 1411, &c. Camden. Stow. p. 707, &c.

Elizabeth's treaty with the ſtates. Rym. Fœd. Vol. XV. p. 793, &c. Camden. Speed. p. 855.

This treaty being concluded, Elizabeth appointed for general of her auxiliary forces the earl of Leiceſter, for whom ſhe had ever a great affection; but he arrived not in Flanders 'till towards the end of this year. Some time after, ſhe publiſhed a manifeſto, wherein, as a reaſon for her aiding the confederate provinces, ſhe alledges, that the alliance between the Kings of England and the Netherland Princes was not ſo much between their perſons, as between their reſpective ſtates: whence ſhe infered, that, without breach of this alliance, ſhe might aſſiſt the inhabitants of thoſe provinces laboring under the Spaniards oppreſſion.

The earl of Leiceſter made general of the Engliſh troops. Rym. Fœd. Vol. XV. p. 799. Elizabeth's manifeſto. Stow. Comp. Hiſt. Vol. II. p. 654.

However, as ſhe judged this reaſon would not be ſatisfactory to his Catholic Majeſty, and that undoubtedly he would conſider this extraordinary aid given his rebellious ſubjects as a declaration of war, ſhe reſolved on being beforehand. To that purpoſe, ſhe equiped a fleet of twenty-one warlike ſhips, whereon were imbarked two thouſand three hundred ſoldiers, beſide mariners, to carry war into America, where the Spaniards little expected any ſuch attack. The fleet was commanded by the earl of Carliſle, who had under him the famous ſir Francis Drake (3). The Engliſh immediately took St. Jago, one of the Cape Verd iſlands. They then ſailed to St. Domingo, or Hiſpaniola, and poſſeſſed themſelves of its capital. Having paſſed there all January of the year 1586, they departed and took Carthagena. Then they burned the towns of St. Antonio, and St. Helena in Florida. A furious tempeſt diſperſing the fleet, as they were going upon new exploits, they joined not again 'till their arrival in England (4), where they brought a booty valued at ſixty thouſand pounds ſterling; but ſeven hundred Engliſh periſhed in this expedition.

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She ſends a fleet to America againſt the Spaniards. Camden. Hollingſh. p. 1401.

At the ſame time, John Davis, a native of England, went (5) in ſearch of a ſhorter cut, by north America, to Eaſt-India. His paſſage being obſtructed by the ice, he long roamed the northern ſeas, and accidentally diſcovered under the polar circle a ſtreight, which ſtill bears his name, but was not what he ſought (6).

Davis's ſtreight in the north. Camden.

Before I leave the year 1585, it will be neceſſary to touch on the tranſactions of France. After Guiſe had concluded his treaty with the King of Spain, he tried all ways to corrupt the French, and gain them to his party. His aim was to ſeize the crown, either before or after Henry III's death. He could not expect that the King, who mortally hated him, would countenance his deſign; and, on the other hand, he had no manner of color to aſpire to the crown, except his pretended deſcent from the houſe of Charles the Great: and, even in that caſe, the duke of Lorrain, head of that houſe, would have preceded him. To aſſert therefore ſo extraordinary a title, the peoples affection and a religious zeal were to ſupply all defects, otherwiſe there was not the leaſt appearance that, in cold blood, the French ſhould fill their vacant throne with a foreign Prince, in prejudice of the King of Navarre, and Prince of Condé, both who profeſſed the reformation, having publicly abjured Popery. Mean while, as the duke of Guiſe thought not proper to divulge his real deſigns, he publiſhed a manifeſto in cardinal De Bourbon's name, wherein he pretended to demonſtrate, that the Gallic crown, on King Henry's demiſe, rightfully appertained to the ſaid cardinal: not that he was in the leaſt diſpoſed to place him on the throne; but it was ſufficient if he could previouſly ſet aſide the King of Navarre. That done, under color of preventing the crown being poſſeſſed by a Heretic, he ſeized diverſe places, pretending however, it was for the King's ſervice, and public benefit.

Affairs of France. Mezerai. Thuanus. P. Daniel.

The courſe of life to which King Henry had, for

Mezerai.

(1) Sir Philip Sidney was appointed governor of Fluſhing, and ſir Thomas Cecil of Briel.

(2) The King of Sweden, when he heard of this treaty, ſaid, "Queen Elizabeth has now taken the diadem from her head, "and adventured it upon the doubtful chance of war." Camden, p. 508.

(3) Sir Francis Drake was admiral of the fleet, and Chriſtopher Carliſle general of the land forces. Camden, p. 509.

(4) Keeping on their courſe along a deſolate coaſt, they lighted upon ſome Engliſhmen, who had planted themſelves in Virginia, ſo named in honor of the Virgin Queen Elizabeth; and whom ſir Walter Ralegh had, in April this year, carried over thither for a colony. See Hollingſh. p. 1401. Hakluyt.——— Ralph Lane, one of them, came home with Drake, and was the firſt who brought tobacco into England, Camden, p. 509. Tobacco was ſo named from the iſland Tobago, one of the Caribbees, where it plentifully grows.

(5) He ſailed with two ſhips, at the charge of William Sanderſon, a Globe-maker, and other Londoners. Camden, p. 510.

(6) This year alſo, licence was granted to ſeveral merchants of London to trade to Barbary. Ibid.

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ſome time, accuſtomed himſelf, made him loſe the eſteem of moſt of his ſubjects. The intrigues of Guiſe, who repreſented him as a favorer of heretics, becauſe he ſupported the Bourbon title, helped alſo to alienate from him his peoples hearts. Laſtly, the court of Rome, with both regular and ſecular eccleſiaſtics, were for the duke of Guiſe, and favored him to the very extent of their ability: inſomuch that Henry III, unable to reſiſt, was forced to abandon the King of Navarre, publiſh a ſevere edict againſt the Hugonots, and join with the duke to work their extirpation: nay, he had the mortification to be obliged to give him the command of his army.

Elizabeth aids the Hugonots. Camden. Thuanus.

The King of Navarre and the Hugonots, finding themſelves thus attacked, aſſembled all their forces to defend themſelves: but theſe forces were ſo inconſiderable, in compariſon of their adverſaries, that there was no likelihood of their making any long reſiſtance. The Prince of Condé, attempting to relieve the caſtle of Angers, then beſieged, was ſuddenly ſurrounded by enemies, and forced to ſteal away from his army and paſs over to England. Elizabeth gave him a moſt courteous reception, and, as ſhe knew the Hugonots adverſaries were alſo hers, promiſed him aſſiſtance (1). It was not without reaſon that ſhe intereſted herſelf in the Hugonots affairs, ſince the league was not limited to their deſtruction only, but aimed at the ruin of the Proteſtant religion throughout Europe, and in England particularly; whereof this very year had produced one moſt convincing proof. Gregory XIII dying in April, Sixtus V, his ſucceſſor, inſtantly fulminated holy mother church's cenſures againſt the King of Navarre and Prince of Condé, ſtiling them not only heretics and relapſes, but alſo a ſpurious generation. Hence might readily be comprehended how far this Pontif countenanced Guiſe's deſigns, and the Queen of England might infer what great reaſon ſhe had for apprehenſion ſhould this duke one day aſcend the Gallic throne, being ſupported by Rome and the Spaniard. On this account it was, ſhe ſupplied the Prince of Condé with fifty thouſand crowns, to aſſiſt him in maintaining the war, and lent him ten ſhips, with which he raiſed the blocade of Rochelle.

An' 1586.

Elizabeth diſlikes the authority given by the ſtates to Leiceſter. Grotius. Camden. Strada. Stow. p. 712. Hollingſh. p. 1420.

The earl of Leiceſter, arriving in Holland early in 1586, was received as a guardian angel. The ſtates, under color of expreſſing their grateful acknowledgment to Elizabeth, declared him governor and captain-general of Holland, Zealand, and the united provinces, and inveſted him with a power almoſt abſolute (2). Very ſeemingly, their aim was to ingage her Majeſty farther than ſhe intended. She had refuſed the offered Sovereignty, and it was deſigned to give her at leaſt a ſhadow of it, whether ſhe would or no, by honoring her general with what in ſome meaſure favored of ſovereign authority: but Elizabeth knew better than to be inſnared by this artifice. She ſharply complained to the ſtates of this ſort of deceit, and gave withal the earl of Leiceſter a ſevere reprimand for accepting thoſe honors without having firſt conſulted her. She told him, he had acted directly contrary to her intention, ſince ſhe had publicly declared in her manifeſto, that ſhe was ready to relieve her diſtreſſed neighbors, but never thought of aſſuming over them any prerogative (3). The ſtates excuſed themſelves, by ſaying, That the neceſſity of their affairs had obliged them to confer ſuch authority on the earl of Leiceſter, that he might be the better able to heal their diviſions, which put them in continual danger of periſhing: that they could not revoke the authority granted to her general without great inconveniences, and had not however diveſted themſelves of the ſupreme power. The earl of Leiceſter appeaſed her Majeſty by his ſubmiſſions. In fine, ſhe conſented the patent ſhould ſubſiſt; but intimated to the ſtates, they vainly hoped to induce her to accept the Sovereignty of their country, and that her intention was to keep within the bounds ſhe had preſcribed to herſelf, that is, not to be obliged to aſſiſt them any farther than her affairs would permit.

Camden.

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The earl of Leiceſter, a perſon exceſſively proud and ambitious, was no ſooner clothed with this exorbitant power, than he began ſecretly to form projects deſtructive to the liberties of the country he came to defend: at leaſt, this is what was laid to his charge by all the Dutch hiſtorians. They pretend, his deſign was to render himſelf Sovereign or Perpetual Dictator of the provinces with whoſe government he had been intruſted: and the methods he uſed to effect it were ſuch as cauſed in that country a general diſcontent. In ſhort, after the campain, wherein he performed no great exploits, he returned to England, to take proper meaſures to facilitate the execution of his projects, and, ſeemingly, to perſuade the Queen to ſupport him (4).

The earl of Leiceſter's ambitious projects. Grotius. Speed.

He returns to England. Decemb. 3.

While France and the Netherlands were in commotion, Elizabeth wiſely provided for her own and her peoples ſecurity. This ſhe did not only by aſſiſting the Hugonots and the confederate provinces, but alſo by preventing the dangers which might come from Scotland, in caſe the King of Spain and duke of Guiſe ſhould ever be in a condition to invade her (5). The preſent juncture was perfectly favorable. The King of Scotland had none about him but perſons well-affected to the Reformed religion, and the intereſt of England: wherefore this opportunity, of ſtrictly uniting the two kingdoms, was not to be neglected; this union being of the greateſt conſequence to Elizabeth. Accordingly, ſhe diſpatched Randolph to King James, to repreſent to him, that the Reformation's adverſaries, openly combining for its deſtruction, it was the intereſt of the Proteſtant ſtates to unite alſo for their common defenſe: that England and Scotland were the bulwarks of the true belief, and the union of their forces the only poſſible means to preſerve it: that therefore, ſhe thought it their common intereſt to join in a league, for the defenſe of their religion, againſt all who ſhould attempt to ſubvert it, at leaſt in England and Scotland. The better to perſuade James to comply with the Queen's deſires, Randolph told him that, as his revenues were greatly diminiſhed, by reaſon of the troubles which had ſo long afflicted his realm, her Majeſty was willing to allow him a penſion, to aſſiſt him in ſupporting his dignity (6). James readily gave into

Elizabeth propoſes a league with Scotland. Camden.

Strype's Ann. Vol. III. p. 304, &c. Camden.

(1) He came before, in 1580, to ſollicit for ſuccors, but did not obtain any. See Strype's Ann. Vol. II. p. 619.

(2) He was attended with a noble guard, and generally ſaluted with the title of "Your Excellency," whereupon he began to take on him as if he were really a King. Camden, p. 511.

(3) She alſo added, "We little thought, that one whom we had raiſed out of the duſt, and proſecuted with ſuch ſingular "favor above all others, would, with ſo great contempt, have ſlighted and broken our commands, in a matter of ſo great conſequence." Ibid.

(4) In a rencounter near Zutphen, the learned and ingenious ſir Philip Sidney received a wound in the thigh, of which he died, October 17. Camden, p. 512. Stow, p. 737, 739.

(5) The Jeſuits began, about this time, to forge a new and pretended title to the ſucceſſion of the kingdom of England for the Spaniard; and to that end, ſent into England one of their ſociety, to draw perſons of note to the Spaniard's party. Camden, p. 513.

(6) Strype's Ann. Vol. III. p. 302. Says annually 5000 l. ſterling.

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the propoſitions made him, but with the proviſo that nothing ſhould be done in England in prejudice to his right to the crown of that kingdom, and this article, with that of the penſion, be inſerted in the treaty. Randolph replied, he believed that would not be poſſible. Touching the penſion he ſaid, if it was mentioned in the treaty, it would ſeem as if her Majeſty was become tributary to Scotland, to which ſhe would never conſent. As to the ſucceſſion article, the Queen could not ſettle it by public treaty, without her parliament's concurrence, and the diſcuſſion of that affair might too long retard the treaty, and perhaps give birth to great difficulties, becauſe of his mother Queen Mary's religion: but he queſtioned not his royal miſtreſs would be very willing to gratify him in thoſe two particulars, by means of two ſecret articles. James being ſatisfied with this expedient, Deſneval, the French embaſſador, did all he poſſibly could to diſſuade him from this league. He told him, that Elizabeth's aim in this negociation was only to ſecure herſelf from the attacks of thoſe who were combined for his royal mother's deliverance. That it was ſtrange he ſhould think of uniting with a Queen, who held in durance his mother, againſt thoſe who were laboring to free her from captivity: adding, that the King his maſter could not but conſider this league as a very expreſs violation of the ancient alliance between France and Scotland. James anſwered, that the Queen his mother's misfortunes proceeded wholly from thoſe who profeſſed themſelves her friends, yet, under color of ſerving her, only aimed at executing their own projects: that, as to the alliance between France and Scotland, he did not ſee wherein he ſhould violate it, ſince France pretended it not to be violated when that court, without giving him the leaſt notice, concluded a league defenſive with England.

Camden.

The French embaſſador oppoſes it. Camden.

King James's anſwer.

James being determined on complying with what Queen Elizabeth deſired, the plenipotentiaries of both kingdoms met at Berwick, and ſigned a treaty of alliance and ſtricter amity between the two crowns.

Treaty of league between Elizabeth and James Rym. Fœd. Vol. XV. p. 803. Camden.

The motive of this treaty was that, whereas the Potentates, who ſtiled themſelves Catholics, were entered into leagues for extirpating the Proteſtant religion, not only in their own dominions, but alſo in foreign countries, it was neceſſary, the Proteſtants ſhould unite for its defenſe: that therefore the Queen of England and King of Scotland did agree on the following articles:

I. By this treaty, they ſhould be obliged to defend the evangelical religion againſt all thoſe who ſhall attack it in either kingdom.

II. This league ſhall be offenſive and defenſive againſt thoſe who ſhall hinder the free exerciſe of the ſaid religion in either of the two kingdoms, all other treaties and alliances to the contrary notwithſtanding.

III. If one of the two parties be invaded, the other ſhall not, directly or indirectly, aſſiſt the invader, notwithſtanding any alliance or treaty formerly entered into.

IV. If England be invaded in any parts remote from Scotland, the King of Scotland ſhall find the Queen of England two thouſand horſe and five thouſand foot, at the Queen's charges from the day of their entering England; and, in the like caſe, her Majeſty ſhall ſend the King of Scotland ſix thouſand foot, and three thouſand horſe.

V. If England be invaded in any place within ſixty miles of Scotland, the Scotiſh King ſhall draw together all his forces, and join the ſame with her Majeſty's, in order to purſue the invaders for thirty days ſucceſſively, or, if neceſſity requires, for ſo long time as the vaſſals of Scotland are bound to furniſh the King with troops for the kingdom's defenſe.

VI. If Ireland be invaded, the Scotiſh King ſhall hinder the inhabitants of the county of Argyle from entering that iſland in a hoſtile manner.

VII. Their ſaid Majeſties ſhall mutually deliver all rebels, who ſhall have made any traiterous attempts againſt either of the realms, or at leaſt they ſhall compel them to quit their reſpective dominions.

VIII. Within ſix months, commiſſioners ſhall be ſent to compound and adjuſt all differences which have occurred on the borders between the two nations.

IX. Neither of the two Princes ſhall make any treaty to the prejudice of any articles of this preſent league, without the other party's conſent.

X. This treaty ſhall be ratified on both ſides by letters-patent.

XI. This preſent league ſhall not in any reſpect derogate from former treaties between the two realms, or from thoſe before made by the ſaid two crowns with any Princes or ſtates; what relates to religion only excepted: as to the article touching religion, it is agreed, this alliance and league, offenſive and defenſive, ſhall remain firm and inviolate.

XII. This treaty ſhall be confirmed by the ſtates of Scotland, as ſoon as the King ſhall attain to the age of twenty-five years; and, in like manner, her Majeſty ſhall get it approved by the parliaments of England and Ireland.

Soon after this league was concluded, a conſpiracy was diſcovered in England which coſt Queen Mary her life. As this is one of the moſt important events of Elizabeth's reign, it will be neceſſary to be very circumſtantial in our narrative: but it is greatly to be lamented the particulars muſt unavoidably be drawn from the annals of Elizabeth, compiled by Camden, a writer much to be ſuſpected in whatever relates to the Queen of Scots. In all the precedent reigns, there is no remarkable event but what is traced, and in ſome meaſure cleared by Rymer, in his collection of public acts: but with reſpect to this, all the acts relating to Queen Mary are utterly deſtroyed (1). On the other hand, James I, ſon of Mary, ſucceeding Elizabeth, not one Engliſh writer durſt, during his reign, exhibit the truth of what paſſed in the former, while its memory was yet freſh. Camden was the only perſon who undertook to publiſh the annals of Queen Elizabeth's reign, not ſo much to make known as to diſguiſe the events, as far as they concerned Mary, and to give to whatever ſullied that Queen's reputation, when living, a certain air of innocence. This evidently appears in his account of King Henry Stuart's murder, which has given occaſion to preſume, he has been no more faithful in what he ſays of Mary's trial and death. He however affirms, that he has followed the memoirs of Edward Barker (2) the Queen's principal regiſter; of Thomas Wheeler, public-notary and cryer of the court of Canterbury, and other perſons of credit whom he names not. I know not whether the memoirs he ſpeaks of were ever pub-

Remark on Camden's annals.

(1) M. Rapin, in his account of Rymer's Fœdera, ſuſpects, that King James ordered the archives to be cleared of every act relating to the Queen his mother, on purpoſe to deprive poſterity, as far as poſſible, of the knowledge of her affairs. Acta Reg. Vol. IV. p. 2.

(2) Not Stephen Parker, as in the French.

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Conſpiracy againſt Elizabeth. Camden. Hollingſh.

liſhed, or are yet extant. Howſoever it be, the following account is, for want of a leſs partial hiſtorian, extracted from Camden's annals.

William Gifford, divinity doctor in the ſeminary at Rheims; Gilbert Gifford (1) and Hodgeſon, Engliſh prieſts, had inſtilled into one John Savage, their countryman, that it would be a meritorious act to kill Elizabeth, and had made him ſwear to do it, during the Eaſter-holy-days this year, 1586 (2). At the ſame time, a certain Engliſh prieſt of that ſeminary, named Ballard, who had been in England, notwithſtanding the prohibition, returned into France, where he had diverſe conferences, with Mendoza and lord Paget, how England might be invaded (3). As the chief end of this conſpiracy was to reſtore Popery in England, the point was not only to deſtroy Queen Elizabeth, but forces alſo were to be ready to free Queen Mary, and place her on the throne of England. Theſe two projects could not be ſeparated. Ballard was accompanied by one Maud, whom he took to be one of his beſt friends, but was in reality a ſpy ſet to work by ſecretary Walſingham.

Camden. Hollingſh.

About Whitſuntide, Ballard was ſent back into England by the conſpirators, to gain proper perſons to facilitate the execution of their project. They told him, he would at London meet with a young gentleman, named Anthony Babington, in whom he might confide. This Babington, who was a zealous Romaniſt, having been lately in France, was gained there by the biſhop of Glaſgow, Queen Mary's embaſſador, and by Morgan, one of the fugitives from England. He was ſo ſtrongly prepoſſeſſed in the Scotiſh Queen's favor, that he was judged a perſon qualified for any enterpriſe, and for that reaſon, unknown to himſelf, had been recommended to Mary: wherefore, on his return to England, ſhe wrote to him, and from that time he was imployed to convey to her the letters which came from France, 'till ſhe was commited to the cuſtody of ſir Amias Powlet, and ſir Drue Drury. Then Babington, dreading the vigilance of theſe new keepers, would have nothing more to do with any letters, either to or from her ſaid Majeſty.

Ballard, when he came to England, met Babington, and imparted to him the deſign to invade England, free Queen Mary and advance her to the Engliſh throne. Babington replied, he greatly doubted the poſſibility of executing this project while Queen Elizabeth lived. Whereupon Ballard alſo imparted to him Savage's vow, to which Babington anſwered, it was too hazardous to commit the execution of ſuch a deſign to a ſingle perſon; that there ſhould be ſix at leaſt, and Savage, not to break his vow, might be one of the number (4). Then they confered together how a foreign army might be brought into the kingdom, otherwiſe they judged Elizabeth's death would produce no effect.

Mary's letter to Babington. Camden. * In cypher.

Some few days after, Babington received, by a hand unknown, a letter * from the Scotiſh Queen, blaming him for his ſilence, and deſiring him to ſend her the pacquet of letters from Morgan, brought over by the French embaſſador's ſecretary. This Babington anſwered, and after excuſing his ſilence by reaſon of his fear of Powlet's and Drury's extraordinary vigilance, communicated to her the ſcheme he had formed with Ballard. In a ſecond letter from Mary, of the twenty-ſeventh of July, ſhe highly commended his zeal for the Catholic religion, but adviſed him to attempt nothing 'till he was ſure of foreign aſſiſtance. She withal preſcribed diverſe methods to execute the project, as to ſend privately for the earl of Weſtmoreland, and lord Paget (5). She marked out the way for her deliverance (6), and charged him to promiſe, in her name, a good reward to the ſix aſſaſſines.

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Five others ingage to kill the Queen. Camden.

Mean while, Babington had gained ſome other perſons, among whom was Walſingham's ſpy, Polly, by whoſe means that ſecretary was daily informed of what paſſed among the conſpirators. He from him learned, that the ſix who had ingaged to aſſaſſinate the Queen, were, Savage, Tilney, Charnock, Abington, Tichbourn, and Barnwel, and that they were all ſix drawn in one picture, with Babington in the midſt, and a certain motto obſcurely ſignifying their deſign (7): nay, he found means to ſhew this picture to the Queen, who knew only Barnwel * (8). She retained however the idea of their faces ſo well, that walking abroad a little after, and ſeeing one of them, ſhe looked ſtedfaſtly on him, and then, turning to the captain of her guard, ſaid, "Am "not I fairly guarded, not having in my company "a man who wears a ſword?"

* Our author here calls him Maxwell.

Babington was ſo impatient to ſee the foreign ſuccors ready to depart for England, that he gave money to Ballard, who had undertaken to go into France and haſten them. But as it was not eaſy to procure paſſes, Babington found means to be introduced to ſecretary Walſingham, who, being no ſtranger to what he was about, received him very civilly, and expreſſed for him a great value. Incouraged by this kind reception, he deſired a paſs for himſelf, and another for Ballard under a counterfeit name, and affirmed that, by means of his friends at Paris, he ſhould diſcover many ſecrets concerning the Queen of Scots. Walſingham commended his zeal, and promiſed him a good reward if he did the Queen any conſiderable ſervice. He alſo gave him hopes of the paſſes he deſired.

Gifford diſcovers all to Walſingham. Camden.

Polly was the only perſon from whom Walſingham learned the ſecrets of this conſpiracy. Gilbert Gifford, who had been imployed to corrupt Savage, being ſent into England to confirm this reſolution, ſerved at the ſame time to convey letters to the Queen of Scots, and return her anſwers. To make trial of his fidelity, he was at firſt intruſted with ſeveral blank papers, made up like letters; and, as it was known by the anſwers that they were delivered, he was imployed without ſcruple. Some time after, Gifford, whether ſtruck with remorſe, or allured with the hope of reward, came to Walſingham, and informed him of all he knew. The ſecretary received him very kindly, and promiſed to uſe his intereſt for him with her Majeſty, and procure him a good reward. Then inſtructing him who makes uſe of him to deliver Mary's letters, and bring back her anſwers.

(1) Our author having miſtaken the Chriſtian names, they are rectified from Camden and Hollingſhead.

(2) Thuanus ſays, the day pitched on for the Queen's aſſaſſination, was Auguſt 24. l. 86.

(3) This was judged to be a very proper time, while the beſt Engliſh troops were imployed in the Netherlands, and the Spaniard, the duke of Guiſe, and the Prince of Parma, ready to invade England. Camden, p. 515.

(4) M. Rapin ſays, Babington offered to be one of the ſix; which is a miſtake, for Babington tells Queen Mary, in his letter to her, that while theſe ſix perſons were to commit the tragical execution (as he called it) he himſelf, with a hundred more, was at the ſame time to ſet her at liberty. Ibid.

(5) And to gain privately the earls of Northumberland and Arundel, and the latter's brothers to her party. Alſo, that the aſſociation among them ſhould be entered into on pretenſe that they ſtood in fear of the Puritans. There were likewiſe commotions to be raiſed in Ireland. Ibid.

(6) Either by overturning a cart in the gate, ſeting the ſtables on fire, or carrying her away as ſhe rode abroad, for diverſion, in the fields betwixt Chartley and Stafford. p. 516.

(7) The motto was, Quorſum hæc alio properantibus?

(8) Camden ſays, he had often come to her about the earl of Kildare's buſineſs. Camden, p. 516.

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how to behave, he ſent him to the place where the Scotiſh Queen was confined, with a letter to ſir Amias Powlet, deſiring him to connive at the bearer's corrupting one of his ſervants to deliver letters to the Queen of Scots, and bring back her anſwers. But Powlet would not ſuffer any of his domeſtics to be concerned in ſuch intrigues. He only hinted at a certain brewer, whom he thought fit for the purpoſe, and who indeed ſuffered himſelf to be gained. By this means, Gifford conveyed to the captive Queen letters, whereof Walſingham had taken copies, and received her anſwers, which were ſerved in the ſame manner. At length, when the court was ſufficiently inſtructed, Ballard was apprehended, under color that, being a Popiſh prieſt, he had entered the kingdom without a licenſe. At this news, Babington was in the utmoſt conſternation: he however recovered from his fright, as it did not appear that Ballard was arreſted for the conſpiracy, and nothing was ſaid at court intimating a diſcovery of the plot. He reſolved therefore to attempt ſaving Ballard, and to that end repreſented to Walſingham, that he would be of great ſervice to him in France, to diſcover the Scotiſh Queen's ſecret practiſes, and ſollicited his liberty. Walſingham laid the blame of Ballard's being arreſted on the watchfulneſs of ſuch ſpies as were imployed to diſcover Romiſh prieſts and Jeſuits. He promiſed to labor procuring his releaſe, and fed him with hopes that the paſſes would very ſpeedily be ready. Mean while, he ſo managed that Babington was narrowly watched. In ſhort, Babington, and all the other conſpirators were ſeized at the ſame time, and, being ſeverally examined, impeached each other, and diſcovered the whole conſpiracy.

The conſpirators arreſted. July. Camden. Stow. Hollingſh.

There is, as I have obſerved, abundance of probability that Queen Elizabeth's council had reſolved on the Queen of Scots death, the very firſt plauſible pretenſe. Her life put Elizabeth's in perpetual danger, and of this there was but too much reaſon to be convinced, by the late diſcoveries: ſo this opportunity was imbraced. Great care was at firſt taken to prevent her being informed of the apprehending thoſe traitors, and now ſir Thomas Gorges, one of the Queen's officers, acquainted her with it juſt as ſhe had taken horſe to be preſent at a hunting match. She would have returned to her apartment, but was not permited (1) 'till all her papers were ſeized and ſent to court. Naue and Curle, her French and Scotiſh ſecretaries, were then alſo ſeized, and, without being ſuffered to ſpeak with her, conducted to London. But to have ſtill more convincing proofs againſt her, a method was uſed, which ſucceeded according to expectation. Gifford having revealed, that he had delivered to the French embaſſador ſeveral papers of moment concerning Queen Mary, a falſe action, no way relating to the conſpiracy, was brought againſt him, for which he was baniſhed the realm. Before his departure, he waited on the embaſſador, and acquainting him with the ſentence paſſed upon him, left a paper cut after a certain manner, and charged him to deliver the Queen of Scots papers to him only who ſhould produce the counter-part, Which counter-part he gave to Walſingham, who by that means got what papers of hers the embaſſador had in his poſſeſſion (2).

Mary's papers all ſeized, with her two ſecretaries. Camden.

Artifice to get Mary's papers from the French embaſſador.

The court being thus ſufficiently informed of all the circumſtances of this conſpiracy, fourteen of the traitors were arraigned, received ſentence of death, and confeſſed all. Care was taken, before their execution, to record all their confeſſions. Naue and Curle, Mary's ſecretaries, being examined, confeſſed they had writ in cypher the letters found in the Queen their miſtreſs's cabinet (3), or by Gifford's means intercepted. Camden inſinuates here, that Curle was bribed by Walſingham with the promiſe of a reward, which he afterwards refuſed to perform. However this be, ſir Edward Wotton was ſent to the court of France, with authentic copies, atteſted by ſeveral peers, of Queen Mary's letters, that he might ſhew them to the King. Probably, theſe letters diſcovered how far the Scotiſh Queen was concerned in this conſpiracy, as alſo her correſpondence with the King of Spain and Guiſe.

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Fourteen traitors executed. Camden. Stow. p. 518.

The reſolution being finally taken of trying and condemning Queen Mary (4), as the main ſourſe of all thoſe dangers to which Elizabeth was continually expoſed, it was debated, on what ſtatute ſhe ſhould be proceeded againſt: but there was only one could ſerve for that purpoſe, namely, the act paſſed laſt year, which concerned her in particular. It was a caſe ſo uncommon, to try a foreign Queen, who came not armed into the kingdom, but to ſeek refuge as a ſupplicant, that it would have been in vain to ſearch the ancient ſtatutes for any inſtance to ſerve as a ground-work to ſuch a procedure. This gives occaſion to preſume that the year preceding, when this act was made, Queen Mary's death was already determined, and this ſtatute was to ſerve for foundation to her ſentence: yet ſome pretend that the intent of this act was only to keep her in awe, and let her ſee what ſhe was to expect if ſhe perſevered in her practiſes, and that it was her own fault if ſhe made not good uſe of this warning. Wherefore, in virtue of this act, Elizabeth, by letters patent under the great ſeal, appointed forty-two commiſſioners, with whom ſhe joined five judges of the realm, to try Queen Mary. A few days before, certain lords, as well privy-counſellors as others, fell on their knees, and beſought her to take pity on herſelf, the whole nation, and all their poſterity, by puniſhing the Queen of Scots. It muſt be obſerved that, throughout this whole affair, Elizabeth always pretended to act with reluctance, and from the neceſſity ſhe was under of ſaving her people, whom ſhe beheld in the utmoſt danger; ſo, the proceeding of theſe lords agreed with her deſigns. The Queen's commiſſion ran thus, viz.

The court determined to try Mary. Camden.

Commiſſioners are appointed. Melvil, p. 172.

" Elizabeth, by the grace of God, of England,
" France and Ireland Queen, Defender of the
" Faith, &c. To the moſt reverend father in
" Chriſt, John archbiſhop of Canterbury, primate
" and metropolitan of all England, and one of our
" privy council; and to our truſty and well-beloved
" ſir Thomas Bromley, knight, chancellor of Eng-
" land, and, &c. Greeting (5).

Queen Elizabeth's commiſſion. Camden.

" Whereas, by act of parliament held in the
" twenty-ſixth year of our reign, it was inacted
" that, &c.

Here was inſerted the act mentioned under the year preceding.

" And whereas, ſince the firſt day of June, in

(1) She was led from one gentleman's houſe to another in the neighborhood. Camden, p. 518.

(2) Camden ſays, the embaſſador was to deliver the letters from the Queen or fugitives, to the perſon who ſhould bring him the counter part, but mentions no paper left in the embaſſador's hands by Gifford, Ibid.

(3) In it were found many letters from perſons beyond ſea, from ſeveral Engliſh noblemen, &c. and anſwers to them, with about ſixty tables of private cyphers and characters. Ibid.

(4) Some hiſtorians ſay, that Queen Elizabeth indeavored to have her poiſoned by her cook: and that afterwards, the earl of Leiceſter adviſed to diſpatch her by poiſon, and privately ſent a divine to Walſingham to perſuade him to it; but Walſingham urged, that, beſide the injuſtice, it was both dangerous and diſhonorable to the Queen. Camden, p. 519. Spotſwood, p. 351.

(5) See the other commiſſioners names in Camden, p. 519.

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" the ſeven and twentieth year of our reign, diverſe " matters have been compaſſed and imagined, " tending to the hurt of our royal perſon, as well " by Mary, daughter and heir of James V, King " of Scotland, and commonly ſtiled Queen of " Scots, and dowager of France, pretending title " to the crown of this realm of England, as by " diverſe other perſons with the privity of the ſame " Mary, as we are given to underſtand: and " whereas we do intend and determine, that the " act aforeſaid be in all and every part thereof duly " and effectually executed, according to the tenor " of the ſame, and that all offenſes aboveſaid in " the act aboveſaid mentioned, and the circum- " ſtances of the ſame be examined, and ſentence or " judgment thereupon given, according to the tenor " and effect of the ſaid act. To you, and the " greater part of you, we do give full and abſolute " power, faculty and authority, according to the " tenor of the ſaid act, to examine all and ſingular " matters compaſſed and imagined, tending to the " hurt of our royal perſon, as well by the aforeſaid " Mary, as by any other perſon or perſons what- " ſoever with the privity of the ſame Mary, and " all circumſtances of the ſame, and all other offenſes " aboveſaid, in the act aboveſaid mentioned, and " all circumſtances of the ſame, and of every of " them; and thereupon, according to the tenor of " the act aforeſaid, to give ſentence or judgment, " as upon good proof of the matter ſhall appear " to you. And therefore we do command you, " that you at certain days and places, which you, " or the greater part of you, ſhall thereunto fore- " appoint, diligently proceed upon the premiſes in " form aforeſaid, &c.

Remark on the judges.

It muſt be obſerved that, among the commiſſioners were the lord treaſurer Burleigh, and ſecretary Walſingham, both Elizabeth's moſt truſty miniſters, the Queen of Scots known enemies, and probably authors and promoters of the reſolution to bring her to a trial. As it was hard to believe, that Elizabeth had taken ſuch a reſolution without imparting it to her miniſters and council, and without her council's approbation, it ſhould ſeem ſhe ought not to have appointed her miniſters and privy counſellors for Mary's judges. But on the other hand, as ſhe was willing to be ſure of the trial's ſucceeding, ſhe doubtleſs deſired that perſons of ſuch weight as miniſters and privy counſellors ſhould be ready to turn the ſcale, in caſe of oppoſition from the other judges.

The commiſſion is notified to Mary.

Thirty-ſix of the commiſſioners meeting, the eleventh * of October, at Fotheringhay-caſtle, in the county of Northampton, where Mary was then confined, ſent her Queen Elizabeth's letter (1), which when ſhe had read, ſhe anſwered, " That ſhe was " ſorry the Queen her ſiſter was miſinformed of " her. That ſhe had ever thought the aſſociation, " and the ſubſequent act of parliament, aimed " wholly at her, and that ſhe ſhould bear the blame " of whatever was contrived in foreign countries. " That it was very ſtrange, the Queen of England " ſhould conſider her as a ſubject, and command " her to ſubmit to a trial. That ſhe was a ſove- " reign Queen, and would do nothing prejudicial " to royal Majeſty, to herſelf, or the King her " ſon. That beſide the laws and ſtatutes of Eng- " land were unknown to her, and who were her " peers ſhe could not tell. That ſhe was deſtitute " of counſellors, and all her papers were taken " from her. That ſhe had not excited any man " againſt Elizabeth, nor commited any crime. " That ſhe was not to be charged but upon her own " words or writings, and ſhe was ſure nothing cri- " minal could be produced againſt her, except the " recommending her cauſe to foreign Princes, " which ſhe did not pretend to deny."

* Not the 9th, according to our author.

Her anſwer. Camden. State-Trials.

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On the morrow, the commiſſioners ſent her a copy of her anſwer, and after it was read to her, ſhe ſaid; " it was rightly taken, but ſhe had forgot " one very material particular, viz. that it was " ſaid in Elizabeth's letters, ſhe was ſubject to the " laws of England, becauſe ſhe had long lived " under their protection; but all the world knew, " ſhe came into England to crave the aſſiſtance of " the Queen her ſiſter, and had been ever ſince " detained in priſon; and therefore had not injoyed " the protection of the laws, nay, had not been " able to underſtand what manner of laws they " were."

She refuſes to anſwer.

To be brief; ſhe for two whole days diſputed the authority of the judges, and would not own that, in any caſe, Elizabeth had over her other juriſdiction than what was forcibly uſurped: nay, ſhe perſiſted in it, after ſhe was menaced with being ſentenced for non-appearance, as a perſon abſent: but Hatton, one of the commiſſioners, finally made a ſpeech which ſhook her reſolution. He told her, " that he was indeed accuſed, but not condemned: " that if ſhe were innocent, ſhe injured her repu- " tation extremely in avoiding a trial: that the " Queen would be very glad nothing could be " proved againſt her, as he himſelf heard her ſay " when he took leave of her (2).

Hatton perſuades her to plead. Camden.

Had Mary been provided with council, ſhe would doubtleſs have been told that Hatton's harangue tended only to inſnare her, and ingage her to plead, that ſhe might be condemned by a peremptory ſentence. If ſhe had perſiſted in her refuſal, Elizabeth would have been perhaps not a little puzzled. Tho' ſhe was reſolved to put her to death, ſhe however wiſhed the public was convinced of the juſtice of it, in order to avoid part of the blame of a procedure ſo rigid: but a ſentence given on non-appearance would not have produced this effect, ſince it could not be denied, that the refuſing to plead was grounded on very good reaſons. Mary however ſtood out 'till the fourteenth of October, when, ſending for ſome of the commiſſioners, ſhe told them, Hatton's arguments had convinced her of the neceſſity of manifeſting her innocence: adding, that ſhe therefore conſented to anſwer before them, provided her proteſtation was admited; to which the commiſſioners agreed; but without approving the reaſons whereon it was grounded.

Continuation of Mary's trial. Camden.

Immediately after, thirty-ſix of the judges met in the caſtle-hall, whither Queen Mary likewiſe repaired (3). Being ſeated, the chancellor turning to Mary, ſaid, " She was accuſed of conſpiring the " deſtruction of her Majeſty, the realm of England, " and the Proteſtant religion, and they were com- " miſſioned to examine the truth of this accuſation, " and to hear her anſwer." The chancellor having finiſhed his diſcourſe, Mary roſe up and ſaid, " That ſhe came into England to crave the aid " which had been promiſed her: that ſhe was a

(1) M. Rapin again miſtakes, in ſaying the commiſſion was ſent her.

(2) To this Mary replied, that ſhe refuſed not to anſwer in full parliament, provided ſhe might be declared the next in ſucceſſion; yea, before the Queen and her council, ſo as her proteſtation was admited, and ſhe was acknowledged the next of kin to Queen Elizabeth; but to the judgment of her adverſaries ſhe would never ſubmit. Camden, p. 521.

(3) At the upper end of the room was placed a chair of ſtate for the Queen of England, under a canopy of ſtate. Overagainſt it, below, at ſome diſtance, near the beam which ran acroſs the room, ſtood a chair for the Queen of Scots. By the walls on both ſides were placed benches, on which ſat the commiſſioners, Ibid. p. 522.——Thuanus obſerves, that ſome of theſe Commiſſioners were Papiſts, l. 86.

" Queen,

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" Queen, and no ſubject of Elizabeth, and if ſhe " appeared before them, it was only to ſecure her " honor and reputation." The chancellor would not own that any aid had been promiſed her. As to the proteſtation, he anſwered, " it was in vain, " ſince the law whereon the accuſation was grounded, " allowed of no diſtinction in the perſons of the " tranſgreſſors, and therefore it was not to be ad- " mited." The court ordered however that the proteſtation ſhould be recorded, with the chancellor's anſwer.

This done, the attorney-general read to her aloud the act of parliament *(1), and, after making recital of Babington's plot, concluded, that Mary had violated the ſtatute, becauſe ſhe knew of the conſpiracy, and even marked out the manner and means to effect it. She anſwered, " ſhe knew not Ba- " bington, nor ever received from, or wrote to " him any letters. She never ploted the Queen's " deſtruction, and to prove any ſuch matter, letters " under her own hand ought to be produced, which " was impoſſible. She knew not Ballard, nor ever " heard of him, and in ſhort, being a priſoner, ſhe " could not hinder the plots of others."

* As alſo the commiſſion.

Hereupon the copies of Babington's letters to her were read, containing all the circumſtances of the conſpiracy (2). It ſhould ſeem, ſince her papers were ſeized, Babington's original letters might have been produced: but as ſhe had probably burned them, the judges could ſhew only the copies which Walſingham took when poſſeſſed of the originals. Mary's reply to this was, " That Babington might " poſſibly write theſe letters; and therefore the " point was not to know, whether he wrote them " or not, but whether ſhe received them." To prove this, they read to her Babington's confeſſion before his execution, wherein he ſaid, he ſent diverſe letters to the Queen of Scots, and had from her received ſeveral. After that, were read the copies of certain letters, in cypher, from Mary to Babington, which he had received, where mention was made of the earls of Arundel and Northumberland. Then cryed out the Queen, weeping, " Alas! what has the noble houſe of the Howards " indured for my ſake!" She added, " that Ba- " bington might write what he pleaſed: that as for " her own letters in cypher, which were produced, " ſhe knew nothing of them, and it was very eaſy " for her enemies to get her cyphers, and write " forged letters in her name: that in a word, the " letters were not her hand-writing; and beſide, it " was not likely that, to execute the deſign ſhe was " charged with, ſhe ſhould imploy the earl of Arun- " del, who was priſoner in the Tower, or the earl " of Northumberland, who was very young, and " to her utterly unknown."

There were alſo read Savage's and Ballard's confeſſions, which ran, That Babington communicated to them ſeveral letters, which he had received from the Queen of Scots. To this ſhe anſwered, with a proteſtation, that Babington never received any from her.

Before I proceed, I ſhall here make two or three brief remarks. Firſt; it is ſurpriſing that Babington, Savage, and Ballard ſhould be executed before the Queen of Scots trial, ſince their teſtimony was uſed againſt her. Secondly; hitherto the whole evidence conſiſted only in Babington's confeſſion, that he had received letters from the Queen of Scots: but as he was dead, it could not be proved that thoſe were the ſame letters which had been produced and read, which moreover were only copies of letters decyphered. My third remark is, that tho' Mary proteſted, ſhe never received any letters from Babington, nor wrote any to him, Camden muſt have been ſatisfied of the contrary, ſince, in his account of the conſpiracy, he ſpeaks of a correſpondence by letters between Mary and Babington as a thing certain. This is farther confirmed by a little book, intitled, The Hiſtory of the Martyrdom of the Queen of Scots, printed at Paris in 1589, where the author, tho' a zealous ſtickler for this Queen, does not deny that ſhe held a correſpondence with Babington (3).

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Jebb's Col. Vol. II. p. 282, 285,

After this were produced ſeveral letters, in cypher, from the Queen of Scots, wherein ſhe approved of the conſpiracy. Theſe were probably the letters which Walſingham intercepted by Gifford's means, or thoſe he artfully got from the French embaſſador. Mary replied, ſhe wrote not thoſe letters, and probably they were forged by her alphabet of cyphers in France, and flatly charged the forgery upon Walſingham, who ſo cleared himſelf as ſhe ſeemed ſatisfied with his anſwer. But, to prove them hers, they produced the confeſſions of Naue and Curle, her ſecretaries, who owned they wrote them by her order.

This is what paſſed in the firſt ſeſſion, the fourteenth of October. In the afternoon were read the copies of ſome letters, received by Mary, concerning the conference, at Paris, between Ballard, Paget, and Mendoza, for invading England, and it was proved, by the teſtimony of her ſecretary Curle, that ſhe had received them. She anſwered, this proved not her intention to kill the Queen. It is here proper to obſerve that ſhe was accuſed of three crimes, viz. of conſpiring the Queen's death; of procuring England to be invaded; and of a project to extirpate the Proteſtant religion. She conſidered the firſt as the principal, to which ſhe was ready to anſwer, well knowing ſhe could not, without great injuſtice, be condemned for the other two. In anſwer to the proof taken from the teſtimony of her ſecretaries, ſhe ſaid, " She believed " Curle, the Scot, to be a very honeſt man *, " but had not the ſame opinion of Naue, the " Frenchman, who might poſſibly have been cor- " rupted: beſide, he ſo abuſed Curle's eaſineſs, " that he made him write what he pleaſed: that, " in ſhort, her ſecretaries might inſert in her let- " ters what ſhe never dictated; and therefore, ſhe " ought to be convicted by her own hand-writing, " and not by that of her ſecretaries, who would " aſſuredly clear her if they were preſent."

* But no competent witneſs.

It cannot be denied that this proceeding was very irregular; firſt, becauſe three men, on whoſe evidence it was pretended to convict this Queen, had been executed: ſecondly, as her ſecretaries, who were alive, were never confronted with her, tho' their teſtimony was uſed. This was the more ſtrange, as by the act of parliament paſſed in the thirteenth year of this very reign, it was expreſly ordained, that the

Remark on the proceedings.

(1) She at firſt boldly and reſolutely offered her proteſtation againſt the ſaid act, as made directly and purpoſely againſt her. But on the lord treaſurer's ſaying, every Perſon in the kingdom was bound by the laws, tho' never ſo lately made; and that the commiſſioners were reſolved to proceed according to that law, what proteſtations ſoever ſhe interpoſed; ſhe finally ſaid; " That ſhe was ready to anſwer touching any fact whatſoever commited againſt the Queen of England. Camden, p. 522.

(2) To this ſhe ſaid, there had paſſed letters between her and many men, yet it could not thence be infered, that ſhe was privy to all their wicked deſigns. Camden, p. 522.

(3) Thuanus alſo affirms, that Babington and Ballard confeſſed, and their intercepted letters confirmed the ſame, that Mary was informed of the conſpiracy, and the deſign of deſtroying Queen Elizabeth was undertaken for her ſake, and on her account.

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witneſſes ſhould be brought face to face with the parties accuſed.

It was, undoubtedly, on this account that the lord treaſurer Burleigh, perceiving the imbaraſſment occaſioned by Mary's anſwer, grounded on the Engliſh laws, thought proper to proceed to other matters. He therefore charged her with having intentions to ſend the King her ſon into Spain, and reſign to Philip II her right to the kingdom of England. One might readily comprehend, that the firſt of theſe accuſations was very foreign to the purpoſe, ſince the affairs of Scotland were not in diſpute: accordingly ſhe made no anſwer to it. As to the ſecond, ſhe only ſaid, "That, by her birth, ſhe was preſumptive heir "to Queen Elizabeth, and it was lawful to con-"vey her right to whom ſhe pleaſed; but that all "this amounted not to any proof of her having "conſented to the project of killing the Queen."

It being objected to her, that ſhe had ſent her alphabet of cyphers to certain Papiſts, as Curle had teſtified, ſhe denied it not, and briefly replied, "It was not unlawful to hold correſpondence, and "negociate her concerns with men of her religion." But theſe objections ſerved only to divert them from the main point, ſince nothing of all this was contained in the accuſation. At laſt, ſhe was again urged with the teſtimonies of her ſecretaries, to which ſhe made the ſame anſwer as before, proteſting ſhe knew neither Babington nor Ballard. "But, ſaid the lord treaſurer, you very well know "Morgan, who ſent Parry over to kill the Queen, "and have aſſigned him a penſion." To this ſhe anſwered, "She was ignorant of what Morgan "had done, but knew that he had loſt all for her "ſake, and ſhe might as well give him a penſion, "as Elizabeth give one to Gray, and the King "himſelf."

Then they proceeded to the other two articles of the impeachment, concerning the invaſion of England, and extirpation of the Proteſtant religion; and to prove that Mary was concerned in theſe conſpiracies, they read the letters which ſhe wrote to Mendoza, Inglefield, and lord Paget. She anſwered, "that theſe matters proved not her having "any hand in the conſpiracy againſt the Queen's "life: that ſhe had nothing to ſay to the reſt, and "had often declared to the Queen herſelf, ſhe "would try all means to procure her own liberty." Thus paſſed the ſecond ſeſſion.

Next day, the court being met, Mary repeated her proteſtation againſt the authority of her judges, and required it to be recorded, and a copy delivered to her. She complained, "That all her offers for "accommodation were rejected (1), and herſelf "moſt unworthily treated, by their thus publicly "reading all her letters, containing many parti-"culars no way relating to the impeachment." To this the lord treaſurer replied, "That he was go-"ing to anſwer her in a double capacity, as com-"miſſioner, and as privy-counſellor. As com-"miſſioner, he told her, her proteſtation was re-"corded, and a copy thereof ſhould be delivered "her. As to their authority, it was grounded "on the power confered on them by letters "patent under the Queen's own hand, and the "great ſeal. That for the peruſing her letters, "which ſhe complained of, it was neceſſary to "read them whole and intire, becauſe they con-"tained matters which, by their circumſtances, "were ſo interwoven, that there was no ſeparat-"ing them." Here ſhe interrupted him, and ſaid, "Tho' the circumſtances were proved, it would "ſignify nothing, if the principal fact was not: "that her integrity depended not on the credit of "her ſecretaries, ſince they might very poſſibly "be corrupted: that theſe letters, having no ſu-"perſcription, might be directed to others, and "many things inſerted without her knowledge; "but if ſhe had her papers, ſhe could the more "eaſily vindicate herſelf." The lord treaſurer anſwered, "Nothing ſhould be objected but what "paſſed ſince the nineteenth of June laſt, con-"cerning which her memory could furniſh her "with what ſhe thought requiſite for her defenſe: "that her papers would be of no ſervice to her, "ſince Babington, and her ſecretaries, without "being tortured, had owned theſe letters came "from her: that it was left to the commiſſioners "to judge, whether more credit was to be given "to her bare negation, than to their affirmation." He added, as a privy-counſellor, "that it was "true, ſhe had made diverſe eſſays to procure her "liberty, and if they proved fruitleſs, it was ow-"ing to herſelf and the Scots: that the peers of "Scotland had refuſed to give the King in ho-"ſtage, and when the firſt treaty was held con-"cerning her releaſe, Morgan her vaſſal ſent Parry "into England to kill the Queen." Mary eaſily perceived the venom of theſe words, whereby, under color of juſtifying the council, the lord treaſurer would have inſinuated to the other commiſſioners, that ſhe was concerned in Parry's treaſons. Wherefore, upon hearing him ſay this, "Ah! (ſaid "ſhe) you are my adverſary. Yes (ſaid he) I am "adverſary to all Queen Elizabeth's enemies."

Now were read again her letters to Paget, wherein ſhe told him, there was no other way for the King of Spain to reduce the rebellious Netherlanders, but by ſeting a Catholic on the throne of England. There was likewiſe read the copy of cardinal Allen's letter to her, wherein he ſtiled her his "moſt dread Sovereign Lady," and told her, the buſineſs was recommended to the Prince of Parma's care. She anſwered, ſtill adhering to the firſt article of the impeachment, "That Babing-"ton, and her ſecretaries, had accuſed her to ſave "themſelves: that ſhe had never heard of the ſix "murderers, and all the reſt was of no ſervice to "prove the principal crime ſhe was accuſed of: "that ſhe held Allen for a reverend prelate, and "acknowledged the Pope for the true head of the "church; neither could ſhe hinder foreigners from "giving her what titles they pleaſed: that, as for "her ſecretaries, ſhe was willing to add to what "ſhe had already ſaid of them, that they deſerved "no credit, for as they had ſworn ſecreſy to her, "they could be deemed no other than perjured "wretches, when they gave in their evidence "againſt her: that Naue had often writ otherwiſe "than he dictated, and Curle whatever Naue bid "him: that they had poſſibly confeſſed ſeveral "falſhoods to ſave their lives, imagining, that "her royalty would ſcreen her from puniſhment: "that ſhe had never heard of any ſuch man as "Ballard, but of one Hallard, who had offered "her his ſervice, which however ſhe refuſed, be-"cauſe ſhe knew him to be one of Walſingham's "ſpies." Mary had great advantage given her in not confronting the witneſſes, tho' it be a neceſſary formality in criminal trials.

Laſtly, were read ſome particular paſſages out of Mary's letters to Mendoza, wherein mention was made of her deſign to convey to the Spaniard her right to the crown of England. To this ſhe anſwered, "That being cloſe priſoner, and in a de-"clining condition, it ſeemed good to her friends, "that the ſucceſſion to the crown of England

(1) Even tho' ſhe promiſed to deliver her own, and the duke of Guiſe's ſons in hoſtage. Camden, p. 524.

"ſhould

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" ſhould be ſettled upon the King of Spain, or " ſome Engliſh Catholic ; and that a book was " ſent her to juſtify the Spaniard's title, which ſhe " would not read ; but deſpairing to recover her " liberty by any other means, ſhe had reſolved not " to refuſe foreign aſſiſtance." When ſhe had done ſpeaking, the lord treaſurer aſked her if ſhe had any more to ſay in her defenſe? To which ſhe replied, " That ſhe required to be heard in full " parliament, or before the Queen and council." Then the court adjourned, 'till the twenty-fifth of October, to the Star-chamber at Weſtminſter.

Remark on Camden's recital.

This is Camden's account of the Queen of Scots trial at Fotheringhay. As there are no better memoirs, we are in a manner forced to ſuppoſe what he ſays to be true. There is however but too much cauſe to ſuſpect, he has curtailed or altered in ſeveral places, what he pretends to take from the regiſter's memoirs. For inſtance, it may eaſily be remarked in this narrative, that whatever is objected to the Queen of Scots, is indeterminate and general, without deſcending to particulars. Of all the letters read for her conviction, he cites not one extract ; ſo that ſhe ſeems to have been accuſed of holding a correſpondence by letters with Babington, and others of Elizabeth's enemies, rather than of ingaging in a ſettled plot to kill the Queen, tho' this was the principal point. In a word, this hiſtoſtorian's partiality for the Queen of Scots, on other occaſions, gives reaſon to think, he did not forget himſelf in this capital article, but uſed all his art to render doubtful the fact ſhe was accuſed of. However, as this is only a conjecture, I pretend not to inſiſt upon it (1). I ſhall content my ſelf, in order to clear this affair, with making ſome obſervations on this famous trial.

Reflections on the trial.

It is ſcarce to be doubted, that Mary's death was determined when Elizabeth, and her council, reſolved to have her tried by commiſſioners: but it muſt not be imagined, their intention was to puniſh her for attempting the life of Elizabeth. Had that been all, they would never have proceeded to the laſt extremities, but would, doubtleſs, have been ſatisfied with puting it out of her power to contrive any ſuch plots for the future, which would have been eaſy, by confining her more cloſely. But it was not ſo eaſy to hinder the Pope, the King of Spain, the houſe of Guiſe, the Engliſh Catholics, the Iriſh and the Scotiſh male-contents, from conſidering her as a Princeſs to whom of right belonged the two crowns of England and Scotland, and from uſing their continual indeavors to reſtore her to the throne of Scotland, and place her on that of England, even before Elizabeth's deceaſe. Tho' ſhe had been ſo cloſely confined that ſhe could not have been perſonally concerned in theſe machinations, it would not have prevented her partiſans from acting in her favor: nothing therefore but her death could break their meaſures, and put a period to the plots which were daily framing on her account : ſo, it might be truly ſaid, that as Elizabeth's death was Mary's life, ſo Mary's death alone could preſerve Elizabeth, and with her, liberty and the Proteſtant religion in England ; but as there was little probability Mary, who was the younger, ſhould quit firſt this world by a natural death, recourſe muſt be had to violence, that both Queen and realm might be freed from the impending danger. The part Mary bore in Babington's conſpiracy, and which was ſeemingly much greater than what Camden intimates, was not therefore the real cauſe of her condemnation, but only the pretenſe uſed to be rid of a Queen on whoſe life Elizabeth's adverſaries grounded all their hopes. It was therefore Mary's own friends who occaſioned her misfortune, by ſerving her over zealouſly, or rather by making her their inſtrument to execute their grand projects againſt the reformation. The Pope flattered himſelf with reſtoring, by her means, Papiſm in England ; and the Engliſh Papiſts looked on her as the only perſon who could free them from the inſupportable yoke of a Heretical government. Philip II ſaw no other means to ſubdue the Netherlanders. Laſtly, the houſe of Guiſe, whoſe ambitious projects are ſufficiently known, thought to find in her a moſt infallible means to cruſh the Hugonots of France, who ſupported the lawful heir in his title to that crown. Mary herſelf gave too much countenance to all theſe plots. She was ſo imprudent as, tho' a priſoner, inceſſantly to confound two things which could well be diſtingniſhed and ſeparated ; I mean, her liberty, and her title to the crown of England. She thereby gave Elizabeth occaſion to confound them alſo, and to effect her ruin, in order to preſerve her own life and crown.

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Theſe were the real motives of Mary's condemnation. If we conſider them politically, they may be ſaid to be good and neceſſary ; but it very frequently happens that policy is repugnant to juſtice and equity. On this condemnation it is that Elizabeth's enemies have triumphed, and indeed, it is a very proper ſubject for rhethoric. But if it is conſidered who were the loudeſt exclaimers againſt Elizabeth, they will be found to be the very perſons who would have murdered her, to ſet Mary on the throne of England. Had they ſucceeded in their deſign, would their deed have been juſter, or more agreeable to the precepts of Chriſtianity ? Doubtleſs it would, was the cauſe to be tried by the principles of the adverſaries to Elizabeth and her belief. But if it was allowed by the laws of religion, juſtice and equity, to deprive Elizabeth of life, in order to place Mary in the throne, and reſtore Popery in England, was it leſs allowable for the Engliſh to cut off Mary's head, in order to preſerve their Queen and religion from deſtruction, wherewith they were perpetually menaced ? Let us rather pronounce theſe maxims to be equally blameable and repugnant to goſpel rules, to whatever party they are applied.

Having ſeen the real motives of Queen Mary's condemnation, there is no great cauſe to wonder at the irregularities to be obſerved in her trial. The point was not ſo much to puniſh her for her ſhare in the conſpiracy, as to ſatisfy the public ſhe was concerned in it, that her condemnation might be thought the leſs ſtrange, or rather abſolutely neceſſary for England's ſafety. The Queen and council believed they had ſufficient evidence of Mary's being acquainted with the conſpiracy, having thereto conſented and even promoted its execution to the utmoſt of her power. This ſufficed for their deſign. They knew the people would eaſily excuſe ſome irregularities in a matter wherein their own preſervation was concerned.

Since therefore Mary's condemnation cannot be otherwiſe conſidered than as the pure effect of Elizabeth's policy, it is quite to no purpoſe that ſome ſtart, concerning her trial, the ſubſequent queries, viz. 1. What authority had Elizabeth over her ? 2. Whether Mary could be conſidered as ſubject to the laws of England, under color of her having reſided there eighteen years, being all the while a priſoner ? 3. Whether it could be ſaid, ſhe had injoyed, during that time, the protection of the

(1) This conjecture is however grounded upon the difference between Camden's account, and that of Thuanus, l. 86. Vol. III. p. 156 and 162. Rapin.

laws,

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laws, and be thence infered, that ſhe ought to be liable to them? 4. Whether, even on ſuch a ſuppoſition, ſhe had injoyed in her trial the benefit of the laws of England? 5. Whether ſhe were tried by her peers, according to the conſtant and immutable privilege of the Engliſh? 6. Who could be her peers? 7. Whether Elizabeth's commiſſion was according to law? 8. Whether the formalities, requiſite in a trial of this nature, were obſerved? 9. Whether ſhe can be ſaid to be legally convicted, by the teſtimony of perſons not then living, and whom it lay in Elizabeth's breaſt to keep alive and confront? 10. Whether the evidence of her ſecretaries, who were ſtill alive, could be deemed valid, without being confronted, contrary to expreſs acts of parliament? 11. Whether a captive Queen's conſent to the invaſion of a kingdom, where ſhe is unjuſtly detained, is a crime worthy of death? 12. Whether the letters in cypher, writ by her ſecretaries, were a ſufficient proof that the whole contents were dictated by her? 13. Laſtly, ſuppoſing ſhe had given a full and intire conſent to the plot, whether the manner of her being detained in England, her long confinement, the loſs of her kingdom procured partly by Elizabeth's ſecret practiſes, did not merit that her crime ſhould be reckoned of a different nature from that of a ſubject who conſpires againſt his Sovereign? I think it not poſſible to vindicate Elizabeth on each of theſe queries. We muſt therefore keep to the neceſſity ſhe was under of deſtroying Mary to ſave herſelf, and juſtify her by the natural law of ſelf-preſervation, the only one can be alledged in her juſtification (1).

Sentence pronounced againſt Mary.

The commiſſioners being aſſembled (2) in the Star-chamber, at Weſtminſter, the twenty-fifth of October, ſent for Naue and Curle, who confirmed upon oath their former evidence; after which ſentence was pronounced. It ran in general, that Mary had violated the act paſſed the preceding year. This is all was divulged. It is not known, whether the commiſſioners expreſly ſentenced to death this royal priſoner, or whether, after their judgment of the fact, they refered it to the laws and Queen Elizabeth to decide what puniſhment the offenſe merited. What follows is all was afterwards publiſhed by Elizabeth's order. "That "ſince the firſt day of June, in the twenty-ſeventh "year of the reign of Queen Elizabeth, diverſe "matters have been compaſſed and imagined with- "in this realm of England, by Anthony Babing- "ton and others, with the privity of the ſaid "Mary, tending to the hurt, death and deſtruc- "tion of our ſaid lady the Queen. And alſo, "that ſince the foreſaid day, the ſaid Mary pre- "tending a title to the crown of this realm, di- "verſe matters tending to the deſtruction of the "royal perſon of our Sovereign lady the Queen, "contrary to the tenor of the ſtatute in the com- "miſſion aforeſaid ſpecified."

It is eaſy, by this very extract, to perceive that the ſentence muſt have been longer and fuller, as may be judged by theſe words, "the ſaid Mary," which imply her being mentioned before: but Elizabeth thought not proper to publiſh more of it. The author of a book intitled, "The Hiſtory of "the Martyrdom of Mary Stuart," ſays, ſuch great care was taken to conceal this ſentence, that he could not poſſibly ever recover a copy of it, notwithſtanding all his diligence. "Without "doubt (continues he) there were myſteries in it "which were not to be divulged."

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Declaration of the judges in the King of Scotland's favor. Camden.

The ſame day ſentence was pronounced, the judges declared, it did nothing derogate from the King of Scotland, that is, his title to the crown of England did ſtill remain intire. But was it their buſineſs to give ſuch a determination concerning the ſucceſſion, when they were not impowered by their commiſſion? It is viſible, they acted by direction from Elizabeth, who by this means ſtrove to pacify the King of Scotland: otherwiſe, the judges would not have preſumed to make ſuch a declaration which was beyond the extent of their power.

The parliament confirms the ſentence, and petition the Queen to put it in execution. Novemb. 12. Camden. D'ewes. p. 380.

The parliament, meeting four days after, on the twenty-ninth of October, approved and confirmed the ſentence given againſt the Queen of Scots: but whether this was without a perfect information of the caſe, or after a diligent inquiry, it is hard to know, tho' afterwards Elizabeth pretended it was not 'till after a ſerious and deliberate examination. Howſoever it be, the parliament, having confirmed the ſentence, addreſſed Elizabeth with beſeeching her to order its being put in execution. This addreſs contained reaſons taken not from the atrocity of Mary's crime, but the danger to which the Queen and realm would be expoſed if the Queen of Scots was ſuffered to live (3). Elizabeth, to this petition returned a reply, the intent whereof was to intimate to the parliament her being exceſſively troubled and irreſolute. She aimed to inſinuate, that ſhe was inclined to mercy, but that the great affection ſhe bore her people extremely imbaraſſed her. It was eaſy from this ſpeech to conclude that ſhe deſired to be preſſed, leſt ſhe ſhould ſeem to act from a motive of revenge. Here follows the anſwer, which perfectly manifeſts Queen Elizabeth's character.

Elizabeth's anſwer. State-Trials, Vol. I. p. 149. Hollingth. p. 1582.

"SO many and ſo great are the bottomleſs "graces and immeaſurable benefits beſtowed "upon me by the Almighty, that I muſt not only "moſt humbly acknowledge them as benefits, but "admire them as miracles, being in no ſort able "to expreſs them. And tho' there liveth not any "who may more juſtly acknowledge himſelf "bound to God than I, whoſe life he hath mira- "culouſly preſerved from ſo many dangers: yet "am I not more deeply bound to give him thanks "for any one thing, than for this which I will "now tell you, and which I account as a miracle, "namely, that as I came to the crown with the "moſt hearty good-will of all my ſubjects, ſo "now, after a twenty-eight years reign, I perceive "in them the ſame, if not greater good-will to- "wards me; which if once I loſe, well might I "breathe, but never think I lived. And now "tho' my life hath been dangerouſly ſhot at, yet I "proteſt there is nothing hath more grieved me "than that one, not differing from me in ſex,

(1) Dr. Welwood obſerves, "That when every day produced ſome new conſpiracy againſt the life of Queen Elizabeth, and "that in moſt of them the Queen of Scots was concerned, either as a party, or the occaſion; Queen Elizabeth was put under "a fatal neceſſity, of either taking off the Queen of Scots, or expoſing her own perſon to the frequent attempts of her ene- "mies." Memoirs, p. 13. Du Maurier alſo expreſly ſays, That Queen Mary was the cauſe of her own ruin, by her reſtleſs temper, and her repeated deſigns againſt Queen Elizabeth's life, Preface to his Memoirs. For Queen Mary's friends would never ſuffer her to be quiet, but were eternally ploting and contriving, bribing and conſpiring, how to murder Queen Elizabeth, and ſet up the Queen of Scots in her ſtead, to reſtore their beloved Popery here in England. Bohun's character of Queen Elizabeth, p. 129.

(2) The earls of Shrewſbury and Warwick were abſent, being then ſick. Camden, p. 525.

(3) See the petition in D'ewes's Journal, p. 380; and in the Appendix to Elizabeth's reign, p. 667, Complete Hiſtory, Vol. II.

"of

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" of like rank and degree, of the ſame ſtock,
" and moſt nearly allied unto me in blood, hath
" fallen into ſo great a crime. And ſo far have I
" been from bearing her any ill-will, that upon the
" diſcovery of certain treaſonable practiſes againſt
" me, I wrote unto her ſecretly, that if ſhe would
" confeſs them by a private letter unto myſelf,
" they ſhould be wraped up in ſilence. Neither
" did I write thus in mind to intrap her, for I
" knew then as much as ſhe could confeſs. And
" even yet, tho' the matter be come thus far, if
" ſhe would truly repent, and no man would un-
" dertake her cauſe againſt me, and if my life
" alone depended hereupon, and not the ſafety and
" welfare of my whole people, I would (I proteſt
" unfeignedly) moſt willingly pardon her: nay,
" if England might, by my death, obtain a more
" flouriſhing eſtate, and a better Prince, I would
" moſt gladly lay down my life; for, for your
" ſakes it is, and for my peoples, that I deſire to
" live. As for me, I ſee no ſuch great cauſe why
" I ſhould either be fond to live, or fear to die.
" I have had good experience of this world; and
" I know what it is to be a ſubject, and what to
" be a Sovereign. Good neighbors I have had,
" and I have met with bad; and in truſt I have
" found treaſon. I have beſtowed benefits upon
" ill-deſervers: and where I have done well have
" been ill requited. While I call to mind theſe
" things paſſed, behold things preſent, and expect
" things to come, I hold them happieſt who go
" hence ſooneſt. Nevertheleſs againſt ſuch miſ-
" chiefs as theſe I put on a better courage than is
" common to my ſex; ſo as whatſoever befal me,
" death ſhall not take me unprepared.

" And, as touching theſe treaſons, I will not ſo
" prejudicate myſelf or the laws of my kingdom,
" as not but to think that ſhe, having been the
" contriver of the ſame treaſons, was bound and
" liable to the ancient laws, tho' the late act had
" never been made. So far was it from being
" made to intrap her, that it was rather intended
" to forewarn and terrify her from attempting any
" thing againſt it. But ſeeing it was now in force
" of a law, I thought good to proceed againſt her
" according to the ſame. But you lawyers are ſo
" curious in ſcaning the nice points of the law, and
" following of precedents and form, rather than
" expounding the laws themſelves, that, by exact
" obſerving of your form, ſhe muſt have been in-
" dicted in Staffordſhire, and have holden up her
" hand at the bar, and have been tried by a jury of
" twelve men. A proper courſe, forſooth, of
" trial againſt a Princeſs! To avoid therefore ſuch
" abſurdities, I thought it better to refer the ex-
" amination of ſo weighty a cauſe to a good
" number of the nobleſt perſonages of the land,
" and the judges of the realm; and all little enough:
" for we Princes are ſet as it were upon ſtages in
" the ſight and view of all the world; the leaſt ſpot
" is ſoon ſpied in our garments, a blemiſh quickly
" noted in our doings. It behoveth us therefore to be
" careful that our proceedings be juſt and honorable.
" But I muſt tell you one thing that, by this laſt
" act of parliament, you have brought me to a
" narrow ſtreight, that I muſt give order for the
" death of her who is a Princeſs moſt nearly allied
" unto me in blood, and whoſe practiſes againſt
" me have ſtricken me into ſo great grief, that I
" have been glad to abſent myſelf from the par-
" liament, leſt I ſhould increaſe my ſorrow by
" hearing it ſpoken of; and not out of fear of any
" danger, as ſome think. But yet I will now tell
" you a ſecret (tho' it is well known that I have the
" property to keep council) it is not long ſince
" theſe eyes of mine ſaw and read an oath, wherein
" ſome bound themſelves to kill me within a month.
" Hereby I ſee your danger in me, which I will be
" very careful to avoid.

" Your aſſociation for my ſafety I have not for-
" got, which I never ſo much as thought of 'till a
" great number of hands, with many obligations,
" were ſhewed me: which as I do acknowledge
" as a ſtrong argument of your true hearts, and
" great zeal to my ſafety, ſo ſhall my bond be
" ſtronger tied to a great care for your good. But
" foraſmuch as this matter now in hand is very rare,
" and of greateſt conſequence, I hope you do not
" look for any preſent reſolution; for my manner
" is, in matters of leſs moment than this, to de-
" liberate long upon that which is once to be re-
" ſolved. In the mean time, I beſeech Almighty
" God to illuminate my mind, that I may foreſee
" that which may ſerve for the good of his church,
" the proſperity of the commonwealth, and your
" ſafety: and that delay may not breed danger,
" we will ſignify our reſolution with all conveniency.
" And whatever the beſt ſubjects may expect at
" the hands of the beſt Princeſs, that expect from
" me to be performed to the full."

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Remark on the Queen's ſpeech.

It is not very difficult to perceive in this ſpeech, notwithſtanding her affected obſcurity, the double view Elizabeth propoſed to herſelf. One was, to make the public believe, ſhe could not, without extreme concern, reſolve to execute Queen Mary. The other, to inſinuate to the parliament, that there was a neceſſity of diſpatching the Scotiſh Queen, or reſolving to loſe the beſt of Queens, who was very ready to lay down her life for the good of her ſubjects. She chiefly inſiſted on her tenderneſs for her people, that they might fear to be deprived of ſo gracious a Sovereign, and earneſtly require the death of her adverſary. But leſt the parliament's affection for her ſhould not be ſtrong enough, ſhe took care to hint, more than once, that their own ſafety depended on her preſervation. She ſaid, if her own welfare only lay at ſtake, ſhe would readily ſhew mercy, ſhe not being over fond of life; but that it was the nation's danger which alone gave her uneaſineſs. Was not this ſaying in very plain terms, that the Queen of Scot's death was neceſſary for the nation's ſafety? She would have it believed, ſhe was inclined to ſpare Mary, but alledged not one tittle in her behalf. On the contrary, ſhe made uſe of the arguments of ſex and conſanguinity to agravate her crime, and clearly ſet forth the reaſons which might determine her to conſent ſhe ſhould die. She magnified the care ſhe had taken not to ſuffer her dignity to be debaſed, by trying her like a common perſon. But what favor was it to nominate as her judges (among whom were her moſt inveterate enemies) perſons who had before voted againſt her in the council, and had been for bringing her to a trial? Hatton, one of the judges, drew her into a ſnare, by perſuading her to plead, and the lord treaſurer acted in ſome meaſure the accuſer's part.

Digges's embaſ.

On the other hand we ſee, in ſeveral of Walſingham's letters, ſent from France when he was embaſſador, that it was his opinion, Elizabeth could never be ſafe while Mary lived. Was it not a great favor to give her ſuch judges? Finally, with what deſign was it Queen Elizabeth told her parliament, that ſhe knew for certain ſome had bound themſelves by oath to kill her within a month? Was it not to incite the two houſes to avert this calamity, by a ſpeedy execution of the ſentence paſſed againſt Mary? All this demonſtrates that her aim was to ingage the parliament to preſs her on that head, that ſhe might in ſome meaſure be juſtified to the world, by aſcribing the execution of this ſentence to the inſtances made by her parliament. But the ſequel will render it ſtill more manifeſt.

On the twelfth day after, Elizabeth ſent the lord

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chancellor to the upper houſe, and Puckering (1) to the lower, to deſire them to find ſome expedient, whereby the Scotiſh Queen's life might be ſaved, and her own ſafety provided for. The two houſes, after a ſerious debate, anſwered, that her ſafety could not poſſibly be ſecured ſo long as the Queen of Scots lived: that only four methods that way tending could be deviſed, which were all inſufficient. The firſt was, that the Queen of Scots ſhould ſeriouſly repent: but ſuch a repentance was not to be expected, ſince ſhe would not ſo much as acknowledge her guilt. The ſecond, that ſhe ſhould be more cloſely guarded, and bound to her good demeanor by bond and oath. The third, that ſhe ſhould give hoſtages: but theſe ways were wholly inſignificant, ſince if Queen Elizabeth was once deprived of life, all theſe precautions would vaniſh. The fourth, that ſhe ſhould depart the kingdom: but this was the moſt dangerous: for if, while a priſoner, ſhe excited ſo many in her favor, what would ſhe do if at liberty? In ſhort, both houſes in their anſwer repreſented to the Queen, that if it were injuſtice to deny execution of the law to the meaneſt of her ſubjects, how much more to the whole body of the people, unanimouſly and with one voice ſuing for it? They who have the leaſt knowledge what influence the court party uſually have on the two houſes, will very eaſily judge, that the parliament would never have thus expreſſed themſelves, had they not known it pleaſing to her Majeſty. But to give the reader a clearer inſight into Elizabeth's character, it will be neceſſary to inſert her anſwer, as a full evidence, not of her pretended imbaraſs and uncertainty, but of her conſummate diſſimulation, on this head.

Elizabeth deſires the two houſes to deviſe ſome expedient. They find none, and inſiſt on their demand.

Elizabeth's ſpeech to the parliament. Hollingſh. p. 1585. State-Trials.

"FULL grievous is the way, whoſe going on and end yield nothing but cumber for the hire of a laborious journey. I have this day been in greater conflict with myſelf than ever in all my life, whether I ſhould ſpeak, or hold my peace. If I ſpeak, and not complain, I ſhall diſſemble; and if I ſhould be ſilent, your labor taken were all in vain. If I ſhould complain, it might ſeem ſtrange and rare. Yet I confeſs, that my moſt hearty deſire was, that ſome other means might have been deviſed to work your ſecurity, and my ſafety, than this which is now propounded. So I cannot but complain, tho' not of you, yet unto you, that I perceive by your petitions, that my ſafety dependeth wholly upon the death of another. If there be any who think I have prolonged the time on purpoſe to make a counterfeit ſhew of clemency, they do me the moſt undeſerved wrong, as he knoweth who is the ſearcher of the moſt ſecret thoughts of all hearts. Or if there be any who is perſuaded, that the commiſſioners durſt not pronounce other ſentence, as fearing thereby to diſpleaſe me, or to ſeem to fail of their care for my ſafety, they do but heap upon me moſt injurious conceits. For either thoſe whom I have put in truſt have failed of their duties, or elſe they ſignified unto the commiſſioners, in my name, that my will and pleaſure was, that every one ſhould deal freely, according to his conſcience; and what they would not openly declare, that they ſhould reveal unto me in private. It was of my moſt favorable mind towards her, that I deſired ſome other means might be found out to prevent this miſchief. But ſince now it is reſolved, that my ſurety is moſt deſperate without her death, I have a moſt inward feeling of ſorrow, that I, who have in my time pardoned ſo many rebels, winked at ſo many treaſons, or neglected them with ſilence, muſt now ſeem to ſhew cruelty upon ſo great a Princeſs. ELIZAB. AN' 1586.

"I have, ſince I came to the crown of this realm, ſeen many defamatory books and pamphlets againſt me, accuſing me to be a tyrant. Well fare the writers hearts; I believe their meaning was to tell me news; and news indeed it was to me, to be branded with the note of tyranny: I would it were as great news to hear of their impiety. But what will they not write now, when they ſhall hear that I have given conſent, that the executioner's hands ſhould be imbrued in the blood of my neareſt kinſwoman? But ſo far am I from cruelty, that, to ſave my own life, I would not offer her violence; neither have I been ſo careful how to preſerve my own life, as how to preſerve both; which that it is now impoſſible I grieve exceedingly. I am not ſo void of judgment, as not to ſee my own perils before my eyes; nor ſo mad as to ſharpen a ſword to cut my own throat; nor ſo careleſs, as not to provide for the ſafety of my own life. But this I conſider with myſelf, that many a man would put his own life in danger, to ſave a Princeſs's life: I do not ſay ſo will I; yet have I many times thought upon it.

"But ſeeing ſo many have both written and ſpoken againſt me, give me leave, I pray you, to ſay ſomewhat in my own defenſe, that you may ſee what manner of woman I am, for whoſe ſafety you have paſſed ſuch careful thoughts: wherein as I do with moſt thankful heart conſider your vigilant care; ſo am I ſure I ſhall never require it, had I as many lives as you all.

"When firſt I took the ſcepter, I was not unmindful of God the giver, and therefore began my reign with his ſervice, and the religion I have been both born in, bred in, and I truſt ſhall die in. And tho' I was not ignorant how many perils I ſhould be ſet withal at home for altering religion, and how many great Princes abroad, of a contrary profeſſion, would attempt all hoſtility againſt me: yet was I no whit diſmayed, knowing that God, whom only I reſpected, would defend both me and my cauſe. Hence it is, that ſo many treacheries and conſpiracies have been attempted againſt me, that I rather marvel that I am, than muſe that I ſhould now be alive at this day, were it not that God's holy hand hath protected me, even beyond all expectation. Then, to the end I might make the better progreſs in the art of ſwaying the ſcepter, I entered into long and ſerious cogitations, what things were worthy and fiting for Kings to do; and I found it moſt neceſſary that they ſhould be abundantly furniſhed with thoſe ſpecial virtues, juſtice, temperance, prudence, and magnanimity. As for the two latter, I will not boaſt my ſelf, my ſex doth not permit it: but for the two former, I dare ſay (and that without oſtentation) I never made a difference of perſons, where right was one. I never prefered, for favor, whom I thought not fit, for worth: I never bent my ear to credit a tale when firſt told; nor was ſo raſh to corrupt my judgment with prejudice, before I heard the cauſe. I will not ſay but many reports might haply have brought me into much favor of the one ſide or the other; for we Princes cannot hear all ourſelves: yet this I dare ſay boldly, my judgment ever went with the truth, according to my underſtanding; and as full well Alci-

(1) Speaker of the houſe of commons. Camden, p. 527.——It was not he who was ſent with that meſſage, but ſir Chriſtopher Hatton; and then it was not the 12th, as Camden affirms, but the ſecond day after. See D'ewes, p. 403.

"biades

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" biades wiſhed his friend, not to give any anſwer " 'till he had run over the letters of the alphabet; " ſo have I not uſed raſh and ſudden reſolutions in " any thing.

" And therefore, as touching your counſels and " conſultations, I acknowledge them to be ſo care- " ful, provident, and profitable, for the preſerva- " tion of my life, and to proceed from minds ſo " ſincere, and to me moſt devoted, that I ſhall in- " deavor myſelf, all I can, to give you cauſe to " think your pains not ill beſtowed, and ſtrive to " make myſelf worthy of ſuch ſubjects.

" And now for your petition, I pray you for " this preſent to content yourſelves with an anſwer " without anſwer. Your judgment I condemn not, " neither do I miſtake your reaſons; but pray to " accept my thankfulneſs, excuſe my doubtfulneſs, " and take in good part my anſwer, anſwer-leſs. " If I ſhould ſay, I would not do what you re- " queſt, I might ſay perhaps more than I think; " and if I ſhould ſay I would do it, I might plunge " into peril myſelf, whom you labor to preſerve; " which in your wiſdoms and diſcretions you would " not that I ſhould, if you conſider the circum- " ſtances of place, time, and the manners and " conditions of men."

This harangue, of a like ſtamp and ſpirit with the preceding one, was not (as ſhe herſelf acknowledges) her Majeſty's anſwer to the petition of both houſes, but a bare intimation to the Engliſh, how imprudent it would be to hazard the life of ſo good a Queen, in order to ſave Mary's. She would be thought in a great perplexity, and yet gave to underſtand ſhe was fully determined. And indeed, ſince ſhe prefered her ſubjects good to all other conſiderations, and Mary's death was neceſſary to them, what could be the occaſion of her doubts? In comparing the reaſons which inclined her to mercy, with thoſe which concerned her own ſafety, there needed no very deep penetration, to diſcover which ſide ſhe would turn to, howſoever irreſolute ſhe ſeemed. So, in this, as in the former ſpeech, her ſole aim was to make the public believe, ſhe yielded with reluctancy to the ſollicitations of her parliament, tho' ſhe took care not to object any ſtrong reaſons to theſe ſollicitations. But her actions were ſtill plainer indications, than her ſpeeches, of what paſſed in her thoughts.

The parliament prorogued. D'ewes. p. 382.

Immediately after this anſwer-leſs anſwer, the parliament was prorogued (1), doubtleſs, for fear, her feigned perplexities ſhould be taken literally, and ſome expedient found to ſave the Queen of Scots. After what had paſſed, Elizabeth no longer needed a parliament, and in executing the ſentence could ſay, ſhe only yielded to the two houſes preſſing inſtances. It will perhaps be thought ſtrange, that I am thus peremptory in a buſineſs ſo hard to be known as Elizabeth's inmoſt thoughts: but, in my opinion, very evident proofs may be drawn, both from her actions and words, that throughout this whole affair ſhe acted with conſummate diſſimulation.

Mary is informed of her ſentence. Camden.

A few days after the parliament's prorogation, lord Buckhurſt and Beale were ſent to the Queen of Scots. They had orders to notify, that her judges had condemned her to die, that the parliament had confirmed the ſentence, and required its being put in execution, believing, if ſhe remained alive, England's eſtabliſhed religion could not ſubſiſt. She received theſe tidings with great reſolution, and even ſeemed to triumph, that religion was the cauſe of her death (2). Then ſhe ſaid, with ſome emotion, " It is no wonder if the Engliſh, who have " often put their own Sovereigns to death, ſhould " treat in the ſame manner a Princeſs ſprung from " the blood of their Kings."

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She ſhews great firmneſs of mind.

The French embaſſador ſollicits in her favor.

L'Aubeſpine, the French embaſſador, who was intirely devoted to the houſe of Guiſe, did, by his earneſt ſollicitation, ſtop for ſome days publication of the ſentence: but it was at length proclaimed all over London, by expreſs order from her Majeſty, who forgot not declaring to her people, that her conſent was extorted by the parliament's urgent intreaties. In this proclamation, Elizabeth ſaid, that, being informed of the Queen of Scots deviſes, the lords of her council, with many others, earneſtly required that the priſoner might be brought to juſtice, and tried in the moſt honorable manner: that, upon theſe inſtances, ſhe granted a commiſſion to forty-two lords, thirty-ſix of whom met at Fotheringay, and after a very ſtrict examination, gave ſentence to this effect: " That Mary had " violated the laſt year's ſtatute:" that the parliament, having examined the ſentence, and the proofs whereon it was founded, demanded execution, notwithſtanding her repeated inſtances, that ſome other expedient might be deviſed: that therefore, moved with her own and the nation's welfare, ſhe had ordered the ſentence to be notified to her good ſubjects.

The ſentence publiſhed. December 6. Camden. Hollingſh. p. 1586.

Mary writes to Elizabeth. Camden. Martyre de Marie.

Mary, when ſhe had notice of this publication, plainly perceived no mercy was to be expected. She wrote a long letter to Elizabeth, intreating certain favors concerning her death, burial, and ſervants (3): but it is uncertain whether this letter was ever delivered.

The King of Scotland intercedes for his mother. Melvil. p. 173. Camden. Spotſwood.

The King of Scotland wrote alſo to Queen Elizabeth, and ſent Patric Gray and Robert Melvil, to implore mercy for the Queen his mother; but in vain: nay, it is affirmed, that Gray, who had been many years attached to Elizabeth's intereſt, after having publicly ſollicited her to favor Mary, adviſed her in private to make her away, ſaying, " A dead woman bites not."

The King of France ſends De Bellievre into England. Thuanus. Camden.

Henry III likewiſe diſpatched over to England preſident De Bellievre, to intreat Elizabeth in behalf of the condemned Queen. This embaſſador diſcharged his commiſſion like one ardently deſirous to ſucceed. He preſented a long memorial, which was publiſhed, containing the ſtrongeſt reaſons he could deviſe, to perſuade Elizabeth to ſpare the unfortunate Queen; to each article of which memorial Elizabeth anſwered on its margin. The ſubſtance of the anſwers was, " That matters were " reduced to ſuch a point, that one or other of the " two Queens muſt periſh, and Elizabeth flattered " herſelf that the King of France had her intereſt " no leſs at heart than Mary's." But, if Du Maurier is to be credited, in his preface to his father's memoirs, the embaſſador acted the counterfeit, and impoſed on the world and Mary's friends. He affirms to have heard his father ſay, that Bellievre, tho' he feigned to have inſtructions to the

The embaſſador's ſecret orders. Du Maurier.

(1) Or rather adjourned to February 15, when it met again, and was diſſolved March 23.

(2) She requeſted to have a Catholic prieſt allowed her, to direct her conſcience, and adminiſter to her the ſacraments. Lord Buckhurſt and Beale recommended a biſhop and a dean to her for this purpoſe, whom ſhe abſolutely refuſed. Camden, p. 528.

(3) She deſired her body might be buried in Catholic ground, particularly in France near her mother: that ſhe might not be put to death in private without Queen Elizabeth's knowledge, but in the ſight of her ſervants, who might give a true teſtimony of her faith: that her ſervants might peaceably depart whither they pleaſed, and injoy thoſe legacies which ſhe had bequeathed them by her will and teſtament. Camden, p. 529. Spotſwood, p. 354. ——In this her will, Queen Mary provided, that, if the Prince her ſon, did not renounce the falſe and heretical perſuaſion which he had imbibed, the inheritance of the crown of England ſhould never deſcendto him, but devolve to Philip King of Spain. Burnet, Vol. III. p. 327. Jebb indeavors to confute this account. Preface to Vol. II. of Queen Mary's life.

contrary,

Eliz. An' 1586. contrary, had private orders to ſollicit the Queen of Scots execution (1). This is not wholly improbable, conſidering the then ſituation of France's affairs, and King Henry's juſt apprehenſions of Guiſe's ambitious deſigns.

An' 1587. The French embaſſador's conſpiracy againſt Queen Elizabeth. Camden.

While all were waiting the reſult of this extraordinary ſentence, the court diſcovered that L'Aubeſpine, the French embaſſador, had bribed two ruffians (2) to aſſaſſinate Queen Elizabeth. One of theſe aſſaſſines repenting, and informing the miniſtry of this villanous deſign, the embaſſador was ſent for to the lord treaſurer's houſe, where the council was aſſembled, and the two witneſſes confronted with him. If Camden is to be credited, he made but a lame defenſe, contenting himſelf with pleading the privilege of embaſſadors, who are accountable only to their own maſters. The lord treaſurer, without allowing or diſputing this privilege, gravely reproved him, and adviſed him to beware for the future how he provoked a Queen who was already but too deeply injured, and had it in her power to be revenged. It muſt be noted, that the French tranſlator of Camden's annals, thought fit to paſs over in ſilence this whole conſpiracy.

The people call aloud for Mary's execution. Camden. Le Laboureur.

The juncture was not any way proper to inquire farther into the circumſtances of this conſpiracy, which, to all appearance, was intirely owing to the embaſſador's furious zeal for the houſe of Lorrain: nay, who knows whether it were not a ſnare laid for him, to render him, very contrary to his intention, inſtrumental in haſtening the Queen of Scots execution? When this affair became public, nothing was every where to be heard but, "The Queen "cannot be ſafe while Mary is living." This was preciſely what the court wiſhed, that the people, being ſatisfied of the neceſſity of executing this ſentence, might be leſs attentive to the irregularities. Camden ſays, Elizabeth was ſtill in ſuſpenſe and diſtracted in her thoughts, not being able to reſolve on puting to death a Queen her near relation, over whom ſhe had no juriſdiction. He adds, means were however found to determine her, by ſpreading a report, That England was going to be invaded: that the Spaniſh fleet was already arrived at Milford-haven: that the duke of Guiſe was landed in Suſſex with an army: that the Queen of Scots was eſcaped from priſon, and was raiſing troops in the north: that ſeveral plots were on foot to murder Queen Elizabeth, and fire the city of London; nay, that her Majeſty was dead. By theſe artifices (adds that hiſtorian) Elizabeth was prevailed on to ſign a warrant for Queen Mary's execution. As for myſelf, who verily believe her deſtruction was reſolved even before her trial, I rather think all theſe reports were ſpread by the court's emiſſaries, to terrify the people, and ſhew them the neceſſity of Mary's death. There is not the leaſt probability, that the Queen and her miniſters ſhould ſuffer themſelves to be deceived by ſuch reports, the falſhood whereof they might ſo eaſily diſcover: but Camden's drift is to inſinuate, that Elizabeth was convinced of Mary's innocence, and therefore her mind was in ſuch agitation.

Elizabeth's exceſſive diſſimulation.

We are now at the laſt act of the tragedy, for ſo it may well be termed, with reſpect to the Queen of Scots, tho' with regard to Elizabeth it was a real comedy, or at leaſt a continued ſcene of diſſimulation ſo artfully acted, that one can ſcarcely conceive how it could be carried farther. Before Elizabeth ordered the commiſſion for Mary's trial to be drawn, diverſe peers, as I obſerved, caſt themſelves at her feet, and intreated her to take pity of them and their poſterity, and by Mary's death to provide for the ſecurity of church and ſtate. Afterwards, when ſentence was paſſed, ſhe waited 'till ſhe was by the parliament twice ſollicited, with the ſharp reproach, that ſhe denied her people juſtice. To carry on the farce, ſome formalities were likewiſe to be acted, after publication of the ſentence, before the warrant was ſigned for execution. All this was done: but ſomewhat was yet behind. Elizabeth undertook to make the public believe execution was done againſt her will, and without her knowledge; and this was the method ſhe uſed to accompliſh it.

Eliz. An' 1587. Melvil, p. 172. Thuanus. l. 86.

She inſnares Daviſon her ſecretary. Camden.

Daviſon, without knowing how or which way, was her inſtrument to act this ſort of comedy. A little before Queen Mary's trial, he was made ſecretary of ſtate, and very ſeemingly was put into that office purpoſely to be inſnared, and made accountable for Mary's death. All the aboveſaid rumors being ſpread, and Elizabeth, feigning to be thereat terrified, delivered to Daviſon a writing, ſigned with her own hand, and ſealed with her ſignet, commanding him to draw a warrant under the great ſeal for the Queen of Scots execution, but injoined him withal to keep the warrant by him (3), without imparting it to any (4). The lord chancellor muſt however have been informed of it, except ſhe had taken from him the great ſeal and given it to Daviſon; whereof inſtances might be produced. Howſoever it be, on the morrow, by Killegrew ſhe ordered Daviſon not to draw the warrant *. Daviſon repaired thereupon to the Queen, and told her, it was drawn and under ſeal already; at which ſhe was very angry, and blamed him for being ſo haſty. The warrant was dated the firſt of February, and directed to the earls of Shrewſbury, Derby, Kent, and Cumberland †, to ſee the Queen of Scots executed. Mean while, tho' Elizabeth ſeemed diſpleaſed with her ſecretary for making too much haſte, ſhe left the warrant in his hands, without telling him how he was to diſpoſe of it. This extremely puzzled him, ſince, by her contrary proceedings with reſpect to the warrant, ſhe had not diſcloſed to him her intention. In this uncertainty, he imparted the tranſaction to a privy-counſellor, who was of opinion that the other counſellors ſhould be informed, that nothing might be done raſhly; thus Daviſon fell into the ſnare. The council being met on this occaſion, it was unanimouſly reſolved to execute the warrant, tho' nothing was eaſier than to acquaint her Majeſty with their imbaraſment. To that end, the warrant was given to Beale, who took care to inform thoſe lords to whom it was addreſſed, and departed for Fotheringhay with two executioners. Certainly, it is very difficult for any to believe, that twenty privy-counſellors (among whom were the Queen's miniſters, and her particular confidents) would have undertaken to order the warrant to be executed, unknown to her, had they not been perſuaded it was agreeably to her deſire; eſpecially as Daviſon had communicated to them the ſecret, purely on account of his uncertainty concerning her Majeſty's intention.

Strype's Ann. Vol. III. P. 375.

* Not to haſten it, as our author miſtakes. State Trials, Vol. I. p. 154. † And Pembroke.

(1) Nay, this was not ſo ſecret but, after Guiſe's death, Henry III was accuſed of having cauſed the Scotiſh Queen's execution. Rapin.

(2) He bribed only Edward Stafford, who abhorring the fact, recommended one Moody as a fit perſon; but Stafford diſcovered the matter to the council. Camden, p. 532.

(3) And only have it in readineſs, in caſe any danger happened to break out in that time of jealouſy and fear. Camden, p. 534. Melvil ſays, that it was not to be delivered, without her Majeſty's expreſs command; nevertheleſs, Daviſon being deceived by the council delivered it to them, p. 172.

(4) This Daviſon abſolutely denied at his examination. See Strype's Ann. Vol. III. p. 375.

After

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After Beal's departure, the Queen told Daviſon ſhe had changed her mind. This ought to have amazed the council, who had ordered execution by their own authority, and yet no care was taken to recall Beal, tho' there paſſed ſeven days between his departure and Mary's execution: but what ſeems ſtill more ſurpriſing is that, during theſe ſeven days, tho' the Queen had declared her mind was altered, not one of her counſellors or miniſters thought of informing her of what was tranſacting. This is a clear evidence, that it was very well known, ſhe did not deſire to be informed.

Queen Mary beheaded. Camden. ‖ Not four, as in the French.

Howſoever this be, the five ‖ earls, appointed to ſee execution done, arriving at Fotheringhay, admoniſhed the Queen of Scots to prepare for death (1), and on the morrow, being the eighth of February, they ſaw her head taken off. I ſhall not here relate all the circumſtances of this tragedy. It ſuffices briefly to obſerve, that ſhe died with great reſolution, and immoveably attached to her religion. The earl of Kent telling her, "that her life would "be the death of the Proteſtant religion in Eng-"land," ſhe rejoiced, and ſaid, "She was con-"demned as guilty of ploting againſt the Queen "of England's life, and yet the earl of Kent had "juſt told her, ſhe was to die for her religion, "wherein ſhe gloried." If Camden may be credited, ſhe proteſted ſhe knew nothing of Babington's practiſes, and that her ſecretaries were ſuborned to witneſs againſt her.

Elizabeth expreſſes great grief at it. Camden.

The news of Mary's execution being brought to Elizabeth, ſhe appeared greatly diſpleaſed. Sighs, tears, wailings and lamentations, were the ſigns ſhe gave of her grief, which ſeemed immoderate. She drove the privy counſellors from her preſenſe, and commanded them to be examined in the ſtar-chamber, and Daviſon to be tried for his diſobedience. A few days after, ſhe, by Robert Carey, ſent to the King of Scotland the following letter.

Spotſwood. P. 357.

My dear BROTHER,

Her letter to the King of Scotland.

"I Would you knew, tho' not felt, the extreme "dolour overwhelmeth my mind, for that "miſerable accident which, far contrary to my "meaning, hath befallen. I have ſent this kinſman "of mine *, whom ere now it hath pleaſed you "to favor, to inſtruct you truly of that which is "too irkſome for my pen to tell you. I beſeech "you, that as God, and many more know, how "innocent I am in this caſe, ſo you will believe "me, that if I had done it, I would have abode "by it: I am not ſo baſe minded, that the fear of "any living creature ſhould make me afraid to do "what is juſt, or done, to deny the ſame. I am "not ſo degenerate, nor carry ſo vile a mind; but, "as not to diſguiſe fits moſt a King, ſo will I "never diſſemble my actions, but cauſe them to "ſhew as I mean them. This aſſure your ſelf "from me, that as I know it was deſerved, if I "had meaned it, I would never over another's "ſhoulders, and to impute to myſelf that which "I did not ſo much as think of; I will not. The "circumſtances you will be pleaſed to hear of this "bearer: and for my part, think you have not in "the world a more loving kinſwoman, and more "dear friend, nor any who will watch more care-"fully to preſerve you and your ſtate. And if any "would otherwiſe perſuade you, think they bear "more good will to others, than to you. Thus "in haſte, I leave to trouble you, beſeeching God "to ſend you a long reign.

* By her own mother.

Daviſon tried. State-Trials. Vol. VII.

While Carey was on the road, Daviſon was cited into the ſtar-chamber, to anſwer to the accuſation of contempt and diſobedience entered againſt him. The accuſation ran, "That he had contemned the "Queen's orders, broke his oath of allegiance, and "neglected his duty: that the Queen, never intend-"ing (for reaſons beſt known to herſelf) that the "Queen of Scots, tho' condemned, ſhould have "been put to death, had however, for preventing "dangers, commanded a warrant for her execu-"tion to be drawn, and commited it to his truſt "and ſecreſy; but that he, forgeting his duty, "had acquainted the council therewith, and put the "warrant in execution, without her Majeſty's "knowledge."

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His accuſation and reply.

Daviſon anſwered, "That he was extremely "ſorry to find himſelf accuſed of contempt to the "Queen, who had loaded him with favors: that "he choſe rather to confeſs himſelf guilty of the "crimes he was charged with, than conteſt with "her Majeſty, ſince he could not vindicate himſelf "without failing in the reſpect and duty he owed "her. He however proteſted, he had offended "wholly out of ignorance, being perſuaded he had "done nothing contrary to the Queen's will and "pleaſure. He affirmed, that when the Queen "blamed him for making ſuch haſte to get the "warrant ready, ſhe gave ſome intimation, but "no expreſs command, that he ſhould keep it by "him, neither did he believe himſelf guilty of "breach of truſt, by communicating it only to the "council. As to his being accuſed of not recalling "the warrant, after ſhe had told him ſhe had "changed her mind, he proteſted, it was the "opinion of the whole council, that it ſhould "inſtantly be put in execution, leſt, by a too long "delay, the Queen or ſtate might receive ſome "detriment."

When he had done ſpeaking, the Queen's council preſſed him with his own confeſſion, and with what the lord treaſurer had teſtified, that, doubting whether the Queen had abſolutely conſented to have execution done, Daviſon affirmed it was her intention. Then Daviſon, with tears in his eyes, intreated them not to urge him any farther, but conſider that it was not his place to conteſt with the Queen: adding, that he appealed in this affair to her Majeſty's conſcience, and intirely ſubmited to the cenſure of his judges. Then were made ſeveral ſpeeches, ſome tending to agravate his offenſe, and others to ſhew he had only acted imprudently. In a word, he was ſentenced to a ten thouſand pounds fine, and impriſonment during the Queen's pleaſure. Lord Lumley, in his ſpeech on this occaſion, was not ſatisfied with cenſuring only Daviſon, but flatly charged the whole council, ſaying; "Never was there ſuch a contempt againſt a Prince "heard or read of, that privy counſellors, in the "Queen's palace, and when they had free acceſs "to her, ſhould attempt ſuch a matter without her "advice or knnowledge;" proteſting, "that if "his own ſon was guilty of the like fault, he "would be the firſt to condemn him." But it was far from Elizabeth's intention to puniſh thoſe counſellors, who very ſeemingly had acted only by her private orders: and therefore, to ſcreen them from theſe and the like reproaches, the lord privy-ſeal told the aſſembly, that tho' her Majeſty, being juſtly offended with her council, had left them to a ſtrict examination, yet now, being ſenſible they had tranſgreſſed merely thro' exceſs of zeal for her and the ſtate, ſhe forgave them. Thus Daviſon was the only ſacrifice, tho' the counſellors were ſtill more guilty than he, even ſuppoſing he had acted contrary to the Queen's intention. Daviſon remained long in priſon, without obtaining any

(1) Whereupon ſhe told them, I did not think the Queen my ſiſter would have conſented to my death, who am not ſubject to your law and juriſdiction; but ſeeing her pleaſure is ſo, death ſhall be to me moſt welcome. Camden, p. 534.

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other favor than ſome preſents of money from the Queen, to relieve his neceſſities.

Camden, whoſe aim was not to vindicate Elizabeth in any thing relating to the Queen of Scots, has in his annals inſerted the apology which Daviſon, being in priſon, wrote and ſent to ſecretary Walſingham, and of which, without any remark of his own, he leaves his readers to give their judgment. The apology runs thus.

Daviſon's apology. Camden.

"The Queen, after the French and Scotiſh embaſſadors departure, did of her own accord "command me to deliver her the warrant for executing the ſentence againſt the Queen of Scots. "When I had delivered it, ſhe readily ſigned it "with her own hand: when ſhe had ſo done, "ſhe commanded it to be ſealed with the great ſeal "of England; and in a jeſting manner ſaid, Go "tell this to Walſingham, who is now ſick; tho' "I fear he will die for ſorrow when he hears it. "She added alſo the reaſons of her defering it ſo "long; namely, leſt ſhe might ſeem to have been "violently or maliciouſly drawn thereto, whereas "in the mean time ſhe was not ignorant how "neceſſary it was. Moreover ſhe blamed Powlet "and Drury, that they had not eaſed her of this "care, and wiſhed that Walſingham would feel "their pulſes touching this matter.

"The next day after the warrant was under the "great ſeal, ſhe commanded me, by Killegrew, "that it ſhould be done, and when I had informed "her that it was done already, ſhe found fault "with ſuch great haſte, telling me that, in the "judgment of ſome wiſe men, another courſe might "be taken. I anſwered, that the courſe which was "juſt was always beſt and ſafeſt: but fearing leſt "ſhe would lay the fault upon me, (as ſhe had "laid the puting the duke of Norfolk to death "upon lord Burleigh) I acquainted Hatton with "the whole matter, proteſting that I would not "plunge myſelf any deeper in ſo great a buſineſs. "He preſently imparted it to lord Burleigh, and "lord Burleigh to the reſt of the council; who all "conſented to have the execution haſtened, and "every one of them vowed to bear equal ſhare in "the blame, and ſent Beal away with the warrant "and letters. The third day after when, by a "dream which ſhe told of the Queen of Scots "death, I perceived that ſhe wavered in her reſolution, I aſked her, whether ſhe had changed "her mind? She anſwered, no; but another courſe "(ſaid ſhe) might have been deviſed: and withal "ſhe aſked me, whether I had received any anſwer "from Powlet? Whoſe letter when I had ſhewed "her, wherein he flatly refuſed to undertake that "which ſtood not with honor and juſtice; ſhe "waxing angry, accuſed him and others (who had "bound themſelves by the Aſſociation) of perjury "and breach of their vow, as thoſe who had promiſed great matters for their Prince's ſafety, "but would perform nothing. Yet there are (ſaid "ſhe) who will do it for my ſake. But I ſhewed "her how diſhonorable and unjuſt a thing this "would be; and withal into how great danger "ſhe would bring Powlet and Drury by it: for if "ſhe approved the fact, ſhe would draw upon "herſelf both danger and diſhonor, not without "cenſure of injuſtice; and if ſhe diſallowed it, "ſhe would utterly undo men of great deſert, and "their whole poſterity. And afterwards ſhe gave "me a light check the ſame day that the Queen of "Scots was executed, becauſe ſhe was not yet put "to death."

If this apology be genuine, a more convincing proof of Elizabeth's diſſimulation cannot be deſired. The point was not Mary's death, for that was fully determined; but the manner. In this writing it appears, that Elizabeth would have been glad the Scotiſh Queen's two keepers had diſpatched her, that ſhe might have been able to clear herſelf, which ſhe would not have failed doing with both their lives. There remains but one ſcruple, which is, that we have this from Camden only, whoſe teſtimony cannot be reckoned very authentic.

King James ſhews at firſt great reſentment. Melvil, p. 173. Camden. Spotſwood.

The King of Scotland, having received news of his mother's tragical end, expreſſed thereat a very lively reſentment. His firſt emotions prompted him to vengeance. The ſtates of Scotland, then aſſembled, promiſed him their aſſiſtance; and even ſome of thoſe about his perſon perſuaded him to join with the Pope, France and Spain, to revenge this grievous inſult. Others counſeled him not to break with England, for fear of hazarding, on the uncertain chance of war, his undoubted title to the crown of that kingdom; eſpecially as the Engliſh only wanted perhaps a pretenſe to hinder a Scotiſh Prince from aſcending the throne of England, which he therefore ought to take care not to furniſh them with. Some were of opinion, he ſhould declare openly for neither of the two religions, but keep himſelf always ready to improve the events time ſhould produce. Carey arriving ſoon after, the King refuſed him audience, and it was not without great difficulty that he was perſuaded to receive Elizabeth's letter. We find however, in Melvil's memoirs, that ſome of the Scotiſh court peers had writ to England, that whenever Queen Mary ſhould be put to death, the King her ſon would not very highly reſent it; and accordingly, Melvil affirms, he quickly forgot it. When Elizabeth heard that King James's grief began to abate, ſhe cauſed ſome of thoſe whom ſhe moſt truſted, to repreſent to him, "That in the preſent ſituation of Scotland, "there was no room to expect that a war with "England could be ſucceſsful: if he pretended to "rely on foreign aid, his mother's ſad experience "might teach him how uncertain that was. The "King of France would be ſo far from countenancing him, that it was his intereſt to hinder "the two kingdoms of Great Britain from being "united under the ſame dominion: nay, he would "to the utmoſt of his power oppoſe the ſucceſs of "his arms, for fear he ſhould afterwards aſſiſt "Guiſe, who aſpired to the Gallic crown. The "King of Spain, in pretending to aid him, would "only ſerve himſelf, on account of his groundleſs "claim to the crown of England, as deſcended "from the houſe of Lancaſter: even the Queen his "mother had made a will, the night before her "death, whereby ſhe excluded him from the ſucceſſion, in caſe he perſevered in the Proteſtant "religion, and nominated for her heir Philip II; "which will was ſent into Spain: he was therefore "to expect no aſſiſtance from Philip, but rather to "conſider him as his capital enemy. In a word, "if he made war upon Elizabeth, and the parliament paſſed a ſtatute againſt him, he ran the "hazard of being for ever excluded from a noble "ſucceſſion, which he could not fail to injoy, provided he would but remain in peace." To all theſe arguments it was alſo added, "That Eliza"beth had for him a ſingular affection, and more"over deemed herſelf bound in honor and duty to "repair the mother's wrongs by leaving her crown "to the ſon, in caſe he gave her no occaſion to do "otherwiſe." Theſe repreſentations had their effect. James ſaw it was his intereſt to keep fair with Elizabeth, and that, added to the ſentence given againſt Daviſon (which was ſent him) ſo ſtifled

p. 173. p. 173. Repreſentations made to him. Camden. Strype. Burnet, Vol. III. p. 327. His grief abates. Strype's Ann. Vol. III.

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ſtifled his reſentment, that he appeared quite pacified (1).

Elizabeth ſends a fleet againſt the Spaniards. Camden. Burchett. Stow. p. 742. Strype's Ann. Vol. III. p. 451.

Mean while Elizabeth, underſtanding the Spaniard was making great preparations to invade England, ſent Drake with a good fleet upon the coaſt of Spain, with orders to deſtroy whatever Spaniſh ſhips ſhould fall in his way. This admiral's firſt expedition was to the port of Cadiz, where he burned upwards of a hundred veſſels laden with ammunition and proviſions, and a large galeon of the marquis of Santa Cruz, with another of Raguſa, full of rich merchandize. Then returning to Cape St. Vincent, he did great damage to the inhabitants along the coaſt; after which he came to the river Tagus mouth, where he in vain provoked the ſaid marquis by plundering and burning the ſhips he found there. Thence he ſailed to the Azores iſlands, and meeting in the way with a rich carac, named San Felipe, returning from Eaſt India, eaſily took her (2). The proviſions and ſtores the Spaniards loſt at Cadiz, taking that galeon and carac, and the other damages they ſuſtained, obliged Philip to defer 'till next year the expedition he had projected againſt England (3). While Drake was acting againſt Spain in Europe, Cavendiſh was doing the like in America, having entered the South-Sea by the ſtraits of Magellan. He without oppoſition ravaged the Chili and Peru coaſts, doing the Spaniards great damage in thoſe parts.

The ſtates of the United Provinces complain of Leiceſter. Grotius. Strada.

About the cloſe of laſt year, I left the earl of Leiceſter on his return to England, after having ſet on foot his project to become Sovereign of the United Provinces, by fomenting confuſion and diſcord. Before he went, the ſtates began to perceive his deſigns; and the orders he left at his going and which the officers, his creatures, punctually executed, fully confirmed their ſuſpicions. For this reaſon they ſent embaſſadors to Elizabeth to complain of him: but his credit, and Queen Mary's affair which then held the court imployed, hindered the embaſſadors from being ſo ſpeedily diſpatched as they deſired. It even happened in this interval, that Stanley and York, who held of the earl of Leiceſter the governments of Deventer and a fort near Zutphen, delivered theſe two places to the duke of Parma: ſo, the ſtates, no longer confiding in that general, gave the command of their army to count Maurice of Naſſau, ſecond ſon of the late Prince of Orange. They took likewiſe ſome other ſteps which plainly ſhewed that, having diſcovered the earl of Leiceſter's deſigns, they would not admit his puting them in practiſe. The duke of Parma beſieging Sluys in this interim, Leiceſter returned from England to raiſe the ſiege, but had not the good fortune to ſucceed. Finding at length that he was every where diſtruſted, he reſolved forcibly to execute what he had projected. In order thereto, he was for poſſeſſing himſelf, all at once, of ſeveral places in the heart of the country, to keep the reſt in awe: but his ſcheme to ſurpriſe Leyden taking vent very ſeaſonably, all correſpondence between him and the ſtates intirely ceaſed. Queen Elizabeth being thereupon obliged to recall him, lord Willoughby was ſent to ſucceed him, but with no other authority than the command of the Engliſh forces. Then the ſtates appointed count Maurice their captain-general.

Camden. Strada. Camden. The earl attempts to poſſeſs himſelf of diverſe places. He is recalled. Rym. Fœd. Vol. XVI. p. 13.

Philip II prepares to invade England. Camden.

Mean while Philip II, ever intent on the project of invading England, continued making extraordinary preparations. This ſcheme was formed ever ſince the Queen of Scots had been perſuaded to convey to him her right to England, as being the only means to reſtore there the Catholic religion. According to the received maxim in the Romiſh church, that a Heretic is unworthy and incapable of injoying a crown, King Philip thought he might juſtly claim that of England, as being the neareſt Catholic of the Lancaſtrian line: but to have a clearer inſight into his pretenſions, it is neceſſary the reader turns his eye to that Monarch's genealogy, which ſhews him deſcended from two daughters of John of Gaunt, duke of Lancaſter, King Edward III's fourth ſon. On this deſcent, therefore, and the Scotiſh Queen's teſtamentary conveyance, he had projected the conqueſt of England. Elizabeth, not being thereof ignorant, took all poſſible care to be in a defenſible poſture, and both colored their preparations with various pretenſes. To amuſe Elizabeth, Philip propoſed her mediation for a peace between him and the revolted Netherland provinces. Elizabeth perfectly knew Philip's aim, and, to amuſe him in her turn, accepted the mediation, in hopes the negociation would give her more time to be prepared. She propoſed therefore to the ſtates a peace with Spain, intimating, they could not refuſe entering into treaty without incurring the blame of continuing a war thro' obſtinacy: ſhe moreover promiſed them to have their intereſt as much at heart as her own; but the ſtates abſolutely refuſed treating, as having frequently experienced ſuch negociations to be fatal to them. Nevertheleſs, ſhe ſent plenipotentiaries over to Flanders, on the ſuppoſition, as ſhe gave out, that the ſtates would be forced to agree to her deciſions with Spain. Three months paſſed before the place of congreſs ſhould be ſetled. Elizabeth required, as preliminaries, a general pardon for the confederates; that the Netherland towns ſhould injoy all their ancient privileges, and the old alliance between England and Spain be renewed; that ſome good fund be aſſigned her for payment of what was due from the ſtates, and the forces on both ſides be diſmiſſed. As to religion, the Spaniards demanded, that it ſhould be intirely as his Catholic Majeſty thought fit, ſince he hindered not the Queen of England from ſetling it in her dominions as ſhe herſelf pleaſed. Elizabeth inſiſted not very ſtrongly on this article; whether ſhe believed every Sovereign to have a right to impoſe a religion upon his people, or, to amuſe the Spaniard, feigned to relax, that ſhe might not obſtruct a negociation the continuance whereof could not but be to her advantage. Howſoever this was, ſhe went ſo far as to be ſatisfied, that the exerciſe of the Reformed religion ſhould be tolerated two years only in the United Provinces. As for the places in her poſſeſſion, ſhe refuſed not reſtoring them, provided ſhe was reimburſed. On theſe reciprocal demands, the Spaniards took care to delay concluding the preliminaries, imagining that the hope of a ſpeedy accommodation would prevent Elizabeth from preparing againſt their attacks. They refuſed coming to any agreement about religion; and with regard to Elizabeth's charges in ſupporting the confederates, they pretended they were to be balanced by the expenſes to which ſhe had put his Catholic Majeſty. At length the preparations which were making throughout

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Ground of his title to England.

He tries to amuſe Elizabeth. Camden.

Negociation for a peace between the Netherlands and Spain. Grotius. Camden. Strype's Ann. Vol. III.

(1) He aſſigns himſelf theſe reaſons for not avenging his mother's death. 1. His tender youth, not trained up in arms. 2. His exceſſive cowpit (or poverty) from hand to hand, from neydie to neydie, to greedie and greedie. 3. The factions in his kingdom, &c. See Strype's Ann. Vol. III. p. 382.

(2) The Engliſh ſo fully underſtood by the merchant's papers the rich value of the Indian merchandizes, and the manner of trading into the eaſtern world, that they afterwards ſet up a gainful trade and traffic, eſtabliſhing a company of Eaſt-India merchants. Camden, p. 540.

(3) Welwood (Mem. p. 9) alſo acquaints us with another main article towards defering Philip's expedition, viz. that notable contrivance of Walſingham, to get all the Spaniards money-bills proteſted at Genoua.

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the Spaniſh dominions againſt England became ſo public, that this feigned negociation, which laſted 'till March of the inſuing year, broke off abruptly.

'The Pope unites with Philip. Camden.

I have already mentioned Philip's pretenſions to England and Ireland. Ferdinand the Catholic, his great grandfather had not ſo plauſible a claim to the kingdoms of Naples and Navarre which he ſeized, and ſtill were parcel of the Spaniſh monarchy. But beſide theſe pretenſions, Philip made uſe of another pretext, very proper to impoſe on mankind, I mean a great fervency of zeal for the reſtoration of Catholiciſm in the three kingdoms of Great Britain. He had thereby wheedled Sixtus V into his project, the execution whereof would be as well glorious as advantageous to both, but whereof Philip was to furniſh the whole expenſe: as for his ſaid Sanctity, he had nothing to contribute but what thoſe Holy Fathers were wont to ſupply on ſuch occaſions, namely, vows, prayers, and curſes. To countenance therefore his Catholic Majeſty's enterpriſe, Sixtus fulminated againſt Elizabeth a bull, abſolving her ſubjects from their oath of allegiance, and beſtowing her realms on him who ſhould be firſt ready to make the ſeizure. This was the King of Spain, who was now in a poſture to imbrace the Pontif's munificent offer.

Sixtus V's bull againſt Elizabeth. Camden. Speed.

The Invincible Armada. Camden. Stow. Speed. Strype's An. Vol. III. Appen. N. 51.

He had in Portugal, Naples and Sicily, prepared a mighty Armada, to which, by anticipation, was given the epithet Invincible. It conſiſted of one hundred and fifty great ſhips, whereon were imbarked nineteen thouſand men, and two thouſand ſix hundred and thirty cannon (1). It was to be commanded by marquis De Santa Cruz; but that nobleman dying while the fleet was equiping, the duke of Medina-Celi was appointed admiral of this huge Armada. On the other hand, the duke of Parma had cauſed an army thirty thouſand ſtrong (2) to advance towards the Netherland coaſts, and prepared a great number of veſſels to tranſport them, in order to join the Spaniſh fleet, and land in England (3). The ſcheme was, to have ſtationed the Armada at the Thames mouth, to aſſiſt the land army which was to march directly to London.

Elizabeth's preparations. Camden. Stow. p. 749. Fox. Speed. Strype.

Elizabeth, who wanted not good ſpies, having timely intelligence of theſe grand preparatives, provided for the defenſe of her kingdom with great care and diligence. She fited out a conſiderable navy, which however was inferior to that of Spain, both in number and burden of the ſhips, and gave the command to Charles lord Howard of Effingham, a perſon very expert in maritime affairs. He had for vice-admirals, Drake, Hawkins, and Forbiſher, three of the beſt ſea-officers then in the univerſe (4). On the other hand, Henry Seymour, the late duke of Somerſet's ſon, lay upon the coaſt of Flanders with forty ſail, Engliſh and Dutch, to hinder the Prince of Parma from joining the Spaniſh fleet. Moreover, Elizabeth had aſhore an army of forty thouſand men, whereof three thouſand, under command of the earl of Leiceſter, were poſted near the Thames mouth. The reſt were near the Queen's perſon, ready to march where it ſhould be judged neceſſary (5). Beſide this, there was in each county a body of militia well armed, under leaders who had orders to join each other as occaſion ſhould require. It is certain, there are no trained-bands in the world more proper for a bold action than thoſe of England: ſo in caſe the Spaniards had landed, they would not have wanted entertainment. The ſea-ports were as well provided and fortified (6) as the time would permit, and ſignals were every where appointed to denote whither the troops were to march. In ſhort, it was reſolved, that if the Spaniards made a deſcent, the country about them ſhould be laid waſte, that they might have nothing to ſubſiſt on but what they brought from on board. This was the courſe Francis I took in Provence againſt Charles V, with a ſucceſs anſwering his expectations. Theſe meaſures being taken, the enemy was expected with uncommon alacrity, tho' it ſhould ſeem that all ſhould, at ſuch a juncture, have been in the utmoſt conſternation.

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An' 1588. Elizabeth's imbaraſs.

Mean while Elizabeth was not free from perplexity. The hour ſhe had ever dreaded was finally arrived. Her crown lay at ſtake, and ſhe was to defend it without the aſſiſtance of any ally. This ſhe had conſtantly indeavored to prevent, even from the begining of her reign, by all the artifices her policy could ſuggeſt; by fomenting the troubles of Scotland; by entering into alliance with France; by feigning to marry the duke of Anjou; by aſſiſting the French Hugonots, and the revolted Netherlanders; and, finally, by beheading the Queen of Scots. She had ſucceeded hitherto, and tho' ſurrounded with enemies, had found means to imploy them at home, and prevent them from directly invading England: but the time was now come that her right muſt be expoſed to the chance of war. Tho' ſhe was generally beloved by her ſubjects, ſhe was not ignorant that England abounded with ſuch as were diſaffected, particularly among the Catholics: nay, ſhe had reaſon to fear they correſponded with the King of Spain, and favored his invaſion. On the other hand, ſhe was not eaſy with reſpect to the Iriſh, on account of their religion, and the correſpondents Sixtus and Philip had in that iſland: but ſhe was under a ſtill greater concern with regard to Scotland. She had juſt put King James's mother to death by the hand of the executioner, and if that Prince ſhould be agitated with the thirſt of revenge, he could never have a fairer opportunity, ſince it was in his power to favor the

(1) The Spaniard, the more to advance his glory, and terrify his enemies, publiſhed, in Spaniſh, Latin, French, and Dutch, a pompous account of this Armada. The Spaniſh book ſoon came into the hands of the lord treaſurer Burleigh, in diverſe places whereof Strype ſaw notes added by that lord ſoon after the defeat. From this book he has inſerted a brief account of the Spaniſh Armada, in his appendix of original papers, Ann. Vol. III. N. 51. The ſum whereof is this, that there were in all 130 ſhips of 57,868 tons, 19,295 ſoldiers, and 8,450 mariners, 2,088 ſlaves, and 2,630 braſs pieces of all ſorts, beſide 20 caravels for the ſervice of the army, and 10 ſalves with ſix oars each. Strype's Ann. Vol. III. p. 519, 520. Speed, p. 858.—— Queen Elizabeth's fleet conſiſted of not much above a hundred ſail. See Stow, p. 749.

(2) One hundred and three companies of foot, and four thouſand horſe, among which were ſeven hundred Engliſh fugitives, commanded by Stanley; the earl of Weſtmoreland was alſo with them. Camden, p. 543.

(3) The duke of Guiſe brought twelve thouſand men down to the coaſt of Normandy, who were to join the Spaniſh Armada as they went by, and land in the weſt of England; but for want of money, or ſome other reaſon, their deſign proved abortive. Stow, p. 746.

(4) Theſe were ordered to lie at the Channel's mouth, and about the weſtern parts of England. Camden, p. 543.

(5) For the land-ſervice were diſpoſed along the ſouthern coaſts twenty thouſand men. Beſide which, two armies were raiſed of choice well diſciplined ſoldiers, the one under command of the earl of Leiceſter, conſiſting of a thouſand horſe, and twenty-two thouſand foot, which incamped at Tilbury (where the Queen went to review them; ſee her ſpeech to them in Cabala, p. 373) the other was under lord Hunſdon, conſiſting of thirty-four thouſand foot, and two thouſand horſe, to guard the Queen's perſon. On this emergency the city of London lent the Queen great ſums of money: and being deſired to furniſh five thouſand men, and fifteen ſhips, they granted ten thouſand men, and thirty ſhips. No words, ſays Stow, can expreſs the great forwardneſs of the people, in their zealous love and duty towards their Sovereign, at this juncture. See Stow, p. 744, 750. Camden, p. 543, 548. Strype's Ann. Vol. III. p. 517.

(6) Particularly Milford-haven, Falmouth, Plymouth, Portland, the Iſle of Wight, Portſmouth, the Downs, and about the Thames mouth, Harwich, Yarmouth, Hull, &c. Camden, ibid.

Spaniards,

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Spaniards deſcent in one extremity of the kingdom, by making a diverſion in the other. In a word, if ſhe could not hinder the Spaniards from landing in England, ſhe muſt neceſſarily reſolve to hazard a battle, the country not being proper to prolong the war. All this was more than ſufficient to inſpire her with a juſt dread, which yet ſhe moſt careſully concealed. If ever ſhe diſplayed her ability, it was on this important occaſion. Far from ſhewing the leaſt depreſſion of ſpirits, ſhe incouraged her people by her looks, her reſolution, her affability, which made them think ſhe was concerned only for them, and on her own account regardleſs of the danger. Mean while, ſhe took care of all things with a wonderful prudence, and a preſenſe of mind rarely to be found in the greateſt men, and which gained her univerſal praiſe and admiration. Some counſeled her to cut off the leading Catholics, or at leaſt to ſend them over-ſea: but this ſhe judged would be diſcovering too much fear, beſide the great injuſtice of deſtroying or ruining people on bare ſurmiſes. She contented herſelf with cauſing ſome to be arreſted, and put into cuſtody, telling them, however, it was only by way of precaution, which, inſtead of injuring, would ſcreen them from the violence of their enemies.

Camden.

As for Ireland, ſhe ſent orders to ſir William Fitz-Williams, then lord deputy, diſtinctly pointing out to him what precautions he ſhould uſe to hinder the Iriſh from riſing. But above all things, ſhe took care to careſs the King of Scotland, and put him in hope of ample acknowledgment, if on this occaſion he inviolably adhered to the Proteſtant religion, and the intereſt of Great-Britain. She repreſented to him, that, in reſpect to England, he was to conſider the King of Spain as a dangerous competitor, and that the loſs of one of the Britiſh realms would not fail being attended with the other's ruin. But her uneaſineſs with regard to Scotland was not long-lived, ſince ſhe ſoon had the ſatisfaction to hear that James, knowing perfectly his own intereſt, had no correſpondence with the King of Spain, but even ſtood on his guard for fear of being himſelf invaded.

She careſſes the King of Scotland. Camden.

Expedition of the Spaniſh fleet. Camden. Stow.

The duke of Medina-Celi, with the Invincible Armada, ſet ſail from the river Tagus, on the third of June *, and ſteered his courſe northwards. Within a few days, a ſtorm ariſing ſo diſperſed the ſhips, that they could not re-join 'till they came to Coruna †. This accident occaſioned a report throughout Europe, that the Spaniſh fleet was intirely deſtroyed. Even ſecretary Walſingham thought his intelligence ſo certain, that he wrote to the lord-admiral Howard, to ſend home four of the largeſt ſhips, there being no farther danger this year. But the admiral anſwered, he could not think of parting with the four ſhips, tho' he ſhould be obliged to keep them at his own charge, 'till he had more certain advice. The better to know the truth, the wind turning to the north, he ſailed with his whole fleet towards Spain, with deſign to complete the deſtruction of the enemy's Armada, which was repreſented to him as utterly diſabled: but on approaching the Spaniſh coaſt, he heard the fleet had not ſuffered ſo much damage as was rumored. At the ſame time, the wind changing ſoutherly, he ſailed back to his ſtation at the channel's mouth, for fear with the ſame wind the enemies fleet ſhould advance towards England.

* Camden ſays May 20.
† Corruptly called The Groyne.

It was the twelfth of July before the Spaniards departed from Coruna, and two days after, the duke of Medina-Celi ſent a yatcht to notify it to the duke of Parma, that he might be ready to join him. The nineteenth, the Spaniſh fleet entered the channel, and the twentieth, appeared in ſight of the Engliſh, who let it paſs in order to follow it before the wind. Camden has, in his annals, inſerted a journal of what paſſed in the channel 'till the Spaniards retired northwards. I think it not very neceſſary to copy this journal; which beſide is ſomewhat obſcure, and gives no very perfect idea of the bravery and conduct of the Engliſh. It will ſuffice to ſay, that while the Spaniards were in the channel, the Engliſh kept cloſe to them, and even took ſome of their ſhips. Of this number were a galeon, commanded by Don Pedro de Valdez, which was ſent to Dartmouth, and a large Biſcayner, in which was the Armada's money; but, the ſhip having before taken fire, the Spaniards had removed the treaſure.

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The twenty-third of July, the wind being north, the duke of Medina-Celi ſtood towards the Engliſh fleet. There was that day a ſharp ingagement, wherein the Spaniards, tho' much ſuperior in number, gained no advantage: the unweildineſs of their ſhips, and the agility of the Engliſh, made it eaſy for theſe laſt to ſtand off or on, as they ſaw fit, and ſo to balance their enemies ſuperiority. The trial the Spaniards made on this occaſion of the Engliſh valor and ſkill in ſea-ingagements, doubtleſs began to give them a quite different opinion of their enterpriſe than they had thitherto conceived.

Mean while, the duke of Medina-Celi daily ſent meſſengers to preſs the duke of Parma to put to ſea with his army: but that was not practicable, by reaſon of the Engliſh and Dutch ſhips advantageouſly poſted to obſtruct the junction. It was neceſſary for the Spaniards to approach the coaſt of Flanders, to compel them to retire (1): but the twenty-ſeventh in the evening, they were no farther than off Calais, where they anchored, being ſtill followed by the Engliſh, who lay within ſhot. Here the Engliſh navy was joined by a good number of ſhips, not only of the Queen's, but of diverſe private perſons, who had fited out ſeveral at their own expenſe (2). The fleet then conſiſted of a hundred and forty warlike ſhips, ſmall indeed in compariſon of the Spaniſh, yet having over them the advantage of moving much more readily, and of retiring into the ports of England in caſe of neceſſity. The duke of Parma, who was to ſail from Dunkirk and Newport, was ſtill earneſtly ſollicited by the duke of Medina-Celi to put to ſea, and make a deſcent in England, as it had been reſolved: but, beſide that the ſhips which waited for him were not yet withdrawn, notwithſtanding the neighborhood of the Spaniſh Armada, abundance of his mariners had deſerted, and his ſhips but ſcantily victualed. In a word, he either could not, or would not imbark.

Stow. Camden.

While the Spaniards lay before Calais, the Engliſh admiral ſent * amidſt them eight fire-ſhips. This ſtruck them with ſuch a panic, that inſtantly cuting their cables, they put to ſea to avoid the menaced deſtruction. In this confuſion, the admiral-galeaſs, commanded by Hugo de Moncada, having loſt its rudder, floated about at random 'till the morrow, when the Engliſh took it, after a very ſmart diſpute, wherein Moncada was killed. Tho' the Spaniſh admiral had ordered every ſhip to

July 29. * In the night.

(1) On the 26th, the lord admiral knighted the lord Thomas Howard, the lord Sheffield, Roger Townſend, John Hawkins, and Martin Forbiſher, for their good ſervice; and a reſolution was taken not to attack the enemy any more, 'till they were come into the ſtreights of Calais. Camden, p. 547.

(2) Amongſt others, the earls of Oxford, Northumberland, Cumberland, Thomas and Robert Cecil, Henry Brooke, Charles Blunt, Walter Raleigh, William Hatton, Robert Carey, Ambroſe Willoughby, Thomas Gerard, Arthur Gorges, ſir Thomas Vavaſor, and others of good quality. Camden, p. 547. Stow, p. 747.

Elizab. An' 1588.

return to its ſtation as ſoon as the danger was paſſed, and made a ſignal for that purpoſe, yet few offered to obey: inſomuch that the Armada remained diſperſed, ſome of the ſhips being driven away northwards, and others upon the ſhallows of Flanders, where they ran extreme hazards. They had not only to guard againſt the ſands, but alſo againſt the Engliſh, who ſo plied them with their artillery, that ſeveral Spaniſh ſhips were that day diſabled, and the St. Martha galleon * became a prey to the Zealanders. Finally, a N. W. wind driving the fleet upon the Zealand coaſt, where they could ſcarce avoid periſhing, the Engliſh gave over their chace, for fear of being expoſed to a like peril. Happily for the Spaniards, the wind veered about to the S. W. very ſeaſonably, and freed them from this diſtreſs. But now, perceiving the impoſſibility of executing their project, they reſolved to return home, by ſailing round Scotland and Ireland, and the rather as ſome of their ſhips had already ſteered that courſe. The Engliſh admiral, ſeeing them ſtand to the northward, left a ſquadron to guard the coaſt of Flanders, and gave them chace, tho' at ſome diſtance, 'till they had paſſed Edinburg-Frith. The courſe they ſteered gave ſome ſuſpicion, that they were ſure of a retreat in the ports of Scotland. Whereupon the Engliſh embaſſador at King James's court made him large offers, and even certain promiſes, which he had not power to make, and which were never performed (1).

July 30. * The galeons San Felipe and San Matteo.

Mean while, the Spaniards, continuing their courſe, ſuſtained farther damages by contrary winds, which occaſioned their loſing ſeveral ſhips on the coaſts of Scotland and Ireland. Seven hundred ſoldiers and mariners, who had eſcaped to land in the King of Scotland's dominions, were ſent to the duke of Parma, with Elizabeth's conſent: but all thoſe who were wrecked and got aſhore in Ireland were either ſlaughtered or hanged; the lord-deputy, by whoſe orders it was done, fearing they would join with the rebels; at leaſt this was a pretenſe to excuſe his barbarity (2).

Strype's Ann. Vol. III. p. 522.

Philip II received the news of his Armada's bad ſucceſs with moſt heroic conſtancy. He had imployed three whole years in preparing this mighty navy, with incredible expenſe, and when he heard of its defeat, ſo contrary to his hopes, he thanked the Almighty his loſs was no greater (3).

Philip's patience at his misfortune. Camden.

The retreat of this ſo formidable a fleet filled England with exceſſive rejoicing. Elizabeth ordered a ſolemn thankſgiving for this deliverance to be offered in every church in the kingdom, and went herſelf to St. Paul's (4) in great ſolemnity to perform the ſame duty. After that, ſhe confered on the lord-admiral a yearly revenue, in recompenſe of his great ſervice to his country, and beſtowed penſions on the wounded. For the reſt, their rewards conſiſted more in words than in deeds.

Elizabeth glorifies God for the victory. Nov. 24. Camden. Stow. Speed.

Sir Robert Sidney, who had been ſent into Scotland before the Spaniſh fleet's arrival, at the time of Elizabeth's dread leſt King James ſhould meditate revenge, returned home when the danger was over. He reported, that the King of Scotland had teſtified his ſincere attachment to the intereſt of England and the Proteſtant religion, and told him, "That he looked for no other favor from the Spa-" niards, than what Polyphemus promiſed Ulyſſes, "namely, that he ſhould be the laſt devoured."

King James remains firm to the intereſt of England. Rym. Fœd. Vol. XIV. p. 18. Camden.

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September the † fourth, this year, died the earl of Leiceſter, a man little deſerving his greatneſs, if moſt of the hiſtorians are to be credited. His death drew tears from the Queen, who nevertheleſs ordered his goods to be ſold at a public ſale, for payment of the ſums ſhe had lent him.

† Nov. December 14, as in the French. Earl of Leiceſter dies. Camden. Stow. Affairs of the Netherlands. Strada. Camden.

After the Spaniſh fleet had left the coaſt of Flanders, the duke of Parma, ſeeing the enterpriſe blaſted, beſieged Bergen-op-zoom, where both governor and gariſon were Engliſh. This ſiege acquired great reputation to the governor, who, by a gallant defenſe, finally obliged the duke to quit the premiſſes and retire.

The ſame year, ſo memorable for England, was no leſs ſo for France. The duke of Guiſe, grown more powerful than the King, came to Paris in May, and by favor of the people, whoſe idol he was, obliged the King to depart, having firſt ſeen the furious populace chaining up the ſtreets, and preparing to attack his perſon in the Louvre: this is what writers term "The Barricadoes of "Paris." This inſolent action was followed by an agreement, which King Henry was conſtrained to make with the chief leaguers, whereby he put ſeveral places into their hands. But next December, Henry perceiving his ruin inevitable except he got rid of the duke of Guiſe, and his brother the cardinal, cauſed them both to be aſſaſſinated at Blois, where the ſtates of France were aſſembled. Thus he freed himſelf from a preſent danger, but it was only to fall into another; for this action made the league and the city of Paris openly declare againſt him.

Of France. Thuanus. Mezerai.

As for Scotland, during the whole year 1588, it injoyed a perfect tranquillity. So long as James had about him miniſters and counſellors attached to the intereſt of England, his days were generally ſpeaking pacific and eaſy: inſomuch that nothing interrupted his quiet this year, but what related to his marriage, which he could not accompliſh, tho' he wiſhed it moſt paſſionately. Melvil inſinuates, that chancellor Maitland, who then managed that Prince's affairs, was bribed by Elizabeth: that ſhe gave penſions to moſt of the counſellors of Scotland, and that her aim was to prevent James's marrying. He had ſent embaſſadors to Copenhagen, to treat of his marriage with the eldeſt daughter of Frederic II; but by the artifice of his miniſters, the embaſſadors power was ſo limited that it was not poſſible for them to conclude. On the other hand, while this marriage was negociating, one Du Bartas, a French poet, one of the King of Navarre's domeſtics, came to Edinburg, under color of paying his reſpects to the King, who had expreſſed ſome eſteem for his works, and propoſed, as of himſelf, James's marriage with Princeſs Catherine, his royal maſter's ſiſter. He ſaid ſo many fine things of this lady, that King James, by the advice of his council, ſent lord Tungland, Melvil's

Of Scotland. Melvil, p. 176. p. 177.

(1) Aſhby, the Queen's embaſſador in Scotland, offered King James the title of a duke in England, a yearly penſion of 5000 l. a guard to be maintained at the Queen's charge, and ſome other matters, whether (ſays Camden) of his own head, or by command of others, I cannot tell. p. 548.

(2) Of the Armada were taken and deſtroyed in July and Auguſt fifteen great ſhips, and 4791 men, in the fight between the Engliſh and Spaniſh navies in the channel: and on the coaſt of Ireland in September, ſeventeen ſhips, and 5394 men. In all thirty two ſhips, and 10185 men. See Strype's Append. Numb. 53.

(3) This is Camden's account. But according to Anthony Coppley, a fugitive gentleman, when the news was brought to Philip, being at maſs, "He ſwore that he would waſte and conſume his crown even to the value of a candleſtick (pointing at "one upon the altar) but either he would utterly ruin her Majeſty and England, or elſe himſelf and all Spain become tributary to her." Strype, ibid. p. 525.——The duke of Medina returned to Spain about the end of September, with only ſixty ſail of his hundred and thirty great ſhips, and thoſe very much ſhattered. Stow, p. 749.

(4) Where eleven ſtandards taken from the enemy were hung up. Camden, p. 549. Stow, p. 750.

brother,

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brother, into France to ſee her, on pretenſe of negociating ſome affair with the King her brother. The King of Denmark having thereof notice, and withal perceiving the limited power of the Scotiſh embaſſadors, believed he was mocked, and gave his daughter to the duke of Brunſwic. Melvil (and that not without great probability) aſcribes this whole intrigue to Elizabeth, and affirms it was ſhe who informed his Daniſh Majeſty of lord Tungland's being ſent to the court of Navarre.

An' 1589. Conſpiracy in Scotland takes vent. Camden. Melvil, p. 175.

Soon after, early in 1589, was diſcovered in Scotland a conſpiracy againſt King James, contrived by the earls of Huntley and Bothwell, ſon of one of King James V's natural ſons (1). Their deſign was to ſeize the King's perſon, and compel him to reſtore Popery in Scotland (2). Some pretend, that they were excited by emiſſaries from Spain. James prevented the execution of this plot by his diligence. He purſued the earl of Huntley, who had taken arms, 'till he finally conſtrained him to yield at diſcretion. As for Bothwell, he withdrew to his own houſe, where he meditated new projects, whereof mention ſhall be made hereafter. I return to the affairs of England.

Trial of the earl of Arundel. April 18. State-Trials. Camden.

Philip Howard earl of Arundel, the late duke of Norfolk's eldeſt ſon, who had been three years priſoner in the Tower, was at length brought to trial before his peers, being accuſed of conſpiring againſt the Queen and ſtate. Camden gives us to underſtand, that the moſt could be proved upon him was his being diſaffected to the government, and over zealouſly attached to Popery. He was however ſentenced to death; but Elizabeth vouchſafed him a pardon.

The Queen ſpares his life.

Elizabeth's tranquillity.

Her ſaid Majeſty now injoyed a tranquillity to which ſhe had been a ſtranger, even from the begining of her reign. The Queen of Scotland was no longer among the living, and the King her ſon, in expectation of one day ſucceeding Elizabeth, ſtifled his reſentment, or rather had utterly forgot his mother's tragical cataſtrophe. The King of Spain was incapacitated from making any freſh attempt upon England, ſince the diſaſtrous ſucceſs of his Invincible Armada. The United Provinces affairs began to be reſtored, thro' the magnanimity and wiſe conduct of count Maurice; and thoſe of France were in ſuch a ſituation that England had nothing to apprehend from that quarter. The duke of Guiſe, Elizabeth's capital enemy, was no more, his ſon in priſon, and the duke of Mayenne wholly intent on revenging the blood of his two brothers. As for Sixtus V, tho' extremely capable of forming grand projects, he could not execute them without the aid of ſome Catholic Potentate; and the King of Spain, on whom alone he could depend, was intirely ingroſſed with meditating how to improve the troubles of France. As for the Engliſh Papiſts, there was no likelihood of their moving at a juncture when they could not expect any foreign aſſiſtance.

She ſends a fleet againſt Spain. Camden. Stow.

In this ſtate of proſperity Elizabeth, having nothing to fear either at home or abroad, was diſpoſed to convince his Catholic Majeſty, that the Engliſh could as well attack as defend. But as ſhe was extremely frugal, and any important enterpriſe againſt Spain could not but be very expenſive, ſhe ſo managed that Drake and Norris took upon them to be at the charge, in hopes of re-imburſing themſelves from the booty they ſhould acquire: ſo all ſhe furniſhed was a few ſhips (3), with permiſſion to raiſe ſoldiers and mariners for the expedition. Drake had already tried the Spaniards in America, and the Channel, and was convinced they were more formidable by fame than in reality. Wherefore, joining with Norris, and ſome other private perſons, they equiped a fleet, and imbarked eleven thouſand ſoldiers, and fifteen hundred mariners. The Hollanders having alſo added ſome ſhips, the fleet conſiſted of eighty ſail (4) of all ſorts. Drake commanded at ſea, and Norris was general of the land-forces. They took with them Don Antonio, who ſtiled himſelf King of Portugal, and hoped, by the aſſiſtance of the Engliſh, to be put in poſſeſſion of that kingdom, where he pretended to have many friends.

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Stow.

The expedition. Camden. Stow.

They ſailed from Plymouth the eighteenth of April, and ſoon after arrived at Coruna, where landing their troops, they aſſaulted the lower town and carried it by ſtorm. Then they beſieged the upper town: but Norris having advice that count Andrada was approaching with a body of forces, to relieve the place, ſuddenly raiſed the ſiege to march againſt him, but the Spaniſh count thinking proper to retire, he purſued, and overtaking him ſlew three thouſand of his followers. This done, he deſtroyed diverſe villages, and without returning to the ſiege, re-imbarked his troops. The chief deſign of the Engliſh was to exert themſelves principally againſt Portugal.

May 6.

Stow.

While they were bending their courſe towards the coaſts of that kingdom, they met the earl of Eſſex, who joined the fleet with ſome ſhips he had armed at his own charge, and unknown to her Majeſty. Some days after, they arrived at Penicha, a ſmall town of Portugal, which being reduced was reſtored to Don Antonio. Thence Norris marched by land to Liſbon, Drake promiſing to follow with the fleet up the Tagus. The army marched ſixty miles without any oppoſition, and incamping before Liſbon took St. Catherine's ſuburb. But as Drake performed not his promiſe, and the army wanted cannon and ammunition, it was in a council of war reſolved to retire. This reſolution was taken becauſe there was no appearance that the Portugueſes were inclined to revolt, as Don Antonio had expected, and alſo becauſe no tidings came of his boaſted aid from the Emperor of Morocco. The army marching towards the mouth of the Tagus met Drake, who had taken the town of Caſcaes, and excuſed himſelf upon the impoſſibility of performing his promiſes. Some days after, Caſcaes caſtle alſo ſurrendering, it was blown up, and the Engliſh, to make themſelves amends for the charges they had been at in this armament, ſeized ſixty veſſels laden with corn (5) belonging to the Hanſe Towns. Then they went and took Vigo, abandoned by its inhabitants, and firing the town returned to England. This expedition did King Philip ſome damage, but was of no benefit to Elizabeth, and the booty was not ſufficient to defray the expenſe of equiping the ſquadron (6). Beſide this, upwards of ſix thouſand periſhed by ſickneſs. The only advantage reaped by the Engliſh was, that they were more convinced of the weakneſs of the Spaniards at home.

May 16.

The Engliſh ſeize ſixty ſhips belonging to the Hanſe Towns. June 21. July 10.

They complain to the Queen.

The court's anſwer.

The Hanſe Towns made great noiſe on account of the ſeizure of their ſhips in the Tagus, and ſent embaſſadors to the Queen with their complaints. They were anſwered; firſt, that in the patent granted

(1) John, prior of Coldingham. ——The earls of Arrol and Crawford were alſo concerned in this affair. See Camden, p. 551.
(2) And then invade England, in revenge for the Scotiſh Queen's death. Ibid.
(3) Six ſhips of war, and about 60,000 l. in money. Stow, p. 752.
(4) Stow (ibid.) ſays 146, with 14,000 ſoldiers and 4,000 mariners.
(5) And all manner of naval ſtores, to equip a new fleet againſt England. Camden p, 554.
(6) Camden (p. 555) ſays; the Engliſh brought home a hundred and fifty pieces of great ordnance, and a very rich booty.

them

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them by Edward III, it was expreſly provided, they ſhould not import any commodities into the dominions of the profeſſed and open enemies of England: ſecondly, a neutrality was to be ſo conducted, that in pleaſuring one of the parties the other ſhould not be prejudiced; and that it was notorious, that either proviſions or ammunitions carried to one of the contending parties were contraband, and conſequently ſeizable: thirdly, they could not juſtly complain of theſe confiſcations, ſince the Queen had warned them not to import any proviſions to Spain and Portugal, except they would hazard their being made prize of by the Engliſh.

Affairs of France. Thuanus. Mezerai. Camden.

All this was not of any great moment: but what paſſed in France this year was abundantly more conſiderable. Henry III's bold ſtroke, in cauſing the duke of Guiſe to quit the world by ſuch violent means, ſerved only to throw him into a greater imbaraſs. His again ſwearing to the league, in preſenſe of the general ſtates, before he diſmiſſed them, imported very little. The leaguers, as they could no longer confide either in his promiſes or oaths, alienated from him, in a manner, the whole kingdom. Hence he found himſelf neceſſitated to call to his aſſiſtance the King of Navarre and the Hugonots, and join them to oppoſe the league. It is very remarkable that this Prince, who had ſworn to extirpate the Hugonots, and ſolemnly declared he would never keep promiſe with them, ſcarce found any other ſubjects but the Hugonots in whom he could confide. The forces brought him by the King of Navarre, and ten thouſand Swiſſers, two thouſand Landſquenets, with ſome horſe, which came in ſeaſon, inabled him to beſiege or block up Paris with thirty-eight thouſand men. But juſt as he ſaw himſelf on the point of forcing the Pariſians to return to their duty, Jacques Clement, a Jacobin monk, gave him a deſperate ſtab in the belly with a dagger, of which he died in two days. Before he expired, he nominated for his ſucceſſor the King of Navarre, head of the Bourbon family, who aſſumed the name of Henry IV.

Henry III aſſaſſinated. Auguſt 1. Thuanus. Henry IV ſucceeds.

Thuanus. Mezerai. P. Daniel.

The league refuſed to acknowledge the new King: nay, he found himſelf deſerted by diverſe grandees of the King's party; and, in order to retain ſome of the Catholic nobility, he was obliged to promiſe them, that he would, in a certain ſpace of time, be inſtructed in the principles of the Romiſh religion; that is, would turn Catholic: for ſuch was the conſtruction laid on thoſe words. Mean while he had neither army nor treaſure, the Swiſſers and Germans who had ſerved Henry III, threatening to leave him, in caſe he diſcharged not their arrears, which demand he was not able to ſatisfy. In this extremity he had recourſe to Elizabeth, who generouſly promiſed him both men and money. In expectation of theſe ſuccors, he ſtood firm againſt the duke of Mayenne, who had forced him into Normandy, and even attacked him at Arques, but without ſucceſs. Henry thought himſelf in ſuch danger, that he would have imbraced the counſel ſome had given him of croſſing over to England, had he not been warmly diſſuaded by marſhal Biron. At length arrived the Engliſh ſupplies, conſiſting of four thouſand men, under conduct of lord Willoughby, and twenty-two thouſand pounds ſterling in gold. With this reinforcement he was able to approach Paris, and reduce one of that capital's ſuburbs: but Mayenne having entered with his army, he was conſtrained to withdraw. Mean while, the duke of Mayenne had cauſed old cardinal de Bourbon to be proclaimed King, and himſelf had aſſumed the title of lieutenant-general of the realm. Henry, quitting the neighborhood of Paris, returned into Normandy, where he reduced to his obedience ſome places, which done he diſmiſſed the Engliſh auxiliaries.

Camden. Stow.

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Tho' the King of Denmark had diſpoſed of his eldeſt daughter to the duke of Brunſwic, the King of Scotland perſiſted in his deſign to marry into his family, and demanded his ſecond daughter. Frederic acquieſced, but on condition the ſaid Princeſs ſhould be demanded, by a ſolemn embaſſy, before the firſt of May: but he died in the interval, leaving his crown to a minor. This prevented not James's thinking ſeriouſly of his marriage with Princeſs Ann, the new King's ſiſter: but when he moved in council the Copenhagen embaſſy, he was anſwered, that it would be hazarding a rupture with the Queen of England, if he married without conſulting her. The authors of this advice were well ſatisfied that Elizabeth would raiſe obſtacles to this match. In effect, in her anſwer to the King, ſhe tried to make him ſenſible of ſundry inconveniencies if he eſpouſed the Princeſs of Denmark; and to divert him from it, propoſed to him Princeſs Catherine, ſiſter to the King of Navarre, who had not then acceded to the Gallic crown, promiſing therein to ſerve him to the utmoſt of her ability. Elizabeth's anſwer being laid before the council, all, even to a man, declared againſt the Daniſh match. James was ſo nettled at being thus oppoſed, that, by means of a truſty domeſtic, he got the Edinburgers to take arms, and menace the chancellor and privy-counſellors with being torn piece-meal in caſe his Majeſty's marriage with the Princeſs of Denmark was not accompliſhed. Theſe threats terrifying the council, embaſſadors were inſtantly appointed to negociate this alliance: but withal care was taken to inſert in their inſtructions a clauſe, which put them to a ſtand at the very entrance on their negociation, and obliged them to ſend home lord Dingual, to demand fuller powers, or leave to return. His ſaid lordſhip arriving at court when the chancellor was abſent, the King himſelf drew the power required by his embaſſadors; whereupon the marriage was ſpeedily concluded. Preſently after the new Queen was delivered to the embaſſadors to be conducted into Scotland: but a ſtorm, ariſing while ſhe was at ſea, drove her upon the Norway coaſt, where ſhe was forced to go aſhore for ſhelter. The wind continued ſo long contrary that James, impatient for a ſight of his bride, could not wait 'till it became favorable: ſo, imbarking on a ſmall veſſel, he went to his Queen, and paſſed the whole winter in Norway and Denmark, whence he returned not to Scotland 'till May next year, bringing with him his conſort.

The King of Scotland's marriage. Melvil. p. 177. p. 179. Camden. p. 180, 182. Rym. Fœd. Vol. XVI. p. 27.

AN' 1590.

The tranquillity Elizabeth injoyed was liable to be diſturbed only from Spain. France was not in condition to create her any uneaſineſs, and the King of Scotland thought only of living peaceably, in expectation of the noble ſucceſſion he ſhould one day inherit. Philip II was therefore the ſole enemy Elizabeth had to fear: but to ſecure herſelf from all ſurpriſe, ſhe took the juſteſt tho' very expenſive precautions. She had conſtantly a ſtout and well-conditioned navy, ready to put to ſea on the ſhorteſt notice. The fortified towns and maritime ports were alſo in good condition, and this coſt her as much as if ſhe had been in actual war with Spain: but ſhe ſupplied all by her excellent œconomy, expending no money but what was abſolutely neceſſary. This highly diſguſted her ravenous courtiers, who would gladly have had her ſomewhat more liberal: but tho' ſhe knew herſelf taxed with penury, ſhe thought not fit to alter her conduct. She thereby avoided being troubleſome to the parliament, and, when ſhe wanted any extraordinary aid, was ſure to find a ready compliance in the houſe of commons, without murmurings among her people. This advantage

Elizabeth keeps in a poſture of defenſe againſt Spain. Camden.

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vantage ſufficiently balanced the empty pleaſure of being by her courtiers ſtiled a munificent Princeſs: beſide, ſhe was perſuaded that what was in her termed avarice was only prudent œconomy. The truth is, with the uſual crown-revenues ſhe found means to ſupply the expenſes of her houſhold, maintain a fleet, diſcharge public debts, and aſſiſt her neighbors in their diſtreſs, neither of which had ever been done by any of her predeceſſors: on the contrary, moſt of them had, by their miſ-applied liberalities, ruined their ſubjects merely for the ſatisfaction of inriching a ſmall number of their favorites and minions: beſide, Elizabeth had a particular reaſon to ſpare the purſes of her ſubjects, in order to gain their affection, the ſtrongeſt ſupport of her throne; wherefore, one of the chief objects of her care was a due management of the treaſury, with intent to be always able to withſtand the attacks of her enemies, both at home and abroad.

Camden. Naunton, p. 15.

Her inſpection into the cuſtoms, in 1590, notwithſtanding the efforts uſed to divert her from it, occaſioned her raiſing them from fourteen thouſand pounds per annum (at which ſum they were farmed by ſir Thomas Smith) to forty two thouſand, and afterwards to fifty thouſand: but her great œconomy hindered her not from parting with treaſure when requiſite. Tho' in the two preceding years ſhe had lent about two hundred thouſand crowns to the King of France, ſhe ſupplied him with ſixty thouſand more, becauſe ſhe plainly foreſaw of what conſequence that Prince's ruin might be to England. Moreover, the gariſons of the Briel and Fluſhing, beſide the three thouſand men maintained by her in the Netherlands, coſt her annually more than four hundred thouſand florins (1), becauſe ſhe was obliged to advance money 'till the ſtates ſhould be able to repay her. In fine, ſhe paid alſo conſiderable penſions to ſeveral in the court of Scotland, whoſe buſineſs it was to acquaint her with whatever was there tranſacted, and to keep the King well-affected to England, as he had been for ſome time.

Affairs of France. Thuanus. Mezerai.

While Elizabeth injoyed ſome repoſe, France was ſtill agitated with the wars between King and league. In March, Henry IV gained the battle of Yvry againſt the duke of Mayenne, after which he inveſted Paris, and even carried its ſuburbs. This great city was now reduced to extremity, when the duke of Parma arrived from the Netherlands, and forced Henry to raiſe the blocade. This done, he returned without the King's being able to oblige him to fight.

Of the Netherlands. Grotius.

On the other hand, in the duke of Parma's abſenſe, count Maurice, who had already taken Breda by ſurpriſe, made ſome farther progreſs, which helped to put the affairs of the United Provinces in a better ſituation than before.

The duke of Mercœur over-runs Bretagne. Thuanus. Mezerai.

This ſame year, the duke of Mercœur, of the houſe of Lorrain, maſtered Bretagne by the aſſiſtance of the Spaniards, who took Hennebond and Blavet. This perplexed Elizabeth, who was not very fond of having the Spaniards ſo near her, eſpecially as King Philip might claim Bretagne for his daughter the Infanta Iſabella, whoſe mother was King Henry II's daughter.

Walſingham's death. Camden.

Sir Francis Walſingham, ſecretary of ſtate, who had long ſerved Queen Elizabeth with great zeal and ability, died this year, and ſo poor that he was buried privately to ſave charges: and he was ſoon followed by Thomas Randolph, of whom frequent mention has been made, and who had been imployed in ſeveral embaſſies, particularly in Scotland.

AN' 1591.

The civil wars of France were then the moſt important affair of Europe. It could no longer be doubted that the Catholic King was meditating either to diſmember that kingdom, or procure it for his daughter Iſabella, grand-daughter to Henry II, notwithſtanding the Salic law. Sixtus V favored this project to the utmoſt of his power, under color of hindering a Heretic from being acknowledged King of France. If this deſign was not executed, it muſt be wholly aſcribed to the duke of Mayenne's jealouſy, who deſigned not to labor for others. Mean while, Henry IV was extremely imbaraſſed. The Hugonots forces alone were not ſufficient to inable him to ſurmount all obſtacles, ſince he had no leſs to do than to conquer the whole kingdom of France, and the Catholic nobles in his army ſerved him with reluctance: nay, they had required him, in return for their ſervice, to be inſtructed, and in ſuch manner that this inſtruction ſhould produce in him what is termed a converſion. In this preſſing neceſſity, he could not be without foreign ſuccors, and theſe ſuccors could be had only from Germany or England. It was viſibly the intereſt of Elizabeth and the Proteſtant Princes to ſupport Henry, to prevent the King of Spain's power from being augmented by the acquiſition of France: nevertheleſs, it was not eaſy to perſuade them, that they ought to imploy their whole ſtrength to maintain a war, whereof Henry only was to reap the benefit. They were very ready to ſupply him with troops, but not to maintain them: it was his buſineſs to find them ſubſiſtence. Elizabeth was very ſenſible of what conſequence the preſervation of France was to her, but expected that the ſuccors ſhe gave the King ſhould be imployed in driving the Spaniards from thoſe maritime provinces of Bretagne, Normandy, and Picardy; for that was what moſt nearly concerned her. It was, on the contrary, Henry's intereſt to expel his enemies from the center of his dominions, before he thought of attacking them on the borders, and the more, as he thereby put Elizabeth under a continual neceſſity of aſſiſting him. However, to receive aid from England, he was to promiſe what Elizabeth required. They agreed therefore upon a treaty, whereby Elizabeth ingaged to ſend three thouſand men into Bretagne and Picardy, to hinder the Spaniards from ſetling in thoſe provinces, on condition ſhe ſhould within a year be re-paid (2) all her charges in raiſing and keeping the troops. Henry conſented to all, not to retard the negociation, tho' he was fully convinced of the impoſſibility to perform his promiſe by the time limited. Preſently after, the three thouſand Engliſh paſſed part into Bretagne, under command of Norris, and part into Picardy under conduct of ſir Roger Williams.

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Henry IV, of France, in great perplexity. Thuanus. Mezerai. Camden. Rym. Fœd. Vol. XVI. p. 23, 37, 89, &c.

Elizabeth ingages to aid him. Rym. Fœd. Vol. XVI. p. 43, 125. Camden. Stow.

Rym. Fœd. Vol. XVI. p. 94.

Three thouſand Engliſh ſent to France.

At the ſame time, Henry had negociated, in Germany, a levy of eleven thouſand men, by means of the elector of Brandenburg, and Caſimir Prince Palatine. But this ſupply not ſufficing, he demanded a ſecond from Elizabeth, and to obtain it more eaſily, gave her to underſtand that, with this reinforcement he ſhould be able to undertake the ſiege of Roan. Elizabeth's great deſire to ſee the maritime towns of France out of the leaguers power made her fall into this ſnare. She therefore concluded with Henry a new treaty, whereby ſhe ingaged to ſupply him with four thouſand men more, and pay them two months, imagining that time was ſufficient for the ſiege of Roan. When theſe ſupplies were ready, ſhe gave the command to the earl of Eſſex, a young nobleman, highly in her favor, and for whom it was believed ſhe felt ſomething more than a bare eſteem, tho' ſhe was

Farther aid ſent thither under the earl of Eſſex. July. Rym. Fœd. Vol. XVI. p. 98, 102, 149. Camden. Stow. Speed.

(1) She paid 125,000 florins every two months, i. e. 750,000 yearly; beſides 26,000 more to three thouſand horſe and foot, which ſerved in the Netherlands. Camden, p. 558.

(2) Provided the enemy were by that time diſpoſſeſſed. Idem. p. 561.

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then fifty-eight years old. Eſſex, greedy of glory, departed England full of hopes to ſignalize himſelf at the ſiege of Roan; but, at his arrival in France, he found the ſiege had not been ſo much as thought on: that the King was imployed before Noyon, and intended to ſend the Engliſh forces into Champagne. Whereupon he returned into England, having firſt given the King his parole of honor, to come and join him as ſoon as the ſiege of Roan ſhould be undertaken. He however left his troops in France, under command of ſir Roger Williams.

Eſſex returns to England. Rym. Fœd. Vol. XVI. p. 140, 146.

Elizabeth was ſenſibly touched to be thus impoſed on. She wrote to Henry that, ſince he had falſified his word, he might for the future proceed without her aſſiſtance, and that ſhe intended to recall all her troops, except he immediately performed his promiſe. Elizabeth's letter imbaraſſed Henry extremely. He had certain advice that the duke of Parma was preparing to return into France, and, in ſuch a juncture, recalling the Engliſh auxiliaries would have been very unſeaſonable: he was therefore obliged, in order to ſatisfy Elizabeth, to cauſe Roan to be inveſted by marſhal De Biron; but he thence took a freſh occaſion to demand of Elizabeth a new ſupply of five thouſand men, on pretenſe, that the troops already ſent were much diminiſhed by ſickneſs and diſſertion. At the ſame time, the earl of Eſſex, knowing Roan was inveſted, went over to the ſiege (1), contrary to the Queen's expreſs orders; ſuppoſing, that ſince he had given the King his parole, nothing could free him from his ingagement. Elizabeth was ſo diſpleaſed with both Henry and Eſſex that ſhe returned a very rough anſwer to the French embaſſador, who preſſed her for the five thouſand men demanded by the King his maſter, and left him no hopes of obtaining them. She likewiſe then diſpatched Leighton, the earl of Eſſex's uncle, with expreſs order to him inſtantly to return, if he would not be abſolutely diſgraced. Mean while Henry, hearing the duke of Parma departed Bruſſels about the cloſe of November, repaired to his army before Roan, to proſecute the ſiege, hoping to reduce it before the duke of Parma's arrival. Soon after, he ſent Du Pleſſis Mornay to Elizabeth, to indeavor obtaining the deſired ſupply.

The Queen complains of Henry's proceedings. Camden. Rym. Fœd. Vol. XVI. p. 111, 116, 128, 142, 149.

He orders Roan to be inveſted. Ib. p. 138.

Eſſex goes to the ſiege contrary to Elizabeth's inſtructions. Ib. p. 119, 122, 141.

Ib. p. 123, 175.

Henry repairs thither, and demands farther aſſiſtance.

He ſends Du Pleſſis to England.

Du Pleſſis, accompanied with the embaſſador in ordinary, being admited to audience, and acquainting her Majeſty with his buſineſs, ſhe flatly told him; ſhe would not be the French King's dupe; neither would ſhe for the future concern herſelf with his affairs, nor was he to expect any other aſſiſtance from her than her prayers: that he had demanded a ſpeedy aid for the ſiege of Roan, which ſhe had accordingly ſent him; but inſtead of executing their treaty, he had trifled away his time before Noyon, and ſuffered the Engliſh troops to decay, while he was making war in Champagne: that he had allowed the duke of Parma four months preparation, and then demanded of her a ſpeedy ſupply, which would not have been wanted had affairs been done in time. To this ſhe added great menaces againſt the earl of Eſſex, ſaying, he would have it thought that he ruled in England, but nothing was more falſe, and ſhe would make him the moſt pitiful fellow in the kingdom; that, inſtead of ſending freſh troops into France, ſhe was determined to recall thoſe already there. Then feigning herſelf indiſpoſed, ſhe deſired the embaſſadors to be contented with this ſhort audience, ſcarcely giving Du Pleſſis time to make any reply to her complaints: but he had previouſly taken care and prepared a memorial, which he would have preſented her; but ſhe bid him give it the lord-treaſurer. In ſhort, Du Pleſſis returned, without obtaining any thing, and the earl of Eſſex was forced to go back to England, where he found means to pacify his royal miſtreſs. Mean while, the duke of Parma having entered France, and being joined by the duke of Mayenne, and the young duke of Guiſe who had eſcaped from priſon, raiſed the ſiege of Roan. Henry readily comprehended by Elizabeth's conduct, that ſhe would not ſuffer herſelf to be amuſed by his artifices, and, for fear of loſing ſuch very neceſſary aſſiſtance, labored ſo effectually to be reconciled with her, that ſhe at length ſent him two thouſand freſh men; but it was not 'till after the ſiege was raiſed.

The Queen refuſes his requeſt. Du Pleſſis's Memoirs. Camden.

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Eſſex returns to England, and the duke of Parma raiſes the ſiege of Roan. Rym. Fœd. Vol. XVI. p. 146. Mezerai.

While all this was tranſacting, the late duke of Norfolk's ſon, with ſix warlike ſhips, was bending his courſe to the Azores, to wait for the Spaniſh plate-fleet, homeward bound from America. Having continued ſix months in the iſle of Flores, he was himſelf near being ſurpriſed by Alfonſo Baſſano, ſent to convoy home the ſaid Flota with fifty-three ſhips of war. He had the good fortune to eſcape the danger by a timely retreat; but one of his ſhips which was not ſpeedy enough, was taken by the Spaniards, after a ſharp ingagement (2). The Engliſh made themſelves ample amends for this loſs, by ſeveral prizes, and particularly by taking a ſhip richly laden, bound for Weſt-India, whereon, as is reported, they found twenty-two thouſand Pontifical indulgences for the American Spaniards.

Thomas Howard's fruitleſs expedition. Camden.

This year, Queen Elizabeth iſſued two proclamations, whereof the firſt forbad tranſporting any warlike ſtores or proviſions into the King of Spain's dominions. The ſecond, publiſhed in October, very expreſly prohibited harboring any perſon who ſhould come from the Engliſh ſeminaries at Rome or Rheims, or from a third, lately founded at Valladolid, by his Catholic Majeſty.

Two proclamations. Camden. Stow.

AN' 1592.

The war which was continued in France gave Elizabeth a perpetual uneaſineſs, becauſe the Spaniards had got footing in Bretagne, whence they might readily make ſome attempt upon England. Henry, well knowing how very deſirous ſhe was to diſlodge them from that poſt, demanded a farther aid to carry war into that province. Tho' Elizabeth had experienced that ſhe could not greatly depend on his word, becauſe it was not always in his power to make war where he pleaſed, ſhe however concluded with him a new treaty to this effect: that ſhe ſhould furniſh him with four thouſand men, ſome pieces of ordnance, and a certain quantity of ammunition: that he ſhould add to the Engliſh troops four thouſand foot, and a thouſand horſe, and this army be imployed to recover Bretagne: that he ſhould within a year repay all her charges: that he ſhould not make peace with the leaguers 'till they promiſed to aſſiſt him in driving from France the Spaniards: that England ſhould be expreſly included in the peace he ſhould make with Spain. Elizabeth performed her ingagement with ſincerity, and ſent four thouſand men over to Bretagne, under command of Norris: but Henry, inſtead of joining his troops with the Engliſh, and carrying the war into Bretagne, ordered them to ſerve in Normandy; he either being moſt preſſed in thoſe parts, or elſe had concluded the treaty merely to amuſe this Princeſs.

New treaty with Henry IV. Camden. Rym. Fœd. Vol. XVI. p. 151, 168, 173.

Ibid p. 172, 173.

Henry deceives Elizabeth, who reſents it highly. Camden.

(1) During which, his brother Walter was ſlain. Stow, p. 762.

(2) Sir Richard Greenvil, in the vice-admiral, named the Revenge, out of a raſh piece of bravery, would not let his men ſail, and being pent up between the iſland and the Spaniſh fleet, reſolutely attempted to break thro': but was taken, after a hot fight of fifteen hours. Greenvil himſelf was ſlain. Camden, p. 565.

Howſoever

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Howſoever this be, Elizabeth highly reſented her being thus again deceived. She wrote often to King Henry, complaining of his procedure, but to very little purpoſe. In her firſt emotions, ſhe was for recalling all her troops; but underſtanding that the duke of Parma was preparing to make a third expedition into France, ſhe ſacrificed her reſentment to the intereſts of that kingdom, which in ſome meaſure were alſo hers. In effect, the duke of Parma was on the point of re-entering France; but death, which ſeized him at this very juncture, freed Henry as well as Elizabeth from their diſquiet.

Rym. Fœd. Vol. XVI. p. 159, 163. Camden.

Affairs of Scotland. Camden. Melvil. p. 194, 196. Rym. Fœd. Vol. XVI. p. 100, 108, 109, 123.

Scotland was then diſturbed by earl Bothwell, who this very year made a freſh attempt to poſſeſs himſelf of the King's perſon. As his deſign took vent before it could be executed, he was forced to ſeek refuge in England. Elizabeth having thereof notice, wrote to King James, that thoſe who had harbored the fugitive ſhould be ſeverely puniſhed: nevertheleſs, when James required his being ſurrendered, purſuant to their treaty, ſhe evaded his demand, being well pleaſed to keep that Prince always in a ſort of uneaſineſs which ſhould oblige him to regard her.

Sir Walter Ralegh's expedition. Camden.

The treaſures brought, by the Spaniſh fleets, from the Eaſt and Weſt-Indies, were a perpetual allurement to the Engliſh, who almoſt every year made ſome attempt to incercept them. To that end ſir Walter Ralegh, departing this year with fifteen ſail, met near the Azores a five-decked carrac, one hundred and ſixty-five feet in length, moſt richly laden, which he took without much difficulty. This prize made him ſome amends for the expenſe he had been at in his ſaid armament: but contrary winds prevented his executing a more important enterpriſe projected againſt America (1).

The Thames dried up. Sept. 6. Stow.

A ſort of prodigy was ſeen this ſummer at London: the Thames was ſo dried up, and the channel ſo ſhallow, that near London-bridge it might be eaſily croſſed on horſe-back.

AN' 1593. Statute againſt the Non-Conformiſts. Statut. c. 1. D'ewes. p. 465. Townſhend, p. 31.

The parliament, meeting in February 1593, paſſed a ſtatute which greatly imbaraſſed not only the Papiſts, but even Proteſtants who differed in certain points from the church of England, and were ſtiled Puritans. By this act, ſuch as neglected being preſent at divine ſervice eſtabliſhed by law were liable to certain penalties, and ſo, none could any longer be a Roman Catholic with impunity, nor even a Proteſtant without conforming to the church of England. Thus, in ſome meaſure, were revived King Henry VIII's days, when it was unlawful to deviate, how little ſoever, from the religion of the Sovereign; tho' with this difference, that under Elizabeth the penalty was not death, as in the reign of her father: nevertheleſs there was in this latter ſtatute ſomething more rigid than in thoſe of Henry VIII. That Prince, abſolute as he was, contented himſelf with puniſhing ſuch as by ſome overt act oppoſed the eſtabliſhed religion; but by this ſtatute, the ſubjects were obliged openly to profeſs the religion of the church of England. Elizabeth, inſenſed againſt the Papiſts, who had made frequent attempts upon her crown and even her life, would very gladly have purged them from her dominions. On the other hand, ſhe could not indure the Puritans, regarding them as obſtinate Sectaries, who, for very frivolous cauſes, bred a ſchiſm in the Proteſtant church. While ſhe was in danger from the Queen of Scots, France, and Spain; in a word, while her affairs remained in a ſort of uncertainty, ſhe moleſted not the Puritans, for fear of uniting them in the ſame intereſt with the Romaniſts. But no ſooner was ſhe firmly eſtabliſhed, but ſhe liſtened to the epiſcopal clergy, who repreſented the Puritans as a ſeditious crew, impudently oppoſing the laws, and by their diſobedience ſhook the government to its very foundation. This is not the only time, nor is England the only ſtate, when and where diſobedience in point of religion has been confounded with rebellion againſt the Sovereign. Scarce is there a Chriſtian ſtate, where the predominant ſect will admit of any diviſion, or the leaſt ſwerving from the eſtabliſhed opinions, no, not even in private. Shall I venture to ſay it? The eccleſiaſtics are the main ſupporters of this unaccountable principle of non-toleration, ſo little conformable to Chriſtian charity. The ſeverity which from this time began to be exerciſed in England upon the Non-Conformiſts (2), produced terrible effects in the ſucceeding reigns, and occaſioned troubles and factions which remain to this day, and which perhaps will not in many years be ended.

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Unuſual ſubſidy granted to the Queen. D'ewes. Townſhend.

The ſame parliament, taking into conſideration the Queen's great expenſes, both in defending the kingdom againſt the Spaniſh invaſion, and in aſſiſting the French King and United-Provinces, granted her a very extraordinary ſubſidy: but it was in the act inſerted, that ſo large and unuſual a ſupply, granted to a moſt excellent Queen, who made ſuch good uſe of the public money, ſhould not be drawn into a precedent. Her Majeſty, repairing to the houſe to give the royal aſſent to this act, made a elegant ſpeech, wherein ſhe forgot not to extol her love and care of her ſubjects, and her attachment to the Proteſtant religion. She ſpoke in lofty terms of the bravery of the Engliſh, and ſhewed how formidable they were to all the nations of Europe. No Prince ever had a more complete maſtery of the art of gaining ſubjects affection than this Queen, by expreſſing for them a very uncommon tenderneſs and eſteem.

She thanks the parliament. Stow. p. 765.

Suſpicions againſt the King of Scotland. Camden. Rym. Fœd. Vol. XVI. p. 190, 194, 198. D'ewes. p. 457.

Amidſt all the occaſions Queen Elizabeth had to congratulate herſelf on her good fortune, ſhe ſtill felt ſome uneaſineſs with regard to what paſſed in Scotland. King James began to be ruled by perſons ſuſpected, and ſhe was thence informed, that the Spaniards, backed by the Papiſts, were hatching ſome dangerous conſpiracy (3), and were countenanced by the earls of Huntley, Angus, and Arrol. She farther underſtood, that King James acted not with the vigor neceſſary to prevent their deſigns, and thereby gave cauſe to ſuſpect, he was himſelf ſomewhat inclinable to innovations. Her reliance on that Prince was not intire. Beſide his ſuffering himſelf to be guided by thoſe whom he intruſted with the adminiſtration of his affairs, ſhe apprehended he had been inſpired with a deſire of revenging the Queen his mother's death, and that his proteſtations, of remaining conſtant in his attachment to Elizabeth, were only intended to amuſe

(1) The whole prize was valued at 150,000 l. ſterling. Ralegh's deſign was to make himſelf maſter of Panama, or elſe to intercept the Spaniſh fleet. Camden, p. 569. See the whole in Hackluyt.

(2) Theſe ſeverities were probably occaſioned by the diſturbances cauſed by Hacket, and ſome other enthuſiaſts. However this be, the ſame Hacket, on July 28, 1591, and alſo Henry Barrow, John Greenwood, Daniel Studley, and two more, were executed April 6, 1593, for writing and publiſhing ſeditious books; as was the next year John Penry, for writing a book intitled, Martin-Mar-Prelate. See Stow, p. 764, 766.

(3) This plot was, to raiſe a ſubſcription for a large ſum of money in Scotland; and then an army of thirty thouſand Spaniards was to land in that kingdom, about the end of the year 1592, which was to be joined by Bothwell, &c. with a body of troops: and all theſe were to march into England, to revenge the Queen of Scots death. See Rymer's Fœd. Vol. XVI. p. 190, 194.

her,

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her. For this reaſon, ſhe diſpatched away lord Borough to give him counſel, and intreat his informing her of what he knew concerning the Spaniards and Papiſts machinations. She moreover wiſhed he would ſhew himſelf ſomewhat ſeverer to thoſe who attempted raiſing diſturbances in Scotland, and would admit to his council only perſons of approved candor and fidelity. James replied, he would do what the Queen deſired, as far as his own intereſt and his country's laws would admit: but he withal told the embaſſador, that, his revenues being extremely diminiſhed, he expected her Majeſty ſhould furniſh him with means to chaſtiſe thoſe who durſt preſume to diſturb the public peace. He alſo required, ſhe ſhould deliver up Bothwell, who had twice attempted his life, and even ſent Robert Melvil to Elizabeth, to demand it expreſly: but this ſhe refuſed, and only baniſhed him from England, purſuant to the treaty of league ſhe had concluded with his ſaid Majeſty.

Elizabeth ſends him lord Borough. Rym. Fœd. Vol. XVI. p. 193, 197. Camden. James's anſwer.

Elizabeth refuſes to ſurrender Bothwell. Camden. Spotſwood. Affairs of Scotland. Melvil. Rym. Fœd. Vol. XVI. p. 186. Camden.

Bothwell not being ſuffered to continue any longer in England, returned into Scotland, and withdrew to his own houſe. Soon after, his party being, thro' accidents not neceſſary to be here particulariſed, became very conſiderable, he had the boldneſs to come into the King's preſenſe, under color of ſuing for pardon. James was ſurpriſed to ſee him; but was more ſo when he perceived that his whole court, ſome of his miniſters only excepted, were Bothwell's friends. He was therefore in a manner forced to grant it him, provided he departed the realm, and returned not unleſs recalled. Bothwell accepted the condition, and concealed himſelf on the borders of England: but at his departure, he left in the court a faction ſo powerful that James was finally obliged to diſmiſs the chancellor, lord-treaſurer, and others in whom he moſt confided. Bothwell was ready to improve this change, but the King broke his meaſures, by declaring to the ſtates, he was conſtrained to pardon him, and by demanding their aſſiſtance to free him from the yoke had been impoſed on him. The ſtates declaring for James, he recalled his miniſters, and Bothwell's partiſans were expeled the court.

The Scots ſuſpect their King of favoring the Papiſts. Spotſwood. p. 399.

In this aſſembly of the ſtates was paſſed a decree for ſupporting the Proteſtant religion, as eſtabliſhed in Scotland: but as King James and his council were ſuſpected of favoring the Papiſts machinations, this decree was not deemed ſtrong enough by the people, who thought that, in ſuch a juncture, the ſtates ſhould have taken more vigorous reſolutions. However this be, the King's obſtinacy in keeping in the miniſtry, and about his perſon, men who ſeemed no way zealous for the Proteſtant religion, gave occaſion to ſuſpect ſome dangerous plot was contriving for its deſtruction.

Henry continues to deceive Elizabeth. Camden.

Rym. Fœd. Vol. XVI. p. 194, 196.

The tranſactions of France gave Elizabeth no leſs uneaſineſs than the Scotiſh King's inconſtancy. General Norris was ſtill in Bretagne with the Engliſh forces. He had been promiſed a place in that province for a retreat, and that D'Aumont and Eſpinay ſhould join him; but he was long left there, without being thought of. At length, Eſpinay being arrived, they made together ſome little conqueſts, too inconſiderable to requite Elizabeth for the maintenance of her troops, which coſt her weekly upwards of three thouſand pounds ſterling (1). Thus, inſtead of imploying the Engliſh to drive the Spaniards from Bretagne, Henry uſed them only to keep in awe his enemies, and prevent their making greater progreſs, while he was proſecuting his wars elſewhere. Elizabeth finding herſelf thus impoſed on, would have recalled her troops, but was perſuaded by marſhal D'Aumont, not only to leave them, but even to ſend freſh ſupplies, on the hopes he gave her, that King Henry very ſpeedily would make a powerful effort to reduce that province.

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He turns Papiſt. Ibid. p. 156, 157. Camden.

Elizabeth's vexation at the French King's procedure was nothing in compariſon to her concern, when ſhe heard he had reſolved to change his religion. At the firſt news, ſhe diſpatched Thomas Wilks to diſſuade him, if poſſible, from that deſign; but this envoy found the buſineſs concluded before his arrival. However Henry thought proper to inform him of the reaſons of his change, that he might therewith acquaint his royal miſtreſs. All he ſaid on this occaſion tended to this (2), that he had altered his religion very involuntarily, and after as long a delay as poſſible; but being at length convinced he ſhould never be fixed in his throne while a Proteſtant, he finally determined on imbracing the Catholic creed: that is, in other words, having put his conſcience in a balance with the crown, he had given it for the latter. After ſo expreſs a declaration of the inſincerity of his converſion, it is no wonder, Elizabeth ſhould loſe much of her eſteem for him, and the Pope and leaguers not conſider him as a true Catholic, or rather it is ſtrange they ſhould be ſatisfied with exterior appearances. Morlant, the French embaſſador at London, having told Elizabeth the ſubſtance of King Henry's diſcourſe to Wilks, ſhe wrote to the Gallic Monarch in the ſubſequent terms, viz.

Elizabeth's letter to Henry IV. Camden.

"IT is hardly poſſible to expreſs the extreme
"grief and diſſatisfaction which has ſeized me
"upon Morlant's repreſentation of things. Good
"God! what a miſerable world do we live in?
"Could I ever have thought, Sir, that any ſecular
"conſideration could have prevailed with you to
"diſcard a juſt ſenſe of God and his fear? Or can
"you ever reaſonably expect that Providence will
"grant this change of yours a happy iſſue? Or
"could you entertain a jealouſy that the Gracious
"Being, who had ſo long ſupported and preſerved
"you, would fail and abandon you at laſt? It is,
"believe me, a dangerous experiment, to do evil
"that good may come. But I hope that you may
"be yet recovered to a better inclination, even
"the ſpirit of a ſound mind. In the mean time,
"I ſhall not ceaſe to recommend your caſe to
"God in my daily prayers, and earneſtly to be-
"ſeech him that Eſau's hands may not pollute the
"bleſſings and birth-right of Jacob. The promiſe
"you make of a ſacred and friendly alliance, I
"conceive myſelf to have deſired, and even earned
"at a vaſt expenſe: but I had not mattered that,
"had you ſtill kept your ſelf the ſon of the ſame
"father. From henceforth I cannot look on my-
"ſelf as your ſiſter, in reſpect to our common
"father, for I muſt and ſhall always pay a much
"greater regard to nature than choice in that
"relation: as I may appeal to God, whom I
"beſeech to recover you into the path of a ſafer
"and ſounder judgment.

Your ſiſter after the old-faſhioned way. As for the new I have nothing to do with it.

ELIZABETH.

Henry gives Queen Elizabeth reaſons for complaint. Camden.

This was not the only affair Wilks was charged to mention to the King of France. He had orders, in Queen Elizabeth's name, to complain, that the

(1) It appears by a paper in Rymer's Fœd. Vol. XVI. p. 194. that the King of France was then indebted to her 52,783 l.
(2) The King's whole diſcourſe to Wilks is to be ſeen in Camden's Annals. Rapin.

late

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late treaty was not executed, and D'Aumont's delay had been extremely expenſive to her Majeſty. Henry caſt the whole blame on the marſhal, and poſitively promiſed to march himſelf into Bretagne, when the truce for that province was expired: he added that, in the mean time, he would adviſe with his council concerning the place of retreat for the Engliſh troops; but theſe were only empty words. This Prince's intention was not to imploy his forces againſt Bretagne, before he had reduced the reſt of France, but only to uſe the Engliſh troops by way of diverſion to the duke of Mercœur, for fear, when he had made himſelf abſolute maſter of Bretagne, he ſhould aſſiſt the duke of Mayenne. Still leſs did he deſign giving the Engliſh a place of retreat in that province, leſt he ſhould find it not very eaſy to diſlodge them. All this exceedingly diſturbed Elizabeth, and certainly had ſhe aided Henry only from a motive of friendſhip and generoſity, as ſhe indeavored to make him believe, ſhe would never have ſuffered ſuch infringements of treaties. But it was manifeſtly her intereſt to oppoſe the deſigns of King Philip, who aſpired to the maſtery of France, under pretenſe of maintaining the Catholic religion. Henry perfectly knew Elizabeth's policy, and therefore gave her only fair words, well knowing ſhe was intereſted to aſſiſt him. At length the King of Spain preparing to exert his utmoſt in ſupport of the league, which was declining ſince King Henry's turning Papiſt, Elizabeth readily made a league offenſive and defenſive with Henry, whatever reaſon ſhe had to complain of him. This league was concluded and ſigned, at Melun, in October, and among other articles it was agreed, that peace ſhould not be concluded without a mutual conſent.

League offenſive and defenſive between Henry and Elizabeth. Camden.

Heſquet hanged. Camden.

About this time it was diſcovered in England, that one Heſquet had, by ſome Engliſh fugitives, been ſent over to perſuade Ferdinand earl of Derby to aſſume the title of King, as great-grandſon of Mary, daughter of Henry VII (1). When this was propoſed to the earl, Heſquet added, he might rely on the aſſiſtance of Philip II; but if he refuſed complying with his propoſitions, or did not inviolably conceal the buſineſs, he might be aſſured of not being long-lived. The earl fearing to be inſnared, informed againſt Heſquet, who was ſeized and hanged: but he himſelf died within four months, by a ſtrange poiſon which made him vomit himſelf to death (2). His gentleman of the horſe was ſuſpected of the deed, becauſe he fled the very firſt day of his lord's illneſs. The Engliſh fugitives imagined there were ſuch numbers of malecontents in England, that any one grandee's declaring againſt the Queen would be ſufficient to excite a general rebellion. This is not the only time that, in the like junctures, fugitives have flattered themſelves with ſuch vain hopes (3).

The earl of Derby's ſtrange death. Stow.

AN' 1594. Affairs of the Spaniards in Flanders. Grotius.

The duke of Parma's death had not quite prevented the Spaniards deſigned expedition againſt France. Their army had entered Picardy, taken Noyon, and was returned into Flanders. On Parma's death, count Fuentes and Diege d'Ibarra were at the head of the council, expecting a new governor. During their adminiſtration, they were inceſſantly laboring to excite troubles in Scotland, by aſſuring the Papiſts of a powerful aſſiſtance from his Catholic Majeſty. Their project was to ſend a Spaniſh army into Scotland; to aſſaſſinate or poiſon Queen Elizabeth; and then invade England with their army from Scotland, which the general conſternation upon her death would render leſs difficult. To execute their deſign upon Elizabeth, they had caſt their eyes on Roderigo Lopez, a Jew, and two Portugueſes. Lopez, the Queen's phyſician, had promiſed to poiſon her for fifty thouſand crowns. This plot being diſcovered, the three accomplices confeſſed, they had been corrupted, by count Fuentes and Don Diego Ibarra, to undertake this villanous fact. Lopez however pleaded in his excuſe, that his intention was only to draw money from the King of Spain, and that he had even preſented to the Queen a rich jewel ſent him by that Prince: but as he had not given any intimation of the plot, his excuſe was not allowed. At the gallows he affirmed, that he loved the Queen as well as Jeſus Chriſt. This plainly ſhewed he ſuffered not unjuſtly.

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They form conſpiracies againſt the Queen of England, Camden. and ſuborn villains to poiſon her. The conſpirators ſeized; Stow. and executed. Camden.

The day after theſe three villains were executed, a fourth, one Patric Cullen, a fencing-maſter, born in Ireland, ſent from Flanders to aſſaſſinate Queen Elizabeth, underwent the ſame fate. Edmund York and Richard Williams, who had been ſuborned by Ibarra to perpetrate the ſame villany, were likewiſe apprehended, and others were diſcovered who had ingaged to fire the royal navy. Elizabeth, on this occaſion, wrote to the archduke Erneſt, who had been appointed governor of the Netherlands, to demand puniſhment of the authors. She moreover told him, that to clear from ſuſpicion his Catholic Majeſty, the propereſt method would be to ſurrender all the fugitive Engliſh in his dominions, or at leaſt thoſe who were concerned in the conſpiracies (4). But foreſeeing that Antonio Perez, who had indeavored to excite commotions in Aragon, and was then in England, might likewiſe be demanded, ſhe told the archduke that the King of France had ſent him to his embaſſador at London, without her knowledge, and he had never been aſſiſted by her: but all this was to no effect. On the other hand, the earl of Eſſex received Perez into his houſe, to learn of him the ſecrets of the Spaniſh monarchy.

Other ruffians ingaged to murder Elizabeth. Camden.

She complains of it to the archduke, but has no redreſs. Camden.

Henry IV makes himſelf maſter of Paris. Thuanus. Mezerai. Camden.

It was not in England only that the Spaniards had the mortification to ſee their projects miſcarry. In France likewiſe their affairs were in a very indifferent ſituation, ſince Henry's making profeſſion of Popery. The cities and nobility who had ſided with the league, crouded to his Majeſty's obedience, and all the people manifeſtly tended to ſhake off the Spaniſh yoke. The twenty-ſecond of March, the city of Paris was, by count Briſſac, ſurrendered to King Henry, and the duke of Feria, who was there, was obliged to take from him a ſafe-conduct to retire with his Spaniſh troops to the duke of Guiſe's army. It was then only that Henry ſeriouſly reſolved to clear Bretagne of Spaniards, who were poſſeſſed of many places in that province. Marſhal D'Aumont having been intruſted with the management of this war, made good uſe of the Engliſh troops, who diſtinguiſhed themſelves with that bravery, that Elizabeth was obliged to write to Norris, not to be ſo laviſh of her ſubjects blood. Martin Forbiſher, a famous ſea-officer, was killed

War in Bretagne. Camden.

(1) Henry Stanley earl of Derby, father of this Ferdinand, died juſt before. Camden p. 574.

(2) He died, April 16, in the very flower of his youth. In his chamber was found a wax image, with hairs thruſt thro' the belly of it, of the ſame color with his own, which was thought to be placed there on purpoſe to avoid the ſuſpicion of his being poiſoned. He was ſucceeded by his brother William, who had afterwards a famous trial with Ferdinand's three daughters, for the dominion of the Iſle of Man. Camden, p. 574. Stow, p. 767, &c.

(3) This year Queen Elizabeth ordered a garriſon to be kept in the iſles of Silley, and a fort to be erected in the iſland of St. Mary. She alſo fortified the iſles of Jerſey and Guernſey. Camden, p. 574.——There died of the plague this year, in London, 10,675 perſons. Stow, p. 766.

(4) Hugh Owen, Thomas Throckmorton, Holt the Jeſuit, Gifford and Worthington, &c. Camden, p. 577.

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at a ſiege in this war. Some time after, the Queen recalled Norris, to ſend him into Ireland.

Elizabeth's uneaſineſs concerning Scotland.

The affairs of Scotland gave Elizabeth perpetual uneaſineſs. She thence had intimations, that the Spaniſh faction was powerful at court; that ſomething was contriving againſt the Proteſtant religion, and that King James ſeemed to incline to the Popiſh party. This creating in her ſuſpicions, ſhe reſolved to ſend lord Zouch into Scotland, as well to be informed of the truth, as to fortify the Engliſh party, and inſtruct King James in his true intereſt. This embaſſador repreſented to the King, from his miſtreſs, that the ſtates late act was not capable to reſtrain the inſolence of the Roman Catholics, who affected publicly to exerciſe their religion, and correſpond almoſt openly with the King of Spain. James anſwered, that he would proceed againſt the Catholics by the eſtabliſhed ſtatutes; and if they refuſed ſubmiſſion to the laws, he would proſecute them with the ſword, provided the Queen, who had the ſame intereſt as himſelf, would contribute to the expenſe of a war. The embaſſador, not ſatisfied with this anſwer, earneſtly preſſed him to procure other laws againſt Papiſts, more ſevere than thoſe in force. To this James, in ſome heat, replied, "He was not at the Queen's "command, nor did it belong to her to preſcribe "in what manner he ſhould govern his kingdom." After that, he demanded Bothwell, who was retired into England.

She ſends lord Zouch to King James. Rym. Fœd. Vol. XVI. p. 225, 240. Spotſwood.

His anſwer. Rym. Fœd. Vol. XVI, p. 233, 235.

A ſecond ſtill more reſolute anſwer. Ibid. p. 235.

But Elizabeth was very far from giving him this ſatisfaction. On the contrary, it was ſeemingly thro' her means that Bothwell was inabled to enter Scotland at the head of four hundred men, with whom he ſurpriſed Leith. He afterwards publiſhed a manifeſto, importing, "That perſons dangerous "both to church and ſtate having, by ſome artifice, procured admiſſion into the council, gave "occaſion by their conduct to believe, they were "forming deſigns againſt the Evangelic religion: "that for ſome time the Romiſh prieſts had been "ſeen roaming from village to village, and celebrating maſs in the moſt public manner: that "they indeavored to animate the Engliſh, in order to kindle a war between the two nations, "which could not but prove fatal to Scotland: "that to give a check to theſe dangerous conſpiracies, he had, with the concurrence of diverſe "lords and gentlemen, taken arms to clear the "realm of theſe pernicious counſellors, or bring "them to a ſtrict account for their actions: that this "buſineſs was the more urgent, as the Spaniards "were preparing to invade Scotland; and therefore he exhorted the Scots to join with him, to "prevent greater miſchiefs, and induce the King "to favor ſo juſt a deſign." He wrote in like terms to the general ſynod of the Kirk aſſembled at Dunbar, and to the Engliſh embaſſadors. When the coherence between Bothwell's manifeſto, and lord Zouch's remonſtrances to King James is conſidered, Elizabeth muſt needs be ſuſpected of being as the bottom of this affair.

Affairs of Scotland. Camden. Melvil. Spotſwood.

Camden.

Mean while James, having aſſembled ſome forces, prepared to oppoſe the deſigns of Bothwell, who declined not advancing to meet him: but the rebel, having ſome diſadvantage in the firſt ingagement, and finding himſelf not ſupported, was ſeized with a panic, and retired to the borders. Whereupon Elizabeth forbad any to harbor or conceal him. This was extremely pleaſing to King James, who was apprehenſive ſhe would have given him protection and ſupport. Tho' Bothwell's undertaking miſcarried, it however produced a very good effect. James, ſenſible of the danger he might incur by a breach with Elizabeth, finally determined on altering his conduct, leſt his vain projects ſhould occaſion his loſing in the end the Engliſh crown. He therefore aſſembled the ſtates, and prevailed on them to ſend into exile all ſuch Popiſh peers as had appeared over zealous for the Spaniard. They at firſt made ſome ſhew of reſiſtance, but were at length obliged to ſubmit. Then the ſtates inacted new laws againſt the Papiſts, and even formed ſuch a kind of aſſociation as was made in England ſome years before. One Graham Feintry, a ſtrenuous ſtickler for Spain, attempting to excite freſh commotions, was puniſhed with death (1).

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James changes his conduct. Camden. Rym. Fœd. Vol. XVI. p. 286.

Winwood's Mem. Vol. I. p. 11.

AN' 1595.

The King of Scotland's change, and the vigor he exerted on this occaſion, deſtroyed whatever hopes the Catholics had entertained of ingaging him in their intereſt. They therefore formed new projects to place the crown of England on the head of ſome perſon of their perſuaſion, or at leaſt of ſome one not much bigoted to the Reformation. The Engliſh Papiſts caſt their eyes on the earl of Eſſex, who they obſerved approved not the laws made againſt them (2). But the Engliſh fugitives in Flanders were for the Infanta Iſabella, King Philip II's daughter. They even publiſhed a genealogy, to ſhew that the King of Scotland being a Heretic, the crown was devolved on the King of Spain, whence they infered, that he had power to diſpoſe of it in favor of his daughter: nor was this barely a chimera grounded on the paſſion of the Engliſh Papiſts. It is certain that Philip, tho' he wanted not imployment, ſince the King of France had declared war againſt him, intended to make extraordinary efforts to procure his daughter the crown offered by the Engliſh fugitives. The fame of his preparations was already ſpread over Europe, and produced miſchievous effects in Ireland, where the earl of Tir-oen * had rebelled, in expectation of the aſſiſtance promiſed by the Spaniard. This obliged Elizabeth to prepare for the defenſe of her dominions, and to ſend a ſtrong re-inforcement to Norris, now in Ireland.

Projects to gain the Engliſh crown for the Infanta of Spain. Camden.

Philip's preparations to ſecond them.

Tir-oen's rebellion in Ireland. Camden.

* Hugh O-Neal.

Henry IV, as was obſerved, had declared war againſt Spain, which was certainly a very wrong ſtep, could it poſſibly have been avoided, conſidering France's wretched ſituation. But Philip II, by his continual and powerful ſupport of the league, had ſufficiently declared war againſt Henry, tho' he pretended to make war for and not upon that kingdom. However this be, Henry was indiſpenſibly obliged to maintain a war againſt Spain, and therefore believed, it would be better to attack Philip directly, than to ſtand on the defenſive: but as France was drained both of men and money, it was not eaſy for him to ſupport the war alone, and come off with honor. He had therefore recourſe to Elizabeth, as to his ultimate refuge in preſſing neceſſities: and, perhaps he was incouraged to break openly with Spain, by the hopes of a powerful aſſiſtance from England. To that purpoſe, he wrote to the Queen, that her recalling Norris and his forces, had truſtrated all his deſigns; and he rather expected ſhe ſhould ſend greater ſuccors, ſince he had declared war againſt Spain. Elizabeth anſwered, "That ſhe commended his reſo- "lution to attack the King of Spain's dominions:

Camden.

Henry IV again demands ſuccors from Elizabeth.

She anſwers him with complaints, and refuſes his requeſt.

(1) This year died William Allen, cardinal, and founder of the Engliſh ſeminaries, at Douay, Rheims, Rome, and at Valladolid in Spain. He was educated at Oriel college in Oxford, and was proctor of that univerſity in Queen Mary's reign, and canon of York: but on Queen Elizabeth's acceſſion, he retired beyond ſea. —— This year alſo died Gregory Fienes, the laſt lord Dacres of that ſur-name. Camden, p. 580. Bevis Bulmar, gentleman, ſet up this year, an engine at Broken-wharf, for conveying the Thames water thro' the ſeveral parts of London; and by pipes of lead into each houſe. Stow, p. 769.

(2) Camden's words are: He could never indure the maxim of murdering people for the ſake of their religion.

that

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"that this was a good expedient to prevent invasions, as she had experienced: that as to recalling her troops from Bretagne, he could not justly complain of it, since they had remained there longer than their treaty required, notwithstanding the manifest breach of that treaty, and the violation of his promise: that he had positively ingaged to surrender to the English the town of Morlaix, when taken, for a place of retreat; but that this very place, conquered at the expense of English blood, had been denied to the just expectation of the English, by a fraudulent capitulation of marshal D'Aumont, to have none but Catholics admited into it: that he ought not to be surprised, if she was unwilling to be his dupe any longer, since she could rely neither on his promises nor his treaties: that beside, she wanted her forces in Ireland, where there was danger of a general revolt." It is certain, Henry's behavior towards Queen Elizabeth could not much incourage her to grant him any great assistance: and therefore, it was only her fear of the Spaniards taking advantage of France's weakness which still held her attached to the interest of Henry, whom she no longer esteemed and regarded as formerly. It may be likewise affirmed, that since his accession to the Gallic throne, he had not taken one step tending to preserve Elizabeth's friendship.

Elizabeth and James heartily united. Camden.

The Queen, in the present situation of her affairs, not being able to rely much on the King of France, and considering all her expenses on this account as utterly fruitless, resolved to reserve her forces and treasure for the defense of her own dominions, in case they should be attacked by the Spaniard. Properly speaking, England was in danger only from Scotland; but the news she received of the change in King James freed her from all uneasiness. That Prince, perceiving Philip's aims were leveled as much against Scotland as England, finally comprehended that the surest means to break his measures was to live in union with Elizabeth. So, to shew it was his meaning to preserve this union, he issued a proclamation, inhibiting, under rigorous penalties, his subjects on the borders to injure the English; and Elizabeth published another to the same effect. He thenceforwards lived with Elizabeth in hearty intelligence, which nothing could interrupt, as being convinced it was the readiest way for him one day to ascend the throne of England.

Rym. Fœd. Vol. XVI. p. 287.

York and Williams executed. Camden.

Edmund York and Richard Williams, who had been apprehended the year preceding, being tried and convicted of designing to assassinate Queen Elizabeth, were executed in February. They confessed, that Ibarra had promised them forty thousand florins, if they accomplished what they had undertaken.

Henry IV in great perplexity. Mezerai. Camden.

Henry IV, on declaring war against Spain, formed a design of breaking into the Netherlands, and making great conquests; but he soon became sensible that he had not laid his measures very justly. In April 1595, Ferdinando de Velasco, constable of Castile, entered Franche-Comté at the head of eighteen thousand men, and threatened the duchy of Burgundy. This obliged Henry personally to conduct thither the best part of his army. While he was thus busied in Burgundy, count Fuentes, who commanded in the Netherlands, after the archduke Ernest's decease, broke into Picardy, and possessed himself of Catelet. Then, he besieged Dourlens; routed the French who came to its relief, and carried the town by assault. Henry, on this mortifying news, instantly dispatched away Chevalier

He demands aid of Elizabeth. Camden.

to England to demand a supply of forces for the defense of Picardy, according to his treaty with the Queen. In the instructions given to this envoy, he ordered him to take care this supply should be ready in a fortnight after the date: but Chevalier imployed twelve days in his voyage. Elizabeth replied, she would not fail sending a body of troops into Picardy, as soon as they could be ready to defend Calais, Diepe and Boulogne. In reality, the sole motive of her treaty with his Gallic Majesty, was to prevent the Spaniards from possessing themselves of those maritime towns; but she never designed to undertake defending the inland towns of that province, for which she was little concerned. This was not what Henry wanted, he being no way disposed to put the English into these places. He pretended that, Queen Elizabeth should immediately send him a body of troops, to assist him in clearing all Picardy of Spaniards. At this very juncture, the Bretagne deputies arrived at London, to demand supplies of the Queen, without specifying either number or service, and without offering a place of retreat; but this demand of succors was by Elizabeth absolutely rejected.

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Progress of the Spanish conquests in France.

The Spaniards, after taking Dourlens, besieged Cambray, and became masters of that important fortress. Henry, seeing himself thus pressed, sent Lomenie, secretary of state, to Elizabeth, to demand of her a speedy and powerful aid. He expected, by entering into a league with Elizabeth, to ingage her to make war with Spain in the kingdom of France, so that she seemed obliged to send him forces and money whenever he had occasion, tho' the treaty contained nothing that way tending. But Elizabeth had no such intention, not being any way inclined to transport her forces into France, when her own dominions were in danger, or so to make war with Spain that all the profit should be Henry's, and the loss hers; wherefore she told the embassador, she could not comply with his master's demands. Lomenie, nettled at the ill success of his negociation, gave himself very haughty airs, and charged her with occasioning the loss of Cambray, by not sending into Picardy the demanded succors. He added, that she seemed to rejoice at the misfortunes of France; but she might soon repent, and by her conduct be forced to make a disadvantageous peace with Spain (1). These menaces, and the arrogance wherewith Lomenie uttered them, highly offended Elizabeth: nevertheless, as Henry's affairs were in a very bad posture, she judged it not convenient to deprive him of all hope of her future assistance. She answered Lomenie however suitably to her dignity, but less sharply than she would have done at another juncture. Afterwards, when he demanded a second audience, her answer was, that she would acquaint the King of France, by her embassador, with the reasons she had not to part with either troops or money.

Henry sends Lomenie into England. Camden.

who menaces Elizabeth.

Elizabeth's refusal greatly shocked Henry's council, wherein the leaguers influence was now but too predominant. Several advised him to make a separate peace with Spain, since he could hope for no assistance from Elizabeth. They seemed to talk as if she had been bound to supply Henry with forces whenever he demanded them, and had violated her ingagements. This was, doubtless, what was intended by the league: the French had reckoned to manage her as they pleased, but being disappointed, were very angry. Beside, Henry's council being mostly composed of the Reformation's avowed enemies, and of whom some had been the most zealous leaguers, considered Elizabeth not as a friend, whom they were hereafter to regard,

Elizabeth's coldness to Henry's interest. Camden.

(1) According to Camden, Lomenie said, she would by her conduct oblige the King of France to make peace with Spain, p. 582.

but

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but as a temporary ally, from whom they were to draw all poſſible advantages. It was not without reaſon, that Elizabeth diſtruſted King Henry, who, to obtain abſolution from the Pontif, had ſubmited to terms unbecoming a King, and tending to the Proteſtants deſtruction (1), thereby ſhewing, he no longer conſidered them as his friends. It was not therefore proper for her to aſſiſt powerfully one who was a friend only nominally: wherefore ſhe left him to manage his affairs as he would, without giving herſelf much concern: beſide, ſhe could expect from him only a bare diverſion to the arms of Spain, which probably would laſt no longer than requiſite for the intereſt of France. Henry's conduct gave her no room to expect any better, ſince he had left the Spaniards unmoleſted in Bretagne, tho' her greateſt danger was from thence: and in effect, this ſummer, thoſe Spaniards who were ſettled in Bretagne, made a deſcent in Cornwall, and fired a few villages (2). Tho' this expedition was inconſiderable, it however obliged Elizabeth to be on her guard, and demonſtrated the neceſſity of diſlodging the common enemy from that province: but the intereſt of England was not the motive of Henry's actions.

Camden.

'The Spaniards make a deſcent upon England. July. Camden. Stow.

It was not of Elizabeth only that the King of France complained, after the loſs of Cambray. He accuſed alſo the ſtates of the United Provinces of violating their alliance with him, in ſuffering a place of ſuch importance to be loſt, and threatened to make a ſeparate peace. The ſtates, ſeeing the advantage of a war between France and Spain, appeaſed Henry with a good ſum of money, two regiments, and a conſiderable quantity of corn.

Henry complains of the ſtates; Camden.

who ſend him money and troops.

This procedure of the ſtates induced Elizabeth to tell them, ſince they had money enough to lend the King of France, they were undoubtedly able to pay their debts, and therefore ſhe demanded to be reimburſed of what ſhe had advanced for them: adding that, except ſpeedy ſatisfaction was given her, by a diſcharge of part of the debt and ſecurity for the remainder within ſuch a time, ſhe would take proper meaſures to do herſelf juſtice. The ſtates, thus preſſed, had recourſe to intreaties and ſubmiſſions to pacify her; humbly repreſenting, that the ſituation of their affairs admited not their anſwering her demands. But as excuſes ſignified little, they urged their treaty with her, by which they were not obliged to repay her 'till the war was ended. To this ſhe replied, that, when ſhe aſſiſted them, they were reduced to a ſtate of the utmoſt wretchedneſs, and ſhe ſhewed her bounty and generoſity, in not requiring reimburſement 'till peace was concluded, it not being likely they ſhould be able to pay her before: but ſince they were rich enough to lend the King of France money, it was evidently in their power to reimburſe her: that therefore that article of the treaty on which they inſiſted, ought naturally to be thus interpreted, "That "they ſhould not be in a condition to repay her "before the end of the war." There were great and even ſharp conteſts upon this ſubject: but at length the affair was for a while adjuſted, on theſe conditions: that the ſtates ſhould promiſe for the future, to pay the Engliſh forces in their ſervice (3), and join Elizabeth's fleet with a certain number of ſhips, in caſe ſhe ſhould be attacked by the Spaniards.

Elizabeth demands of them payment of her debt. Camden.

The differences accommodated for a time. Camden.

Elizabeth had alſo a diſpute to ſettle with the Hanſe towns, who at the Imperial Diet complained that their corn was ſeized by the Engliſh in Portugal, and their privileges, formerly granted them by Edward III, infringed. As this buſineſs was more warmly puſhed ſome years after, I ſhall have occaſion to mention it elſewhere.

Complaints of the Hanſe Towns. Camden.

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This year, at his own charge, ſir Walter Raleigh made into America a ſecond expedition, whence he reaped not any great advantage. Queen Elizabeth alſo fited out twenty-ſix ſhips to carry the war into thoſe regions, under conduct of ſir Francis Drake, and ſir John Hawkins: but, as the Spaniards had taken great precautions, the Engliſh admirals performed nothing memorable; nay, they both died in this expedition.

Sir Walter Raleigh's ſecond voyage to America. Camden. Rym. Fœd. Vol. XVI. p. 277.

Norris, as I ſaid, was diſpatched into Ireland to command againſt the rebels, at whoſe head was the earl of Tir-oen. The jealouſy which aroſe between that general and lord Ruſſel, lieutenant of Ireland, was the reaſon the Engliſh made there no greater progreſs. Tir-oen even obtained a truce, on giving hopes he would lay down his arms, and ſubmit to her Majeſty: but this was only a feint to gain time 'till the ſuccors, promiſed him from Spain, were arrived. This war continued ſome years; but my deſign is not to enter on a detail of the Iriſh affairs, which would require a ſeparate hiſtory: beſide, the manner wherein writers have delivered them is ſo confuſed, and the Iriſh names, as well of perſons as places, are ſo barbarous and hard to remember, that it is difficult to form a clear idea of thoſe matters.

Affairs of Ireland. Camden.

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Whatever reſolution Elizabeth had taken of no farther interfering with the affairs of France, ſhe was however obliged to take other meaſures, by reaſon of the great ſucceſs of the Spaniſh arms in that kingdom. Cardinal Albert of Auſtria, who had ſucceeded his brother Erneſt in the Netherland government, arrived there early in this year, 1596. He immediately made mighty preparations, as if he intended to relieve La Fere, which had been for ſome time blocaded by the French King, and laſtly beſieged in form. But the archduke ſuddenly, after throwing ſuccors into the town, marched and inveſted Calais. This place had been formerly of very great note: but whether from a change in the method of beſieging towns, or from being neglected ſince it was recovered by France, it was now of ſmall repute. Henry, alarmed at this ſiege, diſpatched Sancy into England to ſollicit ſuccors. Marſhal Bouillon ſpeedily followed him, and ſo preſſed the Queen, that ſhe ordered eight thouſand men to be ready, under command of the earl of Eſſex: but ſhe required, in caſe the ſiege was raiſed by the Engliſh, to have the town delivered to them, ſince it was in effect loſt to France. The marſhal and Sancy eluded this demand by ſaying, they had no inſtructions on that ſubject; well knowing that at worſt King Henry had rather ſee Calais poſſeſſed by Spaniards, than reſtored to the Engliſh: ſo, under pretenſe that the relief of Calais was too preſſing to allow time to diſcuſs that propoſal, they ſo managed that Elizabeth gave orders for the imbarcation of thoſe troops; but at the ſame time news came that the place was taken, after only a twelve days reſiſtance. Then the archduke alſo carried Ardres with like facility: this was the ſixth place taken from France by the Spaniards, within a year. The ſuccors deſigned for Calais not having been ready in time, the new levied troops were diſ-

Succeſs of the Spaniſh arms in France. Mezerai. Camden. Stow. Thuanus.

Henry demands aid from Elizabeth. Camden. Thuanus.

Calais taken by the Spaniards. Thuanus.

(1) See the terms at length in Camden, p. 583.

(2) They came only with four gallies; and burned St. Paul's church, which ſtood alone in the fields, beſide Mouſe-Hole, Neulin, and Penſance, three poor fiſher towns, without taking or killing one man. Theſe were the only Spaniards who ever ſet foot in England as enemies. Camden, p. 583.

(3) The charges of which were computed at 40,000 l. a year. Beſide that, they promiſed to pay 20,000 l. ſterling for ſome years: and upon the concluſion of a peace, a yearly ſum of 100,000 l. for four years. Camden, p. 586.

miſſed;

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missed; but Elizabeth lent money to Henry on the security of his two embassadors.

Elizabeth sends a fleet against Spain. Camden. Stow. Speed.

During this the Queen, having advice that King Philip was preparing to invade England and Ireland, resolved to prevent him. To this purpose, she fited out a fleet of a hundred and fifty sail, with twenty-two Dutch ships, and seven thousand soldiers. Charles Howard commanded as admiral, and the earl of Essex was appointed general of the land-forces (1).

Expedition of the English to Cadiz. June 3. Camden. Stow. p. 771, &c. Speed. June 18. Thuanus.

The fleet set out from Plymouth early in June, and held at a distance from the French and Spanish coasts, for fear of alarming the Spaniards, the commanders designing to surprise Cadiz. The master of an Irish vessel, returning from that port, gave them the joyful news, that all was there in the greatest security: that the garison was not strong, and the port full of ships of war, galeons, gallies, and trading vessels, freighted for the Indies. This intelligence inspiring them with fresh hopes, they arrived (June twenty) on the west side of the isle of Cadiz, and at their approach the Spanish ships retired to the Puntals. Next day, the English attacked them with great resolution (2), but met with so warm a reception, that the ingagement held from day-break 'till noon. At length the Spaniards, despairing to make a longer defense, resolved to sink their ships, and escape ashore. Their admiral ship, named San Felipe, was consumed to ashes, with two others near her; the Spaniards themselves firing it, to prevent its falling into the enemy's hands. The San Matteo and San Andreas were taken, and most of the others stranded.

During the fight at sea, the earl of Essex, with eight hundred men, landed at the Puntals, and marched on directly for Cadiz. Three or four hundred paces short of the city, he was met by five hundred Spaniards, who on sight of him retired within the gates, and were so closely pursued that the English had like to have entered with them. The consternation was so great in the town, that before any measures could be taken for its defense, the English had time to force a gate (3) and get in. Tho' they found some resistance in the streets, yet in half an hour they possessed themselves of the market-place. Then the garison and inhabitants withdrew to the castle and town-house, but were the same or the following day obliged to surrender. By the capitulation, they were to have their lives, on payment of seventy thousand ducats, for which four principal citizens were given in hostage (4). Cadiz thus in the power of the English, Essex turned out all the inhabitants, and then sent on board a great quantity of silver, ammunition, and other valuable booty, beside what was pillaged by the soldiers.

On the other hand, admiral Howard sent sir Walter Ralegh to fire the traders at Port-Real. The admiral was offered two millions of ducats if he would spare them; but rejected the offer, saying, he came to burn ships and not to ransom them. Mean time, the duke of Medina found means to unload some of these vessels, and fire others, to deprive the English of those rich ladings. Beside the merchant-ships, his Catholic Majesty lost two galeons, taken by the English, with above a hundred brass cannon (5), thirteen ships of war, eleven transports freighted for the Indies, and thirteen others, without reckoning the stores prepared for the intended expedition against England. The English estimated his loss at more than twenty millions of ducats.

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The earl of Essex proposed, in a council of war, to keep Cadiz, and even offered to stay there, provided he was furnished with requisites (6); but his counsel was not followed, every one being impatient to return with his plunder to England. So the fleet set sail, after burning the town with some circumjacent villages. While the fleet was making its way homewards, and a north wind arising, the earl of Essex proposed sailing away for the Azores, and there waiting for the Indian caracs: but he was not listened to, every one fearing to lose what he had acquired. July 5.

Mortifications given the earl of Essex. Camden.

Queen Elizabeth received these gallant warriors with great marks of esteem, and expressed her acknowledgment of the service they had done her. But the earl of Essex met with a mortification on his arrival at court; for having, before his departure, recommended sir Thomas Bodley to be secretary of state, the Queen, without regarding his recommendation, had confered that office on sir Robert Cecil, the lord treasurer's son, who was not Essex's friend. Some days after, he had also the vexation to see Francis Vere made governor of the Briel, tho' he had strongly sollicited for another. This convinced him that his credit was declining, and his uneasiness thereat ingaged him afterwards in extravagant projects which cost him his head.

Elizabeth demands payment from the states-general. Grotius.

His Catholic Majesty having been for some time incapacitated from pursuing his designs against England, Elizabeth renewed her applications to the states of the United Provinces, for payment of her arrears. The states, in excuse, alledged the same reasons as before, which were no better received. The Queen said, it was unjust her reimbursment should depend on a peace, which the states might defer as long as they pleased: that beside, the treaty she had made with them contained, in express terms, that the war should continue no longer than she saw convenient. But the states pretended, this article was inserted in the treaty only in honor to her. This contest held 'till the report of new preparations, in Spain, to invade England, induced her said Majesty to cease gradually her sollicitations. The truth is, the states delayed paying her, not so much thro' inability, as to keep her always attached to their interest. On the other hand, Elizabeth made not these pressing instances thro' want of money, but because she would not have her payment depend on the success of her debtors affairs: they were then able to reimburse her; but she knew not what alterations time might produce.

A new treaty between France and England. Camden. Thuanus. Mezerai. Stow.

When marshal Bouillon passed over to England, to demand aid, he had made some proposals for a stricter alliance between France and England. But King Henry had neglected this affair, because he perceived Elizabeth was on her guard, and not disposed to furnish him with either men or money, but upon good grounds. Mean while, the designs and preparations of the Spaniard becoming public, Henry believed Elizabeth would be more tractable, and he might treat with her upon easier terms.

(1) The fleet was divided into four squadrons; whereof the first was commanded by the lord admiral Howard, the second by the earl of Essex, the third by lord Thomas Howard, and the fourth by sir Walter Ralegh. Camden, p. 591.

(2) This was done by lord Thomas Howard, sir Walter Ralegh, sir Thomas Southwell, sir Francis Vere, sir George Carew, sir Robert Cross, &c. Ibid. p. 592.

(3) It was done by sir Francis Vere. Ibid. p. 593.

(4) The Spaniards were to pay 520,000 ducats (or, according to Stow, 620,000) and to give forty hostages. No Englishman of note, except sir John Wingfield, was killed. Ibid.

(5) Twelve hundred pieces of ordnance, were either taken or sunk. Stow, p. 775.

(6) He demanded only four hundred men and three months provisions.

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In this belief he diſpatched marſhal Bouillon and Sancy into England, to negociate with the Queen a league offenſive and defenſive. The treaty was ſoon concluded; for Elizabeth apprehended the ill ſituation of King Henry's affairs would compel him to ſtrike up a ſeparate peace with Spain. The chief articles of this league were, that the Queen ſhould furniſh four thouſand men for the defenſe of Picardy and Normandy: that the King of France, in caſe Queen Elizabeth was invaded, ſhould find the like number for the defenſe of England, not to ſerve above fifty miles from the ſea: that neither of the two crowns ſhould make peace without the other's conſent. By a ſecret article it was agreed, that England ſhould this year furniſh two thouſand men only. Very ſeemingly, Elizabeth concluded this league with France, with the ſole view of keeping Henry ingaged in the Spaniſh war, by means of the ſupplies ſhe was to ſend him: but it is not probable ſhe expected a like aſſiſtance in caſe of neceſſity, ſince Henry could not himſelf be without the Engliſh auxiliaries. On the other hand, Henry knowing that Elizabeth had conſented to this treaty from the ſole motive of intereſt, ſcrupled not to act on the ſame motive; that is, to make uſe of her aſſiſtance, 'till he could diſingage himſelf honorably from the war he had ſo unſeaſonably declared againſt Spain. There are few leagues but what have the like foundation: wherefore they are commonly ſeen to ſubſiſt only 'till the intereſt of one of the parties changes countenance. The ſtates of the United Provinces acceded to this league, with ſome additional articles which concerned them peculiarly: but Elizabeth's jealouſy of their attachment to France retarded ſome time the concluſion of their treaty. She pretended, they ought not to come into it as Sovereigns, but as aſſociated towns which had put themſelves under her protection: but King Henry found means to make her deſiſt from this pretenſion.

The articles. Thuanus. Camden.

The ſtates are received into it. Thuanus.

Philip II was quite out of patience at being thus baffled by Elizabeth, and, finding himſelf unable to protect even his own dominions, having all his life been ſo greedily gaping after thoſe of others, reſolving neither to deſiſt from his projects, nor ſuffer Elizabeth to injoy the ſatisfaction of her fortunate ſucceſs, he determined to make another effort, not only to be revenged on Elizabeth, but alſo to conquer England. Tho' he had received great damage from the Engliſh, yet as it was only in one of the places where he had made his preparations, he ſtill believed himſelf in condition to purſue his deſigns. He therefore aſſembled the whole remnant of his navy, freighted many foreign ſhips, and by this means had a formidable Armada, when Elizabeth deemed him utterly unable to act againſt her. This fleet ſailed from Liſbon to take in the land-forces at Fariola, and then ſteered directly for England: but a violent ſtorm ariſing not long after ſeting out, ſeveral ſhips were loſt, and the reſt ſo diſperſed, that the Armada, for this year, was rendered unſerviceable. Thus Elizabeth had the pleaſure to hear of its being diſabled from hurting her, before ſhe had notice of its ſailing: but not to be again expoſed to like dangers, ſhe took care to fortify the places where the Spaniards could moſt eaſily have landed (1), had not Providence blaſted their projects (2).

The King of Spain makes a vigorous effort to conquer England. Camden.

His fleet diſperſed by a tempeſt.

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Very early in the year 1597, during a moſt ſevere winter, Prince Maurice obtained a victory over the Spaniards at Turnhout. But on the other ſide, in March, Hernando Tellez Portocarrero, governor of Dourlens, found means to ſurpriſe Amiens. This accident diſturbed the ſecret negociations of peace which, by the Pope's mediation, were on foot between Henry and Philip. The treaty was already far advanced without Elizabeth's having thereof the leaſt intimation, notwithſtanding Henry's late treaty with her, the principal article of which was, that no peace ſhould be made without a mutual concurrence.

Battle of Turnhout in the Netherlands. The Spaniards ſurpriſe Amiens. Thuanus. Mezerai.

Philip II, relying on a ſeparate accommodation with France, had reſolved to make a puſh againſt Ireland, where he had correſpondents, and even prepared a fleet to execute his deſign. The notice Queen Elizabeth had of this project made her reſolve to prevent him, as ſhe had often done very ſucceſsfully. For this purpoſe, ſhe equiped a fleet of a hundred and twenty ſhips, with ſix thouſand land forces, and gave the command to the earl of Eſſex (3). The earl's ſcheme was to ſail to Coruna, and deſtroy the armament preparing there, then to wait at the Azores for the Spaniſh Flota returning from Weſt-India: but contrary winds, ſtorms, and a quarrel between Eſſex and Ralegh broke theſe meaſures, and the fleet returned to England, without any memorable action. It is needleſs therefore to be more particular concerning an expedition whence Elizabeth reaped ſcarce any benefit. I ſhall only obſerve that, while the Engliſh were returning, a Spaniſh Armada from Fariola, was ſteering the ſame courſe, in order to make a deſcent in Cornwal: but a tempeſt from the north ſo diſperſed both fleets, that they could not even get ſight of each other.

Philip forms projects againſt Ireland. Camden.

Elizabeth ſends a fleet againſt Spain; Camden. Thuanus. Stow. Speed. which returns without much advantage.

The earl of Eſſex being returned to court, about the cloſe of October, met with a freſh cauſe of diſcontent. The Queen had created admiral Howard earl of Nottingham, and inſerted in his patent, that it was for his ſervices to his country in 1588, againſt the grand Spaniſh Armada, and afterwards, in taking the town of Cadiz, jointly with the earl of Eſſex. This patent offended Eſſex, who thought himſelf affronted by the Queen, in her aſcribing to that admiral any ſhare in the taking Cadiz. Beſide, by this creation, the new earl of Nottingham was to take place of him by a ſtatute of Henry VIII, which gave precedence to the lord high-ſteward, the lord chancellor, the lord treaſurer, the lord preſident, the lord privy-ſeal, the lord chamberlain, the lord high-conſtable, the earl marſhal, the lord high-admiral (4), before all other peers of equal degree (5). But Elizabeth, to aſſuage his reſentment, created him earl-marſhal of England, which preſerved to him the precedence of the lord high-admiral.

The earl of Eſſex diſguſted with the court. Octob. 23. Camden. Stow.

The Hanſe Towns, as I obſerved, had made loud complaints at the Imperial diet, concerning the corn taken from them in Portugal, and the loſs of their privileges in England. Elizabeth diſ-

The diſpute of the Hanſe Towns revived. Camden. Thuanus.

(1) She cauſed the following caſtles to be fortified, Sandsfort, Portland, Hurſt, South-ſea, Calſhot, St. Andrew's, and St. Maudit's. Camden, p. 594.

(2) This year, Thomas Arundel of Wardour returned to England, after having done the Emperor ſignal ſervice againſt the Turks, and been, as a reward for it, created Count of the Holy Empire; the Queen was highly offended at Arundel's accepting that title, as the reader may ſee in Camden, p. 595, &c. and Rymer's Fœd. Vol. XVI. p. 284, 289, 301.

(3) The fleet was divided into three ſquadrons. The firſt commanded by the earl of Eſſex; the ſecond by lord Thomas Howard; and the third by ſir Walter Ralegh. Charles Blount lord Montjoy commanded the land-forces under the earl of Eſſex. Stow, p. 783.

(4) Theſe are diſtinguiſhed by the title of Great Officers of the crown.

(5) The chancellor, treaſurer, preſident of the council, privy-ſeal, being barons, ſit above dukes in parliament. All other great officers ſit after the privy-ſeal, above all of their degree only. See Statut. 31 Henry VIII. c. 10.

patched

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patched away to the diet an embaſſador, to anſwer theſe charges. He repreſented, That the Hanſe-Towns had, by abuſing their ſaid privileges, occaſioned their being annulled, by act of parliament in the reign of Edward VI: that afterwards Mary had, for a time, ſuſpended the execution of that act; but at length, even in her reign, thoſe privileges had been intirely aboliſhed, for which he alledged diverſe reaſons mentioned in Edward's reign: that as to the ſeizure of their ſhips in Portugal, they were freighted with proviſions for the Spaniards, and by the law of nations the Engliſh might ſeize proviſions deſigned for their enemies, and even confiſcate the veſſels, which however were reſtored to the owners. This buſineſs ſeemed quite done with, and had not been mentioned in two years, when ſuddenly the Emperor, at the ſollicitation of the Hanſe Towns, prohibited all commerce with the Engliſh merchants, called the Adventurers, throughout the Empire. This induced Elizabeth alſo to prohibit all traffic between the Hanſe Towns and England.

Henry demands ſuccors from Elizabeth. Camden.

Mean while, the King of France was greatly imbaraſſed, ſince the Spaniards were become maſters of Amiens, whence they could make incurſions to the very gates of Paris. He reſolved therefore, at any rate, to recover this place, and formed the ſiege about the end of May. At the ſame time, he ſummoned Queen Elizabeth to ſend him four thouſand men, anſwerable to their ſtipulation. Her ſaid Majeſty replied, that ſhe was ready to furniſh her quota of troops, provided he would ſubſiſt them, becauſe her expenſes in equiping a fleet, and maintaining an army in Ireland, incapacitated her from doing it. Troops without money ſuited not with Henry, whoſe exchequer was exhauſted. Wherefore, to induce Elizabeth to comply with his demand, he let her know, that offers of peace had been made him, with reſtitution of all his places, except Calais and Ardres, if he would abandon England. Hereby he would have inſinuated, that it was ſolely on her account he had refuſed a ſeparate peace, tho' in reality Amiens being ſurpriſed was the true cauſe of diſcontinuing the treaty, which he would not have commenced without her participation, had he retained for her the leaſt regard. However this be, Elizabeth, yet a ſtranger to the ſecret, told him by her embaſſador; ſhe could never believe, that ſo great a Prince would violate a ſolemn treaty ſo lately made, and confirmed with reciprocal oaths. She deſired him to peruſe the treaty, where he would find this article in expreſs terms: "The Queen of England ſhall ſend, this "year, four thouſand foot to ſerve the King, for "the ſpace of ſix months: they ſhall likewiſe ſerve "him as long in the following year, if the Queen "of England's affairs will conveniently permit, "in which point the King of France is to take her "honor and conſcience for ſecurity." That therefore it was manifeſt, the treaty was not violated by her, as ſhe offered to ſend forces, provided he would ingage for their ſubſiſtence. At length all this ended in what Henry very ſeemingly had purpoſed, viz. that Elizabeth, in lieu of troops, ſhould ſupply him with money. For ſecurity, Henry offered her Calais, provided ſhe would, within a certain limited time, ingage to recover it with her own forces. This was ingaging her to make a diverſion abundantly more advantageous to France, than the four thouſand men he demanded: it was even uncertain whether Calais could have been reduced within the time, which probably would have been ſhort enough. But Elizabeth was not to be thus inſnared, eſpecially as ſhe knew Henry had much rather ſee Calais in the hands of Spaniards than Engliſh; but the retaking of Amiens, which ſurrendered in September, finiſhed this diſpute.

Her anſwer.

Henry threatens to make peace without her. Camden. Mezerai.

She juſtifies her conduct from the letter of the treaty.

Camden.

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The ſurrender of Amiens renewed the negociations between France and Spain, which had been interrupted. Henry's conduct on this occaſion little correſponded with the ſervices he had received from Elizabeth in his moſt urgent neceſſities. He defered informing her of his abſolute neceſſity for a peace, 'till he had privately ſetled the principal articles. He probably believed that, as Elizabeth had only conſulted her own intereſt in their league, he ought alſo to conſider his own advantage only. Such a principle allows the breach of any alliance without ſcruple. He could not however ſo ſecretly tranſact this affair, but Elizabeth had notice of his proceedings and deſigns. On this account ſhe called a parliament to demand aid, intimating, ſhe was on the point of being abandoned by her ally, tho' he ſtill pretended not to treat without her. The parliament, perceiving England's danger of being ſpeedily invaded, voted a very conſiderable ſubſidy, on condition this extraordinary ſupply ſhould not be made a precedent.

Henry negociates a peace with Spain, without Elizabeth's participation. Camden. Thuanus.

D'ewes, p. 522, &c. Townſhend, p. 79.

The parliament grants a large ſupply.

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Elizabeth well knew Henry was treating with Spain, but was ignorant the peace was already in a manner concluded, and the more, as he had deſired her to ſend embaſſadors to ſettle the points whereon they were to treat. She ſent therefore Wilks, Cecil, and Herbert. The firſt died on his very arrival at Paris. The two others waited on King Henry at Angers, to know on what terms the negociations ſtood with Spain. Henry gave a general anſwer, declaring he wanted a peace, and that the welfare of his people, which he prefered to all other conſiderations, abſolutely required it. Cecil replied, his royal miſtreſs deſired it no leſs, but wanted to know on what conditions it was propoſed by the King of Spain, and whether the ſtates of the United Provinces were to be included. Henry anſwered, the Catholic King offered to reſtore all the places taken in France, Calais not excepted; that his offer could not be rejected without expoſing his kingdom to utter ruin. Adding, he would ſoon diſpoſe the King of Spain to grant, both the Queen of England and the United Provinces very honorable conditions.

Henry makes peace without his allies. Camden. Thuanus. Stow.

Camden. Grotius.

This ſufficed to convince thoſe embaſſadors, that the peace between France and Spain was already ſetled, and no care taken by Henry of his allies. Elizabeth having thereof ſome intelligence, ordered her ſaid miniſters to complain; and the ſtates deputies received alſo a like order from their principals: but Henry found means to avoid hearing the mortifying reproaches he muſt needs expect, by appointing commiſſioners to treat with the embaſſadors, inſtead of granting the audience they demanded. Theſe commiſſioners and the embaſſadors being met, Oldenbarnevelt, one of the ſtates agents, boldly exclaimed againſt the inſincerity wherewith King Henry had treated his maſters. He abjured his ſaid Majeſty, tho' abſent, to declare in his conſcience, if he thought it becoming a Prince to ſeparate from his allies without any juſt cauſe. Then, to confound the French commiſſioners, he read aloud the treaty of league, concluding with words to this purport; "That ſome Kings prefered their private "intereſts to their alliances; but that this often "proved fatal to them; for when Princes have "parted with their faith and honor, it is in vain to "think of ſupporting themſelves by mere power (1).

They complain to no purpoſe. Camden. Thuanus.

(1) Then he propoſed, that if the King of France would lay aſide the thoughts of peace, and beſiege Calais, the ſtates would advance pay for ſeven thouſand men to aſſiſt in it, and furniſh twenty-five warlike ſhips; and at the ſame time lay ſiege to ſome other place, to divide the enemies forces. Camden, p. 605.

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The chancellor, who was one of the commiſſioners, anſwered this deputy, that what he ſaid deſerved great regard, and ſhould be reported to his Majeſty; withal proteſting that France could not ſubſiſt without peace.

Camden.

Cecil ſpake next, and ſaid, that being impowered only to treat of a general peace, ſince the ſtates of the United Provinces were not to be included in King Henry's treaty with Spain, he could proceed no farther. Then, after a juſtification of Elizabeth's conduct, and a bold cenſure of the French King's, he demanded time to inform the Queen of what paſſed. But this demand being eluded, he prayed the commiſſioners to remind King Henry of the oath he had taken before God and man. He concluded with ſaying, that her Majeſty expected to be reimburſed the ſums lent King Henry in his preſſing neceſſities. But whatever the embaſſadors alledged ſignified nothing, ſince the peace between France and Spain was concluded, and nothing was wanting but the formality of having it publicly ſigned by plenipotentiaries, who were to meet at Vervins.

Elizabeth highly inſenſed. Camden.

Elizabeth exceſſively reſented the French King's behavior towards her, and the more as ſhe ſaw no other cauſe which could oblige him to negociate a peace without her participation than pure complaiſance to the Pope and King of Spain. It is certain, Henry might have diſingaged himſelf with ſome appearance of ſincerity, had he but pretended unwillingneſs to treat without his allies, and afterwards, on the difficulties which ſhould ariſe, had urged the neceſſity he lay under to accommodate matters: but, by doing it without their knowledge, he clearly diſcovered, that he prefered the King of Spain's intereſt before that of his allies. This was in reality his character. He was ſo impatient to be in peaceable poſſeſſion of the Gallic crown, that, to attain this felicity, he ſcrupled not ſacrificing his old friends, who were unable to hurt him, to his moſt inveterate enemies, who ſtill created him diſturbance. He had not about him any one perſon who durſt cenſure ſuch a conduct; but in Elizabeth he found one of equal rank, who uſed him leſs ceremoniouſly. She ſent him a letter wherein, after other ſevere expreſſions, ſhe told him, "That if, "in temporal concerns, there was ſuch a thing as "a ſin againſt the Holy Ghoſt, it was, doubtleſs, "ingratitude: that if he had obtained advan- "tageous terms from Spain, he ought to thank "England for them; and that ſolemn oaths and "mutual compacts were never intended for ſnares, "unleſs by the worſt of men." Henry was ſtung with theſe reproaches; but, as they admited no reply, choſe to take no notice of them. He excuſed himſelf upon the urgent neceſſity which forced him to make peace, and indeavored to perſuade Elizabeth that, whereas he had thitherto been only a burden to her, he would for the future give her marks of his acknowledgment, in procuring her a ſafe and honorable peace, and in never forſaking her intereſts: but all this was mere wind, to which Elizabeth ſhewed very little regard.

Her reſenting letter. Camden.

He ſigns the peace without his allies. May 10. Thuanus.

While this paſſed, certain articles of ſmall moment, which had remained undecided, were finiſhed at Vervins. Mezerai owns the peace might have been concluded and ſigned in leſs than three weeks, if Henry had not affected to perſuade the public he would not abandon his allies: yet all this tended only to procure the Engliſh and Dutch embaſſadors being admited to the conferences, without any declaration of what he would do in their favor. But Philip, who knew how far he ſhould be ſollicited, remained inflexible, and would never grant his commiſſioners a power to treat either with England or the ſtates. Finally, after Henry had made all the requiſite excuſes to clear himſelf to the public, he gave orders to his plenipotentiaries to ſign the treaty, yet aſſuring his allies, that he would not ratify it 'till forty days after, as if that time had been ſufficient to make their peace with the Spaniard, who even refuſed to treat with them. This peace was ſigned at Vervins the ſecond of May, and ratified by Henry the twelfth of June.

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Elizabeth's reaſons for proſecuting the war. Grotius. Camden.

It was now incumbent on Queen Elizabeth and the ſtates to take proper meaſures to ſuſtain a war againſt the whole power of Spain, and in order thereto her ſaid Majeſty diſpatched Francis Vere to the ſtates to know their reſolution. Mean while, it was debated in council, whether it was proper to make peace, or continue the war. The council being divided upon this queſtion, ſeveral reaſons were alledged, pro and con: but the Queen, who perfectly knew her intereſt, readily declared for war. She well comprehended that, in ſtriking up a ſeparate peace, as might very eaſily have been effected, ſhe ſhould infallibly oblige the ſtates to ſubmit again to the Spaniſh yoke. In that caſe, ſhe foreſaw ſhe ſhould ſtand ſingle without any ally, and expoſed to the inſults of Philip, who would never want pretexts to quarrel with her, and reſume his former projects againſt England: nay, it was to be feared the King of France, incited by the Pope and a Popiſh council, whereat the original leaguers had great influence, would ſuffer himſelf to be ingaged in the combination to dethrone her. She was alſo apprehenſive that the King of Scots, in order ſooner to aſcend the Engliſh throne, would be tempted by promiſes to abandon the Proteſtant religion's intereſt. In a word, by forſaking the ſtates, ſhe expoſed herſelf to the danger of ſeeing break upon her own head that ſtorm which ſhe had all her life been laboring to turn upon her neighbors. On the contrary, in ſupporting them ſhe imployed the Spaniard, and prevented his making any conſiderable attempts upon England: moreover, if by a vigorous war ſhe could oblige Philip to a peace without any danger to the United Provinces liberty, ſhe would thereby ſecure friends who might in emergencies be greatly ſerviceable.

Such were the motives which determined Elizabeth to continue the war: but ſhe was very careful to conceal her intentions from the ſtates, and rather expreſſed a ſtrong diſpoſition towards peace, pretending herſelf unable to carry on ſo heavy a war. She intimated to them, that her intereſt was not any way concerned, and that Philip's vain efforts againſt England plainly evidenced ſhe was in no danger from that quarter. The ſtates not in a condition to diſſemble like her, their all being at ſtake, were brought to acknowledge that, if the war was continued, it was ſolely for the preſervation of their liberty, and therefore it was neceſſary to treat anew upon that foundation. In ſhort, ſhe ſo artfully managed, that they came to a freſh agreement with her, intirely to her advantage. The ſtates choſe rather to ſubmit to her terms than be forced to make a peace by which, in that juncture, they muſt have loſt their liberty, their religion, and the fruits of thirty years labor. The articles of this new treaty were (1):

A new treaty between Elizabeth and the ſtates. Auguſt 16. Rym. Fœd. Vol. XVI. p. 340. Camden.

The articles.

That the ſtates ſhould give Elizabeth ſecurity for eight hundred thouſand pound ſterling (2), to which all her claims were limited.

That the half of this ſum ſhould be diſcharged

(1) Our author not acquainting us whence he took his moſt faulty abſtract of this treaty, it is here rectified from the original in Rymer.

(2) Eight millions of florins, ſays our author.

by

Elizab. An' 1598. by annual payments of thirty thouſand pounds ſterling, during the war's continuance; and if, when the war was ended ought remained of this moiety, the yearly payments ſhould be twenty thouſand pounds only.

That as to the other half, and the reſtitution of the places which were in her Majeſty's hands, the affair ſhould be amicably agreed when peace was concluded.

That for the gariſons of Fluſhing, the Briel, and other forts, Elizabeth ſhould furniſh eleven hundred and fifty men, to be paid by the ſtates, at the rate of one hundred and ſeventy pounds ſterling monthly, beſide utenſils and other uſual neceſſaries for ſoldiers in gariſon.

That for the future, her Majeſty ſhould be diſcharged of her ingagement to ſupply the ſtates with auxiliaries, and that the Engliſh, who now ſerved, or ſhould hereafter ſerve in the Netherlands, ſhould be paid by the ſtates, ſwear fidelity to them, and obey their generals orders.

That by this means, the Engliſh deputy's authority, ſtipulated in the former treaty, would be aboliſhed, the Queen nevertheleſs reſerving a power to put one perſon into the council of ſtate.

That if, during the war, the common enemy, or his adherents ſhould ſet out a fleet to invade England, or the iſles belonging to it, namely, thoſe of Wight, Silley, Guernſey, and Jerſey, the ſtates ſhould be obliged to aſſiſt her Majeſty with a fleet of thirty or forty warlike ſhips; and, in caſe of any invaſion, with five thouſand foot and five hundred horſe: that if her Majeſty ſhould equip a fleet of fifty or ſixty ſhips, to act offenſively either in Spain, Portugal, or America, the ſtates ſhould join her with the ſame number of ſhips; and if any Engliſh forces, as ten thouſand foot and two thouſand horſe, at the leaſt, were ſent over into Flanders or Brabant, the ſtates ſhould furniſh out half the ſame number of Men.

It is from this treaty eaſy to obſerve, how well Elizabeth knew to improve the preſent circumſtances of the ſtates, and their fear of being forced to make a diſadvantageous peace with Spain, tho', for reaſons before mentioned, it was her intereſt to continue the war: beſide, when this treaty was negociating, the earl of Tir-oen was very formidable in Ireland. In fine, the Scotiſh King, in a manner openly, demanded to be declared the Queen's preſumptive heir. He diſperſed books, both printed and in manuſcript, wherein he pretended to prove that no perſon whatever could deprive him of his right: nay even a letter was ſhewn to Elizabeth, ſubſcribed with his own hand, and addreſſed to the Pope. Camden ſays, he had been ſurpriſed into this letter; but that author is too partial, in every thing concerning King James, to merit abſolute credit. Soon after, one Edward Squire was apprehended in London, for having undertaken to deſtroy Queen Elizabeth, by poiſoning the pummel of her ſaddle (1). All this manifeſts ſhe had no leſs reaſon to fear for herſelf than for the ſtates, and that it was her intereſt to ſupport them, and procure them a peace which ſhould aſcertain their liberty.

The earl of Tir-oen formidable in Ireland.

The King of Scots inſiſts on being declared Elizabeth's ſucceſſor. Camden.

He writes to the Pope. Winwood's Mem. Vol. I. Camden.

A conſpiracy diſcovered againſt Elizabeth. Stow.

Philip of Spain's death, which happened in September this year, ſomewhat allayed Elizabeth's uneaſineſs. That Catholic King was ſeventy two years old, and had reigned forty two, in a perpetual agitation to extend the boundaries of his monarchy. He turned his ambitious views towards France, England, and Portugal, and of all theſe grand projects the latter only ſucceded: but he loſt ſeven provinces in the Netherlands, which were well worth the kingdom he acquired. He made a loathſome and dreadful end, being devoured by lice ſwarming from ulcers with which he had been ſome time afflicted: but he bore his calamity with admirable conſtancy.

King Philip II's death Septem. 13. Thuanus. Camden.

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Not long before his deceaſe, he had aſſigned the ſovereignty of the Netherlands in dower to the Infanta Iſabella, his daughter, when he married her to archduke Albert, but the conditions annexed to this grant evidence he had no deſign to diſmember thoſe provinces from the Spaniſh monarchy. Beſide the reſervation of homage, and a power to keep gariſons in the citadels of Antwerp and Cambray, he had ſtipulated the reverſion of this Auſtrian heritage to the crown of Spain, in default of heirs deſcending from the Princeſs his daughter; and it is even pretended, he had incapacitated her ever having any. He was ſucceded by his ſon Philip III.

This year happened a troubleſome affair at the Engliſh court. Her Majeſty, conſulting Eſſex and the admiral on the choice of a proper perſon to be lord-lieutenant of Ireland, expreſſed ſome inclination for ſir William Knolles; but the earl of Eſſex, tho' his nephew, ſtrenuouſly oppoſed it, contending for ſir George Carew, whom he wanted to remove from court, as being jealous of him. He haughtily and with great obſtinacy maintained his argument, and finding the Queen inflexible, turned from her with ſuch an air of contempt that, provoked at his inſolence, ſhe gave him a box on the ear (2). He immediately laid his hand on his ſword, and being by the admiral, prevented from drawing it ſwore that he neither could nor would put up ſuch indignity; nor would he have taken it from Henry VIII. himſelf were he alive; and inſtantly retired from court. The lord privy-ſeal repreſenting to him, in a letter, the folly of his menaces, and adviſing him to ask the Queen's pardon, he ſent a long and paſſionate anſwer, wherein he treated her Majeſty very diſreſpectfully (3). But being at length brought to himſelf, by the advice of his friends, he was re-admited to favor. Few believed this reconciliation ſincere, and the earl's friends were in great fear for him.

Elizabeth gives Eſſex a box on the ear. Camden.

William Cecil, baron Burleigh, lord treaſurer, and for a long time Elizabeth's chief miniſter and confidant, died this year, in a very advanced age (4). Lord Buckhurſt ſucceded him in his office of treaſurer.

Death of lord Burleigh. Camden. Stow.

An' 1599.

The Iriſh affairs were in ſo bad a poſture that a ſpeedy remedy was to be applied, or that iſland expoſed to the hazard of being utterly loſt. Since the advantages Tir-oen had gained over the Engliſh, the whole province of Munſter had revolted. The natives in every other part of Ireland were in a like diſpoſition, flattering themſelves that,

Affairs of Ireland. Hiſt. of Ireland. Camden.

(1) See a pamphlet, lately publiſhd, intitled Authentic Memoirs of father Richard Walpole.

(2) And bid him go and be hanged. Camdem, p. 608.

(3) Our author here erroneouſly ſays, that the lord privy ſeal talked with him, inſtead of ſending a letter. See Eſſex's anſwer at length, in Camden.

(4) This great man was born at Bourn in Lincolnſhire, in 1521, and died this year Auguſt 4, and was buried in the church of St. Martin in Stanford. Dugdale's baron. Vol. II. pag. 406. He uſed often to tell the Queen, that the treaſury was not her own money, but commited to her care for the ſafety of her people; and therefore it was not to be laviſhed uſeleſly, or in ſatisfying the avarice and knavery of her miniſters, but for the benefit and welfare of the ſtate; and that the beſt thing which could poſſibly be done by any perſon, was to do that which tended to the good of his country. Bohun. Charac. of Q. Eliz. p. 96.—— This year alſo died the famous poet Edmund Spenſer. Vol. XVI.

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with the Pope and Spaniard's aſſiſtance, (1), the earl of Tir-oen would abſolutely free them from the Engliſh yoke. Queen Elizabeth, informed of the ſtate of affairs, believed the utmoſt diligence muſt be uſed to reduce the Iriſh to their duty, and ordered her council to conſider in her preſenſe how to execute her reſolution. The earl of Eſſex harangued largely on this ſubject, blaming the conduct of former lord-deputies, who, he ſaid, amuſed themſelves with trifles inſtead of acting directly againſt Tir-oen, without giving him any reſpite: that, by truces granted him from time to time, he had reſtored his affairs; and withal, the Queen had been put to needleſs expenſe, ſince her troops were as well paid in a truce as during the war. This part of his diſcourſe greatly pleaſed her Majeſty, who loved not to empty her purſe without neceſſity. When a deputy came to be named, moſt of the council were for lord Montjoy. This was oppoſed by the earl of Eſſex, becauſe that nobleman had never commanded in chief, and was withal very bookiſh, whereas the affairs of Ireland required a martial and active general. He added, that to bring the war in Ireland to a ſpeedy period, its management ſhould be commited to ſome chieftain of reputation, and who was acceptable to the people. In a word, he ſo plainly pointed out himſelf, that he was nominated for that ſtation. His friends thought to oblige him, and his enemies hoped that this poſt, and his abſenſe from court, would afford them means to work his deſtruction.

The earl of Eſſex ſent lieutenant. Camden. Speed.

Remark on his conduct. Treaſons of earl of Eſſex. p. 7.

What this youthful earl's real views were is not well known; but he had of late years made himſelf ſo popular, and gained ſo far upon the people by his affable deportment, that he was in a manner adored. He wanted only to gain the ſoldiery's affection; and this, very ſeemingly, was his aim in deſiring to command in Ireland: but as he had enemies who ſought nothing ſo much as his ruin, it was on this imploy they grounded their hopes of ſucceſs. On the other hand his friends, in ſerving him over zealouſly, did him a prejudice. They affected to publiſh his deſcent from the royal houſe of Scotland, and from that of England by his great-grandmother, who numbered among her anceſtors Edmund de Langley duke of York, and Thomas of Woodſtock, both ſons of Edward III. Hence it was intended to inſinuate, that, after the Queen's deceaſe, it would be better to place him on the throne than a foreign Prince. A book * was alſo dedicated to him, in which the author overthrew the titles of every pretender to the crown, except that of the Spaniſh Infanta. His adverſaries, perceiving he was forming ſome dangerous ſcheme, took care not to divert him from it: on the contrary, they every where, and on all occaſions, extoled his magnanimity, his prudence, and his attachment to the Proteſtant intereſt, in order to ingage him in meaſures which would more evidently manifeſt his deſigns. He had a very ſprightly genius, and many amiable qualities, but was too much intoxicated with his own merit, and regarded all the other Engliſh peers as greatly his inferiors. He was made lord deputy with a very extenſive commiſſion, to proſecute or terminate the war as he pleaſed; nay even to pardon Tir-oen and the other rebels; authorities never before granted to any of his predeceſſors: but it was inſerted in his patent, that, laying aſide all other affairs, he ſhould apply himſelf wholly to purſue and ruin the earl of Tir-oen, chief of the rebels. He could not complain of this clauſe, becauſe it was only what had by himſelf been propoſed in council.

Friends and enemies do him ill offices. Camden.

* Parſons's Doleman.

Oſborn.

His character.

He is inveſted with great power. Rym. Fœd. Vol. XVI. p. 366.

Towards the cloſe of March, Eſſex ſailed for Ireland with 20000 foot, and 1300 horſe (2). The Engliſh had never before ſeen in that iſland ſo formidable a body of forces. The Queen had made this great effort, purſuant to Eſſex's advice, in order to put a ſpeedy end to the rebellion, and finiſh the war in one campain. On his arrival, whether of himſelf, or by the advice of his pretended friends, he affected to act directly contrary to his inſtructions. He immediately confered the command of his cavalry on the earl of Southampton, his intimate friend, againſt the expreſs injunctions of her Majeſty, who was offended with that nobleman for marrying without her permiſſion. Then, inſtead of marching againſt Tir-oen, he turned his arms againſt certain rebels in Munſter, whom he indeed forced into the woods and mountains, but with the loſs of many of his men: this expedition, of very ſmall importance, detained him in thoſe parts 'till the end of July. Mean while Elizabeth, informed of his proceedings, wrote to him in very angry terms, and reproached him with acting contrary to orders founded upon his own advice, commanding him withal to march into Ulſter againſt Tir-oen himſelf. He excuſed himſelf, by alledging that the council of Ireland, who were beſt acquainted with that kingdom's affairs, had adviſed him firſt to clear Munſter; and promiſed poſitively to march the firſt opportunity againſt the chief rebel: but he ſoon after wrote to court, that he was obliged to return to Dublin, to chaſtiſe ſome Iriſh who infeſted the country; and in effect he gained his point: but, after this ſecond expedition, his army was ſo diminiſhed, that he ſent home for a reinforcement, without which, he ſaid, he could not perform any great exploits in Ulſter. He began however to march thitherwards, but his vanguard, conſiſting of fifteen hundred men, under command of ſir Conyers Clifford, fell into an ambuſh and was utterly defeated.

Elizab. An' 1599. Proceeds in Ireland contrary to his own counſels. Camden.

Tho' it was amazing that, with ſuch a gallant army, he had done nothing conſiderable, but on the contrary was forced to demand a reinforcement, the Queen inſtantly ſupplied him with freſh troops. But ſoon after, he gave the court to underſtand, that all he could do this campain was to poſt himſelf on the frontiers of Ulſter with thirteen hundred foot and three hundred horſe. On his arrival in that province, the earl of Tir-oen deſired a parley, which he refuſed. Next day, when the armies were near each other, Tir-oen ſent Hagan, one of his officers, to acquaint Eſſex, that he was ready to ſubmit to her Majeſty, and deſired he would grant him a meeting on the banks of a ſmall river, where they might confer, each remaining on his own ſide. Eſſex conſented, and they diſcourſed about an hour, without any witneſs. Two hours after, Tir-oen demanded a ſecond conference, in preſenſe of ſome of the chief officers of the two armies. The earl of Eſſex granted his requeſt, and at this ſecond interview, it was agreed, that commiſſioners ſhould be appointed to treat of a pacification, on the morrow. This negociation ended in a treaty of truce which was ſpeedily concluded. The truce was to continue 'till May the inſuing year *, with this condition, that either party ſhould be at liberty to break it, on giving a fortnight's notice.

Treats with Tir-oen; Camden. Speed.

and grants him a truce.

* From ſix weeks to ſix weeks.

Mean while Elizabeth, having received the earl of Eſſex's laſt letter, was ſo highly inſenſed, that

Is ſuſpected by the Queen; Camden.

(1) King James ſent Queen Elizabeth notice, that he was informed, there were twelve thouſand men preparing in Spain, to land in Ireland by the begining of April this year. Rym. Fœd. Vol. XVI. p. 336.

(2) Afterwards made up two thouſand. Camden, p. 614.

ſhe

Elizab. An' 1599.

she could not forbear saying, she suspected him of ill designs. She was counseled instantly to recall him: but she dreaded irritating him too far while he had the sword in his hand. Nevertheless, she wrote to him very sharply, and reproached him with his contempt of her orders. This letter made on Essex such impression, that he immediately determined on returning to England with the flower of his army, and revenging himself on his enemies, vainly relying on a general insurrection in his favor: but the earl of Southampton dissuaded him from so dangerous a resolution. The Queen, informed of this project, countenanced a report, that a fleet was preparing in Spain to invade England, and under that pretext raised six thousand men. Some time after, she augmented her army, and gave the command to the lord admiral, who was no friend to Essex: but this terror being dissipated, by advices from Ireland, she dismissed most of her forces.

who writes to him angrily. He meditates a dangerous design,

but is diverted. Camden.

Rym. Fœd. Vol. XVI. p. 383. Stow. p. 788, &c.

The news of what passed in England convincing the earl of Essex that he was suspected by her Majesty, he took a sudden resolution to justify himself personally, without demanding the Queen's permission. He was accompanied by the earl of Southampton and several officers, who on their arrival in England disposed of themselves different ways. He reserved only six men to attend him, and posted with all diligence in order to be with the Queen before she had notice of his arrival; but, notwithstanding his care, he found he had been prevented. Elizabeth was then at Nonsuch, ten miles from London. She received him without any emotion, and even with marks of favor, but after some reproaches for his irregular conduct, she commanded him to his apartment 'till farther orders. After that, being asked, why he made with Tir-oen a truce, which might at any time be broken at a fortnight's warning, since he was impowered to conclude a peace? He answered, that the earl of Tir-oen was so unreasonable in his demands, that they could not be granted (1): but it was his opinion, that a truce might bring him to more equitable terms. This answer did not satisfy her Majesty, who was also very angry he left his government without her leave; beside that the persons who attended him into England were such as gave her great cause to suspect him: wherefore she commited him to custody at the lord keeper's, to prevent his lanching into new excesses.

Comes into England without leave. Camden. Treasons of E. of Essex. Stow.

Makes poor excuses.

Is put under arrest.

His apology. Camden.

Camden, in his annals, gives us the earl's own apology, in which it appears, that he made but a very lame reply to the accusation of having neglected attacking the earl of Tir-oen, and imployed his army in expeditions of little consequence. He contented himself with saying, that he had put the Irish affairs in such a situation that, during his nine months government, the English had sustained no damage. But he was not intrusted with twenty thousand men, to stand only on the defensive. Concerning the persons who attended him, he said only, that not above six came to court with him, but of rest who accompanied him from Ireland, he was silent. The commission given Southampton, contrary to the Queen's express orders, he also passed over in silence. The rest consisted wholly in exclamations upon the injustice of suspecting him, and in magnifying his father's merits, his brother's, killed in the Queen's service, and his own. At the same time his friends and relatives loudly complained of the rigor wherewith he was treated, representing it as excessive: some even combined to rescue him forcibly; but to that he would not consent.

Elizab. An' 1599.

Mean while, the earl of Tir-oen, understanding Essex was arrested, broke the truce, and did great mischief to the English settled in Ireland. He flattered himself with a strong and speedy assistance from Spain (2) and the Pope, who had made him a present of a pretended phœnix plume. In this expectation, he formed no less a project than utterly to expel all the English from Ireland.

Tir-oen breaks the truce. Speed. Camden.

During this interim, Essex's partisans were inciting the people to rise in his behalf, representing him as the most accomplished peer England had ever beheld since the foundation of its monarchy: at the same time, they exclaimed against the ministry, not without malicious reflections on the Queen's conduct, as if she took no care of the Irish affairs. This highly prejudiced the earl, and increased her Majesty's suspicions of him. As she had irritated him, she readily supposed him meditating revenge. Wherefore, in the begining of October, she assembled her council in the star-chamber, where Essex's conduct was examined, and unanimously condemned by the privy-counsellors: yet nothing more was done against him, the Queen only desiring to satisfy the people, that it was not merely thro' her caprice that he was under confinement. He remained therefore at the lord keeper's house, where he gave himself up to devotion, spending his time in prayer, and writing letters to his friends in a strain so devout that some believed he had renounced all sublunary vanities.

Essex's friends cabal in his favor.

His conduct examined before the privy council. Camden. Cabala.

Grows devout.

About the close of this year, the archduke Andrew, governor of the Netherlands during the absense of his brother Albert, who was gone to Spain to espouse the Infanta, proposed a peace to Elizabeth. She replied, her concurrence should not be wanting, provided the United-Provinces were included. This condition at once put a stop to the negociation. Elizabeth suspected, the proposal was made only to amuse her 'till a fleet, then preparing in Spain, should be ready to invade England: but, this imaginary fleet, which gave her some uneasines, at length ended in a few gallies, put to sea by Frederico Spinola, a Genoese in the Catholic King's service, and conducted by him into the harbor of Sluys.

The archduke tries to amuse Elizabeth. Camden. Thuanus.

An' 1600.

The earl of Tir-oen improved the disorder Essex had made in the Irish affairs. He reduced the whole province of Ulster to his obedience, and hoped speedily to be master of the whole kingdom. For his incouragement, Pope Clement VIII sent him a bull, whereby he granted to him and his adherents the same indulgences as to those who fought against the Turks, to recover the Holy-Land. But lord Montjoy, appointed lieutenant of Ireland in Essex's stead, found means to stop that rebel's progress, and give a considerable check to his insolence.

The earl of Tir-oen's progress in Ireland. Camden.

Lord Montjoy sent thither. Feb. 7.

At the same time, archduke Albert (stiled likewise the Infante Cardinal) being returned from Spain, made new proposals of accommodation to Elizabeth. Henry IV supported them with his whole interest, and succeeded so far, that her Majesty sent plenipotentiaries to Boulogne, where the peace was to be negociated. But after the embassadors of those two contending crowns had been four months in that place, they parted, without ever assembling, by reason of a dispute of precedency between England and Spain. After great contests on this subject, Queen Elizabeth had finally acquiesced to an equality; but the Spaniard would not quit

A fruitless conference for a peace. Camden. Winwoods's Mem. Vol. I.

(1) The earl said, that these demands were, a general amnesty; restoring the Irish to their estates then possessed by the English; and free exercise of the Romish religion all over Ireland. Camden, p. 616.

(2) Whence he had lately received some supplies of ammunition, money, and provisions. Idem. p. 617.

his

Elizab. An' 1599.

his pretenſions. If the plenipotentiaries had met, another obſtacle would have occurred, which could never have been ſurmounted, viz. that the Spaniards were for a ſeparate peace or truce with England, whereto undoubtedly Elizabeth would not have conſented: beſide, the King of Spain pretended, that Elizabeth ſhould ſurrender the places mortgaged to her by the ſtates. The Spaniſh embaſſadors having ſounded the Engliſh on theſe two articles, and finding they ſhould never obtain their deſires, uſed the pretext of precedency to break off the negociation.

Battle of Newport. Grotius. Camden.

The ſecond of July, Prince Maurice gained the celebrated battle of Newport over the archduke. The Engliſh to the number of fifteen hundred, under conduct of ſir Francis Vere, diſtinguiſhed themſelves gloriouſly; but eight hundred of them were left breathleſs upon the ſpot.

Briefs ſent to the Engliſh Papiſts by Pope Clement. Camden.

Elizabeth being now ſixty-ſeven years old, the Papiſts, not without exceſſive concern and reluctance, beheld the Engliſh crown ready to fall on the head of a Proteſtant. Pope Clement VIII, being deſirous to prevent it, to the utmoſt of his power, ſent into England two briefs, one addreſſed to the Romiſh clergy, and one to the people. In theſe briefs, they were inhibited acknowledging, after Elizabeth's death, any Prince who would not ſwear to, not only tolerate, but even ſupport their religion to the very utmoſt extent of his ability. Theſe briefs were privately brought over, and communicated but to few perſons, all dreading the penalties by law inacted.

A conſpiracy againſt the King of Scots. Auguſt 5. Camden. Spotſwood. Burnet's Hiſt. * At Perth.

But at the ſame time, ſome meditated a readier and more effectual way to prevent the Scotiſh King's aſcending the throne of England. The Ruthvens, ſons of earl Goury, beheaded in 1584, conſpired againſt him, and inviting him to their houſe *, on ſome pretext, deſigned to murder him; but he eſcaped by a ſort of miracle (1). The two Ruthvens were killed, and their accomplices condemned to die. Afterwards, by act of parliament, all who bore the name of Ruthven were obliged to quit it, that the family's very memory might be obliterated.

Eſſex's ſtory continued. Camden. Cabala. p. 232, &c. Speed.

The earl of Eſſex was ſtill under arreſt at the lord privy-ſeal's, where he cloſely applied himſelf to devotion. He, from time to time, wrote ſuch ſubmiſſive letters to the Queen, that he ſeemed to have loſt that exceſſive haughtineſs which had been to him ſo prejudicial. At length Elizabeth, content with having humbled him, permited him to retire to his own houſe, under the free cuſtody of ſir Richard Berkley, who was to obſerve his motions. In all likelihood, he had been ſoon reſtored to favor, the Queen evidently diſcovering her ſentiments in that reſpect (2); but his friends and domeſtics ruined him. They had made ſuch ſtrong cabals among the people, that nothing was diſcourſed of but the earl of Eſſex's innocence. Whereas the Queen pretended to have treated him with much lenity and moderation, it was given out, that he was unjuſtly perſecuted, and even his life attempted on falſe ſuggeſtions. Elizabeth, who was very nice in ſuch points, and conſidered the peoples prejudices againſt her as a great misfortune, reſolved to manifeſt that Eſſex had more reaſon to praiſe her clemency, than complain of her rigor. To this end, ſhe ordered him to be brought before the privy-council, whereto ſhe had added four earls, two barons, and four judges: but ſhe aſſured theſe commiſſioners, it was not her intention to condemn him to any infamous puniſhment, as guilty of treaſon or diſloyalty; but only to convince him of having failed in his allegiance, and ſlighted her orders and inſtructions, thro' exceſs of vanity. Her deſign was to ſhew the prejudiced people, that the earl of Eſſex merited more rigorous penalties than a few months confinement.

Elizab. An' 1594.

Articles of his accuſation.

When he appeared before his judges, he was charged. 1. With contemning the Queen's orders, in making the earl of Southampton general of the horſe. 2. With making knights, contrary to the expreſs words of his patent. 3. With neglecting to purſue the earl of Tir-oen, tho' that was the chief end of his commiſſion. 4. With ſecretly confering with that rebel. 5. With granting a truce highly detrimental to her Majeſty's affairs. 6. With abandoning his government, without vouchſafing to aſk the Queen's permiſſion. Some inferences likewiſe drawn from his diſreſpectful expreſſions in his apology, and from certain dangerous principles contained in a book dedicated to him, concerning Richard II's dethronation.

He is declared guilty.

Having heard the articles of his accuſation, he fell on his knees, glorifying the Almighty for all his mercies, and then thanking his Sovereign for not ordering him to be examined in the ſtar-chamber. He declared, he would neither excuſe his faults, either in whole or in part, nor contend with her Majeſty: he acknowledged his guilt, but proteſted upon his honor, that his heart had been always free from the leaſt thought of rebellion. However, in continuing to ſpeak, he began to urge ſome excuſes in his own behalf. But the lord-keeper interrupted, by reminding him, that he had taken a good method, but was now ſwerving from it: that, in extenuating his faults, he likewiſe extenuated the Queen's clemency; and that in fine, a manifeſt diſobedience was but a bad proof of a good intention. The lord-keeper, in preventing him from inlarging on his juſtification, did him a good office. Elizabeth's deſign was not to have him rigorouſly tried, but only to ſhew he had been treated with more lenity than he deſerved. His confeſſion led him to the ſame end, whereas his juſtification would have obliged his judges to a ſeverer examination: ſo, whether he of himſelf comprehended his own intereſt, or was warned what to do, he was ſilent.

He is condemned to certain penalties.

The commiſſioners having conſulted apart, were of opinion, that he ought to be removed from the council-board, ſuſpended from his offices of earl-marſhal and maſter of the ordnance, and impriſoned during her Majeſty's pleaſure. His office of maſter of the horſe remained untouched, by expreſs command from Elizabeth, who was unwilling to give occaſion to believe ſhe had intirely withdrawn from him her confidence: ſhe even ordered the ſentence ſhould not be recorded. The earl received this chaſtiſement with ſuch humility, that the Queen, pleaſed with his deportment, removed Berkley from him, and left him at full liberty: but ſhe adviſed him to be his own keeper, and forbid him the court.

His character.

For ſome years, Queen Elizabeth had honored the earl of Eſſex with a very particular eſteem and affection. She had given him marks of it on ſundry occaſions; and particularly by the dignities, offices and commands he had injoyed. This diſtiction had ſo elated him, that he ſolely aſcribed to his merit theſe extraordinary favors which were the

Is brought to examination before the privy-council. Camden. Speed. Treaſons of E. of Eſſex.

(1) Chiefly thro' the aſſiſtance of ſir Thomas Areſkin and John Ramſey. Spotſwood, p. 458. Some imagined, this plot was a contrivance of the King's, to get rid of earl Goury, who was then in great eſteem. But Burnet (p. 18.) thinks it was a real conſpiracy, and the rather, as earl Goury, on the King's death, ſtood next to the ſucceſſion of the crown, as being deſcended from Margaret, daughter of King Henry VII.

(2) She proteſted, that all ſhe did or deſigned againſt him, was for his reformation, not his ruin. Camden, p. 626.

pure

Elizab. An' 1600.

pure effect of his ſovereign's inclination. This occaſioned his not having always that regard for her ſhe had reaſon to expect from him, fancying ſhe could not be without his aſſiſtance: in a word, he was a very bad courtier. It is not ſtrange, that a conduct ſo imprudent altered the Queen's affection; and yet, thro' her whole procedure, it manifeſtly appeared not to be intirely extinguiſhed. Her intent was only to humble that arrogant ſpirit, which ſeemed aiming to vie with her, which ſhe believed to have now effected. He ſeemed at laſt to be ſenſible that humility was the ſole means of reſtoring him to that degree of favor he had heretofore injoyed, and had reſolved to purſue that method as the ſureſt. Immediately after his ſentence, while he was preparing for a country retirement, he ſent the Queen word: "That he kiſſed the rod and her "Majeſty's hand, which had only corrected, and "not ruined him; but ſhould injoy no peace, 'till "he ſaw again thoſe eyes which had once ſhined ſo "propitiouſly on him: that he had reſolved to "attone for his error, and like Nebuchadnezzar "to dwell with the beaſts of the field, eat graſs as "an ox, and be wet with the dew of Heaven, "'till it ſhould pleaſe his Queen to reſtore him to "his ſenſes." This ſubmiſſion was highly pleaſing to Elizabeth, and yet ſhe anſwered, ſhe would not be amuſed with vain words, but as he had ſo long abuſed her patience, ſhe would take ſome time to try his humility. This was a plain intimation that, with a little patience, he would appeaſe her intirely, and it was in ſome meaſure directing him how to form his conduct. But he was ſo imprudent as not to improve this advantage, and to follow the intereſted counſels of his domeſtics (1), who adviſed him to petition the Queen for the continuation of the farm of ſweet wines, which had brought him a very conſiderable profit. Elizabeth, to try him, refuſed his petition, knowing it to be in her power to repair the loſs whenever ſhe pleaſed: but inſtead of receiving this denial with the humility and reſignation he had profeſſed ſince his diſgrace, he diſcovered paſſion and reſentment, which gave his royal miſtreſs room to believe him not yet ſufficiently humbled. Whereupon Cuff, his ſecretary and confident, ſuggeſted to him, that the Queen not only intended to humble but beggar him, and render him univerſally contemptible. Cuff was ſeconded by other incendiaries, who at laſt inſpired him with the deſign of forcibly reſtoring himſelf to favor, and deſtroying all his enemies about the Queen's perſon. This reſolution taken, his gates were open to all who diſliked the court. The earl of Southampton, who had withdrawn into the Netherlands, returned to England; and Eſſex, quiting the country, returned to his houſe at London. Being arrived, Merrick his ſteward kept open houſe for all who thought they had cauſe to complain of the Queen or her miniſters, and a great number of ſuſpicious perſons reſorted thither: in a word, his whole conduct ſhewed he was meditating ſome dangerous project. His adverſaries improving theſe proceedings, found means to inſpire the Queen with ſuſpicions, and to ſtation about him ſpies, who informed the court of what paſſed (2).

He humbles himſelf. Camden.

An' 1601. Snares laid for him; Camden.

It is pretended that thoſe who had projected his deſtruction, knowing his pride and haughtineſs, cauſed his friends at court to write to him, not to diſcover ſo much impatience in his diſgrace, but to throw himſelf abſolutely on her Majeſty's clemency, as the readieſt way to her favor. Theſe advices drew from him anſwers ſuitable to the intentions of his enemies, which being communicated to the Queen, completed his ruin. They abounded with expreſſions denoting his fury and impatience, and even intimating his deſigns. He ſaid, that a ſtorm was fallen upon him, when he expected a harveſt: that the Queen had reduced him to a private life, which was diſagreeable to him: that he was incapable of ſo vile a ſubmiſſion as was expected from him: that he had been unjuſtly impriſoned: that Sovereigns had not a power unlimited nor were infallible: that he had been wounded in every pore of his body: that his enemies triumphed, but ſhould never have the ſatisfaction to ſee him cringe to them. To theſe expreſſions, which were no ſigns of repentance, care was taken to add reports ſufficient to render the Queen for ever implacable. She was told, he had ſaid, "The old "woman is now become no leſs crooked and "diſtorted in her mind than in her body." Camden ſeems to intimate, that he deſignedly paſſes over in ſilence matters ſtill more offenſive.

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and forms dangerous projects.

which he falls into.

In all appearance, the earl of Eſſex thought all farther caution needleſs, his project being now formed, tho' his meaſures were very ill laid. Thoſe who ſpeak moſt favorably of the affair, affirm that his project was to ſeize the Queen's perſon, and drive his enemies from court, as had been more than once practiſed in Scotland with regard to King James: but Eſſex ſeems to have had deeper views, ſince he courted the King of Scotland's aſſiſtance; perhaps to place him on the throne before Elizabeth's deceaſe. It was known he had written to that Prince; that a plot was formed to deprive him of the ſucceſſion, and give the crown to the Spaniſh Infanta: that for this purpoſe the projectors who governed at court, had filled the moſt conſiderable poſts with the Infanta's adherents: that ſecretary Cecil, the late treaſurer's ſon, was at the head of this party, and had ingaged therein the lord treaſurer Buckhurſt, with the earl of Nottingham lord admiral: that, the better to execute his project, he had commited the government of the maritime places to his creatures, where the Spaniards might moſt conveniently land: that the Queen was ſo impaired in her underſtanding, that ſhe was incapable to act of herſelf, and was intirely guided by her miniſters: that he was therefore neceſſarily obliged to proceed openly to defeat this conſpiracy; and to this end, was ſpeedily to diſpatch embaſſadors to England, to demand a public declaration of his title to the ſucceſſion, and the removal of his enemies, creatures and penſioners of Spain, from court and council. At the ſame time he furniſhed him with proofs to be uſed by the embaſſadors, to demonſtrate the reality of this combination. Laſtly, he inſinuated, that his embaſſadors ſhould be ſufficiently ſupported. Camden, who wrote in the reign of James I, has not thought proper to tell us, how theſe propoſals were received by that Prince: but it may be judged they were not diſapproved, ſince preſently after he diſpatched into England embaſſadors, who however came too late. This hiſtorian adds, the earl of Eſſex gained to his party ſome Preſbyterian miniſters, and even ſome Papiſts, by commiſerating their afflicted condition under the Queen's tyrannical government, and by inſpiring them with hopes of eaſement. Then he allowed entertainment to men of the ſword, in and about London, whom he ſtationed near his houſe. After that, he eſtabliſhed a council compoſed of the earl of Southampton, ſir Charles Davers, ſir Ferdinando Gorges governor of Plymouth fort, ſir John Davis a great mathematician, John Littleton a man of good ſenſe and judgment, and equally qualified for field and cabinet.

His deſigns upon the Queen's perſon.

Writes to the King of Scotland, that a deſign was laid to deprive him of the ſucceſſion. Camden.

Entertains ſuſpected perſons. Camden.

This junto meeting in Drury houſe, the earl of

(1) Particularly of Merrick his ſteward, and Cuff his ſecretary. Camden, p. 628.

(2) This year, Queen Elizabeth erected the Eaſt-India company, and indowed it with large privileges. Ibid.

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He plots to ſeize the Queen's perſon. Camden. Treaſons of earl of Eſſex.

Eſſex gave them a liſt of certain noblemen and others of note whom he believed at his devotion, earls, barons, knights, and gentlemen, in number a hundred and twenty, and deſired them to conſult, whether it was propereſt to ſeize the palace, the Tower, or both at once. The reſult of their deliberation was, that the Queen's perſon and palace ſhould firſt be ſeized, and when ſhe was in their power, the earl ſhould diſmiſs certain perſons from her preſenſe, and turn them out of their places; but that nothing ſhould be done 'till the Scotiſh embaſſadors were arrived (1).

Is ſent for to council. Feb. 7. Camden.

Mean while, the extraordinary reſort of ſuſpected perſons to Eſſex's houſe, ſome words unwarily droped by the conſpirators, and the ſpies reports, confirming the court's ſuſpicions, the council met at the treaſurer's, and ſent one of the ſecretaries to the earl of Eſſex, to require his attendance: but, at the ſame time, a note was delivered him, adviſing him to take care of himſelf. Whereupon he told the ſecretary he was indiſpoſed and could not ſtir from home. Immediately after, he conſulted, whether he ſhould purſue his firſt project of ſeizing the palace, or attempt raiſing the city of London, or make his eſcape ſince his plot was undoubtedly diſcovered. The firſt of theſe projects was deemed impracticable, becauſe the guards had been doubled. The ſecond occaſioned long debates on the uncertainty of its execution, the Londoners diſpoſition not being ſufficiently known. In this interim, one of the conſpirators entered, affirming he came from the city, and that its inhabitance were ready to defend the earl againſt all his enemies. He added, that the ſheriff, Thomas Smith, who commanded a thouſand of the city militia, had promiſed to join him. Probably the perſon who made this falſe report had been induced to it by ſome of the principal conſpirators, who finding the earl begin to relax, was willing to ingage him ſo far as to leave no poſſibility of his receding. This was ſufficient to induce Eſſex to determine on exciting an inſurrection in the city, being perſuaded the people were diſpoſed in his favor. It was therefore agreed, that next day the earl, attended by five hundred men, ſhould enter London, and aſſembling the aldermen and common-council, require their aſſiſtance. That if the citizens were favorably inclined, they ſhould be imployed to gain acceſs to the Queen, or, in caſe of diſappointment, the conſpirators ſhould retire to ſome other part of England.

Excuſes himſelf from going.

Reſolves to execute his deſign. Camden.

Treaſons of earl of Eſſex.

Anſwerably to this determination, the earls of Rutland and Southampton went next morning to Eſſex's houſe, with three hundred gentlemen and the gates were inſtantly ſhut, and no perſon ſuffered to paſs either in or out. But ſir Ferdinando Gorges, one of the moſt zealous of his party was permited on ſome pretext to go out (2). It was probably he who diſcovered all to the court; for ſoon after the Queen ſent to the mayor of London, to order the trained-bands to be ready to march upon the firſt notice. At the ſame time, ſhe ſent to him the lord keeper, the earl of Worceſter, and ſir William Knolles (3), who were let in thro' a wicket, without any of their attendants except the purſe-bearer. In the court-yard they ſaw the earls of Eſſex, Rutland, and Southampton, ſurrounded with a croud of armed men, and the lord-keeper advancing towards them, told Eſſex, he was ſent by the Queen to know the reaſon of ſo great a concourſe. Then the earl raiſing his voice, ſaid; "He certainly knew there "was a deſign to murder him in his bed (4): that "his hand-writing was counterfeited, in order to have "a pretenſe to deſtroy him: that he had aſſembled "his friends for the ſecurity of his life, ſince his "enemies could not be ſatisfied without having his "blood." The lord-keeper anſwering, the Queen would do him juſtice, provided he would diſcover his grievances, was interrupted by a voice, crying out, "My lord, you are betrayed, they deſign "only to ruin you; we loſe time, let us be gone." Hereupon the earl made a ſign to thoſe ſent by the Queen to follow him (5), and while they were croſſing the court, they heard a confuſed noiſe, ſaying, "Kill them; away with that great ſeal; "ſecure them in priſon." When they were in the houſe, the earl told them, "If they would have a "little patience, he would go and adviſe with the "lord mayor and ſheriffs, and return immediately." He thereupon left them, and, ordering the door to be ſhut, ſet a guard upon them.

The Queen ſends to him. Camden.

'Treaſons of earl of Eſſex. Stow. Speed.

Immediately after, he began to march with his company, and entering the city, cryed out, "For "the Queen! for the Queen! a plot is laid for my "life!" then he went to the ſheriff's houſe, which was at a diſtance, and during his march was not joined by one citizen, tho' numbers led by curioſity crouded to ſee him paſs. He in vain cried out, "Arm, my friends, or you can do me no good," not a man ſtired in his favor. The ſheriff, who ſaw him approaching, withdrew by a back door to the lord mayor's. The ſheriff's flight convinced Eſſex he had been deceived when told, he might depend on his aſſiſtance. While he was at the ſheriff's, uncertain what to do, he was informed that a herald had proclaimed him a traytor, in one of the city wards, and that the earl of Cumberland had done the ſame in another. Upon this, he left the ſheriff's houſe, and crying in the ſtreets, "that "England was going to be delivered to the Infanta "of Spain, conjured the inhabitants to take arms "for the prevention of ſo great a misfortune." But ſeeing none prepare to ſecond him, and hearing withal that the lord admiral was marching againſt him with a ſtrong party, he reſolved on returning home: but coming to Ludgate, he found Leviſon poſted there with a company of ſoldiers to oppoſe his paſſage. He inſtantly ſent Gorges to deſire leave to paſs thro'; but, being denied, was obliged to return to St. Paul's. Here Gorges repreſented to him, that it would be proper to diſcharge the three counſellors, and having the earl's leave, he freed them immediately, and accompanied them himſelf to While-hall. Very ſeemingly, Gorges had betrayed him from the very begining.

who are impriſoned by him.

He marches into the city to raiſe an inſurrection; Camden.

but without ſucceſs. Stow. Speed.

Is proclaimed a traitor. Camden. Treaſons of earl of Eſſex.

Is oppoſed in his return.

Mean while Eſſex, perſiſting in his reſolution of returning home, found the ſtreet chained, and guarded by ſoldiers. As he ſaw no other way to paſs than by attaking the guard, he ordered Blunt to fall on, and ſeconded him ſword in hand, with great reſolution. But he was repulſed and ſhot thro' the hat *, and Blunt was take priſoner. This repulſes obliged him to turn off, to Queen-hithe, and taking boat with a few followers, the reſt being diſperſed, retired to his houſe on the Thames ſide (6). Being there, his firſt care was to burn ſome papers, and then fortify his houſe as beſt he could,

Camden. Stow. Speed.

* Not the thigh, as our author miſtakes.

and is immediately inveſted. Camden. Treaſons of earl of Eſſex. Stow.

(1) Sir Chriſtopher Blunt was, with a detachment, to poſſeſs himſelf of the palace-gate; Davis was to ſeize the hall; Davers the guard and preſance chambers, and Eſſex was to ruſh out of the Meuſe, and throw himſelf at the Queen's feet, Camden, p. 630.

(2) He went to ſir Walter Ralegh, who ſent for him, and waited in a boat for his coming. Camden ſays, Gorges was ſuſpected of having at that time diſcovered the whole matter to Ralegh. Camden, p. 631.

(3) And lord chief juſtice Popham. Ibid.

(4) ~~He pretended lord Cobham, and ſir Walter Ralegh, had~~ formed ſuch a deſign. See Winwood's Mem. Vol. I. p. 300.

(5) This is wrong. He went abruptly from them into the houſe, and they followed him, thinking he would have private conference with them. See Camden, p. 631, and Treaſons of Eſſex.

(6) By Temple-bar; where Deverux-court, Eſſex-ſtreet, &c. now ſtand.

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could, ſtill expecting to be relieved by the Londoners. Soon after, the lord admiral inveſted the houſe, both from the ſtreet and the gardens which reached to the river. Then, he ſummoned thoſe within to ſurrender, to which they anſwered, they would die ſword in hand. This was the opinion of lord Sands, who earneſtly preſſed Eſſex to fight his way out, repreſenting that, at the very worſt, it was more honorable to die by the ſword, than the ax, and indeed the beſieged ſeemed to be all fixed in that reſolution. But the earl of Eſſex ſuddenly changed his mind, and offered to ſurrender on theſe three conditions; that they ſhould all be civily treated; tried according to law; and that Aſhton the miniſter ſhould be ſent to him to comfort him in priſon. The lord admiral anſwered, that he ingaged for the firſt; that the Queen would doubtleſs perform the ſecond; and as to the third, he promiſed his intereſt to obtain it. Aſhton was a preſbyterian preacher. This done, the earls of Eſſex, Rutland, Southampton, the lords Sands, Cromwell, Monteagle, with Davers and Bromley, were put into boats and conducted to the Tower. The reſt were commited to other priſons. Next day the Queen by proclamation, thanked the Londoners for their fidelity, warning them withal to have a watchful eye on whatever paſſed in the city, the conſpiracy being, as ſhe ſaid, more dangerous than was imagined.

He ſurrenders;

and is, with his chief followers commited to the Tower. Rym. Fœd. Vol. XVI. p. 399. Camden. Stow.

The thirteenth of February, Thomas Lee, Eſſex's creature, and Tir-oen's intimate friend, was hanged, for ſaying to a certain officer, that it would be a glorious action for ſix brave fellows to force the Queen to releaſe Eſſex and the other priſoners. Two days after, her Majeſty iſſued a proclamation, ordering all vagrants to leave the city on pain of death. The court had notice, that great numbers of ſuch lay lurking in London, to reſcue the earl of Eſſex, when opportunity offered.

Lee executed. Camden. Stow.

Feb. 15.

At length, ſome of the priſoners having diſcovered the conſpirators moſt ſecret reſolutions, the earls of Eſſex and Southampton were tried the nineteenth of February. They were charged with the crimes above mentioned, and their ſole defenſe was, that they had done nothing but for their own preſervation; however, they could not prove their lives had been in danger. Eſſex expreſſed a diſregard of his life, but Southampton implored the Queen's mercy, and deſired the peers to interceed for him. They were both ſentented to die as traytors.

Eſſex and Southampton condemned. Camden. State-Try. Treaſons of earl of Eſſex.

Eſſex, after his condemnation, ſeriouſly reflected on his paſt conduct, and appeared very penitent. Aſhton, by his exhortations and remonſtrances, greatly contributed, towards bringing him to this diſpoſition. But becauſe this Preſbyterian miniſter adviſed him to declare whatever he knew, and probably by that means, the King of Scotland was known to be concerned in the conſpiracy, Camden ſpeaks of it in ſuch manner as ſhews he approved not this conduct. "By the impreſſions (ſays he) left "upon him by his miniſter, Eſſex could think of "nothing but damnation, unleſs he diſcovered the "whole ſcene, and confeſſed who where his com-"plices". A writer who argues thus, is eaſily perceived to be ſecretly intereſted in the depoſition of the criminal. However this be, the earl of Eſſex deſiring to ſpeak with ſome of the privy-counſellors, the lord keeper, the lord treaſurer, the lord admiral, and ſecretary Cecil went to him. He immediately aſked the lord keeper's pardon for detaining him at his houſe, and Cecil's for accuſing him of aſſerting the Infanta's title to the crown of England, and was ſincerly reconciled to both. Then he declared, that the Queen could not be ſafe while he lived, and deſired he might ſuffer privately in the Tower. He owned, that ſome of his friends and domeſtics were wicked perſons, and public peſts, and

The earl of Eſſex very penitent. Camden.

Diſcovers his accomplices.

deſired to ſpeak with Blunt and Cuff, who were inſtantly ſent for. Being come, he exhorted both to implore pardon of God and the Queen, and told Cuff that this diſloyalty was owing to his counſels. He declared that ſir Henry Nevill, embaſſador to France, was privy to the conſpiracy. This probably occaſioned that miniſter's being recalled as he was going to Paris, and ordered into the lord admiral's cuſtody. The earl of Eſſex ſaid alſo, that Montjoy, lord deputy of Ireland, and ſeveral others in Scotland, France, and the Netherlands, were acquainted with the deſign: but lord Montjoy's behavior in Ireland had ſo recommended him to Elizabeth, that ſhe took no notice of Eſſex's depoſition againſt him. In ſhort, the penitent criminal made a full diſcharge of his conſcience, and concealed nothing of what he knew. Eſſex, (ſays Camden) "thought a verbal confeſſion too little, and there-"fore being moved by the diſmal ſcene preſented "to his conſcience, by the perſon whom he choſe "to guide it, he delivered the ſame in writing "under his own hand, which his enemies ſhewing "to King James ſome time after, brought the earl "and his friends into great diſeſteem with that "Prince". Had not King James been concerned in this affair, there is no viſible reaſon why Eſſex's declarations ſhould have made him forfeit his eſteem: but, according to the earl's project, the Scotiſh embaſſadors were now on their way to London, and King James ever after ſpoke of this nobleman as of one who was his martyr.

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Windwood's Memoir. Vol. I. p. 299, &c.

Camden.

The twenty-fifth of February was appointed for the earl of Eſſex's execution. That day Elizabeth appeared ſome what irreſolute: ſhe even ſent orders to the lieutenant of the Tower to countermand his execution: but preſently after ordered him to proceed. This irreſolution, feined or real, has afforded plenty of matter for plays and romances, in which Elizabeth is repreſented as ſtruggling with love and anger, not knowing which of the paſſions ſhe ſhould obey. She was however then in her ſixty-eighth year, an age wherein the motions of love could not be very violent. But without dweling on theſe trifles, it ſuffices to ſay, that the earls of Eſſex died like a good chriſtian, with all the ſigns of a ſerious repentance. His head was not ſeparated from his body 'till the third ſtroke; but the firſt deprived him of all ſenſe of pain. Marſhal Biron being told in what manner he died, ridiculed it, and ſaid, ſuch a death was more becoming a prieſt than a ſoldier.

Is beheaded. Camden. Stow. Speed.

Camden.

Thus terminated the life and projects of the earl of Eſſex, projects which were never yet thoroughly known. Tho' they ſeem to have tended only to dethrone Elizabeth, and place England's Crown on the Scotiſh King's head, it is however not unlikely that he only uſed that Prince's title as a pretenſe to ruin Elizabeth, and that his confidence in the peoples affection inſpired him with deeper views. It is certain, the Queen had given occaſion to think ſhe had more than a common eſteem for this ſprightly peer. When he was yet but twenty one years old, ſhe forgave him what ſhe had lent his father for his expedition to Ireland; and he was the only perſon to whom ſhe was ever ſo liberal. The earl of Leiceſter dying not long after, ſhe ordered his goods to be expoſed to ſale, for payment of the ſums ſhe had lent him. Before the earl of Eſſex had done her any conſiderable ſervice, ſhe made him knight of the garter, and gave him a place in her privy-council. She continued afterwards to diſtinguiſh him from all her other courtiers, not only by the poſts, offices, and commands ſhe honored him with, but chiefly by particular marks of her favor, which were viſible to all, and made him be looked on as a favorite. Theſe favors produced their uſual effect, I mean, puffed him up with

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with pride and vanity. He could not bear that any ſhould be promoted but by his means, and was a ſworn enemy to all who partook of the Queen's confidence: nay, he grew ſo eccesſively arrogant, that he pretended to domineer even over her Majeſty, and compel her in all things to follow his advice. This procured him that unfortunate box on the ear, which, doubtleſs, inſpired him with thoughts of exemplary vengeance; for he thence-forwards began to meditate projects which proved his ruin, and might have been attended with that of the Queen herſelf; ſo careful ought Sovereigns to be, not to affront perſons of honor. His family was originally from Evreux in Normandy, and thence borrowed its ſur-name. It was noble and ancient, as may be infered from his alliances with the prime nobility of England, among whom ſome were of the blood royal. Walter D'Evreux, his father, was however the firſt of his houſe dignified with the title of earl (1).

Some of his accomplices executed. Camden. Treaſons of earl of Eſſex. State-Try. Stow.

The earl being dead, his chief accomplices were brought to their trials (2). In Blunt's examination, Eſſex's written confeſſion was read to him. Blunt ſeeing it ſigned with the earl's own hand, was ſo confounded, that he could only ſay, with up lifted eyes, "Lord thou knoweſt from what "deſigns I indeavored to divert him". Next was read the confeſſion of Lee, who had been executed, in which he ſaid, Blunt had permited him to ſend to the earl of Tir-oen, who told the meſſenger, "that if Eſſex would be guided by him, "he would make him the greateſt man in Eng-"land". Lee had likewiſe depoſed, that the two earls and Blunt were in the ſame plot, and formed the ſame projects. Blunt made a weak defenſe, as did alſo Davers, Davis, Cuff the earl's ſecretary, and Merick his ſteward, and they all received ſentence of death. Blunt ſaid, upon the ſcaffold; that for three years he had obſerved the earl was diſcontented, and fired with ambition: that when they were in Ireland, the earl told him his deſign of taking with him the flower of the army; of ſeizing Milford-haven in Wales; of raiſing men in thoſe parts, and marching directly to London; that he had diſſuaded him from ſuch a dangerous and difficult undertaking; but had indeed adviſed him to take a ſelect company of men and ſeize her Majeſty's perſon, and in her name to act afterwards as he ſaw convenient: "but, added "Blunt, tho' it is true, that in all our debates "we never thought of imbruing our hands in the "Queen's blood, yet had we ſucceded, I cannot "ſay but her life might have been in danger". He declared, that he died a Roman Catholic, but ſuch a one as ſolely relied on the merits of Chriſt's death and ſufferings.

The Queen pardons ſeveral conſpirators. Camden. Rym. Fœd. Vol. XVI. p. 421, &c. 452---458.

The Queen and council believed it prudent to limit juſtice to the execution of theſe few perſons, by reaſon of the number and quality of the complices. The earl of Southampton was detained in priſon, and the reſt were fined, tho' very few paid their fines. Henry Nevill was only condemned to impriſonment during the Queen's pleaſure, though it was proved againſt him that he knew of the conſpiracy, and made no diſcovery (3).

Embaſſadors from Scotland. p. 427. Camden. Stow.

The earl of Mar and lord Kinloſs, the Scotiſh ambaſſadors, arrived to late, when Eſſex was in cuſtody. It is well known, on what account the earl of Eſſex had required them, but we are ignorant of the inſtructions given them by King James concerning the plot. Nevertheleſs, it may with good probability be inſerted from Eſſex's propoſal, and the arrival of theſe embaſſadors juſt as the conſpiracy took vent, that Scotiſh King was not againſt it. Howſoever this be, theſe embaſſadors confined themſelves to congratulate her Majeſty on the diſcovery of ſo dangerous a plot: to demand the puniſhment of one Valentine Thomas, who in 1568 had accuſed their maſter of ill deſigns againſt the Queen, for which he was now in priſon: to complain that two Engliſh fugitives had been by ſtratagem drawn out of Scotland, whither they had fled for protection: and laſtly, to demand the aſſignment of ſome lands in England for the King their maſter (4). Elizabeth, without taking notice of what ſhe knew, replied; ſhe very kindly received the King's congratulation, and wiſhed that no ſuch thing might ever happen in his kingdom: that ſhe had not put to death the ſaid Valentine purpoſely to ſhew how little ſhe credited his depoſition: that the two fugitives had been adroitly recovered by the warden of the March, who was faulty in ſuffering them to eſcape, and that ſhe was aſtoniſhed the King of Scotland ſhould demand them, ſince to protect the ſeditious ſubjects of another Prince, was teaching his own to rebel, that as to aſſigning the ſpecified lands ſhe had given a ſufficient anſwer before; however, ſhe would make a yearly augmentation of two thouſand pounds, provided he would ſincerely maintain their mutual friendſhip, without ſuffering himſelf to be influenced by ſuch as ſought their own private advantage in the public calamities.

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Their demands.

The Queen's anſwer.

The ſiege of Oſtend, commenced this year in July, furniſhed copious matter for a hiſtory of the Netherlands. Sir Francis Vere, the firſt governor during this ſiege, and the Engliſh troops which ſerved under him, ſignaliſed themſelves very gallantly, and were a great honor to their nation (5).

Oſtend beſieged. Grotius. Camden.

Henry IV came to Calais in Auguſt, as if to take a nearer view of what paſſed at the ſiege; and this gave the archduke ſome uneaſineſs: but this journey was not ſo much to obſerve the ſiege, as to confer more commodiouſly with Elizabeth on his project againſt the houſe of Auſtria. Mezerai pretends, Elizabeth firſt conceived this deſign, and earneſtly deſired to confer in perſon with Henry, in a veſſel between Dover and Calais: but I cannot readily believe that at her age, and iſſueleſs as ſhe was, that provident Queen would form a deſign of this nature, the execution whereof required much time and expenſe. I ſtill leſs believe, that ſhe would have expoſed herſelf to the dangers of the ſea, to confer with Henry, whom for ſome time ſhe had neither valued nor truſted. It is more probable this Prince, meditating then the deſign which he would have afterwards executed, was deſirous to engage Elizabeth in it. The Engliſh hiſtorians only ſay, that the Queen hearing of King Henry's arrival at Calais, ſent ſir Thomas Edmunds to compliment him in her name, and that

Mutual compliments between Henry IV. and Elizabeth. Thuanus. Mezerai. Camden.

Stow. p. 796. Thuanus.

(1) He was beheaded in the 34th year of his age Oſborn, and ſome others, affirm, that he was cut off by the intrigues of ſir Robert Cecil, that he might have no competitor in the management of ſtate-affairs. Sect. 23, 24.

(2) Sir Chriſtopher Blunt, ſir Charles Daver, ſir John Davis, ſir Gillie Mericke, and Henry Cuff, were tried march 5. Mericke and Cuff were executed at Tyburn, march 13, and ſir Chriſtopher Blunt, and ſir Charles Davers, beheaded on Tower hill, march 18.

(3) By Winwood's Memorials Vol. I. it appears, that ſir Henry Nevil was with Eſſex as a ſpy from ſecretary Cecil.

(4) Their buſineſs alſo was to clear King James of the imputations thrown upon him, for dealing with the Pope, and King of Spain, and for ſuffering his ſubjects to carry proviſions to the Iriſh rebels. Winwood's Mem. Vol. I. p. 324.

(5) See a liſt of the Engliſh ſlain at this ſiege, in Camden, p. 642. Compl. Hiſt. John Carew of Antony Eſq; having one of his arms ſhot off in a ſally, and carried at a great diſtance from him, went and took it up without any concern, as if he had felt no pain, and brought it into the Town. Ibid.

in

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in return, Henry ſent marſhal Biron, and count D'Auvergne, with duke D'Aumont, who were very graciouſly received. Mezerai adds, that Elizabeth ſhewed theſe French lords Eſſex's ſcull in her cabinet: but Camden has confuted this in his Annals, by affirming, the head was buried with the body. He ſays only, that the Queen, ſpeaking to marſhal Biron concerning the earl of Eſſex, told him, that it was her advice to the King of France, never to ſpare the heads of thoſe who attempted to diſturb his tranquillity.

Monopolies complained of. D'ewes, p. 597, &c. Townſhend. p. 192. &c.

The parliament meeting in October, great complaints were made in the lower-houſe, concerning ſeveral monopolies authoriſed by the Queen's letters-patent, which gave private perſons the ſole privilege of ſelling certain commodities, excluſively of all others. Elizabeth being informed, that the commons conſidered theſe monopolies as ſo many infringements on her ſubjects privileges, annulled moſt of theſe grants, and left the reſt to be tried juridically. This procedure, even before ſhe had been addreſſed, was ſo pleaſing to the commons, that a hundred and forty of their members were appointed to wait on her with their thanks. She neglected not this opportunity of teſtifying to the houſe her great affection for her people. When ſhe had received the ſaid deputies compliment, ſhe returned the following anſwer.

The Queen annuls them.

She is thanked by the commons. Camden.

GENTLEMEN.

Her ſpeech to the commons deputies.

"I Owe you hearty thanks and commendations for your ſingular good will towards me, not only in your hearts and thoughts, but which you have openly expreſſed and declared, whereby you have recalled me from an error proceeding from my ignorance, not my will. Theſe things had undeſervedly turned to my diſgrace (to whom nothing is more dear than the ſafety and love of my people) had not ſuch harpies and horſe-leaches as theſe been made known and diſcovered to me by you. I had rather my heart or hand ſhould periſh, than that either my heart or hand ſhould allow ſuch privileges to monopoliſts as may be prejudicial to my people. The ſplendor of regal majeſty hath not ſo blinded mine eyes, that lincencious power ſhould prevail with me more than juſtice. The glory of the name of a King may deceive Princes who know not how to rule, as gilded pills may deceive a ſick patient. But I am none of thoſe Princes: for I know that the common-wealth is to be governed for the good and advantage of thoſe who are commited to me, not of my ſelf to whom it is intruſted; and that account is one day to be given before another judgment-ſeat. I think my ſelf moſt happy, that by God's aſſiſtance I have hitherto ſo proſperouſly governed the common-wealth in all reſpects; and that I have ſuch ſubjects as, for their good, I would willingly leave both kingdom and life alſo. I beſeech you, that whatever miſdemeanors and miſcarriages others are guilty of, by their falſe ſuggeſtions, may not be imputed ſo me: let the teſtimony of a clear conſcience intirely in all reſpects excuſe me. You are not ignorant, that Princes ſervants are oftentimes too much ſet upon their own private advantage; that the truth is frequently concealed from Princes, and they cannot themſelves look narrowly into all things, upon whoſe ſhoulders lieth continually the heavy weight of the greateſt and moſt important affairs.

Elizabeth had the good fortune to be believed when ſhe ſpoke in this manner, becauſe in reality the Engliſh, under her reign, were the happieſt people in the whole univerſe. They ſaw no deſigns upon their liberties, nor any infringement on their privileges incouraged. Juſtice was adminiſtered impartially, the crown-revenues, and the ſubſidies, granted by parliament for the public occaſions, were not vainly laviſhed. They had therefore reaſon to think their Sovereign truly loved them, ſince ſhe made them injoy ſuch ſingular felicities (1). Some of this illuſtrious Queen's ſucceſſors have talked in the ſame manner to their parliaments, nay, it is in great meaſure become cuſtomary: but they have not all gained the ſame credit, becauſe it is not words but deeds which perſuade. Nor did this terminate only in reciprocal compliments. The commons, willing to ſhew their gratitude to their benevolent Princeſs, granted her the largeſt ſubſidy they had ever given ſince her reign commenced. Happy are ſuch of the Kings of England as, by a free and ſincere conduct, wiſely preſerve ſo good a correſpondence between them and their parliaments.

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The war in Ireland was carried on this year more ſucceſsfully than in the two former. The rebels however received from Spain ſuccors under command of Don Juan de Aguilar, who landed at Kingſale, and poſſeſſed himſelf of the town. He inſtantly publiſhed a manifeſto, declaring that Elizabeth being rightfully depoſed by his Holineſs, her ſubjects were abſolved from their oath of allegiance, and he was come to deliver Ireland from the jaws of the devil. But inſtead of making the progreſs he expected, he found himſelf beſieged in Kingſale, by the lord deputy. The earl of Tir-oen ſoon after advancing towards the Engliſh to raiſe the ſiege, was utterly routed, after which the Spaniſh general was forced to capitulate. He was permited to retire with his forces into Spain, having firſt ſurrendered the forts he had taken. This capitulation was ſigned the ſecond of January 1602. During this winter's reſidue, the lord-deputy had ſuch ſucceſs againſt the rebels, that Tir-oen affairs were reduced to a very indifferent ſituation.

Continuation of the Iriſh war. Camden. Stafford's Hib. Pac. Succors from Spain to the earl of Tir-oen. Sept. 23. p. 789. &c.

His defeat.

TheSpaniards withdraw.

AN' 1602.

Mean while Elizabeth, to divert the Spaniards from making freſh attemps upon Ireland, armed eight large ſhips, with ſome others of ſmaller burden, under conduct of ſir Richard Leviſon and ſir William Monſon. Theſe two commanders being ſeparated, Leviſon met with thirty eight Spaniſh veſſels coming from Weſt-India, and attacked them, but without ſucceſs. Monſon joining him ſome time after, they together ſet upon a huge carac of ſixteen hundred tons, richly laden from Eaſt-India, and which lay under the caſtle of Zizambra in Portugal, where ſhe was guarded by eleven gallies commanded by Spinola. Notwithſtandig the difficulty of this enterpriſe, they attacked the carac, and diſperſing the gallies took that rich prize, valued at a million of ducats, and, with the loſs of only twelve men, brought it ſafe to England.

Fleet againſt Spain. March. Camden.

A rich Spaniſh carac taken.

In September following, Spinola, with ſix gallies he had ſaved, ſailing for Flanders, met in the channel ſome Engliſh and Dutch ſhips, with whom he had a ſmart ingagement. Two of his gallies were ſunk, one taken, and with the other three he retired into Sluys.

Gallies taken by the Engliſh.

This ſame year, happened a furious conteſt in England between the Jeſuits and the Secular prieſts. Theſe accuſed the Jeſuits of being the ſole cauſe of the ſevere laws inacted againſt Catholics, becauſe they had been concerned in all the conſpiracies, and had even ſuborned villains to aſſaſſinate her Majeſty.

Quarrel between the Jeſuits and Secular prieſts. Camden.

(1) Sir Robert Naunton partly aſcribes the cauſe of this mutual love, between the Queen and her parliaments, to the choice of parliament-men. For, ſays he, I find not that they were at any time given to any violent or pertinacious diſpute, elections being made of grave and diſcreet perſons, not factious and ambitious of fame; ſuch as came not to the houſe with a malevolent ſpirit of contention, but with a preparation to conſult on the public good, Frag. Reg. p. 14.

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When this quarrel was at the height, Elizabeth had intelligence, that the Jeſuits, and ſuch of the Secular prieſts as eſpouſed their principles and party, were hatching ſomewhat againſt the government. Thereupon ſhe baniſhed them the realm by proclamation, prohibiting, under pain of immediate death, their ever returning to England. The other Secular prieſts, who adhered not to the Jeſuits, were alſo liable to a like penalty, in caſe they refuſed taking the oath of allegiance.

Proclamation againſt the Jeſuits. Rym Fœd Vol. XVI. p. 473, 489.

It was alſo in the courſe of this year, that King Henry IV of France cauſed marſhal Biron's head to be ſtruck off, for conſpiring with others to diſmember the Gallic monarchy. This marſhal had been his right hand, while his affairs were in a bad poſture: but ſince the pacification with Spain, he thought the beſt way to procure quiet was to gain by favors ſuch of the French nobility as had moſt oppoſed him. This could not be effected without neglecting his old friends, and thence aroſe the plot whereof marſhal Biron was principal. His accomplices, as count D'Auvergne, and ſome others, eaſily obtained their pardon. But marſhal Bouillon, who was alſo of the number, deemed it ſafeſt to withdraw into Germany, whence he wrote to Elizabeth, praying her to interceed in his behalf. King Henry likewiſe wrote to her, acquainting her with the conſpiracy, and aſking her advice concerning marſhal Bouillon. Her Majeſty replied, ſhe could not adviſe him, 'till ſhe knew certainly if the marſhal was guilty: ſhe warned him alſo, to take care it was not a Spaniſh artifice to make him entertain ſuſpicions of his beſt ſubjects. But Henry, not conſidering the marſhal as ſuch, told the Engliſh embaſſador, that the Queen his miſtreſs had a better opinion of Bouillon than he deſerved, ſince it was certain he was deeply concerned in Eſſex's plot, and had not even diſowned it.

Conſpiracy againſt Henry IV. Thuanus. Camden.

Bouillon requeſts Elizabeth to intercede for him. Camden.

Tir-oen's affairs in Ireland daily declined. The lord deputy having cloſely purſued him, without giving him any reſpite, even to the places where he judged himſelf ſecureſt, finally conſtrained that rebel to caſt himſelf on the Queen's mercy; but would not receive his ſubmiſſion without expreſs order from court. The order coming at laſt, the earl of Tir-oen ſurrendered to the lord-deputy, who determined on conducting him over to England and preſenting him to her Majeſty.

Tir-oen ſubmits to the Queen. Camden. Stafford's Hib. Pac. Stow.

AN' 1603.

Near the cloſe of January 1603, Elizabeth began to feel the firſt attacks of a diſtemper which not long after laid her in the earth. Her being obliged to have a ring ſhe wore on her finger filed off, was conſidered as a bad omen, becauſe ſhe was wont to ſay, with that ring ſhe had been married to her people. As ſhe was now well advanced in years, it was readily conjectured ſhe would not recover. Accordingly, ſome time before her death, ſhe had the mortification to ſee herſelf forſaken by moſt of her creatures, who ſtrove with emulation to court the favor of the Scotiſh King, her preſumptive ſucceſſor. This threw her into a melancholy, the cauſe whereof could not poſſibly be concealed, eſpecially as it was openly talked of ſending for King James before ſhe expired. In the begining of March, ſhe was ſeized with a heavineſs in all her limbs, which rendered her motionleſs, and even made her ſpeak with much difficulty. This was attended with great frowardneſs, ſo that ſhe could not bear any one near her but the archbiſhop of Canterbury, who comforted her, and joined with her in prayer. In ſhort, when ſhe was perceived approaching her laſt hour, the council ſent the lord admiral, the lord privy-ſeal and the ſecretary, to pray her to name her ſucceſſor. She faintly anſwered, "That ſhe had always ſaid, her throne was the "throne of Kings, and ſhe would have no mean "perſon to ſucceed her." The ſecretary repreſenting to her, that theſe words were very obſcure, and the counſel deſired ſhe would declare her pleaſure in plainer terms, "I will (ſaid ſhe) that a King "ſucceed me: and who ſhould that be but my "neareſt kinſman, the King of Scots?" Then being admoniſhed by the archbiſhop to fix her thoughts upon God, "That I do (ſaid ſhe) neither doth my "mind wander from him at all." When ſhe could no longer pray with her tongue, ſhe lifted up her hands and eyes heaven-wards, and giving ſome other ſigns of her confidence in God's mercy, ſhe expired on the twenty-fourth of March, Old Style, in the ſeventieth year of her age, and the forty-fourth of her reign (1).

Her courtiers forſake her. Camden. Welwood.

She becomes melancholy. Camden. Speed.

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She names for her ſucceſſor the King of Scots. Camden.

Elizabeth's death. Camden.

To diſplay in few words the elogy of this illuſtrious Queen, it ſeems to be ſufficient to obſerve, that her name is ſtill of bleſſed memory with the Engliſh, now when flattery cannot be ſuppoſed to have any ſhare in the veneration they pay her: but Elizabeth was the perſon who baniſhed Popery from England and reſtored the Reformation. This alone was the cauſe why two parties have been formed on her account, mutually taxing each other with flattery or rancor. The Proteſtants, conſidering that this Queen was the ſole bulwark of their religion, which probably without her would have been deſtroyed in England, Scotland, Ireland, and poſſibly even in France and the Netherlands, cannot forbear beſtowing on her high commendations, and feel themſelves inclined to excuſe her failings. For the ſame reaſon, the Romaniſts regard her with a quite different eye; nay, ſome have not ſcrupled painting her in the blackeſt colors, and giving her the moſt odious epithets. This makes it impoſſible to draw up for her a character which ſhall give univerſal ſatisfaction: wherefore I ſhall content myſelf with making ſome reflections, which will aſſiſt thoſe who ſeek only truth, to paſs on this famous Queen impartial judgment, free from party-paſſion and prejudice.

Her character.

Elizabeth had a large portion of ſenſe, and a judgment naturally ſound and ſolid: this appeared in her whole conduct, from the begining to the end of her reign. Nothing better manifeſts her capacity, than her addreſs in ſurmounting the difficulties and troubles created by her enemies, eſpecially when it is conſidered what theſe enemies were, the moſt powerful, the moſt artful, the moſt ſubtil, and the leaſt ſcrupulous in Europe (2). The bare naming them is a ſufficient demonſtration. The court of Rome under ſeveral Popes, Philip II King of Spain, the Duke of Alva, Henry II and Charles IX Kings of France, Catherine di Medicis, the duke of Guiſe, the cardinal of Lorrain, Mary Queen of Scots, all the Romiſh clergy, and particularly the Jeſuits. Had her forces been proportionable to thoſe of her adverſaries when united, there would be nothing very extraordinary: ſtrength often ſupplies the want of capacity. But in what manner did ſhe withſtand ſo potent, ſo formidable enemies? It was by two or three maxims which ſhe made the rule of her conduct, and from which ſhe never ſwerved: "To make herſelf beloved by "her people: to be frugal of her treaſure: to "cheriſh diſſenſion among her neighbors." If cir-

Her ability.

(1) She lived ſixty-nine years, ſix months, and ſeven days; and reigned forty-four years, four months, and eight days, and lies buried in Henry the VIIth's chapel, Weſtminſter.

(2) Pope Sixtus V uſed to ſpeak of Queen Elizabeth, and the King of Navarre, as the only Princes who underſtood what it was to govern; and profanely wiſhed, he might injoy Elizabeth but one night, ſaying, they would beget a new Alexander the Great between them. Burnet's Ref. Vol. II. p. 417.

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Rapin Vol. II. P. 387.

Ex Collec R. Mead M.D.

R. Shiffpard Sculp.

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cumſtances be rightly conſidered, ſhe had no other way to ſecure herſelf. It cannot therefore be denied, that this is a clear evidence of her ability: but as that was never queſtioned, it is not what I am chiefly to deſcribe. On the contrary, her enemies have thence taken occaſion to defame her, by repreſenting as vices diſguiſed what her friends extol as ſo many virtues. They pretend, that her ability conſiſted wholly in a moſt exquiſite diſſimulation, and a profound hypocriſy: in a word, they ſay, ſhe was a perfect comedian. As to myſelf, I pretend not to deny that ſhe made great uſe of diſſimulation, as well to the courts of France and Spain, as to the Queen of Scotland and the Scots: this would be denying a manifeſt truth: the Pope's was the only court with which ſhe never diſſembled. I am alſo perſuaded that, being ſo much concerned to gain the love and eſteem of her ſubjects, ſhe affected to ſpeak frequently and with exageration of her tenderneſs for them, and deſired to have it believed that ſhe did, thro' exceſſive love for her people, things wherein her own intereſt was moſtly concerned: but the queſtion is to know, whether in her circumſtances her diſſimulation was blameable. What injury was it to her ſubjects to indeavor to perſuade them, ſhe dearly loved them, ſince ſhe actually and really did whatever was neceſſary to convince them? As to foreigners, it muſt be carefully obſerved, that her diſſimulation and artifices tended not to invade their poſſeſſions, but to preſerve her own. Her enemies frequently attempted to deprive her both of crown and life, and ſhe ſaved both by her policy and diſſimulation. Where is the hurt of ſuch a conduct? Can the diſſimulation and artifices which aim only at ſelf-preſervation be, without extreme prejudice, confounded with the diſſimulation and artifices which tend to ſurpriſe the innocent, and invade the property of others; can theſe, I ſay, be conſidered upon the ſame foot? For my own part, I am ſo far from looking on this kind of diſſembling as any blemiſh to Elizabeth's reputation, that I am rather of opinion, it ought to be reckoned among her commendable qualities.

Her diſſimulation.

Of her avarice. Oſborn.

Avarice is another failing, imputed to her even by her friends. I will not gainſay her having been ſomewhat too penurious, and that, on certain occaſions, ſhe adhered too cloſely to her maxim, not to be at any expenſe but what was abſolutely neceſſary. Nevertheleſs, I in general maintain, that her circumſtances required her, if not to be covetous, at leaſt not to part with her money but with the greateſt caution, both to preſerve her peoples affection, and inable her to repulſe her adverſaries. After all, whom did ſhe prejudice by her great frugality? A dozen of ravenous courtiers, who very gladly would have had her laviſh her treaſure, as did the King her father in the begining of his reign. As for the reſt of her ſubjects, inſtead of having cauſe to complain of this pretended avarice, they had reaſon to be pleaſed with it, ſince it conſiſted not in ſpoiling them of their property by illegal methods, as Henry VII, her grandfather, had done, but in prudently managing her revenues, and conſequently their own (1).

Slanders on her chaſtity.

She is likewiſe accuſed of not being ſo chaſte as ſhe affected to appear: nay, ſome pretend, there are now in England the deſcendants of a daughter ſhe had by the earl of Leiceſter. But as hitherto no proof of this accuſation has been produced, it may be ſafely reckoned among the calumnies wherewith her reputation has been attacked, as well during her life as ſince her deceaſe.

ELIZAB. AN' 1603.

Reflections on the Scotiſh Queen's death.

It is not eaſy to juſtify her concerning Queen Mary of Scotland. Here it muſt freely be owned, that ſhe ſacrificed equity, juſtice, and perhaps her own conſcience, to her ſafety. If Mary was guilty of her huſband's murder, as there is reaſon to believe, it belonged not to Elizabeth to puniſh her: nor in reality did ſhe on that account deprive her of life, but ſhe uſed that pretext to detain her in priſon, under the fallacious excuſe of manifeſting her innocence. On this occaſion her diſſimulation was truly cenſurable. This firſt injuſtice ingaged her afterwards to uſe numberleſs arts and devices to have a pretenſe to perpetuate the unhappy Queen's impriſonment. Hence finally aroſe the fatal neceſſity of bringing her to the ſcaffold. Then, this exceſs of violence gave birth to more artifices and acts of diſſimulation to juſtify herſelf, and throw the blame on a very innocent perſon. This is indiſputably a great ſtain on Elizabeth's character, and which manifeſtly proves to what height ſhe carried the fear of loſing a tottering crown. This continual apprehenſion is what characteriſes her reign, becauſe it was the ſpring of almoſt all her actions. All can be ſaid for Elizabeth is, that Mary and her partiſans had brought matters to ſuch a point, that one of the two Queens was to periſh, and it was natural for the weakeſt to fall: but this excuſes not Elizabeth's injuſtice to Mary in detaining her a priſoner, which injuſtice had no other foundation than Elizabeth's fear concerning her crown.

Of Elizabeth's religion.

I come now to Elizabeth's religion. I believe her being truly a Proteſtant was not ever queſtioned: but, as it was her intereſt to be ſo, ſome have taken occaſion to doubt, whether the zeal ſhe expreſſed for her religion was the effect of her real perſuaſion or policy. What may have occaſioned this doubt is, that it clearly appears, in her hiſtory, that, in aſſiſting the Proteſtants of France and the Netherlands, as well as thoſe of Scotland, ſhe had only temporal views, namely, her own ſafety and defenſe againſt menaced invaſions: but it cannot thence be infered ſhe was not a good Proteſtant, or had no religion at all, it not being any way impoſſible that her religion ſhould agree with her temporal intereſt. All can be alledged is, that ſhe ſometimes prefered her temporal before her religious concerns.

Of her perſecuting the Papiſts;

She is virulently charged with perſecuting the Catholics, and puting to death many. Very true it is that ſome ſuffered death in her reign: but we may venture to affirm, that none were puniſhed but for conſpiring againſt the Queen or ſtate, or for attempting to deſtroy the Proteſtant religion in England, and by violent methods re-eſtabliſh Popery. The Catholics who lived peaceably were tolerated, tho' with ſome reſtraint as to the exerciſe of their religion, but with none as to their conſciences. If this may be termed perſecution, what name ſhall be given to the Proteſtants ſufferings under Mary (2)?

and the Puritans.

The Preſbyterians think alſo, they have reaſon to complain of the ſtatute inacted in this reign, which deprived them of liberty of conſcience, tho' they were Proteſtants. I ſhall not take upon me to determine, whether they had cauſe to complain of

(1) She was not ſo covetous, but that four ſubſidies having been granted her in one of her parliaments, and finding that three would do her buſineſs, ſhe by proclamation diſcharged the fourth, and ſo much of the other three as was not levied. Bohun Char. of Eliz. p. 158.

(2) Even the Secular prieſts ſhewed in their writings: That in the eleven firſt years of Queen Elizabeth's reign, not one Papiſt was perſecuted for religion; in ten years after the publication of Pope Pius V's bull, not above twelve prieſts had been put to death, and moſt of them for treaſon, 'till the year 1580, when the turbulent and reſtleſs Jeſuits firſt ſet foot in England; and yet, in the ten next years after that, not above fifty prieſts were executed, and fifty-five baniſhed. Camden, p. 649.

this

Eliz. An' 1603.

this rigor: I ſhall only ſay that, in my opinion, they were too obſtinate, and their adverſaries ſomewhat too uncharitable.

Elizabeth's juſt praiſe.

To ſum up in very few words what may ſerve to form Elizabeth's character, I ſhall add, that ſhe was a good and illuſtrious Queen, with many virtues and noble qualities, and few faults. But what ſhe ought above all things to be eſteemed for is, that ſhe made the Engliſh injoy a felicity unknown to their anceſtors, under moſt of the Kings her predeceſſors. This is doubtleſs the teſt whereby we are to judge of thoſe whom the Almighty has appointed to be our rulers. Eliz. An' 1603.

END of the Seventeenth Book.

BOOK XVIII.

Containing the Reign of JAMES I.

JAMES I. Firſt Monarch of Great Britain, and twenty-fourth King of England ſince the Conquest.

James I. An' 1603.

The council proclaim James I. March 24. Wilſon. Stow.

NO ſooner had Queen Elizabeth breathed her laſt, but the council met to conſult what meaſures were to be taken in the preſent juncture. Elizabeth, who had delayed naming her ſucceſſor 'till the ultimate period of her life, finally declared the King of Scotland was, next herſelf, to aſcend the Engliſh throne; nor was it doubted but her will agreed with this declaration: ſo the council deemed it neceſſary to be previouſly aſcertained by peruſing the deceaſed Queen's teſtament, which was immediately opened, and found to confirm what ſhe had verbally declared. The Scotiſh King had therefore in his perſon a threefold right, which rendered his title indiſputable. The firſt was what is in England termed a Parliamentary Right, which derived its validity from the act of parliament ſecuring the crown to Henry VII, and his heirs. The ſecond was Hereditary Right; for this Prince was the neareſt relative, and natural heir to Elizabeth. Theſe two rights were farther corroborated by her ſaid late Majeſty's will, which made the third. Wherefore the council readily judged he ought to be acknowledged for King of England. This reſolution being imparted to the lord-mayor of London, the new King was proclaimed, by the ſtile of James I, ſix hours after the Queen's demiſe.

Rym. Fœd. Vol. XVI. p. 494.

Stow. Spotſwood.

James informed of his acceſſion to the crown of England. Stow. Welden.

Tho' the council had been careful to ſend the King the news of his acceſſion to the crown of England, ſir Robert Carey, lord Hunſdon's youngeſt ſon, found means to be before them. James, who impatiently expected theſe tidings, did however receive them without changing countenance, the Queen's indiſpoſition affording him time to be compoſed whenever the news ſhould arrive: nevertheleſs, he could not forbear lifting up his eyes towards Heaven, ſeemingly to thank God for the favor he had ſo impatiently expected. Elizabeth would never poſitively declare ſhe intended to nominate him her ſucceſſor. She contented herſelf with keeping him in hope, but in ſuch a manner that ſhe ſeemed to reſerve the power of depriving him of the ſucceſſion, if ſhe diſliked his conduct. James's correſpondence with the earl of Eſſex, which, tho' connived at, was not unknown to the Engliſh court, might give him ſome apprehenſions: beſide, Elizabeth never loved him; whether becauſe he was ſon of her mortal enemy, or had expreſſed too much impatience to poſſeſs the crown of England, or, in fine, on account of his inclination to the Papiſts. All theſe reaſons made this Prince very uneaſy under the expectation of a crown to which his birth intitled him, but which he might notwithſtanding have miſſed, had Elizabeth been pleaſed to take meaſures for his deprivation: wherefore the news of that Queen's death could not but be agreeable to him, ſince, by his correſpondence with one of the chief miniſters, he was aſſured ſhe had done nothing to his prejudice. James I. An' 1603. Du Cheſne Hiſt. d'Angleterre.

Preſently after Carey's arrival, came ſir Charles Percy and Thomas Somerſet, who, by the Engliſh council's order, notified to him her Majeſty's demiſe, and the council's diligence in proclaiming him (1). Theſe were followed by ſir Thomas Lake, who was ſent by the council to inform him of the kingdom's ſtate and condition. Stow. Spotſwood.

While the news of King James's acceſſion to the crown was haſtening to Scotland, the Engliſh were reflecting on the alterations which Queen Elizabeth's death was like to produce. The people in general lamented the loſs of their Queen. They had been happy under her, and were not ſure their happineſs would continue in the new reign. A King of Scotland on the throne of England, was in general no pleaſing object: beſide, ſince James was paſſed his minority, he had not given of himſelf any very advantageous idea. His unſteadineſs; weakneſs for Reflections of the Engliſh.

(1) The council's letter to him begins with theſe pompous words, Right high, right excellent and mighty Prince, and our dread Sovereign Lord, &c. See Spotſwood, p. 473.

his

Place before this Reign.

JAMES THE FIRST KING OF GREAT BRITAIN, FRANCE, AND IRELAND, &c.

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JAMES I. AN' 1603.

his favorites; inclination to the Papiſts, whereof he had, on diverſe occaſions, given viſible marks; all theſe, I ſay, were not qualities apt to prepoſſeſs the Engliſh in his favor. It was however hoped, he would tread in the ſteps of the illuſtrious Queen, his immediate predeceſſor; that being judged the beſt courſe he could follow: and what is deſired, is readily credited. As for the deceaſed Queen's miniſters and courtiers, the good and welfare of the realm was what leaſt affected them: every one was wholly intent on gaining favor with the ſucceſſor. Towards the cloſe of the late reign, there were two factions at court, the one conſiſting of Eſſex's friends, and the other of his enemies. The firſt was intirely humbled by the death of that earl; and the other had ſo far the aſcendant, that they abſolutely ruled in the council. Sir Robert Cecil, ſecretary of ſtate, and the late lord-treaſurer's ſecond ſon, was at the head of this party: but this politic courtier, foreſeeing that on Queen Elizabeth's deceaſe his party muſt inevitably ſink, King James, conſidering the earl of Eſſex as his martyr, had taken timely meaſures for his ſupport. Before her late Majeſty's death, he had devoted himſelf to the King of Scotland, and held a private correſpondence to inform him of what paſſed at court; by which means he had ſecured that Prince's favor, tho' it was not without danger of loſing the Queen's, had ſhe been informed of his intrigues (1). He was the only man of his party who had gained the new King's good graces, which he ſo artfully cultivated, that he ſoon became his prime miniſter.

Sir Robert Cecil devoted to King James before Elizabeth's deceaſe. Weldon.

Wilſon, p. 662.

The hopes and fears of the Engliſh with regard to religion. Speed.

There was likewiſe another particular which ingaged the attention of the Engliſh, viz. Religion. James's deportment in Scotland gave occaſion for ſundry reflections, which kept people in uncertainty, none knowing poſitively what was to be hoped or feared. This King was born of Romiſh parents, but being taken from his mother in his infancy, had been educated in the Proteſtant religion, and always profeſſed it. On the other hand, the religion he had been brought up in, tho' Proteſtant, was ſomewhat different from the religion eſtabliſhed in England, if not in doctrine, at leaſt in diſcipline, and ſome other points of external worſhip, which were conſidered by the two churches as very important; in a word, it was the Preſbyterian or Puritanical religion: yet had this Prince, on numberleſs occaſions, made evident that he was far from being Popery's adverſary. All this formed a certain contraſt, which bred a ſuſpenſe almoſt univerſal. The Catholics hoped to find under his government gentler treatment, and more indulgence than under Elizabeth; nay, they carried their expectations much farther. The Preſbyterians flattered themſelves, that James, who had been educated in their perſuaſion, would promote reforming the Engliſh church upon the plan of the Scotiſh kirk, and hoped ſpeedily to ſee the eccleſiaſtical hierarchy's overthrow. Laſtly, thoſe of the church of England thought to have reaſon to expect that the new King would conform to their religion, ſince it was eſtabliſhed by law: nevertheleſs, the hopes of all three parties could not but be mixed with fears, ſince the King had not yet declared. Such were the ſentiments of the Engliſh concerning their new King, whom as yet they knew only by report.

James ſets out for England. Stow. p. 819, &c. Spotſwood. Weldon.

Soon as James was, by thoſe diſpatched from the council of England, informed of his being proclaimed, he ſent away Aſton, to acquaint the privy counſellors, that he was preparing for his journey, and accordingly he left Scotland the fifth of April, eleven days after Elizabeth's death. The chief Scotiſh grandees, by whom he was attended into England, were the duke of Lenox, the earl of Mar, lords Hume and Kinlaſs, with ſeveral others of leſs diſtinction, but who afterwards were promoted to Engliſh honors and dignities. He imployed more than a month in his journey from Edinburg to London, where he arrived the ſeventh of May. He had no ſooner entered England, but the people ſtrove to demonſtrate their reſpect by magnificent entertainments in all the towns thro' which he paſſed. Such were their acclamations, their wiſhes for his proſperity, their praiſes and joy for his arrival, that a certain honeſt Scot could not refrain crying out, "This people will ſpoil a gude King." Mean while, the multitudes which flocked from all parts to behold their new Sovereign, grew at laſt ſo troubleſome to him, that he was forced to ſet bounds to their curioſity by a proclamation. This greatly ſurpriſed the populace, who comprehended not, why a little inconveniency ſhould hinder his Majeſty's receiving the reſpects of his new ſubjects. But perhaps this was owing to James's apprehenſion leſt, among the croud, ſome aſſaſſin might lurk and attempt his life; perhaps, likewiſe, he was deſirous of accuſtoming his vaſſals not to be too familiar with their Sovereign. Howſoever this be, it prevented not peoples paying him every where due reſpect, in beholding and expreſſing much ſatisfaction in ſeeing him paſs in order to aſcend the throne.

JAMES I. AN' 1603.

He is joyfully received. Stow. Speed. Wilſon, p. 662.

Proclamation to hinder the people from flocking to him. R. Coke's Detec.

At York, moſt of the Engliſh peerage did him homage. Among theſe was ſecretary Cecil, who was generally conſidered as a diſgraced miniſter, becauſe he had been Eſſex's declared enemy: but great was the ſurpriſe, when the King received him with extraordinary tokens of favor and eſteem. This gave room to ſuſpect he had already taken care to gain his favor, and the King's behavior to him afterwards confirmed the ſuſpicion. Some tax this miniſter with inſpiring King James with the deſign of ſeting himſelf above the laws, and not ſuffering the parliament to ſhare with him the ſupreme authority: it is at leaſt certain that James's chief care, after his acceſſion, was to maintain the prerogative royal in its utmoſt extent, nay to carry it higher than any of his predeceſſors. He muſt, at the time I am now ſpeaking of, have formed a vaſter idea than had been hitherto conceived of a King of England's power, ſince on his arrival at Newark he, by his ſole warrant, and without the leaſt juridical formality, cauſed a cut-purſe to be hanged. It cannot be denied that this exceeded the legal power of a King of England, and was directly contrary to the Engliſh nation's privileges: very probably, care was taken to warn him of the ill effects ſuch arbitrary doings might produce among the people, ſince he refrained from them ever after.

The Engliſh peers meet him at York. Ibid.

Cecil is well received. Weldon, p 11.

Oſborn.

James's deſign to extend the royal prerogative.

He hangs a cut-purſe without trial. Stow. Coke, p. 5.

On the third of May, he came to Theobald's, ſecretary Cecil's houſe (2), where he ſtayed ſome days. Here the council came to pay him their reſpects, and here paſſed what was moſt remarkable in his journey 'till his arrival at London. When he was ready to quit Scotland, he ſent Carey to tell the privy counſellors, that his intention was to

He arrives at Theobald's. Stow. Wilſon.

Stow.

(1) The perſon who managed Cecil's correſpondence at the court of Scotland, was Bruce, a younger brother of a noble family in Scotland, who carried the matter with ſuch addreſs and ſecreſy, that all the great men in England, without knowing of each others doing it, and without the Queen's ſuſpecting any, ſigned in writing an ingagement to aſſert and ſtand by the King of Scots right of ſucceſſion. Burnet's Hiſt. p. 8. Cecil was very like to have been diſcovered a little before the Queen's death.

(2) The King bought this houſe afterwards: it belongs now to the duke of Portland. Rapin. King James gave in exchange Hatfield houſe, the preſent ſeat of the earls of Saliſbury.

Adds ſome Scots and Engliſh to his privy-counſellors. May 4. Wilſon. Stow.

continue every man in his ſtation. However, at his coming to Theobald's, he increaſed their number with ſeveral others, moſt of whom were Scots; his deſign being, as he afterwards more manifeſtly evidenced, to make but one kingdom of England and Scotland. The new Scotiſh counſellors were the duke of Lenox, the earl of Mar, lord Hume and ſir James Elphinſtone *. He likewiſe nominated two Engliſh noblemen, viz. lords Zouch and Burleigh, ſecretary Cecil's eldeſt brother. I alſo find that, at the ſame time or preſently after, he admited into his council the earls of Northumberland and Cumberland (1) lords Thomas and Henry Howard (the late duke of Norfolk's ſon and brother) of whom the firſt was a ſuſpected, the latter a known Papiſt, tho' on the King's arrival he had imbraced the Proteſtant creed. James's gratitude to the Howard-family, diſgraced under the late reign for the Queen his mother's ſake, did not ſtop there. Lord Thomas was created earl of Suffolk, and then lord-treaſurer; and lord Henry was made ſome years after earl of Northampton: moreover, Philip earl of Arundel, the late duke of Norfolk's eldeſt ſon, having loſt his title by being condemned, tho' Elizabeth pardoned him, his ſon Thomas was, by the new King, created earl of Arundel and Surrey. Thus did James's regard for the duke of Norfolk's family clearly manifeſt what he thought of Elizabeth's treatment of that duke and his houſe. Nor was it in this alone that he expreſſed reſentment againſt his ſaid predeceſſor. On all occaſions he affected making appear, that it was purely thro' policy that he had concealed his averſion for her while living. Of this the moſt notable mark he gave was, his neither going into mourning himſelf, nor admiting any perſon to his preſenſe in a mourning-habit.

* His ſecretary. Careſſes the Howard family; Wilſon. Weldon.

and refuſes going into mourning for Elizabeth.

Laviſh of honors and dignities. Wilſon. Stow. Weldon.

From James's ſeting foot in England, to his departure from Theobald's, he made about two hundred knights, and ſome days after his arrival at London, he made abundance more. As Elizabeth had been very ſparing in diſtribution of honors, wherewith Sovereigns are wont to reward the merit and ſervices of their ſubjects, her ſucceſſor on the contrary beſtowed them with a liberal, or rather profuſe hand. Never had the like number of knights, barons, and earls been made in any former reign. This occaſioned a ſatirical libel, intituled, "A help for weak memories to retain the "names of the nobility (2):" the truth is, James created ſuch numbers of knights and peers, particularly in the firſt years of his reign, that ſuch a help was very neceſſary. It is in reality pretended, the current of honor was ſo obſtructed during Elizabeth's reign, that ſcarce a county had knights enough to form a jury (3).

Wilſon.

Echard.

Beſide the three Howards, Thomas Sackville, lord Buckhurſt and high-treaſurer, was made earl of Dorſet; ſir Robert Cecil was at firſt created baron of Eſſingdon, then viſcount Cranburne, and laſtly earl of Saliſbury; and Philip Herbert, the earl of Pembroke's brother, was made earl of Montgomery; I confine my ſelf to theſe, becauſe their names moſt frequently occur in the begining of this reign: I muſt alſo add, that the earl of Southampton, who had been ſentenced to death, and the earl of Eſſex's ſon, were reſtored to their eſtates and honors before the King reached London. But lords Grey, Cobham, Carew (4), and ſir Walter Ralegh, who had been Eſſex's enemies, were by his Majeſty very coldly received. Theſe four courtiers of Elizabeth had not a little contributed to the earl of Eſſex's ruin, as well as ſecretary Cecil; but this latter, as I obſerved, had wiſely anticipated himſelf in the King's good graces. Nothing could be a plainer evidence of James's conſidering the earl of Eſſex as his martyr, as he himſelf termed him, than the gracious reception he gave the earl of Southampton when he came to wait on him. This was publicly owning, that he approved thoſe two earls conſpiracy, the intent of which was to ſet him on the throne before Queen Elizabeth was dead. This gained him no credit with the diſintereſted: but, from that very inſtant, he began to liſten to the adulations of his courtiers, who raiſed even to the ſkies every one of his actions; all which was but too notorious during his whole reign.

May 20. July 21.

April 10. Camd. Ann. Stow.

James coldly receives Eſſex's enemies. Wilſon.

His grand idea of regal power. R. Coke.

King James, with good natural parts, had a large ſhare of acquired knowledge. He was able to form the plan of a good government, with the general maxims whereof he was perfectly well acquainted: but his antipathy to war, a great weakneſs for his favorites, certain prejudices he had imbibed wherein all who approached his perſon helped to confirm him, ever prevented his reducing to practiſe his theory. He was perſuaded that the authority of Sovereigns over their ſubjects was unlimited, and that all monarchial government ought to be abſolute, without conſidering that theſe maxims could not be applied to the government of England, unleſs its very conſtitution were deſtroyed: moreover, he was ſtrongly prepoſſeſſed in favor of his own parts and merit. Soon as his courtiers diſcovered his genius and character, they failed not attacking him in the moſt ſenſible part; that is, they took all occaſions to applaud his wiſdom, learning and capacity, and to talk in the higheſt ſtrain of regal prerogative. As this pleaſed him infinitely, ſo it was the beſt way to gain his favor. Hence aroſe diverſe expreſſions little known in preceding reigns, but which in this were common. His Majeſty was ſtiled, the Solomon of the age, and his Sacred Majeſty, and theſe ſycophantic titles, which he greedily ſwallowed, confirmed him more in his prejudices. Among other prepoſſeſſions, he had one which greatly influenced his whole adminiſtration; this was, he ſtrongly believed, he had acceded to the crown of England ſolely by hereditary right, and could not bear it ſhould be thought he was in the leaſt obliged to Queen Elizabeth, or that his title proceeded from any act of parliament. Had this been only a ſpeculative notion, it would not have much diſturbed the Engliſh: but he drew from this principle terrible conſequences, tending to no leſs than arbitrary power, and of courſe to the ſubverſion of the Engliſh conſtitution. From his being King by hereditary right he infered, that his will ought to be the ſole rule of government, and conſidered, as undeniable truths, all the wild aſſertions of certain writers concerning regal power. This pretended hereditary right, with its conſequences, were the fountain of thoſe diviſions which in this reign commenced between King and parliament, and which continued during the three ſubſequent reigns. This alſo gave birth to the Whig and Tory factions, who worry each other even to this day. It is therefore requiſite for the reader's information, to obſerve, before we proceed, that this hereditary right whereby James I pretended to reign, was not

On which topic he is much flattered. Coke, p. 8.

A ſtrenuous aſſerter of hereditary right. R. Coke.

From whence he draws terrible conſequences. Welwood.

(1) Not Weſtmoreland, as our author miſtakes.
(2) It was only a ſort of Paſquinade, poſted up in St. Paul's. Wilſon, p. 665.
(3) M. Rapin wrongly ſays, to ſerve in parliament.
(4) There was no ſuch baron as lord Carew, ſir George Carew (who had ſerved in Ireland three years, and wrote an account of the memorable paſſages which happened there in that time) was now in favor, and one of thoſe ſent to fetch the Queen; he was made baron of Clopton, 3 Jac. and earl of Totneſs, 1 Car. I. Dugdale's Baron, Vol. II. p. 423. Rapin.

JAMES I. AN' 1603.

Remarks on the Engliſh ſucceſſion.

ſo indiſputable as himſelf then did, and as many ſtill do imagine it.

Firſt, no law can be produced on which may be grounded the crown of England's hereditary ſucceſſion. Secondly, the Engliſh hiſtory abounds with precedents, ſhewing that the parliament aſſumed a power to diſpoſe of the crown, and ſettle the ſucceſſion without any regard to the next heir. Thirdly, ſince the conqueſt, more Kings have mounted the throne by virtue of acts of parliament, or ſome other means, than by hereditary right; the four firſt particularly, viz. William the Conqueror, William Rufus, Henry I, and Stephen, moſt certainly came not to the crown by this right: when was it then that the crown became hereditary? It belongs to thoſe who maintain this opinion, to point out the time. Fourthly, of all the Kings, from William the Conqueror to James I, not one had leſs right to the crown than Henry VII, before he was confirmed by parliament (1). It was therefore from the parliament's confirmation, rather than from Henry VII's hereditary right, that James could derive his own title. Laſtly, if ſome inſtances may be produced of Kings ſucceeding from father to ſon, and if it be thence infered to have been by hereditary right, it will alſo be eaſy to demonſtrate that this right vaniſhes when traced to its ſource. For example, if it be ſuppoſed that Elizabeth, Mary, Edward VI, and Henry VIII acceded to the crown by hereditary right, tho' there would be much to be ſaid concerning the two Queens, the fountain of this right ſprings from Henry VII, who was heir neither of the houſe of York, nor the houſe of Lancaſter. Henry VI and Henry V ſucceeded from father to ſon, to Henry IV, who was not Richard II's next heir. Edward III could not by hereditary right ſucceed his father Edward II, ſtill living. Edward II, Edward I, and Henry III, form the longeſt hereditary ſucceſſion, from father to ſon, occurring in the Engliſh hiſtory; but they derived their right from John Sans-terre (or without-land) who certainly was not Richard I's next heir. I paſs over in ſilence the former Kings, the caſe being too evident to need any farther explication. Thus, of twenty-three Kings, from the Conqueſt to James I, at leaſt the moiety aſcended not the throne by hereditary right. As for thoſe who ſucceeded from father to ſon, and may be ſuppoſed to have reigned by hereditary right, they could ſupport their right of ſucceſſion only by acts of parliament, adjudging the crown to ſome one of their anceſtors, contrary to hereditary right: How then can the hereditary ſucceſſion of the crown of England be indiſputably eſtabliſhed? From what has been ſaid it follows, that nothing is more uncertain than the right whereby the Kings of England reigned from the conqueſt to the time of James I, ſince it is not poſſible to lay down any undoubted principle upon this head. It is much eaſier to combat all the different opinions concerning the ſucceſſion, than eſtabliſh any one by ſolid and undeniable reaſons. I ſhall here, in confirmation of what I have advanced, ſubjoin, that the Kings who were deemed the ableſt and moſt prudent, were careful to have their titles confirmed by parliament, when they judged them liable to any objections. So, James I, in reſolving to eſtabliſh this pretended hereditary right, was the original author of the combuſtions wherewith England has been agitated, and which are not yet ceaſed.

JAMES I. AN' 1603.

The choice this King made of the miniſters who were to manage public affairs, contributed not a little towards cheriſhing the high conceit he had of his perſonal qualifications, and of the regal power. The firſt was ſir Robert Cecil, afterwards earl of Saliſbury. This miniſter, who had been Eſſex's ſworn enemy, knowing how deeply the new King was concerned in that earl's misfortune, found no better way to keep in his good graces than by perpetually flattering him, and making his court, by talking of monarchial government according to his natural ideas of it: he was at leaſt accuſed of inſpiring him with ſentiments very diſadvantageous to the people and parliament. He was in other reſpects a man of great genius, conſummate prudence, vaſt capacity, and perfectly well acquainted with the nation's ſtate and intereſt. The earls of Suffolk and Northampton (one lord-chamberlain, the other lord-keeper) were abundantly inferior to the earl of Saliſbury in parts and ability: but it is pretended they were internally Papiſts, and as Popery could not be otherwiſe re-eſtabliſhed in England than by arbitrary power, they eagerly labored to indulge the King in his notions concerning regal authority. To theſe three perſons James chiefly commited the management of affairs: all the other courtiers followed the ſame method, and emulouſly ſtrove to gain their Sovereign's favor by a blind ſubmiſſion to his pleaſure.

James much flattered by his miniſters. Oſborn. Weldon.

Ibid.

Soon after the King's arrival at London, he ſent into Scotland a numerous train of lords and ladies to attend his Queen and family, who were ready for their journey to the Engliſh court. He had three children, viz. Henry, nine years old; Elizabeth, and Charles (2): this latter, being indiſpoſed, was left in Scotland 'till September in the year following.

He ſends for his Queen and children. May 2. Spotſwood. p. 477. Stow, p. 823.

While the royal family were on their journey, James recollected that he had complained to Elizabeth of Valentine Thomas, who had calumniated him, and was ſtill in priſon. It is not known wherein this calumny conſiſted; but whatſoever it was, about a month after the King's arrival, Thomas was brought on his trial, and hanged, for conſpiring againſt Elizabeth, and ſome of her council (3).

He gets Thomas hanged. June 4. Camden. Ann.

About the ſame time, and before Queen Ann's arrival, marquis Roſny came from his Gallic Majeſty, to congratulate King James on his acceſſion to the crown of England. He had expreſs orders, from the King his maſter, to appear with all his train in mourning, at his firſt audience: but he was told, he would diſoblige the King, who would doubtleſs regard this affectation as a reproach for not going himſelf into mourning for Queen Elizabeth. The marquis, in his memoirs, ſays, that King James, being at table, openly boaſted, that for diverſe years before Elizabeth's death, it was properly he who governed England, and that no reſolution was taken in council but by his direction. He would perhaps have been nearer the truth, had he ſaid, Elizabeth governed Scotland and himſelf too, without his perceiving it. The French King's deſign was not merely to congratulate the new King: his chief aim in ſending marquis Roſny, his favorite, was, to prevent James's being gained

Marquis Roſny's embaſſy. Sully's Mem.

Ibid.

(1) See the reigns of Richard III, and Henry VII. Rapin.

(2) Henry was born February 19. 1593, Elizabeth, Auguſt 19. 1596. and Charles, November 19. 1600. Sandford, p. 560, &c.

(3) About this time Charles lord Montjoy returned from Ireland, and brought with him Hugh O Neal earl of Tir-oen. Lord Montjoy was honorably received, ſworn of the privy-council, and afterwards created earl of Devonſhire. Tir-oen himſelf, who had been the cauſe of ſo much blood-ſhed, was pardoned, and proclamation made, that he ſhould be treated with reſpect and honor. Stow, p. 825. Wilſon, p. 664.

by

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by the Spaniards, and to renew the defenſive alliance he had made with Elizabeth, wherein the embaſſador ſucceeded to his wiſh.

Embaſſy from the archduke. Stow. Speed. Winwood's Memorials. Vol. II. p. 3. &c. Du Cheſne. Aulicus Coquin.

Count Aremberg, embaſſador from archduke Albert and the Infanta Iſabella, Sovereigns of the Netherlands, was come to London ſome time before, but was ſick, or feigned to be ſo, all the while marquis Roſny remained in England. It was not 'till after the marquis's departure, that he deſired King James to ſend one of his privy-council to hear the occaſion of his embaſſy. Cecil, whom the King choſe, was ſtrangely ſurpriſed to hear nothing from him but compliments. Very ſeemingly, this embaſſador was diſpatched over to England only to obſerve what paſſed, and to feel the new King's pulſe concerning a pacification between England and Spain. James had already manifeſted, by his proceedings, that he was inclined to peace, ſince, without any ſollicitation, he had revoked the letters of mark granted by Elizabeth to ſeveral private perſons. Some time after, Taxis came alſo to London from the King of Spain, and, having congratulated his Majeſty on his acceſſion to the crown, deſired commiſſioners might be appointed to treat with him of a peace. This negociation, which was then only begun, finally terminated in a pacific treaty, concluded in the inſuing year (1).

June 23. Rapin. and from the King of Spain. Weldon.

The King retires to Wilton. Weldon. Camden's Ann.

The peſtilence which began to break out in December, increaſing at London during the ſummer ſeaſon, the King retired for ſome time to Wilton, the earl of Pembroke's ſeat, near Saliſbury.

Plot diſcovered in favor of Arabella Stuart. Camden's Ann. Wilſon. Stow. Speed. Weldon.

While the court was at Wilton, a conſpiracy, or rather the project of a conſpiracy was diſcovered, the authors whereof were the lords Grey and Cobham, ſir Walter Ralegh, George Brook, Watſon and Clark, prieſts, and ſome others (2). The deſign was, to place on the throne Arabella Stuart, King James's couſin-german. To this end, lord Cobham was to treat with the archduke at Bruſſels, and try to obtain ſix hundred thouſand crowns, whereof Ralegh was to have ſeventy thouſand. Cobham was likewiſe to carry Arabella's letters to the archduke, the King of Spain, and the duke of Savoy, wherein ſhe ſhould promiſe to eſpouſe the perſon whom they ſhould nominate, and to grant a full toleration to the Catholics. It was farther agreed, that lord Grey * ſhould ſollicit his Majeſty's permiſſion to levy two thouſand men for the ſervice of Holland, and with theſe troops ſhould ſeize his perſon: but this was only a project wholly unexecuted, except that ſome of the conſpirators had confered with count Aremberg. It is preſumed that the count contrived this plot merely to deſtroy Ralegh, who of all the men in England, was moſt dreaded by the Spaniards, and that afterwards he himſelf informed the King of it (3). However this be, the conſpirators being apprehended, were tried at Winchester, in November following, and condemned to die. Ralegh was found guilty on the written evidence of a ſingle witneſs, namely, lord Cobham, even without being confronted, contrary to the expreſs law of the land (4). Nevertheleſs, only George Brook, lord Cobham's brother, and the two prieſts were executed, the King having ordered the others being remanded to priſon, but without giving them a pardon. Lord Grey died ſoon after, and lord Cobham finally obtained his liberty (5). But ſir Walter Ralegh remained twelve years in the Tower, where he wrote a Hiſtory of the World, much eſteemed in England. I ſhall in the courſe of this reign have farther occaſion to bring him on the ſtage.

* Not Cobham, as in the French.

Nov. 15, 17, 26. Ralegh condemned. Weldon. Stow. Camden. Ann. State-Trials. Nov. 29. Dec. 5.

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He remains twelve years in the Tower.

Not long after this plot was diſcovered, the King and Queen were crowned at Weſtminſter, with the uſual ſolemnity, on the twenty-fifth of July, St. James's day (6). Immediately after the coronation, King James iſſued a proclamation, expreſly forbiding all perſons, who had any buſineſs at court, to repair thither 'till winter, by reaſon of the plague which raged then exceedingly, and carried off upwards of thirty thouſand in London only. In this reign, proclamations were much more frequent than in the preceding ones: in the firſt eight or nine months, no fewer than twelve came abroad.

Their Majeſties coronation. Stow. p. 827, 828. Camden. Ann.

Proclamations very frequent. Stow.

I juſt intimated what hopes both Papiſts and Puritans had conceived that they ſhould experience ſome happy change in this new reign. The Romaniſts could not believe, that a Prince, who had never expreſſed any hatred of them, ſhould ſuddenly alter his mind, and chuſe to tread in the ſteps of his predeceſſor. The Puritans fancied that James, having been educated in their creed, and profeſſed it all his life 'till his arrival in England, would ſhower on them his favors: at leaſt they expected he would reform good part of the faults they found in the church of England. Both were deceived, but theſe latter abundantly more than the others. Of the Papiſts, James hated only the Jeſuits, and ſuch as were too ſervilely attached to the court of Rome and the Papal prerogatives: but, on the other hand, he ſaw it would not be in his power to grant a full toleration to the other Catholics, even was he ſo diſpoſed; and for this reaſon, he believed it adviſeable not to diſcover his ſentiments of them too openly. Thus were the Papiſts, who had expected at leaſt a full toleration of their religion, ſtrangely ſurpriſed when, on preſenting to his Majeſty a petition on this occaſion, they received for anſwer, that he thought himſelf obliged to ſupport what he found eſtabliſhed in the kingdom.

The Catholics preſent James a petition. Coke.

His anſwer.

The Puritans, believing to have more reaſon to hope than the Catholics, preſented alſo their petition, not only for a toleration, but moreover to pray the King that ſundry of the church of England's articles, wherewith they could not comply, might be reformed. The biſhops failed not ſtrenuouſly to oppoſe this petition, and to intreat the King to leave

Petition of the Puritans. Fuller. Speed. Neal.

(1) For the more ſolemn reception of embaſſadors, was at this time inſtituted a new officer, by the name of Maſter of the Ceremonies, with a yearly ſalary of 200 l. The firſt was ſir Lewis Lewkenor. Stow, p. 824. Rym. Fœd. Vol. XVI. p. 637.

(2) As ſir Edward Parham (who was acquited by his Jury) Bartholomew Brookeſby, Anthony Copley; and ſir Griffith Markham, who was condemned and reprieved with Cobham, Grey, and Ralegh, juſt as they were going to loſe their heads. See Stow, p. 832.——Our author alſo includes Carew, which is a miſtake. See Phœnix Britannicus, Vol. I. p. 51.

(3) The beſt account can be given of this obſcure affair, is this.—Sir John Forteſcue, ſir Walter Ralegh, lord Cobham, and ſome others, deſired that King James might be tied to ſome articles at his acceſſion to the crown, on account of the known feud between the two nations; but by the artful management of lord treaſurer Buckhurſt, and the ranting proteſtations of the earl of Northumberland, who threatened to bring the King in by the ſword, all articles and conditions to bind him were droped. However, for this propoſal, Ralegh and the reſt were frowned upon by the King, and, at the King's coming to London, forbid their attendance at court.

(4) Some affirm lord Cobham was perſuaded to ſign a blank, whereon this evidence was afterwards ſet down. Rapin. See Weldon, p. 35, &c. But Goodman, in his Aulicus Coquinariæ, p. 78, denies Weldon's account.

(5) But lived many years in miſery, being deprived of his eſtate. He died louſy for want of apparel, and linen; and had ſtarved, had not one, ſometime his landreſs at court, relieved him with ſcraps, in whoſe houſe he died, which was ſo mean, that he was forced to creep up a ladder into a little hole to his chamber. A bad fate, for a man who was poſſeſſed before his arraignment of 7000 l. per annum, and 30,000 l. in money. In his perſon ended that noble family, which had flouriſhed for many ages. Sir Griffith Markham was alſo releaſed, and retired beyond ſea, where he lived in a mean condition. Weldon, p. 37. Oſborn § 6.

(6) See a liſt of the knights of the Bath made on this occaſion in Stow, p. 827.

religion

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religion as he found it at his acceſſion to the crown, without any innovation. This was what James abſolutely deſigned. When he firſt entered the realm, he not only went over to the church of England, but even purpoſed to compel the Puritans to conform, and to be revenged on them for the vexations occaſioned him by the Preſbyterian ſynods in Scotland: beſide, a church governed by Preſbyters too much reſembled a republic, to be agreeable to a Prince ſo ſtrongly prepoſſeſſed in favor of monarchy: the church of England's government was abundantly more conformable to his principles (1). Mean while, not to appear at firſt over partial, and to make believe, he would not be determined without hearing the arguments of both ſides, he appointed a conference between the two parties, wherein himſelf would be moderator. Mean while, he iſſued a proclamation, commanding both parties to be quiet, 'till matters were regulated as he ſhould judge requiſite.

The King's deſign.

Burnet. Coke.

He appoints a conference between the Epiſcopalians and Puritans.

An' 1604. Conference at Hampton-court. Barlow. Fuller. Spotſwood. Wilſon. Coke, p. 7.

The conference between ſome biſhops and Preſbyterian miniſters was held at Hampton-court, the fourteenth, ſixteenth and eighteenth of January 1604. James immediately gave the Preſbyters to underſtand what they were to expect. He declared, "That, following the example of all Chriſtian "Princes, who uſually began their reigns with the "eſtabliſhment of the church, he had now, at his "entering upon the throne, aſſembled them for "ſettling a uniform order in the ſame, for planting "unity, removing diſſenſions, and reforming "abuſes, which were naturally incident to all politic "bodies. And that he might not be miſapprehended, and his deſigns in aſſembling them miſconſtrued, he farther declared, that his meaning "was not to make any innovation of the government eſtabliſhed in the church, which he knew "was approved of God, but to hear and examine "the complaints which were made, and remove "the occaſion of them; therefore he deſired the "petitioners to begin, and to ſhew what were their "grievances." Doctor Reynolds being ſpokeſman, reduced what he had to ſay to two heads, the firſt whereof related to the doctrine, and the ſecond to the diſcipline of the church. As to the doctrine, he ſaid, the articles of the church of England were in ſome places obſcure, and in others defective. Then he mentioned the articles he ſpake of, and deſired the King they might be ſo explained as to leave no ambiguity, and that what was deficient might be ſupplied. Hereupon commenced a diſputation, wherein his Majeſty always replied, anſwering the miniſters arguments himſelf, one while with reaſon, another while with authority and menaces. The miniſters ſeeing the King become their adverſary, which they did not expect, choſe to be ſilent, and feigned being ſatisfied. Then James upbraided their preſumption, ſaying, they ought not to have importuned him for ſuch trifles. Indeed, this was not their main grievance. The government, and external worſhip of the church was what moſt troubled them. The points they inſiſted on, were, 1. That ſufficient care was not taken to plant good and learned Paſtors in the churches, to the peoples exceſſive detriment. 2. That ſubſcription was required to the common-prayer-book, wherein they ſaw ſeveral things which their conſcience would not ſuffer them to receive. 3. That the clergy were liable to the cenſures of lay-men, by means of the high-commiſſion. 4. They objected againſt the croſs in baptiſm, the ring in marriage, the ſurplice, with certain other particulars which they looked on as ſuperſtitious. On all theſe points there were warm diſputes, wherein James himſelf took care to reply to the miniſters, without giving the biſhops time to ſpeak. James's conduct was ſo agreeable to the prelates and their partiſans, that the lord chancellor, unwilling to miſs ſuch a fair opportunity to flatter the King, ſaid aloud, "He "had often heard that the prieſthood and royalty "were united, but never ſaw it verified 'till now." Whitgift, archbiſhop of Canterbury, carried his adulation ſtill higher, and ſaid, "He verily believed "the King ſpake by the Spirit of God." After this, James diſmiſſed the aſſembly, and ordered the biſhops and miniſters to meet again, in three days, at the ſame place.

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James highly flattered. Echard. Spotſwood. Wilſon. Coke.

On the eighteenth of January, the day appointed by his Majeſty, the prelates were called firſt into his preſenſe, and delivered to him their explanation of the liturgy. Then the King queſtioned them about excommunication, the high-commiſſion, the oath ex officio, the ſubſcription to the common-prayer-book; and approving their anſwers, ordered the miniſters to be called in, and the writing preſented by the biſhops to be read before them. The miniſters believing it was in vain to make any reply, kept ſilence: nay, it is pretended that ſome of them declared, their doubts were ſufficiently cleared. However, the King ſuppoſing they had nothing to object, and had reaſon to be ſatisfied with the condeſcenſion ſhewn them, exhorted the biſhops to treat with lenity ſuch as were of a contrary opinion, and commanded the miniſters to preſerve in unity the church, and beware of obſtinacy and diſobedience. "Obedience and "humility, added he, are the marks of good and "honeſt men, ſuch I believe you to be; but it "feareth me, that many of your ſort are humorous, "and too buſy in the perverting of others. The "exceptions taken againſt the communion-book, "as I perceive, are matters of mere weakneſs, and "they who are diſcreet will be gained with time "and by gentle perſuaſions; or if they be in-"diſcreet, better it is to remove them, than to "have the church troubled with their contentions. "For the biſhops, I will anſwer, that it is not "their purpoſe preſently and out of hand, to in-"force obedience, but, by fatherly admonitions and "conferences, to induce ſuch as are diſaffected. "But if any be of an oppoſite and turbulent ſpirit, "I will have them inforced to a conformity. "Neither tell me, that the wearing of a ſurplice, "or uſing the croſs in baptiſm, will diminiſh the "credit of miniſters who have formerly diſallowed "the ſame; for that is juſt the Scotiſh argument, "when any thing was concluded which ſorted not "with their humor: the only reaſon why they "could not obey was, That it ſtood not with their "credit to yield, having been ſo long of a con-"trary opinion. I will none of that; but that a "time be limited by the biſhops of every dioceſe "to ſuch, and they who will not yield, whatſoever "they are, let them be removed; for we muſt "not prefer the credit of a few private men to the "general peace of the church."

James's threats to the Preſbyterian miniſters. Spotſwood. p. 479.

In this manner paſſed the pretended conference, whoſe ſole end was to make the public believe, the miniſters were convinced and fully inſtructed; wherefore their ſtill ſeparating from the church was purely thro' obſtinacy. Hence it was natural to infer that, to conquer their obſtinacy, there was a neceſſity of uſing ſome ſeverity: and this was what James plainly intimated, when he ſaid; "He

(1) Wilſon ſays, that the King thought, if church power were in the hands of many, it would not be ſo eaſy to be managed, as when in the hands of one, who had dependance upon him, and with whom he might better grapple. And therefore the King would often ſay, No Biſhop, no King, p. 665. Coke, p. 35.

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"would anſwer for the biſhops, that it was not "their deſign immediately to inforce obedience," and when he afterwards added more clearly, "that, "after ſuch a time, they ſhould be dealed with "in another manner." But this conference wrought not the conviction of the Puritans, and all the fruit his Majeſty reaped therefrom, was the convincing them how far they were miſtaken in depending on his protection.

Archbiſhop Whitgift dies. Wilſon. p. 665.

Whitgift was a mild and peaceable man, who would gladly have reclaimed the Puritans by gentle methods, agreeable to the goſpel; but he died very ſoon after, on the twenty-ninth of February.

Bancroft ſucceeds.

He was ſucceeded by Richard Bancroft, a prelate of a quite different character, who, inſtead of dealing moderately with thoſe people, never ceaſed inſenſing the King againſt them, and doing them all poſſible ill offices. Herein he was but too cloſely imitated by the other prelates, who found a double advantage in ruining that ſect. Firſt, they made their court to the King, who bore them a deadly hatred. Secondly, they preſerved the hierarchy, which the Puritans wiſhed to overthrow. The perſecution which theſe ſuffered while Bancroft was at the clergy's head, induced many families to quit the realm, in order elſewhere to injoy that liberty of conſcience denied them at home (1). Bancroft is likewiſe charged with having been one of the moſt zealous to inſtil into the King maxims of arbitrary power.

He perſecutes the Puritans. Neal. Oſborn.

The twenty-ſecond of February, James iſſued a proclamation, commanding all Jeſuits and other prieſts having orders from any foreign Potentate, to depart the kingdom. This proclamation was ſo worded, that the King apparently took a particular care to demonſtrate that he baniſhed not the Jeſuits thro' hatred to the Catholic religion in general, but only on account of their attachment to that dogma which attributed to Popes unlimited power over crowned heads. This is what James obſerved moſt punctually during his whole reign. He conſtantly affected to conſider the Romiſh creed ſo far only as it might be contrary to civil government, that is to ſay, with reſpect to the Pontif's unbounded authority: as for other doctrines, he was very willing to allow the Papiſts to believe juſt what they would, provided they renounced the belief of the Pope's ſuperiority over Kings. He was perſuaded this equity would procure him a peaceable reign: but he had too much reaſon afterwards to be convinced, that he was taking wrong meaſures, and yet would never alter his conduct. Very few Catholics were ſatisfied with ſo limited a toleration; and all zealous Proteſtants regarded King James as a Papiſt. It is certain he gave room to be thought Popiſhly inclined, by his conſtant care to ſhew he only diſliked the Pope's abſolute power, but little minded ſuch other doctrines as diſtinguiſhed the two religions. This obliged him to take, in favor of the moderate Catholics, ſome ſteps which rendered him greatly ſuſpected by many of the Reformed (2), while others conſidered his zeal againſt the Preſbyterians as a certain evidence of his attachment to the Proteſtant religion.

The Jeſuits baniſhed. Rym. Fœd. Vol. XVI. p. 572. Stow.

James's regard for the Papiſts. Burnet.

This proclamation againſt Jeſuits was ſoon followed by another, injoining the Puritans to conform to the eſtabliſhed church's worſhip. Herein apppeared not the ſame care to juſtify King James's conduct with reſpect to this ſort of perſecution. His Majeſty intimated in the firſt, that he would have regard to the tender conſciences of thoſe Catholics who could not comply with the church of England's received doctrines: but this contained not the leaſt indulgence for the tender conſciences of the Puritans; theſe were all a ſet of obſtinate people, who deſerved not to have any favor ſhewn them!

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Proclamation againſt Puritans. March 5. Wilſon. Rym. Fœd. Vol. XVI. P. 574. Stow. Speed.

As the parliament was to meet March 19, James deemed it neceſſary to win the affection of his ſubjects, by ſuppreſſing ſome abuſes introduced near the late reign's cloſe, tending to the peoples oppreſſion. This he did by diverſe proclamations againſt certain monopolies; againſt protections frequently hindering the courſe of juſtice; againſt ſalt-petre men, who, if not bought off, dug up peoples houſes; againſt the court purveyors, who ſeized any man's horſes and cart, under color of imploying them for the King, and then excuſed them for money. Among theſe proclamations, there was one not ſo acceptable to the people, viz. that againſt hunting, on very ſevere penalties to the offender. This was a reign of proclamations: the King and his miniſters would gladly have had them regarded as laws; but neither the judges nor people were as yet thereto accuſtomed.

Diverſe abuſes ſuppreſſed. May 7. Wilſon. Coke.

Proclamation againſt hunting. Coke. Stow. Wilſon.

Soon after was iſſued another, appointing the fifth of Auguſt to be obſerved as a holy-day. It was ordered, that annually, on that day, public thanks ſhould be returned to God in all the churches, for the King's miraculous deliverance, in the year 1600, from the conſpiracy of the Gouries, who attempted againſt his life (3). This new holy-day was not univerſally liked. Beſide, the occaſion of it happening to the King before his acceſſion to the crown of England, many, as well in Scotland as England, had the malice to affirm it was only a fiction to cover James's real conſpiracy againſt the two Ruthvens, or Gouries, who were killed on this occaſion. I relate not this with intent to blemiſh King James's reputation, or call in queſtion the deliverance for which he was pleaſed to thank God, but only to ſhew that, from the begining of his reign in England, there were ſome who entertained not of him any extraordinary opinion.

Another to make the fifth of Auguſt a holy-day. Wilſon. Welden. Welden. Wilſon. P. 667.

As the time of the parliament's meeting approached, King James and his Queen made their entry into London four days before, not having done it ſooner by reaſon of the plague. His Majeſty had need that day of all his patience, he hating nothing more than ſuch ſolemnities as drew about him crouds of people (4). Herein he greatly differed from Queen Elizabeth, who took pleaſure in ſeeing her people preſs to behold her, and in hearing their acclamations.

The King and Queen make their entry into London. March 25. Wilſon. Stow. Speed.

James I's notion of the Engliſh conſtitution was, as I obſerved, widely remote from what had been thitherto current. If any of his predeceſſors had been of his opinion, they had been at leaſt careful to conceal it, or to diſplay it on extraordinary occaſions

James's high notion of the prerogative royal.

(1) Moſt of them went over to Holland. See Neal, Vol. II. p. 47. Only forty nine miniſters, in all England, were turned out for non-compliance. See Spotſwood, p. 479.

(2) Burnet obſerves, that from the year 1606, to his dying day, he continued always writing and talking againſt Popery, but acting for it. Hiſtory of his own Time, p. 12.

(3) There was not only a yearly feaſt for this deliverance (whether real or imaginary) but alſo a weekly commemoration, by a ſermon every Tueſday. Weldon ſays, that the wiſeſt of the Scotiſh nation gave little credit to that ſtory, p. 8. And Dr. Welwood, that, being in itſelf ſo improbable a thing, and attended with ſo many inconſiſtent circumſtances, it was diſbelieved at the time it was ſaid to have been attempted, p. 19.

(4) The ſuburbs and city were one continued ſcene of pageantry. There were ſeven triumphal gates or arches erected in the ſtreets, thro' which he was to paſs from the Tower to White-hall. It ſeems, he indured this day's brunt very patiently, being ſure he ſhould never have ſuch another. But afterwards (ſays Wilſon) in his public appearances, the crouds of people made him ſo impatient, that he often diſperſed them with frowns, not to ſay curſes. His private recreations at home, and his hunting exerciſes abroad, both with the leaſt diſturbance, were his delights. Stow, p. 836, &c. Wilſon, p. 667.

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caſions only. For his part, he thought not proper to follow their example, ſince he omited no opportunity to diſcover his ſentiments. He was perſuaded, the nation's and parliament's privileges were ſo many uſurpations, or at beſt but revocable conceſſions of the crown, and gave frequent occaſion to believe, he had formed a deſign to free both himſelf and ſucceſſors from the reſtraint which the laws, cuſtoms, and immunities of the Engliſh nation had laid on his predeceſſors. Howſoever this be, from one end of his reign to the other, he imbraced all opportunities to improve his prerogative-royal, to which he ſet no bounds but his will. The firſt public ſtep which manifeſted his ſentiments, was the calling his firſt parliament, and whereon I am now entering. Both in the writs and the proclamation, he took upon him to deſcribe what ſort of repreſentatives ſhould be elected, not by way of exhortation, as practiſed by his predeceſſors, but by way of command, and as conditions without which they ſhould not be admited into the houſe. This was directly ſtriking at the commons, whoſe privilege of deciding the validity of elections had never been conteſted. Obſerve the terms wherein his Majeſty expreſſes himſelf.

Rym. Fœd. Vol. XVI. p. 561.

Ib. p. 563.

" Wee notifye by theis preſentes, that all re-
" tornes and certificates of knights, citizens and
" burgeſſes, oughte and are to be brought to the
" Chauncery, and there to be fyled of record;
" and if any ſhall be founde to be made contrarie
" to this proclamation, the ſame is to be rejected
" as unlawful and inſufficient, and the citie or bo-
" rough to be fyned for the ſame; and if it be
" founde that they have commytted any groſſe or
" wilful default and contempt in their election, re-
" torne or certificate, that then their liberties, ac-
" cording to the lawe, are to be ſeized into our
" hands as forfeited; and if any perſon take upon
" him the place of a knight, citizen or burgeſſe,
" not beinge duely elected, retorned and ſworne
" according to the lawes and ſtatutes in that be-
" halfe provided, and according to the purport,
" effect, and true meaning of this oure proclama-
" tion, then every perſon, ſoe offending, to be
" fyned and impriſoned for the ſame. -----

Thus James aſſumed a power not only to injoin penalties on ſuch as ſhould offend againſt the ſtatutes concerning elections, but alſo to injoin them by a bare proclamation, the authority whereof he rendered equal to that of the laws. This will ſoon appear not done without deſign.

At opening the parliament, the King being ſeated on his throne, ſent for the commons as uſual: but as the croud was exceſſive, diverſe of the repreſentatives could not enter. A certain member, named * Crofts, ſtriving to get in, was rudely thruſt back by one of the King's guards, who knowing him to be what he was, ſaid to him jeeringly, " Goodman Burgeſs, you come not here." This affair made ſome noiſe afterwards; but the houſe thought proper to take no notice of it. The commons being entered, his Majeſty made a ſpeech to both houſes, which tho' very long merits being inſerted at length, that from ſome certain paſſages may be diſcovered this Prince's genius, character and deſigns.

* Sir Herbert.

Coke, p. 25.

James's ſpeech to the parliament. Stow. p. 837. Wilſon.

" IT did no ſooner pleaſe God to lighten his
" hand, and relent the violence of his devour-
" ing angel againſt the poor people of this city,
" but as ſoon did I reſolve to call this parliament,
" and that for three chief and principal reaſons.
" The firſt whereof is (and which of itſelf, altho'
" there were no more, is not only a ſufficient, but
" a moſt full and neceſſary ground and reaſon for
" convening this aſſembly) this firſt reaſon, I ſay, JAMES I.
" is, that you, who are here preſently aſſembled AN' 1604.
" to repreſent the body of this whole kingdom,
" and of all ſorts of people within the ſame, may
" with your own ears hear, and that I out of my
" own mouth may deliver unto you, the aſſurance
" of my due thankfulneſs for your ſo joyful and
" general applauſe, to the declaring and receiving
" of me in this ſeat, " which God by my birth-
" right and lineal deſcent, had in the fulneſs of
" time provided for me; " and that, immediately
" after it pleaſed God to call your late Sovereign,
" of famous memory, full of days, but fuller of
" immortal trophies of honor, out of this tranſi-
" tory life. Not that I am able to expreſs by
" words, or utter by eloquence, the vive image of
" mine inward thankfulneſs, but only that out of
" mine own mouth you may reſt aſſured to expect
" that meaſure of thankfulneſs at my hands, which
" is according to the infiniteneſs of your deſerts,
" and to my inclination and ability for requital of
" the ſame. Shall I ever? Nay, can I ever be
" able, or rather ſo unable in memory, as to for-
" get your unexpected readineſs and alacrity, your
" ever memorable reſolution, and your moſt won-
" derful conjunction and harmony of your hearts,
" in declaring and imbracing me as your undoubt-
" ed and lawful King and governor? Or ſhall it
" ever be blotted out of my mind, how at my
" firſt entry into this kingdom, the people of all
" ſorts rid and ran, nay rather flew to meet me?
" Their eyes flaming nothing but ſparkles of af-
" fection; their mouths and tongues uttering no-
" thing but ſounds of joy; their hands, feet, and
" all the reſt of their members, in their geſtures,
" diſcovering a paſſionate longing and earneſtneſs
" to meet and imbrace their new Sovereign.
" Quid ergo retribuam? " Shall I allow in my ſelf
" that which I could never bear with in another?
" No, I muſt plainly and freely confeſs here, in all
" your audiences, that I did ever naturally ſo far
" miſlike a tongue too ſmooth, and diligent in
" paying their creditors with lip-payment and ver-
" bal thanks, that I ever ſuſpected that ſort of peo-
" ple meaned not to pay their debts in more ſub-
" ſtantial ſort of coin. And therefore, for expreſ-
" ſing my thankfulneſs, I muſt reſort unto the
" two reaſons of my convening this parliament,
" by them in action to utter my thankfulneſs: both
" the ſaid reaſons having but one ground, which is
" the deeds, whereby all the days of my life I am
" by God's grace to expreſs my ſaid thankfulneſs
" towards you, but divided in this, that in the firſt
" of theſe two mine actions of thanks are ſo inſe-
" parably conjoined with my perſon, as they are
" in a manner become invidually annexed to the
" ſame. In the other reaſon, mine actions are
" ſuch, as I may either do them, or leave them
" undone, altho' by God's grace I hope never to
" be weary of the doing them.

" As to the firſt, it is the bleſſings which God
" hath in my perſon beſtowed upon you all, where-
" in I proteſt, I do more glory at the ſame for
" your weal, than for any particular reſpect of
" mine own reputation, or advantage therein.

" The firſt then of theſe bleſſings, which God
" hath jointly with my perſon ſent unto you, is,
" outward peace; that is, peace abroad with all
" foreign neighbors: for I thank God, I may
" juſtly ſay, that never ſince I was a King, I ei-
" ther received wrong of any other Chriſtian Prince
" or ſtate, or did wrong to any. I have ever, I
" praiſe God, yet kept peace and amity with all,
" which hath been ſo far tied to my perſon, as at
" my coming here, you are witneſſes, I found the
" ſtate imbarked in a great and tedious war; and
" only by mine arrival here, and by the peace in

" my

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" my perſon, is now amity kept, where war was " before, which is no ſmall bleſſing to a Chriſtian " commonwealth: for, by peace abroad with their " neighbors the towns flouriſh, the merchants be- " come rich, the trade doth increaſe, and the peo- " ple of all ſorts in the land injoy free liberty to " exerciſe themſelves in their ſeveral vocations, " without peril or diſturbance. Not that I think " this outward peace ſo unſeparably tied to my " perſon, as I dare aſſuredly promiſe to my ſelf, " and to you, the certain continuance thereof: but " thus far I can very well aſſure you, and in the " word of a King, promiſe unto you, That I " ſhall never give the firſt occaſion of the breach " thereof; neither ſhall I ever be moved, for any " particular or private paſſion of mind, to inter- " rupt your public peace, except I be forced there- " unto, either for reparation of the honor of the " kingdom, or elſe by neceſſity for the weal and " preſervation of the ſame: in which caſe, a ſe- " cure and honorable war muſt be prefered to an " unſecure and diſhonorable peace. Yet do I " hope, by my experience of the by-paſſed bleſ- " ſings of peace, which God hath ſo long, ever " ſince my birth, beſtowed upon me, that he will " not be weary to continue the ſame, nor repent " him of his grace towards me; transfering that " ſentence of King David's, upon his by-paſſed " victories of war, to mine of peace; that " that " God who preſerved me from the devouring jaws " of the bear, and of the lion, and delivered them " into my hands, ſhall alſo now grant me victory " over that uncircumciſed Philiſtine." But altho' " outward peace be a great bleſſing, yet it is far " inferior to peace within, as civil wars are more " cruel and unnatural than wars abroad. And " therefore the ſecond great bleſſing which God " hath within my perſon ſent unto you, is peace " within, and that in a double form: firſt, by my " deſcent lineally out of the loins of Henry VII, " is reunited and confirmed in me the union of the " two princely Roſes of the two houſes of Lancaſter " and York, whereof that King of happy memory " was the firſt uniter, as he was alſo the firſt " ground-layer of the other peace (the lamentable " and miſerable events, by the civil and bloody " diſſenſion betwixt theſe two houſes, were ſo great, " and ſo late, as it need not be renewed unto your " memories) which as it was firſt ſettled and united " in him, ſo is it now re-united and confirmed in " me; being juſtly and lineally deſcended not only " of that happy conjunction, but of both the " branches thereof in any times before. But the " union of theſe two princely houſes is nothing " comparable to the union of theſe two ancient and " famous kingdoms, which is the other inward " peace annexed to my perſon.

" And here I muſt crave your patiences for a " little ſpace, to give me leave to diſcourſe more " particularly of the benefits which do ariſe of that " union which is made in my blood, being a " matter which moſt properly belongeth to me to " ſpeak of, as the head wherein that great body is " united. And firſt, if we were to look no higher " than to natural and phyſical reaſons, we may " eaſily be perſuaded of the great benefits which " by that union do redound to the whole " iſland: for if twenty thouſand men be a ſtrong " army, is not the double thereof, forty thouſand, " the ſtronger army? If a baron inricheth himſelf " with double as many lands as he had before, is " he not double the greater? Nature teacheth us, " that mountains are made of motes; and that at " the firſt, kingdoms being divided, and every " particular town, or little country, as tyrants or " uſurpers could obtain the poſſeſſion, a ſigniory " a-part: many of theſe little kingdoms are now, " in proceſs of time, by the ordinance of God, " joined into great monarchies, whereby they are " become powerful within themſelves, to defend " themſelves from all outward invaſions, and their " head and governor thereby inabled to redeem " them from foreign aſſaults, and puniſh private " tranſgreſſions within. Do we not yet remember, " that this kingdom was divided into ſeven little " kingdoms, beſide Wales? And is it not now " the ſtronger by their union? And hath not the " union of Wales to England added a greater " ſtrength thereto? Which, tho' it was a great " principality, was nothing comparable, in great- " neſs and power, to the ancient and famous king- " dom of Scotland. But what ſhould we ſtick " upon any natural appearance, when it is manifeſt " that God, by his Almighty Providence, hath " pre-ordained it ſo to be? Hath not God firſt " united theſe two kingdoms, both in language, " religion, and ſimilitude of manners? Yea, hath " he not made us all in one iſland, compaſſed with " one ſea, and of itſelf by nature indiviſible, as " almoſt thoſe who were borderers themſelves on " the late borders, cannot diſtinguiſh, nor know, " or diſcern their own limits: theſe two countries " being ſeparated neither by ſea, nor great river, " mountain, nor other ſtrength of nature, but only " by little ſmall brooks, or demoliſhed walls, ſo as " rather they were divided in apprehenſion, than " in effect; and now in the end and fulneſs of time " united, the right and title of both in my perſon, " alike lineally deſcended of both the crowns, " whereby it is now become like a little world " within itſelf, being intrenched and fortified round " about with a natural, and yet admirably ſtrong " pond or ditch, whereby all the former fears of " this nation are now quite cut off: the other part " of the iſland being, ever before now, not only " the place of landing to all ſtrangers who were to " make invaſion here, but likewiſe moved by the " enemies of this ſtate, by untimely incurſions to " make inforced diverſion from their conqueſts, for " defending themſelves at home, and keeping ſure " their back-door, as then it was called, which " was the greateſt hindrance and lett my prede- " ceſſors of this nation ever got, in diſturbing " them from their famous and glorious conqueſts " abroad: " what God hath conjoined then, let " no man ſeparate." I am the huſband, and all " the whole iſland is my lawful wife; I am the " head, and it is my body; I am the ſhepherd, " and it is my flock. I hope therefore no man will " be ſo unreaſonable as to think, that I, who am " a Chriſtian King, under the goſpel, ſhould be a " polygamiſt, and huſband to two wives; that I " being the head, ſhould have a divided and mon- " ſtrous body; or that, being the ſhepherd to ſo " fair a flock (whoſe fold hath no wall to hedge it " but the four ſeas) ſhould have my flock parted " in two. But as I am aſſured that no honeſt ſub- " ject, of whatſoever degree, within my whole " dominions, is leſs glad of this joyful union than " I am; ſo may the frivolous objection of any " who would be hinderers of this work (which " God hath in my perſon already eſtabliſhed) be " eaſily anſwered; which can be none except ſuch " as are either blinded with ignorance, or elſe " tranſported with malice, being unable to live in " a well-governed common-wealth, and only de- " lighting to fiſh in troubled waters: for if they " would ſtand upon their reputation and privileges " of any of the kingdoms, I pray you, were not " both the kingdoms monarchies from the begin- " ing? and conſequently, could ever the body be " counted without the head, which was ever unſe- " parably joined thereunto? ſo that as the honor " and privileges of either of the kingdoms could

" not

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" not be divided from their Sovereign; ſo are they " now confounded and joined in my perſon, who " am equal and alike kindly head to you both. " When this kingdom of England was divided " into ſo many little kingdoms, as I told you be- " fore, one of them behoved to eat up another, " 'till they were all united in one: and yet can " Wiltſhire or Devonſhire, which were of the " Weſt-Saxons, altho' their kingdom was of " longeſt durance, and did by conqueſt overcome " diverſe of the reſt of the little kingdoms, make " claim to priority of place or honor before Suſſex, " Eſſex, or other ſhires, which were conquered by " them? and have we not the like experience in the " kingdom of France, being compoſed of diverſe " duchies, and one after another conquered by the " ſword? for even as little brooks loſe their names " by their running and falling into great rivers, " and the very name and memory of the great " rivers ſwallowed up in the ocean; ſo by the con- " junction of diverſe little kingdoms in one, are all " theſe private differences and queſtions ſwallowed " up. And, ſince the ſucceſs was happy of the " Saxon kingdoms, being conquered by the ſpear " of Bellona, how much greater reaſon have we to " expect a happy iſſue of this greater union, which " is only faſtened and bound up by the wedding- " ring of Aſtrea? And as God hath made Scot- " land (the one half of this iſle) to injoy my birth, " and the firſt and moſt imperfect half of my life; " and you here to injoy the perfect and laſt half " thereof; ſo cannot I think that any would be ſo " injurious to me, no, not in their thoughts and " wiſhes, as to cut aſunder the one half of me from " the other: but in this matter I have far enough " inſiſted, reſting aſſured that, in your hearts and " minds, you all applaud this my diſcourſe.

" Now altho' theſe bleſſings, before rehearſed, " of inward and outward peace be great; yet ſee- " ing that, in all good things, a great part of their " goodneſs and eſtimation is loſt, if they have not " appearance of perpetuity or long continuance; " ſo it hath pleaſed Almighty God to accompany " my perſon alſo with that favor, having healthful " and hopeful iſſue of my body, whereof ſome " are here preſent, for continuance and propagation " of that undoubted right which is in my perſon, " under whom I doubt not but it will pleaſe God " to proſper and continue for many years this union, " and all other bleſſings of inward and outward " peace, which I have brought with me.

" But neither peace outward, nor peace inward, " nor any other bleſſing which can follow there- " upon, nor appearance of the perpetuity thereof, " by propagation in the poſterity, is but a weak " pillar, and a rotten reed to lean unto, if God " do not ſtrengthen, and, by the ſtaff of his bleſ- " ſing, make them durable; for in vain doth the " watchman watch the city, if the Lord be not " the principal defenſe thereof; in vain doth the " builder build the houſe, if God give not the " ſucceſs; and in vain, as Paul ſaith, doth Paul " plant, and Apollo water, if God give not the " increaſe: for all worldly bleſſings are but like " ſwift-paſſing ſhadows, fading flowers, or chaff " blown before the wind, if, by the profeſſion of " true religion, and works according thereunto, " God be not moved to maintain and ſettle the " thrones of Princes. And altho' that ſince mine " entry into this kingdom I have, both by meeting " with diverſe of the eccleſiaſtical ſtate, and like- " wiſe by ſundry proclamations, clearly declared " my mind in points of religion, yet do I not " think it amiſs, in this ſo ſolemn an audience, I " ſhould now take occaſion to diſcover ſomewhat " of the ſecrets of my heart in that matter; for I " ſhall never, with God's grace, be aſhamed to " make public profeſſion thereof at all occaſions, " leſt God ſhould be aſhamed to profeſs and allow " me, before men and angels; eſpecially, leſt that " at this time men might preſume, upon the miſ- " knowledge of my meaning, to trouble this par- " liament of ours farther than were convenient.

" At my firſt coming, altho' I found but one " religion, and that which by myſelf is profeſſed, " publicly allowed, and by the law maintained; " yet I found another ſort of religion, beſide a " private ſect, lurking within the bowels of this " nation. The firſt is the true religion, which " by me is profeſſed, and by the law eſtabliſhed: " the ſecond is, the falſely-called Catholics, but " truly Papiſts: the third, which I call a ſect, ra- " ther than a religion, is the Puritans or Noveliſts, " who do not ſo far differ from us in points of re- " ligion, as in their confuſed form of policy and " purity, " being ever diſcontented with the pre- " ſent government, and impatient to ſuffer any ſu- " periority, which makes their ſect unable to be " ſuffered in any well-governed common-wealth." " But as for my courſe towards them, I remit it " to my proclamations made on that ſubject.

" And now for the Papiſts, I muſt put a diffe- " rence betwixt my own private profeſſion of mine " own ſalvation, and my politic government of " the realm, for the weal and quietneſs thereof. " As for mine own profeſſion, you have me your " head now among you, of the ſame religion which " the body is of: as I am no ſtranger to you in " blood, no more am I a ſtranger to you in faith, " or in matters concerning the houſe of God. And " altho' this my profeſſion be according to mine " education, wherein, I thank God, I ſucked the " milk of God's truth with the milk of my nurſe, " yet do I here proteſt unto you, that I would " never, for ſuch a conceit of conſtancy, or other " prejudicate opinion, have ſo firmly kept my firſt " profeſſion, if I had not found it agreeable to all " reaſon, and to the rule of my conſcience. But " I was never violent, nor unreaſonable in my pro- " feſſion: " I acknowledge the Roman church to " be our mother church, altho' defiled with ſome " infirmities and corruptions," as the Jews were, " when they crucified Chriſt. And as I am " no enemy to the life of a ſick man, becauſe I " would have his body purged of ill humors; no " more am I enemy to their church, becauſe I " would have them reform their errors, not wiſh- " ing the down-throwing of the temple, but that " it might be purged, and cleanſed from corrup- " tion; otherwiſe how can they wiſh us to enter, " if their houſe be not firſt clean? But as I would " be lother to diſpenſe in the leaſt point of mine " own conſcience, for any worldly reſpect, than " the fooliſheſt preciſian of them all; ſo would I " be as ſorry to ſtrait the politic government of " the bodies and minds of all my ſubjects to my " private opinions: nay, my mind was ever " ſo free from perſecution, or thralling of my ſub- " jects in matters of conſcience, as I hope thoſe " of that profeſſion within this kingdom have a " proof ſince my coming, that I was ſo far from " increaſing their burdens, with Rehoboam, as I " have, ſo much as either time, occaſion, or law " could permit, lightened them: and even now at " this time, have I been careful to reviſe and con- " ſider deeply upon the laws made againſt them, " " That ſome overture might be proponed to " the preſent parliament, for clearing theſe laws by " reaſon (which is the ſoul of the law) in caſe they " have been in paſſed times farther, or more rigo- " rouſly extended by judges, than the meaning of " the law was, or might tend to the hurt as well " of the innocent, as of guilty perſons." And as " to the perſons of my ſubjects who are of that profeſſion,

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" profeſſion, I muſt divide them into two ranks, " clerics and laics. For the part of the laics, cer- " tainly I ever thought them far more excuſable " than the other ſort, becauſe that ſort of religion " contained ſuch a doubtful, ignorant, and implicit " kind of faith in the laics, grounded upon their " church as, except they do generally believe what- " ſoever their teachers pleaſe to affirm, they cannot " be thought guilty of theſe particular points of " hereſies and corruptions, which their teachers do " ſo wilfully profeſs. And again, I muſt ſub- " divide the ſame laics into two ranks, that is, " either quiet and well-minded men, peaceable " ſubjects, who either, being old, have retained " their firſt drunken-in liquor upon a certain ſhame- " facedneſs to be thought curious, or changeable; " or, being young men, thro' evil educations, have " never been nurſed or brought up but upon ſuch " venom, inſtead of wholeſome nutriment; and " that ſort of people I would be ſorry to puniſh " their bodies for the error of their minds, the re- " formation whereof muſt only come of God, and " the true ſpirit. But the other rank of laics who, " either thro' curioſity, affectation of novelties, or " diſcontentment in their private humors, have " changed their coats, only to be factious ſtirrers of " ſedition, and perturbers of the commonweal; " their backwardneſs in their religion giveth a " ground to me (their magiſtrate) to take the " better heed to their proceedings, and to correct " their obſtinacy.

" But for the part of the clerics, I muſt directly " ſay and affirm that, as long as they maintain " one ſpecial point of their doctrine, and another " point of their practiſe, they are no way ſufferable " to remain in this kingdom. Their point of " doctrine is, that arrogant and ambitious ſupre- " macy of their head, the Pope, whereby he not " only claimeth to be ſpiritual head of all Chriſtians, " but alſo to have an imperial civil power over all " Kings and Emperors, dethroning and decrowning " Princes with his foot as pleaſeth him, and diſ- " penſing and diſpoſing of all kingdoms and empires " at his appetite. The other point which they " obſerve in continual practiſe is, the aſſaſſinates " and murders of Kings, thinking it no ſin, but " rather a matter of ſalvation, to do all actions of " rebellion and hoſtility againſt their natural Sove- " reign Lord, if he be once curſed, his ſubjects " diſcharged of their fidelity, and his kingdom given " a prey, by that three-crowned Monarch, or rather " monſter, their head. And in this point I have " no occaſion to ſpeak farther here, ſaying, " That " I could wiſh from my heart, that it would pleaſe " God to make me one of the members of ſuch a " general union in religion, as laying wilfulneſs aſide " on both hands, we might meet in the midſt, " which is the center and perfection of all things. " For if they would leave and be aſhamed of ſuch " new and groſs corruptions of theirs, as themſelves " cannot maintain, nor deny to be worthy of re- " formation, I would for my own part be content " to meet them in the mid-way, ſo that all novel- " ties might be renounced on either ſide." For as " my faith is the true, ancient, catholic and apoſtolic " faith, grounded upon the ſcriptures and expreſs " word of God; ſo will I ever yield all reverence " to antiquity, in the points of eccleſiaſtical policy: " and by that means ſhall I ever, with God's " grace, keep my ſelf from either being a heretic " in faith, or ſchiſmatic in matters of policy.

" But of one thing would I have the Papiſts of " this land to be admoniſhed, that they preſume " not ſo much upon my lenity (becauſe I would be " loth to be thought a perſecutor) as thereupon " to think it lawful for them daily to increaſe their " number and ſtrength in this kingdom; whereby, " if not in my time, at leaſt in the time of my " poſterity, they might be in hope to erect their " religion again. No, let them aſſure themſelves, " that as I am a friend to their perſons, if they be " good ſubjects, ſo I am a vowed enemy, and do " denounce mortal war to their errors. And that " as I would be ſorry to be driven, by their ill " behavior, from the protection and conſervation of " their bodies and lives; ſo will I never ceaſe, as " far as I can, to tread down their errors and wrong " opinions: firſt, I could not permit the increaſe " and growing of their religion, without betraying " my ſelf and mine own conſcience: ſecondly, this " whole iſle, as well the part I am come from, as " the part I remain in, in betraying their liberties, " and reducing them to the former ſlaviſh yoke " which both had caſten off before I came among " them: and thirdly, the liberty of the crown in " my poſterity, which I ſhould leave again under " a new ſlavery, having found it left free to me " by my predeceſſors. And therefore would I " wiſh all my good ſubjects, who are deceived " with that corruption; firſt, if they find any be- " gining of inſtinction in themſelves of knowledge, " and love to the truth, to foſter the ſame by all " lawful means, and to beware of quenching the " ſpirit which worketh within them: and if they " can find as yet no motion tending that way, to " be ſtudious to read and confer with learned men, " and to uſe all ſuch means as may farther their " reſolution; aſſuring themſelves, that as long as " they are diſconformable in religion from us, they " cannot be but half my ſubjects, be able to do " but half ſervice, and I to want the beſt half of " them, which is their ſouls.

" And here I take occaſion to ſpeak to you, my " lords the biſhops; for as you, my lord of Durham, " ſaid very learnedly this day, in your ſermon, " Correction without inſtruction is but a tyranny:" " ſo ought you, and all the clergy under you, to " be more careful, vigilant, and diligent, than " you have been, to win ſouls to God, as well " by your exemplary life, as doctrine. And ſince " you ſee how careful they are, ſparing neither " labor, pains, nor extreme peril of their perſons, " to pervert (the devil is ſo buſy a biſhop) you " ſhould be the more careful and wakeful in your " charges. Follow the rule preſcribed to you by " St. Paul, " Be ye careful to exhort and inſtruct, " in ſeaſon, and out of ſeaſon:" and where you " have been any way ſluggiſh before, now waken " yourſelves up again with a new diligence in this " point, remiting the ſucceſs to God, who calling " them either at the ſecond, third, tenth, or twelfth " hour, as they are alike welcome to him, ſo ſhall " they be to me, his lieutenant here.

" The third reaſon of my convening you at this " time, which containeth ſuch actions of my thank- " fulneſs towards you, as I may either do, or leave " undone, yet ſhall, with God's grace, ever preſs " to perform all the days of my life. It conſiſteth in " theſe two points; in making laws at certain " times, which is only at ſuch times as this, in " parliament; or in the careful execution thereof " at all other times. As for the making them, " I will thus far faithfully promiſe unto you, that I " will ever prefer the weal of the body, and of the " whole commonweal, in making good laws and " conſtitutions, to any particular or private ends " of mine, thinking ever the wealth and weal of " the public to be my greateſt weal, and worldly " felicity: a point wherein a lawful King doth " directly differ from a tyrant. But, at this time, " I am only thus far to forewarn you in that point, " that you beware to ſeek the making too many " laws, for two eſpecial reaſons. Firſt, becauſe in " corruptiſſimâ Republicâ plurimæ leges: and the

" execution

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" execution of good laws is far more profitable in " a commonweal, than to burden mens memories " with the making too many of them. And next, " becauſe the making too many laws in one par- " liament will bring in confuſion, for lack of leiſure " wiſely to deliberate before you conclude: for the " biſhop ſaid well to day; that to deliberation would " a large time be given, but to execution a greater " promptneſs was required. As for the execution " of good laws, it hath been very wiſely and " honorably foreſeen, and ordered by my prede- " ceſſors in this kingdom, in planting ſuch a num- " ber of judges, and all ſorts of magiſtrates, in " convenient places, for the execution thereof. And " therefore muſt I now turn me to you who are " judges and magiſtrates under me, as mine eyes " and ears in this caſe: I can ſay no otherwiſe to " you, than as Ezekias, the good King of Juda, " ſaid to his judges; "Remember that the thrones " you ſit on are God's, and neither yours nor " mine." And that as you muſt be anſwerable to " me, ſo muſt both you and I be anſwerable to " God, for the due execution of our offices. " That place is no place for you to utter your af- " fections in; you muſt not there hate your foe, " nor love your friend; fear the offenſe of the " greater party, or pity the miſery of the meaner; " you muſt be blind, and not ſee diſtinctions of " perſons; handleſs, not receive bribes; but keep " that juſt temper and mild-courſe in all your pro- " ceedings that, like a juſt balance, you may nei- " ther ſway to the right nor left hand. Three " principal qualities are required in you, know- " ledge, courage and ſincerity; that you may diſ- " cern with knowledge, execute with courage, and " do both in upright ſincerity: and as, for my " part, I do vow and proteſt here in the preſenſe " of God, and of this honorable audience, I ne- " ver ſhall be weary, nor omit any occaſion where- " in I may ſhew my carefulneſs of the execution of " good laws; and, as I wiſh you who are judges, " not to be weary in your office, in doing it, ſo " ſhall I never be weary, with God's grace, to " take account of you, which is properly my " calling.

" And thus having told you the three cauſes " of my convening this parliament, all three " tending only to utter my thankfulneſs, but in " diverſe forms; the firſt by word, the other two " by action; I do confeſs, that when I have " done, and performed all which in this ſpeech " I have promiſed, Inutilis ſervus ſum: Inutile, " becauſe the meaning of the word Inutilis in " that place of ſcripture, is underſtood, that in " doing all that ſervice which we can to God, " it is but our duty, and we do nothing to God, " but that which we are bound to do: and in " like manner, when I have done all I can for " you, I do nothing but what I am bound to do, " and am accountable to God upon the contrary. " For I do aknowledge; "That the ſpecial and " greateſt point of difference that is betwixt a " rightful King, and a uſurping Tyrant, is in " this; that whereas the proud and ambitious " Tyrant doth think his kingdom and people are " only ordained for ſatisfaction of his deſires and " unreaſonable appetites; the righteous and juſt " King doth, by the contrary, acknowledge him- " ſelf to be ordained for the procuring the wealth " and proſperity of his people, and that his greateſt " and principal worldly felicity muſt conſiſt in " their proſperity". If you be rich, I cannot " be poor; if you be happy, I cannot but be " fortunate; and I proteſt that your welfare ſhall " ever by my greateſt care and contentment. And " that I am a ſervant is moſt true; that as I am " head and governor of all the people in my domi- " nions, who are my natural vaſſals and ſubjects, " conſidering them in numbers and diſtinct ranks; " ſo if we will take the whole people as one body, " and maſs, then as the head is ordained for the " body, and not the body for the head, ſo muſt " a righteous King know himſelf to be ordained " for his people, and not his people for him: " for altho' King and people be relata, yet can he " be no King if he want people and ſubjects: but " there are many people in the world who lack " a head; wherefore I will never be aſhamed to " to confeſs it my principal honor, to be the great " ſervant of the common-weal; and ever think " the proſperity thereof to be my greateſt felicity, " as I have already ſaid.

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" But as it was the whole body of this king- " dom (with a uniform aſſent and harmony) as " I told you in the begining of my ſpeech, which " did ſo far oblige me, in goodwill and thankfulneſs " of requital by their alacrity and readineſs in de- " claring and receiving me to that place which God " had provided for me, and not any particular " perſons (for then it had not been the body) ſo is " my thankfulneſs due to the whole ſtate. For " even as in matters of faults, Quod à multis pec- " catur impunè peccatur; even ſo in the matters of " virtuous and good deeds, what is done by the " willing conſent and harmony of the whole body " no particular perſon can juſtly claim thanks, as " proper to him for the ſame: and therefore I " muſt here make a little apology for my ſelf, in " that I could not ſatisfy the particular humors " of every perſon who looked for ſome advance- " ment or reward at my hand, ſince my entry into " this kingdom. Three kinds of things were " craved of me, advancement to honor, prefer- " ment to place of credit about my perſon, and re- " ward in matters of land or profit. If I had " beſtowed honor upon all, no man could have " been advanced to honor; for the degrees of honor " do conſiſt in prefering ſome above their fellows: " if every man had the like acceſs to my privy or " bed-chamber, then no man could have it, becauſe " it cannot contain all: and if I had beſtowed lands " and rewards upon every man, the fountain of " my liberality would have been ſo exhauſted and " dried, as I would lack means to be liberal to " any man: and yet was I not ſo ſparing, but I " may without vaunting affirm, that I have inlarged " my favor, in all the three degrees, towards as " many, and more than ever King of England did, " in ſo ſhort a ſpace. No, I rather crave your " pardon, that I have been ſo bountiful: for, if " the means of the crown be waſted, I behoved " then to have recourſe to you my ſubjects, and be " burdenſome to you, which I would be lotheſt to " be of any King alive; for as it is true that, " as I have already ſaid, it was a whole body " which did deſerve ſo well at my hand, and not " every particular perſon of the people: yet were " there ſome who, by reaſon of their office, credit " with the people, or otherwiſe, took occaſion " both before, and at the ſame time of my coming " among you, to give proof of their love and " affection towards me. Not that I am any way " in doubt, that if other of my ſubjects had been " in their places, and had the like occaſion, but " they would have uttered the like good effects (ſo " general and ſo great were the love and affec- " tion of you all towards me) but yet this having " been peformed by ſome ſpecial perſons, I could " not without unthankfulneſs but requite them ac- " cordingly: and therefore had I juſt occaſion to " advance ſome in honor, ſome to places of ſer- " vice about me, and by rewarding to inable ſome " who had deſerved well of me, and were not " otherwiſe able to maintain the ranks I thought

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" them capable of, and others who, altho' they " had not particularly deſerved before, yet I found " them capable and worthy of place of preferment " and credit, and not able to ſuſtain thoſe places " for which I thought them fit, without my help. " Two eſpecial cauſes moved me to be ſo open-" handed, whereof the one was reaſonable and ho-" norable but the other (I will not be aſhamed to " confeſs unto you) proceeded of mine own infirmi-" ty. That which was juſt and honorable, was " that, being ſo far beholden to the body of the " whole ſtate, I thought I could not refuſe to let " run ſome ſmall brooks out of the fountain of my " thankfulneſs to the whole, for refreſhing of par-" ticular perſons who were members of that mul-" tidude. The other, which proceeded out of " mine own infirmity, was, the multitude and " importunity of ſuitors. But altho' reaſon cometh " by infuſion, in a manner, yet experience groweth " with time and labor: and therefore do I not " doubt, but experience in time coming will both " teach the particular ſubjects of this kingdom not " to be ſo importune and undiſcreet in craving; " and me not to be ſo eaſily and lightly moved " in granting that which may be harmful to " my eſtate, and conſequently to the whole king-" dom.

" And thus having at length declared unto you " my mind, in all the points for the which I " called this parliament, my concluſion ſhall only " now be, to excuſe my ſelf, in caſe you have " not found ſuch eloquence in my ſpeech as, " peradventure, you might have looked for at " my hands. I might, if I liſt, alledge the great " weight of my affairs, and my continual buſineſs " and diſtraction, that I could never have leiſure " to think upon what I was to ſpeak, before I " came to the place where I was to ſpeak: and " I might alſo alledge, that my firſt ſight of this " ſo famous and honorable aſſembly might like-" wiſe breed ſome impediment. But leaving theſe " excuſes, I will plainly and freely, in my man-" ner, tell you the true cauſe of it; which is, that " it becometh a King, in my opinion, to uſe " no other eloquence than plaineſs and ſincerity. " By plaineſs I mean, that his ſpeeches ſhould " be ſo clear, and void of all ambiguity, that they " may not be torn nor rent aſunder in contrary " ſenſes, like the old oracles of the Pagan gods: " and by ſincerity I underſtand, that uprightneſs " and honeſty, which ought to be in a King's " whole ſpeeches and actions; that, as far as a " King is in honor erected above any of his ſub-" jects, ſo far ſhould he ſtrive in ſincerity to be " above them all, and that his tongue ſhould be " ever the true meſſenger of his heart. And " this ſort of eloquence may you ever aſſuredly " look for at my hands".

Sundry remarks made on James's ſpeech.

This harangue was not received with the applauſes his Majeſty had expected. Beſide its exorbitant prolixity, diverſe particulars were remarked which gave room for criticiſm. Firſt, none could tell what to make of his " actions of thanks inſe-" parably conjoined in his perſon," and containing two bleſſings, the firſt whereof was confined to theſe two points: 1. That having never had war with any of his neighbors, he infered thence, that he brought peace with him every where. But it was no great wonder he had not been hitherto at war with his neighbors, ſince Scotland has properly no neighbors but the Engliſh. 2. That, without being ſollicited, he had revoked the letters of mark againſt Spain. The other bleſſing of his " actions " of thanks" conſiſted in the union in his perſon of the titles of the two houſes of Lancaſter and York. Hence he would have inſinuated that, by his acceſſion to the throne of England, he freed the Engliſh from the dread of ſeeing a renewal of the civil wars occaſioned by the ſaid two houſes titles: but this pretended dread was only a chimera of his own forming; ſince Henry VIII, who much more juſtly united in his perſon the rights of the two contending houſes, the dread of a civil war had ſo diſappeared, that it was abſolutely forgot. As for his efforts to manifeſt the great advantages which would accrue to England from the union of the two kingdoms, they were intirely vain, as will hereafter appear: beſide, his inferences from the arbitrary compariſons, of a head with a divided body, a huſband with two wives, a ſhepherd with two flocks, ſeemed ſo little ſolid, that they were turned to ridicule. What he advanced concerning religion gave univerſal diſguſt. The Papiſts were not ſatisfied with his diſtinctions. The Puritans were extremely ſhocked that he ſhould poſitively ſay of them, " They were ever diſcontented with " the preſent government, and impatient of any " ſuperiority, which made their ſect inſufferable " in a well-governed common-wealth." The Proteſtants in general remarked in his ſpeech too great condeſcenſion for the Papiſts, and even contradiction in what he ſaid on their account. On the one hand, he affirmed, he was of the church of England, and his faith grounded upon the Holy Scriptures. On the other hand, he was ready to lay aſide all prejudice, and meet the Catholics half way. He declared himſelf a mortal enemy to their errors, but took care to intimate, that he confined, as I may ſay, theſe errors to the doctrine of the Pope's exorbitant power. With regard to the other ſort of " actions of thanks," conſiſting in the making and executing laws, it was ſaid, that a King of England might extol his condeſcenſion concerning ſome particular ſtatute, inacted to his own detriment, and the nation's benefit: but no King before him ever pretended that giving his aſſent to ſuch laws as were for his own and the kingdom's good, was laying any obligation on the people. It was likewiſe remarked, that he admoniſhed the parliament not to inact too many laws, as if he feared being obliged to carry too far his pretended thankfulneſs. That, as for the few good laws he was willing to admit, all the effects of his thankfulneſs conſiſted in giving the judges a very common and trivial charge. It was laſtly obſerved, that this thankfulneſs whereon turned his whole ſpeech, was as imaginary as the cauſe which produced it. In thanking the people of England " for receiving and imbracing him as their un-" doubted and lawful King and governor," he did not mean to declare, that the people had made him ſo, but only that, being undoubted King by his birth-right, they had received and owned him as ſuch. This was leſſening the obligation, and conſequently the thankfulneſs alſo: many were therefore of opinion that his Majeſty's drift in this tedious harangue, was not ſo much to expreſs his thankfulneſs to the Engliſh, as to inſinuate that all the obligation he had to them was, their not oppoſing his undoubted right: that his chief intention was, to obtain of the parliament the union of both kingdoms; to prevent any new laws againſt Papiſts, and to have the execution of thoſe already in force left to him. What was at firſt only conjectured became certain afterwards, as this King's views were gradually unveiled: but in this very parliament the Engliſh began to conceive a ſuſpicion and jealouſy of their new Sovereign. This is what put the houſe of commons on their guard, and made them carefully weigh the words and actions of this Prince, who, notwithſtanding the maxims laid down in the cloſe of his diſcourſe, was a very great proficient in the art of ſelecting

ambiguous

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ambiguous expreſſions. This muſt always be carried in mind in order to comprehend the events of this reign,

Act to confirm the King's title. Statut. c. 1. Wilſon.

The firſt buſineſs entered upon by this parliament was to prepare a ſtatute for acknowledging King James's title to the crown of England. This was not of his own moving: on the contrary, in all appearance, by repeating ſeveral times in his ſpeech, that he was undoubted King by birth-right, he deſigned to intimate, that he needed not parliamentary confirmation. But if this was his intent, the two houſes did not, or ſeemed not to underſtand it; whether they reſolved to preſerve a privilege hitherto injoyed, or apprehended ſuch omiſſion might occaſion troubles and rebellions. James, on his part, judged it not prudent to refuſe the act.

Commiſſioners to examine the union of the two kingdoms. Spotſwood. p. 480. &c. Rym. Fœd. Vol. XVI. p. 600. Wilſon.

After the parliament had conſidered of ſome other affairs, they appointed commiſſioners to examine his Majeſty's propoſal concerning a union between the two kingdoms: but to this James had already put obſtacles, by laviſhing honors and riches upon his Scotiſh courtiers. This convinced the Engliſh, they could not but loſe by a union, whoſe end they were perſuaded was to make the Scots partakers of England's wealth, whereas the Engliſh had nothing to expect in Scotland (1). Hence alſo aroſe farther occaſion to cenſure his Majeſty's ſpeech, where he ſpoke of Scotland as one half of the iſland, tho' the Engliſh were far from being ſtrangers to the vaſt inequality between the two halves. The Scots greedineſs after places, penſions and rich matches, raiſed the jealouſy of the Engliſh, and rendered them very averſe to the union James had projected. With theſe diſpoſitions the commiſſioners met to examine the advantages and inconveniences, in order to make their report to the two houſes (2).

The peoples diſcontent about religion. Wilſon.

While this was in agitation, the majority of people could not forbear expreſſing their diſcontents touching religion. The Papiſts expected greater favors from a Prince whom they imagined in their intereſt. His diſtinction between the clerics and laics, between thoſe who aſcribed to the Pope unlimited power, and ſuch as received not that doctrine, made them fear the advantages they had promiſed themſelves in this new reign would be very inconſiderable. The Preſbyterians were inraged to ſee James ſo openly prefer the Papiſts before them. All the Proteſtants in general heard, with grief, the advances he made to the Papiſts; but, more particularly, his offer of meeting them half way, and his affectation of condemning only a ſingle tenet, gave room to believe he had in reality the ſentiments he was ſuſpected of in Scotland. "What means "(ſaid they) his offer to the Papiſts of meeting "them half way, on their renouncing the doctrines "repugnant to regal authority? Where is this "half way to be? Does it relate to the hierarchy? "But if the Pope's authority is not received, there "will be no longer any difference between the "Engliſh and Romiſh churches. Does he reckon "the Catholics will have come half way, "when they have renounced the Pope's exorbi-"tant power? If ſo, we muſt, in order to go "the other half, yield them the reſt of thoſe arti-"cles which occaſioned our ſeparation." In ſhort, it was a queſtion, how far his offer was to extend, or where to ſtop, ſo obſcure and dubious was this expreſſion, tho' he had declared, he would uſe no other eloquence than plaineſs and ſincerity. Moſt of the prelates and the church of England zealots, were alone pleaſed, becauſe James ſeemed determined not to tolerate the Puritans, who were no leſs odious to them than the Papiſtical bigots. It is certain, their zeal for the church of England was carried ſomewhat too far, and the King, by ſo plainly declaring himſelf a ſworn enemy to the Puritans, bred a mutual enmity between the two parties, which was but too much cheriſhed, and which, at another juncture, proved fatal to the eſtabliſhed church. The Puritans were ſo offended at this uncharitableneſs for them, and the great condeſcenſion for the Papiſts, that they ſcrupled not charging the King, the biſhops, and the zealous epiſcopalians, with being ſo many agents for the Romiſh Pontif. Amidſt theſe diviſions, the Popiſh emiſſaries had but too many opportunities to foment the animoſity of theſe factions, and carry it to the utmoſt height, knowing they could not better execute their deſigns than when the realm was torn with diſſenſions. It is pretended that, at this juncture, many Jeſuits, with their ſuperiors permiſſion, were received, ſome as Preſbyterian miniſters, others as church of England prieſts, and that, under theſe diſguiſes, they ſo ſtretched the principles of both parties, in their writings and ſermons, that the breach was rendered irreparable.

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Artifice of the Jeſuits to foment diviſions. Annals of James I. Pref.

At the ſame time, thoſe who approached the King's perſon, both Engliſh and Scots, ſtudied only how to make their court, in order to obtain his good-graces and favors. The jealouſy between the two nations helped to ſtrain the flattery uſed by the whole court to his Majeſty. All labored to keep in his eſteem by whatever was to him moſt agreeable, and nothing was more ſo, than to be extolled for his abilities and learning, and to hear the royal authority talked of according to his own principles. It was ſome time before the people had a clear knowledge of this Prince's genius and character; but when he was once well known, the eſteem at firſt entertained of him very ſenſibly diminiſhed, whereto he himſelf greatly contributed by his unaccountable conduct, as in the ſequel will appear.

James a lover of flattery. Oſborn.

He aſſumes the title of King of Great-Britain. Wilſon, p. 673. Rym. Fœd. Vol. XVI. p. 603.

The main affair for which James had ſummoned the parliament was, the union of both kingdoms, tho' he pretended, his ſole motive was to expreſs his grateful acknowledgment to the Engliſh. He had ſuch opinion of his eloquence, that he queſtioned not the ſucceſs of this affair, and the nominating commiſſioners for that purpoſe confirmed his belief: ſo, whether thro' impatience, or to ingage the parliament to unite the two kingdoms with more readineſs, he cauſed himſelf to be proclaimed King of Great-Britain, without waiting for the parliament's deciſion. From thenceforwards he would hear no more of a diſtinction of the two kingdoms. St. Andrew's croſs was quartered with St. George's in the flags, and by proclamation the Scotiſh coins were made current in England. This evidenced James's not doubting but the union buſineſs would ſucceed to his wiſh: but he was yet a ſtranger to the genius and character of the Engliſh. Such as had no ſhare in his bounties, loudly murmured to ſee his Scotiſh attendants ſuddenly grown ſo rich, that the Engliſh could not imitate their ſplendor without ruining themſelves (3). On this occaſion were daily made abundance of Paſquinades not much to the Scots advantage, nor conſequently to the project of uniting the two kingdoms.

Jb. p. 605, 645. Howes. Wilſon.

Another affair alſo occurred, which did not any way diminiſh that diſlike the Engliſh had conceived

Difference between King James and the houſe of commons. Coke, p. 53.

(1) It was ſaid, That if the Scots had already impoveriſhed the kingdom, they would by the union bankrupt it. Welden, p. 58.

(2) There were in all forty-three commiſſioners, lords and commons, who were impowered to meet and treat with certain ſelect commiſſioners to be appointed by the parliament of Scotland. Wilſon, p. 673, &c. Spotſwood, p. 480, &c.

(3) The Engliſh (ſays Wilſon, p. 673) repined, to ſee the Scots advanced from blue bonnets to coſtly beavers, wearing, inſtead of wadmeal, velvet and ſattin.

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of their new Sovereign's conduct. This was a diſcontent given the houſe of commons, and which it will be neceſſary to mention, in order to ſhew this Prince's idea of the Engliſh conſtitution, and the juſt cauſe he gave the commons to apprehend he deſigned to invade their privileges. Immediately on opening the parliament, the commons as uſual examining the conteſted elections, there was a debate in the houſe about the return of ſir Francis Goodwin, and ſir John Forteſcue, for knight of the ſhire for the county of Bucks, and, on a full hearing, ſir Francis was declared duely elected. Three days after, the lords ſent to the commons, requiring a conference concerning Goodwin's election. The commons, ſurpriſed at ſo extraordinary a meſſage, replied; they did not think themſelves obliged to give account of their proceedings, and therefore could not grant the conference demanded. The peers anſwered; his Majeſty having been informed of what had paſſed in Goodwin's caſe, deemed himſelf in honor ingaged to have the affair re-debated, and had ordered them to confer thereon with the commons. Upon this, the commons, by their ſpeaker, gave the King their reaſons, why they could not admit this innovation: but all they could obtain was that, inſtead of a conference with the lords, James commanded them to confer with the judges. This pleaſed them no more than the other. They ſet down their reaſons in writing, and delivered them at the council-chamber, to deſire their lordſhips to intercede for them to his Majeſty not to violate their privileges. The anſwer was, the King abſolutely commanded them to have a conference with the judges. At this order, ſo very arbitrary, the commons were extremely ſurpriſed: nevertheleſs, fearing to be accuſed of too promptly ingaging in a quarrel with the King, they judged it properer to yield than ſtand out, fully bent however to adhere to what had been determined concerning the conteſted election. Certainly, James had ingaged in a very nice affair, and probably would not have come off with honor, had he not been diſingaged by Goodwin's moderation. That knight chuſing to forfeit his right rather than occaſion a quarrel between his Majeſty and the commons, deſired the houſe to order the county of Bucks to elect another repreſentative. Both King and commons willingly accepted this expedient, which prevented their proceeding to extremities; but James was hence convinced, that no great account was made of his proclamation on calling the parliament, whereby he pretended to be maſter of the elections.

March 23

March 26.

April 3.

The commons addreſs to James. June 16. Coke, p. 54.

This buſineſs ſatisfied the commons, that the King's intention was to ſound them, and that hereafter ſuch incidents might frequently be revived: for which reaſon, on the ſixteenth of June, addreſſing him concerning certain grievances, they took occaſion to repreſent their privileges, of which they ſuppoſed him not yet fully informed. This addreſs ſo diſpleaſed James, that, on the ſeventh of July, he prorogued the parliament, to have time for conſideration how he might humble the commons.

Parliament prorogued. Journ. Parl. Stow.

The clergy countenance James's principles touching arbitrary power. Coke, p. 60. Oſborn.

Moſt certainly, the majority of thoſe who approached the King, labored to inſpire him with the deſign of rendering himſelf abſolute, or rather to confirm him in his reſolution, by which they made their court completely; beſide, arbitrary power is no leſs advantageous to miniſters and courtiers, than detrimental to all other people. Diverſe writers charge the prelates with having been of the number of thoſe flatterers. Perhaps matters have been ſomewhat agravated: nevertheleſs, ſundry particulars give occaſion to believe, that the church of England clergy were inclined to aſcribe to the King more power than his predeceſſors had hitherto injoyed; at leaſt, it is certain that, from the reign of James I, to this preſent time, many members of that body have ſtrugled hard to convince the people, that they ought to acknowledge in the Sovereign unlimited authority, and have extended paſſive obedience as far in England as in the moſt deſpotic monarchies.

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Archbiſhop Bancroft's attempt in the King's favor. Ibid.

Bancroft, archbiſhop of Canterbury, a moſt zealous aſſerter of the prerogative-royal, was one of the firſt who attempted to paſs the uſual bounds, by cauſing to depend on the King's will ſuch matters as were undeniably within the parliament's juriſdiction. He exhibited to the King and council twenty-five grievances of the clergy, which were deſired to be reformed in granting prohibitions, that his Majeſty's courts might not have cognizance of what concerned theſe articles. It is ſaid, his view was to direct others the way to apply directly to the King, without regarding parliament or convocation: but James was told that, if he came into this prelate's meaſures, he would be ingaged in inextricable difficulties, becauſe redreſſing grievances had ever belonged to the parliament. This intimation induced James to conſult the judges, who unanimouſly anſwered, he ought to refrain from all deciſion touching the archbiſhop's motion.

Treaty of peace with Spain. Du Cheſne. Weldon. Rym. Fœd. Vol. XVI. p. 579. — 596. Stow. p. 845, &c. Weldon. Oſborn.

A pacific treaty with Spain ſoon followed the parliament's prorogation. Taxis having informed his Catholic Majeſty how the court of England ſtood affected, the conſtable of Caſtile was diſpatched to the Netherlands, with orders to paſs into England and conclude peace: but the conſtable, being by ſome affairs detained in Flanders, transfered his power to Taxis and Richardot. Theſe two deputies, arriving at London, agreed on a treaty, which however was not ſigned 'till the eighteenth of Auguſt, after the conſtable of Caſtile's arrival. Some affirm, that this embaſſador purchaſed peace with large ſums of money, diſtributed among King James's miniſters: but this can only be ſaid conjecturally, thoſe who are intruſted with ſuch ſort of intrigues not being accuſtomed to make them public (1). Howſoever this be, James's treaty with Spain was double, there being one wholly relating to commerce.

Coke, p. 56.

" By the IVth article of the firſt treaty, it was " agreed, that neither the Kings of England nor " Spain ſhould, directly or indirectly, give aid to " the enemies or rebels of the other party, of what " nature or condition ſoever they were.

" By the Vth, they renounced all former leagues, " confederacies, capitulations. and intelligences " contrary to that treaty.

Coke, p. 57.

" In the VIIth, King James excuſes the delivery " of the cautionary towns to his Catholic Majeſty, " and promiſes to enter into a treaty with the ſtates, " wherein he will aſſign them a competent time to " accept and receive terms for a pacification with " the archduke; which if they refuſed, he would " thenceforth think himſelf freed from all former " conventions with them."

(1) Weldon (p. 26, 27,) ſays, there was not one courtier of note but taſted of Spain's bounty, either in gold or jewels, and among them not any had ſo large a proportion as the counteſs of Suffolk, who ſhared in her lord's intereſt, being then a potent man, and in that intereſt which ſhe had in being miſtreſs to that little great ſecretary (little in body but great in policy) the ſole manager of ſtate affairs. So it may be ſaid, ſhe was a double ſharer: and in truth, Audley End, that famous great ſtructure, had its foundation of Spaniſh gold. He ſays, all Chriſtendom has ſince felt and ſeen the lamentable effect of this diſadvantageous peace.—— A peace, ſays Oſborn, more deſtructive to England than a war. He alſo obſerves, that the earl of Northampton was, by the Spaniſh gifts, inabled to build a noble houſe in the Strand; and there were many others in the kingdom had their foundation, if not their walls and roofs, plaiſtered with the ſame mortar. §. 4, 5.

Theſe

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These are doubtleſs the articles which have given occaſion to ſay, the Spaniards bought peace. It does not however appear that, after this treaty, James withdrew his troops from the ſtates ſervice, as he ſhould have done by virtue of the fourth article, nor that he fixed a time for the ſtates to make a peace, purſuant to the ſeventh. On the contrary, it will be ſeen, that he delivered to them the cautionary towns for a much leſs ſum than was agreed on with Elizabeth. Moreover, André du Cheſne, in his hiſtory of England, touching on this treaty, gives us only four articles, whereof the fourth is directly contrary to the above-ſaid fourth article. According to that hiſtorian the article ran:

Du Cheſne.

"That, as to the ſtates of Holland and Zealand, "things ſhould remain as they were, as well with "reſpect to the cautionary towns, as to the other "articles of the treaties between Elizabeth and the "ſaid ſtates, without the King of England's being "obliged to recall his troops from the Netherlands; "or to forbid his ſubjects to ſerve the ſaid ſtates. "Moreover, that the commerce, trade and navi- "gation between the Engliſh and the ſaid ſtates "ſhould continue upon the ſame foot as in Eliza- "beth's days."

This contrariety makes me conjecture, that James, to pleaſe the Spaniard and archduke, was perſuaded to agree, that the fourth article ſhould be inſerted in the treaty in the manner firſt mentioned, in order to induce the ſtates to haſten a peace, and that this ſame article, as related by Du Cheſne, was a reſtriction of the firſt, or a ſecret article, which was alone to take place. This is ſo common in treaties, that this conjecture cannot be conſidered as groundleſs, eſpecially as it is confirmed by the event.

A company erected for a trade with Spain and Italy. Coke, p. 59.

Peace being thus concluded with the Spaniard, King James was prevailed on to grant a monopoly of the trade with Spain and Italy to a company of merchants, and to prohibit all his ſubjects, except ſuch as were authoriſed by this company, to traffic in either of thoſe countries. But in the parliament's next ſeſſion, the commons taking into conſideration how deſtructive to trade ſuch a monopoly was, repreſented ſo plainly to his Majeſty its pernicious conſequences, that the company's patent was revoked, and the trade with Spain and Italy declared free to all his ſubjects as before.

James in great tranquillity.

During the remainder of 1604 nothing remarkable paſſed in England. King James led a peaceable life amidſt the flatteries of his court, moſt laviſhly diſtributing bounties among his favorites. But this profuſeneſs highly diſguſted thoſe who had no ſhare in it, and yet deemed themſelves no leſs deſerving than thoſe minions. Queen Elizabeth took a very different method, but James was no way diſpoſed to be her imitator. Never were honors beſtowed with leſs diſcretion and more profuſion than in this reign. Accordingly, they were no longer conſidered as the reward of merit, but of adulation only.

Profuſe of titles and honors.

Oſtend taken. Thuanus. Stow. Winwood's Memoirs Vol. II. p. 29.

Oſtend, beſieged now three years by the Spaniards, was finally, on the twentieth of September, conſtrained to capitulate. By reducing this place, the conquerors gained only heaps of ruins, which had coſt them immenſe ſums, and the loſs of numberleſs officers and ſoldiers. Before James concluded the peace with Spain, he ſeemed inclinable to interfere in the preſervation of Oſtend: but when peace was made, he thought only of corroborating his new friendſhip with his Catholic Majeſty and the archduke, by ſending them embaſſadors.

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AN' 1605. The lord admiral's embaſſady to Spain. Weldon. pag. 42. Baker.

James pitched on his high-admiral, the earl of Nottingham, for embaſſador extraordinary to Spain. The earl departed in March 1605, with a very numerous retinue, conſiſting according to ſome of no fewer than ſix hundred and fifty perſons (1).

And the earl of Hertford's to Bruſſels. *Sir W. Monſon.

At the ſame time, the earl of Hertford was ſent in embaſſy to Bruſſels. While he was at ſea, a Holland ſhip of war ſailed by, and refuſing to ſtrike, the Engliſh captain * prepared to compel him; but to this the embaſſador would not conſent. This was the firſt affront of that kind England had received from the Dutch, whoſe ſovereignity was not yet even acknowledged by any Potentate in Europe. Had James demanded reparation, doubtleſs, he might eaſily have obtained it, conſidering the then circumſtances of the United-Provinces. But, according to appearances, he judged it not worth his while to make a noiſe about what to him ſeemed of ſo little importance. The Engliſh however murmured at it, and many took occaſion to compare the King's indolence with Elizabeth's ſpirit, who moſt certainly would not have been ſo eaſy at ſuch inſults. James gave himſelf no trouble about it, believing that to avoid all occaſion of rupture with his neighbors was a more effectual way to procure his own and the nation's welfare, than to ingage in a war for ſo trifling a matter.

Affront to the Engliſh colors by a dutch ſhip of war. Weldon. p. 48, 49.

Jealouſies between the Engliſh and Scots. Wilſon. Weldon. Oſborn.

The jealouſy the Engliſh began to receive of the Hollanders, was nothing in compariſon of that cauſed by James's prodigal diſtribution of his favors among the Scots (2). Moſt writers tax the Papiſts with cheriſhing this jealouſy between the two nations, to make advantage of their diviſion. But, without being forced to recur to ſo remote a cauſe, I am of opinion, that the ancient enmity between the two kingdoms, and King James's inclination for the Scots, were much more natural cauſes of it. The King was no ſtranger to this jealouſy, and uſed ſome indeavors no allay it. He this year, in England, cauſed Thomas Douglas, a Scot, to be hanged, for counterfeiting his privy-ſeal on letters to diverſe Princes of Germany. This man falling into the hands of the elector Palatine, who diſcovered the fraud, was ſent over to England, where he had his due reward.

Douglas, a Scot, counterfeits the privy ſeal, and is hanged. Howes. Wilſon.

James's happy ſtate. Oſborn. Coke.

Hitherto King James was undiſturbed and ſurrounded with plenty, whereas he had in Scotland paſſed the firſt years of his life in confuſions and penury. Since his acceſſion to the Engliſh throne, he had not been obliged to aſk money of his parliament, becauſe at his arrival he found the deceaſed Queen had not yet touched the laſt ſubſidy granted her, amounting to three hundred and fifty thouſand pounds ſterling, the whole of which he had received. This, with the ordinary revenues, inabled him to be liberal to his favorites, of both nations, who ſoon grew very rich. On the other hand, he took delight in raiſing to honors and dignities ſeveral perſons who durſt not have aſpired to them in Elizabeth's reign. He moreover ſaw himſelf inceſſantly flattered by his courtiers, who neglected

(1) The Spaniards were aſtoniſhed at the magnificence of this embaſſy, and the handſome gentlemen; for it ſeems the Jeſuits reported our nation to be ugly, and like devils, as a puniſhment for caſting off the Pope; and they pictured ſir Francis Drake generally half a man half a dragon. So eaſy is it, ſays Wilſon, for thoſe jugglers, when they have once bound up the conſcience, to tie up the underſtanding alſo. Weldon, p. 42. Wilſon, p. 673.

(2) This jealouſy occaſioned many inſolencies; the ſtreets of London ſwarmed night and day with bloody quarrels; and private duels were every where fomented betwixt the Engliſh and Scots. Wilſon, p. 674.—— The Scots complaining at firſt to the King, that they were ſo poor, they underwent the by-word of beggarly Scots; the King replied to them, content your ſelves, I will ſhortly make the Engliſh as beggarly as you, and ſo end that controverſy. Weldon, p. 57.

not

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not any occaſion of ſhewing how much they admired his wiſdom and all his virtues: this was a neceſſary method to acquire his favor. To ſay all in a word, he paſſed his days very peaceably, in the midſt of plenty and effeminacies to which ſome pretend he was ſomewhat too much addicted (1). But this Prince has had the misfortune to have for hiſtorians ſuch as loved him not, as on the other ſide, he had the good fortune to have ſome who have indeavored to illuſtrate all his actions: ſo, there is danger of being greatly miſtaken, if the idea of his character be formed upon the commendations or invectives of his hiſtorians. It is better to keep ſolely to the examination of his actions and conduct.

Wilſon. Coke.

While all ſeemed concurring to procure King James a quiet and pacific reign, the devil, envying the happineſs of the Engliſh, inſpired ſome of his agents with one of the moſt horrible plots ever heard of. I mean the Powder-plot, which has made ſo much noiſe in the world, and of which I ſhall relate the particulars, without the leaſt exageration.

Occaſion of the powder-plot. Wilſon. Diſcourſe of the treaſon. Du Cheſne. Howes Contin. Stow. Speed. Coke, p. 61. &c. Oſborn. Winwood's Mem. Vol. II. p. 49. &c.

Whatever foundation the Papiſts might have for the hopes they entertained on beholding King James aſcend the throne of England, it is certain they expected from him great matters, and at leaſt a full toleration, with liberty of publicly exerciſing their religion: and on this toleration they grounded their hopes of reſtoring gradually their creed in England: but James's ſpeech to his parliament diſcovered two particulars. The firſt, that this toleration, which 'till then had been ſcarcely doubted, was not yet in any viſible readineſs. The ſecond, that tho' they ſhould obtain it of his Majeſty, it would not be for ſuch as acknowledged the Papal authority in its utmoſt extent. Theſe however were the people who were moſt active and eager to re-eſtabliſh their religion in England. They little regarded a bare liberty of conſcience for the moderate Catholics, to which James ſeemed to confine his favors; ſurmiſing it to be his Majeſty's meaning to divide the Catholics, and make of them two ſects, whereof one, renouncing the doctrine of the Pope's ſupremacy, ſhould be tolerated in the kingdom, and the other expulſed. This diviſion appeared to them ſo deſtructive to the Catholic religion, that they imagined the King, by this artful and politic conduct, intended to reconcile to the church of England ſuch as ſhould imprudently reject the Papal authority, as was the caſe under Henry VIII.

Account of the Powder treaſon. Diſcourſe of that treaſon in King James's Works. Speed. Thuanus. p. 135.

To prevent the execution of this imaginary project, which might be highly prejudicial to the church of Rome, ſome of theſe zealots conſulted together, and formed a horrible plot, which others afterwards approved. The chief of theſe wicked men was Robert Cateſby, a gentleman of Northamptonſhire, deſcended from the Cateſbies mentioned in the reign of Edward V. This perſon, having gained Thomas Percy, the earl of Northumberland's near kinſman, John Grant, Ambroſe Rookwood, John and Chriſtopher Wright, Francis Treſham, Guy Fawkes, ſir Everard Digby, Robert and Thomas Winter, Thomas Bates, and Robert Keyes, choſe five of them to conſult how to reſtore the Romiſh religion in England. Percy, one of the moſt zealous, propoſed killing the King, and offered to perform it. To this Cateſby replied, "tho' the King was dead, their cauſe would not "be advanced, ſince he would leave ſons, who "perhaps would not be more favorable to the "Catholics: nay, ſuppoſing the King and his "children were removed, there would remain ſo "many of the nobles and gentry, that probably "it would be very difficult to accompliſh their "deſign." He added, "he had deviſed a "method inſtantly to deſtroy in a manner all the "Catholic religion's chief adverſaries, and to "throw England into ſuch a conſternation, "that not a man would be able to take proper "meaſures to oppoſe the execution of their de-"ſigns." This was by blowing up the parliament houſe, while the King ſhould be uttering his ſpeech from the throne to the lords and commons. Then he ſhewed them in what manner the project might be executed, and was by all applauded. However, as ſo monſtrous a conſpiracy could not but create ideas frightful and naturally ſhocking to conſcience, ſome moved to have the legality of the project examined by their divines. It is affirmed that Henry Garnet, Oſwald Teſmond and John Gerrard, on being conſulted, approved of the plot as juſt and lawful, ſince it was againſt excommunicated heretics. This I cannot warrant, not having ſeen their trials: but thus much is certain, they ſuffered death for not diſcovering the combination whereof they had ample notice, and the King in his apology, publiſhed ſome time after, aſſerted, that Garnet was legally convicted, and had confeſſed his crime.

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Proceedings againſt Garnet. &c. in State-Try. Vol. I. Winwood's Mem. Vol. II. p. 170. Ibid.

Howſoever it be, the buſineſs being determined, they ſwore ſecreſy, the oath being, as it is ſaid, adminiſtered by father Garnet. Then Percy, being one of the gentlemen-penſioners, was appointed to hire a houſe, adjoining to the upper-houſe of parliament. This paſſed in November or December 1604, and the King was to make his ſpeech in parliament on the ſeventh of February. Percy having hired the houſe, the conſpirators began to dig in the cellar thro' the partition wall which, being very thick, gave them no ſlight imployment.* But as the parliament was prorogued to the third of October, they had as much time as was neceſſary to finiſh their work. In the begining of February 1605, they were got almoſt thro' the wall, when on a ſudden they heard a great noiſe on the other ſide. This threw them into a terrible panic, being apprehenſive of a diſcovery; but their courage reviving, Guy Fawkes, who paſſed for Percy's lackey, was ſent to ſee what had occaſioned their terror. He ſoon returning told them, that the place from whence the noiſe came, was a large cellar under the upper-houſe of parliament, full of coals, which were now under ſale, and the cellar offered to be lett. As nothing could be more favorable to their deſign, Percy immediately hired the cellar, and bought the remainder of the coals. Then he ſent for thirty-ſix barrels of powder from Holland, and lodging them at Lambeth, cauſed them to be conveyed in the night into the cellar, and covered with coals and faggots.

* About nine feet.

Fawkes's Confeſ.

The plot being thus in a fair way, it was conſidered what was to be done, when the King, Prince Henry his eldeſt ſon, the lords and commons, ſhould be buried in the ruins of the parliament-houſe. The duke of York, his Majeſty's ſecond ſon, being yet very young, was not to be preſent at the parliament, and his ſiſter, Princeſs Elizabeth, was educated at a houſe of lord Harrington's in Warwickſhire. It was therefore concluded, that Percy, who had free admitance into his Majeſty's palace, ſhould undertake diſpatching the duke of York, and that others, under color of a hunting-match, ſhould meet on the ſame day, near lord Harrington's houſe, and ſecure Princeſs Elizabeth. As all this could not be effected without money, Treſham offered two thouſand pounds ſterling,

Fawkes's and Winters's Confeſ.

(1) Chamberlain, in a letter to Winwood, tells him, That the King "finds ſuch felicity in a hunting life, that he hath "written to his council, and deſires them to take the charge and burden of affairs, and foreſee that he be not interrupted nor "troubled with too much buſineſs." Winwood's Mem. Vol. II. p. 46.

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Digby fifteen hundred, and Percy promiſed to furniſh four thouſand. Some moved for foreign aid beforehand; but the motion was rejected. It was reſolved only to demand aſſiſtance of France, Spain, and the archduke, when the buſineſs ſhould be executed. Then, after ſome conſultation, they agreed to ſave Princeſs Elizabeth, and proclaim her Queen. To this purpoſe, a proclamation was drawn up, wherein care was taken not to inſert any thing touching religion, for fear of alarming the people, 'till they ſhould be powerful enough to execute all their deſigns. Finally, they concluded on ſpreading a report, after the blow ſhould be given, that it came from the Puritans.

Winter's confeſſ.

The parliament being farther prorogued to the fifth of November, the conſpirators expected it with the utmoſt impatience, not one being touched with remorſe of the horrible treaſon they were about to perpetrate. But the Almighty, abhorring ſo deteſtable a villany, inſpired one of the conſpirators with a deſire to ſave lord Monteagle, lord

Octob. 26.

Morley's ſon. This nobleman returning home about ſeven in the evening, a letter was given him by his ſervant, who received it from a perſon unknown, with a charge to deliver it into his maſter's own hand. The letter was without name (1), and ran thus.

Diſcourſe of the Treaſon.

My LORD,

"OWT of the love I beare to ſome of your friends, I have a care of your preſervation. Therefore I would adviſe you, as you tender your life, to deviſe ſome excuſe to ſhift off your attendance at this parliament. For God and man have concurred to puniſh the wickedneſſe of this time. And thincke not ſlightly of this advertiſement, but retire yourſelf into your countrey, where you may expect the event in ſafetie. For though there be no appearance of any ſtirre, yet I ſay, they ſhall receave a terrible blow this parliament, and yet they ſhall not ſee who hurts them. This council is not to be contemned, bicauſe yt may doe you good, and can doe you no harme; for the danger is paſt ſo ſoone as you burne the letter. And I hope God will give you the grace to make good uſe of yt: to whoſe holy protection I commend you."

This letter was delivered to lord Monteagle ten days before the parliament's aſſembling. Tho' it was unintelligible to him, nay, tho' he imagined it only a trick to frighten him, he carried it that very evening to the earl of Saliſbury, ſecretary of ſtate. The earl ſhewed it to ſome privy-counſellors, who were as much at a loſs to comprehend its meaning as himſelf: nevertheleſs, they reſolved not to do any thing 'till the return of his Majeſty, then at Royſton.

Diſcourſe of the Treaſon. Winwood's Memoirs. Vol. II. p. 170, &c.

James returning to London the laſt day of October, the earl of Saliſbury read the letter to him, and concluded that it was written by ſome fool or madman. To convince the King, he repeated this ſentence, "The danger is paſt ſo ſoone as you burne "the letter." For, ſaid he, if the danger be paſſed when the letter is burned, what ſignifies this warning? But the King ordering the letter to be read again, explained the words otherwiſe, and ſaid, "ſo ſoon as you burne the letter," was to be interpreted, "in as ſhort a ſpace as you ſhall take to "burn the letter." Then comparing this ſentence with the foregoing, "That they ſhould receive a "terrible blow this parliament, and yet ſhould "not ſee who hurt them," he concluded that ſome ſudden blow was preparing by means of gun-powder (2). This interpretation being deemed very plauſible, it was reſolved, that all the rooms and cellars adjoining to the parliament-houſe ſhould be ſearched, to ſee if any powder was there concealed. However this ſearch was defered 'till the day before the parliament ſhould have met, in a belief, that the nearer the execution was, the more ſigns would be found. The earl of Suffolk, lord chamberlain, went himſelf to ſearch, without noiſe or hurry. When he came to the cellar where the powder was, and ſaw the coals and faggots with which it was covered, he aſked the wardrobe-keeper *, who attended him, to what uſe he had put the cellar? Whyneard anſwered, Mr. Percy had hired it, and the coals and wood were ſeemingly that gentleman's winter fuel. At this very inſtant, the lord chamberlain, perceiving in a corner a man ſtanding, and ſeemingly deſirous not to be ſeen, aſked who he was; and being told he was Mr. Percy's ſervant, ſeemed not to take any farther notice (3). This affected negligence made the conſpirators imagine there would not be any narrower ſcrutiny, ſince nothing was found in the cellar to create ſuſpicion, and they made ready to perpetrate their villany on the morrow.

JAMES I. AN' 1605.

Novemb. 4.

* Whyneard.

Powder found hid under the houſe of lords. Diſcourſe of the Treaſon.

The earl of Suffolk having made his report to the council, it was judged that if any powder was concealed, it lay in the great cellar under the coals and faggots. But as the parliament was to meet next day, it was reſolved not to ſearch under the wood 'till midnight, in hopes to find in or about the cellar ſome perſons from whom information might be gathered. Purſuant hereto, ſir Thomas Knevet, gentleman of the privy-chamber, and juſtice of peace for Weſtminſter, going to the cellar about mid-night, found at the door a man, cloaked and booted, whom he inſtantly ſeized (4). This was Guy Fawkes, who paſſed for Percy's ſervant (5). Then cauſing the wood and coals to be removed, they under them met with thirty-ſix barrels of powder. On this diſcovery, Fawkes being ſearched, they found upon him a dark-lantern, tinder-box, and three matches (6). This villain, inſtead of being diſmayed, boldly told them, if he had been taken within the cellar, he would have blown up himſelf and them together. His Majeſty, having notice of this diſcovery, ordered the priſoner to be examined concerning the circumſtances of this combination. He confeſſed the deſign was to blow up the King and parliament, and expreſſed great ſorrow that it was not effected, ſaying, it was the devil and not God who was the diſcoverer. He all that day obſtinately refuſed naming any of his accomplices; but, on the morrow, being ſhewed the rack, confeſſed all he knew.

Diſcourſe of the Treaſon.

The parliament's opening, which was to have been that very day, being defered, and news of the conſpiracy begining to ſpread in London, Cateſby, Percy, Winter, and the two Wrights, fled by ſeveral ways to their companions, who were

(1) Nor was it dated. The hand was wholly unknown, and ſcarcely legible.

(2) Cecil, in a letter of his to ſir Charles Cornwallis, ſpeaks as if it was he and the lord chamberlain who firſt made the diſcovery. See Winwood, Vol. II. p. 171.

(3) Lord Monteagle, curious to know the event, was with the lord chamberlain, and hearing Percy named, immediate'y gueſſed the letter came from him, there being great friendſhip between them. Diſcourſe of the Treaſon.

(4) In caſe nothing ſhould be found, Whyneard was to pretend he miſſed ſome of the King's hangings.

(5) Under the name of John Johnſon.

(6) All this was but about twelve hours before the helliſh project was to be put in execution.

to ſecure Princeſs Elizabeth. Theſe latter were ready to execute their deſign the moment they learned the ſucceſs of their mine at Weſtminſter. As they queſtioned not its ſucceeding to their wiſh, and believed they had nothing more to manage, they had the night before broke open a ſtable, and conveyed away ſeveral horſes. This action alarmed the county-ſherif *, who had amaſſed ſome ſtrength in order to purſue and ſeize the robbers. Preſently after arrived thoſe conſpirators who fled from London, and informed their aſſociates of the plot's miſcarriage. Thereupon they reſolved on keeping together, to indeavor raiſing the Catholics, and then to head them: but all their efforts ended only in raiſing near a hundred horſe.

* Sir Richard Verney.

Some taken, others ſlain. Ibid.

Mean while, the ſherifs of the adjacent counties, having ſent each other notice, called the people to arms, and purſued the conſpirators from place to place, 'till the traytors were finally conſtrained to take harbor at Holbeach †, where the ſherif ſummoned them to ſurrender. They anſwered, he had not a ſufficient force to compel them; and prepared to defend themſelves, or fight their way thro' the ſurrounding multitudes: but in opening a barrel of powder to load their arms, it took fire and blew up part of the houſe. This accident forced them to open the gate, and attempt eſcaping. Some were inſtantly killed. Cateſby, Percy, and Winter, ſtanding back to back, fought deſperately, 'till the two firſt were killed with one ſhot, and the other taken alive, after receiving ſeveral wounds. Digby, Rookwood, Grant and Bates yielded, or were taken in indeavoring to eſcape. Treſham, who remained at London with Robert Winter, brother of Thomas Winter, and Littleton, was diſcovered and apprehended, with his two companions. All the priſoners were ſent to the Tower, and ſtrictly examined. Thomas Winter owned himſelf guilty, and even wrote down his confeſſion. Digby ſtrove to extenuate his crime, by alledging that, having expected the King would grant a free toleration to the Catholics, and not ſeeing any likelihood of their obtaining it, he was driven by deſpair to ingage in this treaſon. Treſham at firſt ſaid, that father Garnet, the Jeſuit, was privy to the conſpiracy, but afterwards denied it, and, as was pretended, by his wife's inſtigation, affirmed he had not ſeen him in ſixteen years. But Garnet, who was apprehended after Treſham's death, confeſſed he had frequently confered with him within ſix months. The earl of Northumberland was ſent to the Tower, on ſuſpicion of being concerned in the affair. This ſuſpicion was grounded on his being captain of the band of gentlemen penſioners, and admiting into it his couſin Percy, without adminiſtering to him the oath of ſupremacy, tho' he knew him to be a Romaniſt. This matter being afterwards brought into the ſtar-chamber, the earl was fined in thirty thouſand pounds ſterling, deprived of all his poſts, and impriſoned during his Majeſty's pleaſure.

† The houſe of Stephen Littleton in Staffordſhire.

Wilſon. p. 675. Howes.

State Trials.

Ibid.

Novem. 27. Howes. Oſborn.

June 27. Oſborn.

James's ſpeech to his parliament to excuſe the Papiſts. K. James's Works.

The parliament ſat not 'till the ninth of November, tho' it was fixed to the fifth. The King made a long ſpeech, repreſenting the heinouſneſs and conſequences of this horrible plot, and magnifying God's mercy in the diſcovery. But withal he took great care to clear the Catholic religion, and to obſerve, that this abominable treaſon was to be aſcribed to ſuch only as were truly Papiſts, and imdued with the deteſtable principles ſpecified in his firſt ſpeech to the parliament. He affirmed, there were not many of theſe, and it would be extremely injurious to accuſe the Catholics in general of following ſuch extravagant maxims.

"For (added he) altho' it cannot be denied, "that it was only the blind ſuperſtition of their "errors in religion, which led them to this deſpe- "rate deviſe; yet doth it not follow, that all pro- "feſſing the Romiſh religion were guilty of the "ſame: for as it is true, that no other ſect of "Heretics, not excepting Turk, Jew, nor Pa- "gan, no, not even thoſe of Calicut, who adore "the Devil, did ever maintain, by the grounds "of their religion, that it was lawful, or rather "meritorious (as the Romiſh Catholics call it) "to murder Princes or people for quarrel of reli- "gion; yet it is true, on the other ſide, that "many honeſt men, blinded peradventure with "ſome opinions of Popery, as if they be not "found in the queſtions of the real preſenſe, or in "the number of their ſacraments, and ſome ſuch "ſchool-queſtion, yet do either not know, or at "leaſt not believe, all the true grounds of Po- "pery, which is indeed the myſtery of iniquity. "And therefore do we juſtly confeſs, that many "Papiſts, eſpecially our fore-fathers, laying their "only truſt upon Chriſt and his merits, at their "laſt breath, may be, and oftentimes are ſaved; "deteſting in that point, and thinking the cruelty "of Puritans worthy of fire, that will admit no "ſalvation to any Papiſt."

And then concluding that part of his diſcourſe, he declared, "As upon the one part, many honeſt "men, ſeduced with ſome errors of Popery, may "yet remain good and faithful ſubjects; ſo upon "the other part, none of thoſe who truly know "and believe the whole grounds of Popery, can "ever prove either good Chriſtians, or faithful "ſubjects."

The peoples reflections on James's ſpeech.

This ſpeech was highly applauded by the courtiers, who admired its wiſdom, juſtice, and equity, and made remarks on this greatneſs of ſoul in his Majeſty, who at the very time he had ſo much reaſon to complain of the Papiſts, took care to juſtify their religion, and hinder the innocent from being confounded with the guilty: but no others were of the ſame opinion. They conſidered, with grief and aſtoniſhment, the tender regard their King expreſſed for the Catholics in general, under pretenſe of a diſtinction which was thought imaginary, or at leaſt very uſeleſs, by reaſon of the difficulty of diſcerning thoſe who held the maxims he condemned, from thoſe who were willing to renounce them. They obſerved alſo the difference his Majeſty put between the Romiſh perſuaſion and that of the Puritans. The firſt hindered not its profeſſors from being faithful ſubjects, but the latter was not to be tolerated in any well-governed common-wealth, as he expreſſed himſelf in his former ſpeech. Here, to turn the hatred of the good Proteſtants upon the Puritans, he is not content with deteſting opinions indifferent in themſelves, and which had no relation to the ſtate, but even thinks it worthy of fire, either temporal or ſpiritual, for he does not ſay which, while he calls the dogma of tranſubſtantiation a mere ſchool-queſtion. It was alſo ſaid that if, on this ſame opinion, he had been pleaſed to diſtinguiſh the Puritans who did not, from ſuch as did damn all the Catholics, this diſtinction would have been as well-grounded as that between Catholics and Papiſts. In ſhort, it was obſerved, that he affected to aſcribe to the Puritans alone this opinion meriting flames, which he might much more juſtly have imputed to the Papiſts, as was known univerſally. It cannot be denied that, throughout the whole courſe of his reign, this Prince ſhewed exceſſive tenderneſs for the Roman Catholics. This will ſtill more evidently appear in the ſequel, ſince what has hitherto been advanced being ſeemingly capable of admiting a favorable, or at leaſt a dubious conſtruction.

James, having ended his ſpeech, prorogued the parliament

JAMES I. AN' 1605.

parliament to the twenty-firſt of January; manifeſting thereby his aſſembling them for a ſingle day was purpoſely to ſhew his ſentiments of the conſpiracy, and the manner wherein he would have it examined, that is, with reſpect to ſuch only as were actually concerned.

The parliament prorogued. Journ. Parl.

Lords Mordant and Sturton, ſuſpected of being privy to the plot, were fined, the firſt ten thouſand marks, the other ſix thouſand, tho' there was no other proof againſt them, but their not coming to the parliament. They were ſentenced by the ſtar-chamber, which was then the grandees terror, condemning the parties accuſed, even of the ſlighteſt offenſes, in exorbitant fines to the King's profit (1).

Lords Mordant and Sturton fined. June 3. Wilſon. p. 676. Howes, p. 884 Oſborn.

AN' 1606. Coke, p. 61.

The powder-plot diſcovery was univerſally aſcribed to the penetration of his Majeſty, who alone unriddled the letter to lord Monteagle (2): nay, ſome of his flatterers ſcrupled not ſaying, he could never have dived into that myſtery without immediate aſſiſtance from the Holy Ghoſt (3).

Affected joy of the Spaniſh and archduke's embaſſadors. Howes.

His Catholic Majeſty's and the archduke's embaſſadors teſtified their joy for this deliverance, by bonfires before their doors, and fountains of wine for the populace. This was not perhaps a very proper method to remove the ſuſpicions of the Engliſh, who were apt to believe the Spaniards were concerned in this deteſtable plot (4). It was remembered that, when the conſtable of Caſtile was in England, he ſaid publicly, in caſe King James refuſed toleration to the Catholics, there would be found perſons capable of any attempt: nay, after the plot was diſcovered, the archduke refuſed ſurrendering ſome of the traytors who had eſcaped into the Netherlands (5), and ſent the chief of them to Spain, where he had a very good reception. It is however certain, theſe embaſſadors were not accuſed by any of the criminals in their depoſitions: nay, the King publicly declared, he was ſure no foreign Prince was privy to the conſpiracy. Indeed, all the Potentates, as well Popiſh as Proteſtant, expreſſed their abhorrence of ſo diabolical a deſign, and congratulated him on his deliverance.

Eight conſpirators executed. State Trials. Vol. I.

The parliament meeting the twenty-firſt of January, King James appointed commiſſioners to try the conſpirators. He had hitherto delayed giving his people the ſatisfaction to ſee theſe villains puniſhed: but perceiving, if he did it not of himſelf, the parliament would not fail petitioning him, he reſolved to give them over to juſtice. Eight only were executed the thirty-firſt of January, tho' the number of the guilty was much greater.

Alſo Oldcorn and Garnet, Jeſuits. May 3. Du Cheſne. State-Trials. Oſborn. Sect. 12. Howes. * Provincial of the Engliſh Jeſuits.

Some time after Oldcorn, a Jeſuit, ſaying openly, that the plot's ill ſucceſs rendered not the intention leſs equitable, was ſent to priſon, condemned and executed. Garnet, * being likewiſe apprehended, was ſentenced to die as a traytor, on the depoſitions of thoſe already executed. Some pretend, he only confeſſed he had heard of a project to reſtore the Catholic religion in England, but was ignorant of the circumſtances. Others affirm, the buſineſs was revealed to him only in confeſſion, wherefore he was not obliged to diſcloſe it, but the contrary. The King, as I obſerved, publicly declared afterwards, that Garnet was legally convicted. The Jeſuits have been pleaſed to honor theſe men with the title of martyrs, as if they had ſuffered only in hatred to their religion: but King James's humor and character will not admit its being ever ſuppoſed, that he took away peoples lives merely for being Papiſts.

JAMES I. AN' 1606.

While the parliament was conſidering the powder treaſon, it was ſuddenly rumored that the King was killed at Oking †. This rumor inſtantly threw the people into very great conſternation, imagining it was the effect of ſome freſh conſpiracy: but the alarm was ſoon over. Two hours after, came certain advice that his Majeſty was alive; and he even returned to London that very day, and publiſhed a proclamation to quiet the people. The Spaniſh embaſſador diſtinguiſhed his affection for the King, by preſenting ſir Lewis Lewkenor with a gold chain §, for bringing him news of his ſafety.

Rumor of the King's death. March 22. Wilſon. p. 676. Howes. p. 882. Winwood's Mem. Vol. II. p. 204.

† With a knife invenomed. Howes. Ibid.

§ Value 120 l. ſterling.

Mean while, the parliament ſeriouſly applied themſelves to prevent the deſigns of Popiſh recuſants, that is, of ſuch as refuſed to acknowledge his Majeſty's independent authority. For the readier detection of ſuch, the two houſes agreed to draw up a formal oath, which the ſubjects ſhould be obliged to take, none excepted. This oath was termed the oath of allegiance, that is, of ſubmiſſion and obedience to the King, as Sovereign, independent of all other earthly power. It differed from the oath of ſupremacy, as it concerned only his Majeſty's temporal ſovereignty, and his independence of the Pope; whereas the other, inacted in Henry VIII's time, obliged the ſubjects to acknowledge the King for ſupreme head of the church of England; ſo, every Catholic could ſafely take this new oath, except he was one of thoſe who thought that, to be a true Catholic, it was neceſſary to believe the Roman Pontif had power to depoſe Kings, and give away their dominions: nay, James was ſtrictly careful not to have the leaſt clauſe inſerted in the oath which might give the Papiſts any juſt offenſe. The commons having, in the rough draught of this oath, ſaid, "That the Pope has not power to excommunicate the King:" he urged that theſe words might offend his good Catholic ſubjects, and it ſufficed to aſſert, the Pope's excommunication could not authoriſe ſubjects to riſe againſt their Sovereign. Here follows the oath, which has been, and ſtill is talked of by many, without well knowing what it is.

The parliament injoins a public oath. Du Cheſne. Coke.

King James's Apology.

Oath of allegiance. Statut. 3 Jac. c. 4.

"I A. B. do truly and ſincerely acknowledge, "profeſs, teſtify and declare in my conſcience, "before God and the world, that our Sovereign "lord, King James, is lawful King of this realm, "and of all other his Majeſty's dominions and "countries: and that the Pope, neither of himſelf, "nor by any authority of the Church or See of "Rome, or by any other means with any other, "hath any power or authority to depoſe the King, "or to diſpoſe of any of his Majeſty's kingdoms, "or dominions, or to authoriſe any foreign Prince "to invade or annoy him or his countries, or to "give licenſe or leave to any of them to bear arms,

(1) January 6 this year, Prince Charles was created duke of York. What perſons were made knights of the Bath on that occaſion, ſee in Winwood's Mem. Vol. II. p. 43; and Howes's Contin. of Stow, p. 856.——About this time began coaches to come in common uſe. Howes, p. 867.

(2) The King gave lord Monteagle, the firſt diſcoverer of the treaſon, two hundred pounds per annum in fee-farm rents, and five hundred pounds a year for life, as a reward for his good ſervice. Wilſon, p. 676.

(3) It is ſaid, that the letter to lord Monteagle was an artifice of Cecil's, and that the firſt intimation of the powder-treaſon came from the King of France, who received it from the Jeſuits of his faction, to the end he might ſhare in our ruins. The reaſons why the moſt Chriſtian King did advertiſe our court of the plot were, firſt, becauſe he found nothing was to be feared from one of King James's complexion. Another (a weak one, tho' ſtrongly preſſed by the miniſters) was, the favors received from hence during the league. Oſborn, p. 437, &c. Welwood, p. 19.

(4) The King of Spain ſent to congratulate King James's great preſervation. A flattery ſo palpable, as the Pope could not refrain laughing in the face of cardinal Oſſat, when he firſt told him of it. Oſborn, p. 438.

(5) Particularly Hugh Owen. See Statute 3 Jac. c. 2.

"raiſe

James I. An' 1606.

" raiſe tumults, or to offer any violence or hurt " to his Majeſty's royal perſon, ſtate or govern- " ment, or to any of his Majeſty's ſubjects within " his Majeſty's dominions. Alſo I do ſwear from " my heart, that, notwithſtanding any declaration " or ſentence of excommunication, or deprivation " made or granted, or to be made or granted by " the Pope, or his ſucceſſors, or by any authority " derived, or pretended to be derived from him " or his See, againſt the ſaid King, his heirs or " ſucceſſors, or any abſolution of the ſaid ſubjects " from their obedience; I will bear faith and true " allegiance to his Majeſty, his heirs and ſucceſſors, " and him and them will defend to the utmoſt of " my power, againſt all conſpiracies and attempts " whatſoever, which ſhall be made againſt his or " their perſons, their crown and dignity, by reaſon " or color of any ſuch ſentence, or declaration, or " otherwiſe, and will do my indeavor to diſ- " cloſe and make known to his Majeſty, his heirs " and ſucceſſors, all treaſons and traiterous con- " ſpiracies, which I ſhall know or hear of, to be " againſt him or any of them. And I do farther " ſwear, that I do, from my heart, abhor, deteſt and " abjure, as impious and heretical, this damnable " doctrine and poſition, that Princes which be ex- " communicated or deprived by the Pope, may be " depoſed and murdered by their ſubjects, or any " other whatſoever. And I do believe, and in " conſcience am reſolved, that neither the Pope, " nor any perſon whatſoever, hath power to abſolve " me of this oath, or any part thereof; which I " acknowledge by good and full authority to be " lawfully miniſtered unto me, and do renounce all " pardons and diſpenſations to the contrary. And " all theſe things I do plainly and ſincerely acknow- " ledge and ſwear, according to theſe expreſs words " by me ſpoken, and according to the plain and " common ſenſe and underſtanding of the ſame " words, without any equivocation, or mental " evaſion, or ſecret reſervation whatſoever. And I " do make this recognition and acknowledgment " heartily, willingly, and truly, upon the true faith " of a Chriſtian. So help me God.

Remark on this oath. King James's Works, p. 250.

Any one may readily perceive this oath contains nothing repugnant to the eſſential articles of the Romiſh creed, and concerned only the unlimited power which, by ſome, is aſcribed, and by others denied, to the Roman Pontifs. Accordingly, moſt of the Engliſh Romaniſts, with the arch-prieſt Blackwel their ſuperior, made no ſcruple to comply therewith: nay, when Urban VIII ſent them a brief, dated October, 1606, inhibiting their taking this oath, they deemed the brief forged by their adverſaries, to draw them into a non-compliance. But his Sanctity, next year, expreſſed himſelf in plainer terms, and by a ſecond brief flatly aſſured them that, if they took the oath, they forfeited all hope of ſalvation. At the ſame time, cardinal Bellarmine, under the borrowed name of Tortus, wrote a book againſt this oath, and a letter to the arch-prieſt Blackwel, admoniſhing him to repent, as if, in taking the oath, he had perpetrated one of the moſt horrible crimes. This occaſioned King James's apology, publiſhed ſome time after, addreſſed to all Chriſtian Princes, wherein he cleared himſelf from the falſe imputation of being a perſecutor of Catholics. He begins his ſaid apology with juſtifying Queen Elizabeth's conduct to the Romaniſts; and then proceeds thus.

James's apology touching the Catholics. Apolog. p. 252.

" But now, having ſacrificed (if I may ſo ſay) " to the Manes of my late predeceſſor, I may next, " with St. Paul, juſtly vindicate mine own fame, " from thoſe innumerable calumnies ſpread againſt " me, in teſtifying the truth of my behavior to- " ward the Papiſts: wherein I may truly affirm, " that whatſoever was her juſt and merciful go- " vernment over the Papiſts in her time, my " government over them ſince hath ſo far exceeded " hers, in mercy and clemency, as not only the " Papiſts themſelves grew to that height of pride " in confidence of my mildneſs, as they did directly " expect and aſſuredly promiſe to themſelves liberty " of conſcience, and equality with other of my " ſubjects in all things; but even a number of the " beſt and faithfuleſt of my ſaid ſubjects were caſt " in great fear and amazement of my courſe and " proceedings, ever prognoſticating and juſtly " ſuſpecting that ſoure fruit to come of it, which " ſhewed itſelf clearly in the Powder-treaſon. " How many did I honor with knighthood of " known and open recuſants? how indifferently did " I give audience and acceſs to both ſides, beſtow- " ing equally all favors and honors on both pro- " feſſions? How free and continual acceſs had all " ranks and degrees of Papiſts in my court and " company? And above all, how frankly and " freely did I free recuſants of their ordinary pay- " ments? beſide, it is evident, what ſtrait order " was given out of my own mouth to the judges " to ſpare the execution of all prieſts (notwith- " ſtanding their conviction) joining thereunto a " gracious proclamation, whereby all prieſts who " were at liberty, and not taken, might go out of " the country by ſuch a day: my general pardon " having been extended to all convicted prieſts in " priſon; whereupon they were ſet at liberty as " good ſubjects: and all prieſts who were taken " after, ſent over and ſet at liberty there. But " time and paper will fail me to make enumeration " of all the benefits and favors which I beſtowed " in general and particular upon Papiſts: In re- " counting whereof, every ſcrape of my pen would " ſerve but for a blot of the Pope's ingratitude " and injuſtice, in meeting me with ſo hard a " meaſure for the ſame."

Every ſyllable of what his Majeſty ſet down in this part of his apology was exactly true: but it is ſurpriſing that, ſince he thought proper to make a long apology to clear himſelf, to foreign Princes, from the aſperſion of being the Papiſts enemy, he ſhould never think of excuſing to his own ſubjects his too great condeſcenſion to theſe ſame Papiſts, and his extreme care to hinder the execution of thoſe laws inacted againſt them. There is alſo in this apology another very extraordinary particular. King James evidently manifeſts, that cardinal Bellarmine in his book confounds the oath of allegiance with that of ſupremacy, whereby it is very plain he underſtood not the point in diſpute: but enough has been advanced on this topic. I ſhall only, to conclude what relates to the Powder-plot, ſubjoin, that the parliament appointed the fifth of November to be a public thankſgiving-day for ſo ſignal a deliverance, which day has, even 'till now, been conſtantly ſolemniſed.

Remark on this apology.

Bellarmine's miſtake.

Fifth of November appointed to be kept as a holy-day. Wilſon. Statut. 3 Jac. c. 1.

The common danger, which threatened the whole kingdom ſtifled, for a time, the variance between King and commons, which aroſe in the parliament's firſt ſeſſion. The commons were ſo far from meditating its revival that, on the contrary, to gain his Majeſty's good graces, they granted him one of the largeſt ſubſidies had ever been given to his predeceſſors in the moſt urgent occaſions of the ſtate, tho' he was then in profound peace, and only wanted money to inrich his minions. This aid conſiſted of three whole ſubſidies and ſix fifteenths*, beſide four ſubſidies, of four ſhillings in the pound, granted alſo then by the clergy (1). But the affair of unit-

The parliament grants a large ſubſidy. Statut. c. 25, 26. Wilſon. Coke, p. 62. Howes.

* And tenths.

(1) The whole was payable at eleven ſeveral payments, and amounted to the ſum of 453,000 l.

ing

JAMES I. AN' 1606.

ing both kingdoms was defered to next ſeſſion: ſo James, having no farther occaſion for his parliament, prorogued it from the twenty-ſeventh of May to the eighteenth of November.

It is prorogued. Journ. Parl. Howes.

The conſternation cauſed, both at court and throughout England, by the Powder-plot, was finally converted into a ſweet tranquillity. King and people were alike pleaſed with being delivered from ſo terrible a danger; and King James had the more reaſon to be ſo, as he had brought the parliament to be of his moderate ſentiments towards Papiſts, of all whom ten only had been left to the law's rigor: neither was their burden any way agravated, except the obligation of ſwearing allegiance to their Sovereign, or departing the realm, was to be deemed agravation. On the other hand, James was able to gratify his favorites, by means of the ſubſidies granted by parliament, and the whole court were full of joy, every one expecting to partake of his Majeſty's bounties.

Great tranquillity in England.

James receives a viſit from the King of Denmark. July 11. Weldon. Howes.

This money came very ſeaſonably to inable King James to give a ſplendid reception to his brother-in-law, the King of Denmark, who ſoon after arrived, purpoſely to make the Queen his ſiſter, and her royal conſort a viſit (1). No coſt was ſpared, on this occaſion, to demonſtrate their Majeſties affection for this Prince, and to ſhew him the opulency of the crown they had acquired. During his ſtay in England, there was one continued tho' various ſcene of diverſions, as plays, ſights, entertainments, balls, maſquerades, hunting, and in ſhort whatſoever was judged proper to give him agreeable entertainment.

and from the Prince of Vaudemont. Sept. 23. Howes.

Some time after, the Prince of Vaudemont, the duke of Lorrain's third ſon, made King James another ſuch viſit, attended by ſeven counts, ten barons, forty gentlemen, with a hundred and twenty menials. He ſtayed fifteen days with his Majeſty, by whom he was, with his whole train, royally entertained. Theſe two viſits conſumed good part of the money lately granted by parliament.

The union of England and Scotland debated in parliament. Wilſon. Journ. Parl.

The ſeſſion of parliament, which began the eighteenth of November, was chiefly imployed in the union affair, which James ſollicited moſt ſtrenuouſly. Sir Francis Bacon, his Majeſty's ſollicitor-general, was ordered to move and ſupport it with the ſtrongeſt arguments he could deviſe: but tho' he was learned and eloquent, he met in the houſe of commons with perſons able to withſtand him, and to alledge as ſtrong reaſons againſt as he did for the union. The chief objections were, the inequality between the ſtate and riches of the two kingdoms; the difference of laws and cuſtoms; and Scotland's perpetual alliance with France: but the moſt prevailing argument, tho' it was not publicly inſiſted on, was the jealouſy of the Engliſh, which bafled all Bacon's rhetoric (2).

AN' 1607. James's ſpeech to the parliament in favor of the union. K. James's Works. Wilſon.

James, finding this affair was not likely to ſucceed in the parliament, ſent for both houſes to Whitehall, and indeavored, in a long ſpeech, to ſhew the neceſſity of ſuch union, and the common advantage it would procure. He anſwered the objections alledged in the two houſes, ſpeaking one while very mildly, another while in a menacing tone, and turning and winding every way to attain his ends. He urged its being not reaſonable, the Engliſh and Scots ſhould conſider each other as enemies, while ſubjects of the ſame King, and conſequently it was neceſſary all hoſtile laws ſhould ceaſe; meaning the laws made, from time to time, upon the frequent invaſions of the Scots on the borders of England. He added, it was no leſs reaſonable, there ſhould be between both nations community of traffic, ſince he was no ſtranger, but deſcended from the ancient Kings of England, and could not be natural liege-lord to both, while they were ſtrangers to each other. Finally, it was againſt nature, for people who lived under the ſame domination, to be no leſs diſunited than French and Spaniards.

JAMES I. AN' 1607.

He next proceeded to a point ſomewhat tickliſh, as he had himſelf determined a matter properly appertaining to the parliament's cogniſance. He ſaid, he was informed by the judges, there was a difference between the Ante-nati, and Poſt-nati, of each kingdom, that is, between ſuch as were born before, and ſuch as were born after his acceſſion to the Engliſh crown. That therefore he had iſſued a proclamation, declaring all thoſe to be naturaliſed in both realms who were born ſince his acceſſion: that indeed he confeſſed the judges might err; but admoniſhed both houſes, "to beware to diſgrace, "either his Proclamations or the Judges, for ſo "they might diſgrace both their King and the "laws, who have power, when the parliament "is done, to try both their Lands and Lives."

He ſpeaks of his proclamation in favor of the Poſt-nati.

In anſwering the objection taken from the perpetual alliance between France and Scotland, he affirmed, the alliance was not between the two nations, but only between their Kings. I know not whether this was really fact.

He concluded his ſpeech with ſaying, "What "is now deſired, hath oft before been ſought, and "not obtained; wherefore to refuſe it now were "double iniquity. And for their ſecurity in ſuch "reaſonable points of reſtriction, which he ſhall "agree to, they need not doubt his inclination; "for (added he) I will not ſay any thing which I "will not promiſe; nor promiſe any thing which I "will not ſwear; what I ſwear, I will ſign; and "what I ſign, I ſhall with God's grace ever per-"form."

The union rejected. Wilſon. Statut. 4. Jac. c. 1.

The earneſtneſs James expreſſed for a union, between the two kingdoms, was not capable of prevailing with the parliament; ſuch were the ſuppoſed inconveniencies. All he could obtain, was a revocation of the hoſtile laws. Thus was the union rejected, without any mention of the proclamation concerning the Poſt-nati: but, by not approving it, the parliament did in reality reject it, ſince in England proclamations are not conſidered as laws. Nevertheleſs, two years after, James cauſed this ſame affair to be decided by the judges of the realm, tho' ſuch deciſion was of no more validity than the proclamation.

Coke, p. 62.

James was greatly nettled at the ill ſucceſs of this buſineſs. In his firſt ſpeech to the parliament, he called ſuch as were againſt uniting Scotland with England, blind, ignorant, reſtleſs, diſaffected, &c. and affirmed no honeſt ſubject whatever was leſs glad of this union than himſelf: but he now found the lords and commons averſe to it, and this caſt a ſort of ridicule on his too precipitate judgment. From that time, he always appeared very much to diſlike parliaments; as, on the other hand, the people began to be as much diſguſted with him. They could not, without grief, behold ſo many proclamations, which ſeemed to ſuppoſe his Majeſty's will to be the ſole ſtandard of government. His unneceſſary expenſes were another cauſe of complaint, becauſe weighed againſt Queen Elizabeth's frugality and good management. It was conſidered, the three hundred and fifty thouſand pounds James had received at his arrival, with what was lately granted by the parliament and clergy, ſerved only to inrich his favorites and miniſters. All this began to gather a cloud, which

(1) He came to England July 17, and returned Auguſt 14.
(2) See, in Wilſon's hiſtory, the chief arguments for and againſt the union, p. 676——679.

JAMES I. AN' 1607.

very ſeemingly would have been followed by a ſtorm, had not James, on the fourth of July, prorogued the parliament to the ſixteenth of November, and afterwards to the ninth of February.

Inſurrection in Northamptonſhire. May. * John Reynolds. Howes.

Before the parliament's prorogation, happened ſome commotions in Northamptonſhire, where the country people roſe in arms, under conduct of one * who ſtiled himſelf captain Pouch; but theſe troubles were ſhort-lived: the ſherif of that county, without the aſſiſtance of any regular troops, found means to diſperſe thoſe revolters.

The earl of Tir-oen quits Ireland on pretenſe of religion. Sept. Howes.

Tir-oen, the famous Iriſh rebel, pardoned by Queen Elizabeth, was early in this reign brought to London, by lord Montjoy, and preſented to his Majeſty, who gave him a gracious reception. Shortly after, he returned home, where he could not keep himſelf quiet. He not only re-attempted raiſing a rebellion in Ireland, but alſo applied to foreign Potentates for aſſiſtance. His ſecret practiſes not ſucceeding to his expectation, he feared being apprehended, and choſe to leave Ireland, taking with him the earl of Tirconnel, whom he had allured into his plots. When got to a place of ſafety, he gave out, that the outrages commited in Ireland upon the Catholics had conſtrained him to forſake his eſtate and country. But James briſkly repelled this aſperſion by a ſort of apology, publiſhed on this occaſion, not induring to paſs in the world for a perſecutor of Catholics.

The King's apology. Novem. 15. Du Cheſne. Rym. Fœd. Vol. XVI. p. 664.

In the begining of this year, the archduke and the Infanta his conſort, ſent into Holland father Ney, provincial of the Franciſcans, to propoſe a peace with the ſtates of the United-Provinces. Ney, lying concealed for a time at Ryſwick, was finally admited to audience by Prince Maurice, who flatly told him, no peace muſt be hoped, except the United-Provinces were owned for a free and independent ſtate. This declaration obliged his paternity to retire to Bruſſels, whence he returned ſome time after, with a writing ſigned by the archduke and Infanta, wherewith the ſtates were content, provided it was ratified by his Catholic Majeſty, which ratification Ney undertook to procure. Henry IV, hearing what was tranſacting at the Hague, diſpatched preſident Jeannin, to offer the ſtates his mediation, which was accepted. But as they feared to create jealouſy in King James, if France alone was concerned in the affair, they wrote to him for his advice and aſſiſtance, and ſoon after ſent an embaſſador to inform him more particularly of the ſituation of their affairs. Mean while, the King of Spain's ratification arriving, the ſtates found it replete with ambiguous and captious expreſſions, which gave them occaſion to require explanations. This prolonged the negociation, the ſucceſs whereof ſhall be touched on elſewhere (1).

Negociation for a peace with the Netherlands. Grotius. Rym. Fœd. Vol. XVI. p. 663. Negot. de Jeannin. Thuanus. l. 138.

AN' 1608. A prieſt and Jeſuit executed. * John Jervis. Howes.

April eleven, 1608, a ſeminary prieſt of Rheims*, was hanged at Tyburn, and the twenty-third of June, Thomas Garnet, a Jeſuit, had a like fate. Garnet was offered a pardon, on condition of his taking the oath of allegiance, which he obſtinately refuſed.

Death of the lord-treaſurer. Wilſon. Howes. Saliſbury ſucceeds him.

Thomas Sackville, earl of Dorſet, and lord-treaſurer, dying ſuddenly at the council-table, Robert Cecil, earl of Saliſbury, ſucceeded him in his ſaid charge. This was a nobleman of great genius, and tho' crooked before and behind, nature ſupplied that defect with noble indowments of mind.

James's exceſſive profuſeneſs. Coke. Wilſon. Oſborn.

The miniſtry's chief concern was to ſee that his Majeſty wanted not money. He ſtood in need of vaſt ſums, being exceſſively liberal, or rather prodigal (2), and it may well be imagined that, in procuring money for the King, his miniſters did not forget themſelves: but this is ſo cuſtomary with favorites and miniſters, that it would be wrong to charge them with it in particular. As to foreign affairs, they were not, during this whole reign, very much regarded.

JAMES I. AN' 1608.

Monopoly of cloths; Coke, p. 69, 70.

One of the propereſt methods deviſed to procure money for his Majeſty, was monopoliſing the ſale of cloths, at the ſollicitation of a certain merchant, who, in all appearance, dearly purchaſed his patent. At this time, the Engliſh were not ſkilled in the art of dreſſing and dying Engliſh woollen manufactures. They ſent them white over to Holland, and the Hollanders having dyed them, returned them back to England in order for ſale. The ſaid merchant, intimating to King James and his miniſtry, that a great profit would accrue to England if the cloths were dreſſed at home, obtained a patent to dreſs and dye them, excluſive of all others. Thereupon the King iſſued a proclamation, forbiding all perſons to export any cloths undyed. This induced the Hollanders to prohibit the importation of dyed cloths from England. So the merchant who obtained the patent, not being able to vend his cloths any where but in England, was obliged to dreſs and dye only a ſmall quantity. This raiſed ſuch clamors among the cloth-weavers, that the King was forced to permit the exportation of a certain quantity of white cloths. At length, the court by degrees connived at the offenders, and the woollen-trade was re-eſtabliſhed on its former footing.

and of allum. Howes, p. 898.

The ſame year, James ingroſſed the vending of allum, which had been lately found out in England, and prohibited by proclamation the importing foreign allum.

Diſpute between James and the Hollanders about the fiſhery. Coke.

Whether King James was diſpoſed to be revenged on the Hollanders for breaking his meaſures with reſpect to the woollen manufactures, or only to draw money from them, a proclamation was publiſhed, prohibiting all foreign nations to fiſh on the coaſts of Great-Britain. This occaſioned next year a treaty, whereby the Hollanders ingaged to pay a yearly ſum for leave to fiſh. James wanted afterwards to break this treaty, and would have recalled the licenſe he had granted them; bu', ſpite of him, they maintained their privilege by guarding their fiſhing-boats with warlike ſhips. James, being a pacific Prince, deemed not this a ſufficient motive for a rupture.

Bancroft perſecutes the Puritans.

Archbiſhop Bancroft never ceaſed plaguing the Puritans, to force their conformity to the church of England. This induced great numbers of theſe people to determine on ſettling in Virginia, diſcovered in the late reign by ſir Walter Ralegh. In effect, ſome departed for that country; but the archbiſhop, finding abundance more were ready for the ſame voyage, obtained a proclamation, injoining them not to go without his Majeſty's expreſs permiſſion. The court grew apprehenſive this ſect would finally become too numerous and powerful in America. This very year, the archbiſhop made a freſh attempt, concerning the twenty one articles formerly mentioned: but ſo ſtrenuous was the judges oppoſition, that James, how deſirous ſoever he was to humor that prelate, durſt not proceed.

He revives the buſineſs of twenty-one articles. Coke.

Continuation of the treaty for a peace in the Netherlands. Grotius. Rym. Fœd. Vol. XVI. p. 667, 678.

The treaty at the Hague, concerning a peace between the archduke and the ſtates, was very momentous, wherein ſeemingly James ſhould have had a great ſhare, and yet he appeared not much intereſted. However, he made with the ſtates two

(1) This year the Banqueting-houſe at Whitehall began to be rebuilded. Howes, p. 891.

(2) Oſborn ſays, that the nation was oppreſſed with impoſitions, monopolies, aids, privy-ſeals, concealments, pretermited-cuſtoms, &c. beſide forfeitures upon penal ſtatutes, &c. which were expended upon the Scots. § 17.

treaties

JAMES I. AN' 1608.

treaties, the firſt whereof was concerning the payment of what was owing him. The other contained an alliance, which was not to take place 'till after they had concluded a peace with Spain (1). Then he ſent ſir Robert Spenſer to the Hague, to aſſiſt at the pacific negociations, jointly with ſir Ralph Winwood, his embaſſador in ordinary. Numberleſs difficulties occurred in this affair, the chief whereof was, his Catholic Majeſty's refuſing to ſpeak plainly with reſpect to the ſtates liberty. He had ratified the archduke's declaration on that head, but it was on condition, peace ſhould be concluded, and the ſtates would treat only on the foot of free ſtates: beſide, in the King of Spain's ratification were certain ambiguous expreſſions, wherewith the ſtates were not ſatisfied. They were likewiſe ſenſible that while they were negociating at the Hague, the Spaniſh court was indeavoring to gain the King of England, and, for that purpoſe, had ſent to him Don Fernando de Girona, a nobleman of great diſtinction, as his extraordinary embaſſador. This gave the ſtates great uneaſineſs, and the more, as James affected on all occaſions to intimate, that he regarded them as rebels. He applied to their caſe the general maxims of ſovereignty, and firmly believed, what he would have had univerſally thought, that ſubjects ought not to withdraw their allegiance from their Prince on any account whatſoever: whence may be judged what effect this mediation could produce; accordingly his embaſſadors made a very inconſiderable figure throughout the whole negociation. Jeannin managed all, the Engliſh embaſſadors acting but faintly, and ſhewing little or no deſire that the treaty ſhould ſucceed.

James openly blames the ſtates. Welwood.

What efforts ſoever Jeannin might uſe, he could not poſſibly procure the parties conſent to a pacification; and therefore he finally propoſed a twelve or fifteen years truce, during which both ſhould remain in poſſeſſion of what they held, without prejudice to their rights and pretenſions: but this the ſtates rejected, except their liberty was clearly and effectually eſtabliſhed. Thereupon the embaſſadors of Spain and the archduke withdrew, as ſeeing no probability of either peace or truce. Nevertheleſs Jeannin continued his inſtances to perſuade the ſtates to accept the Spaniard's ratification as it was, and agree to ſome other articles whereon there had been great debates. At length, by reiterated repreſentations he obtained of the United-Provinces (Zealand excepted which ſtood out 'till the inſuing year) what he deſired to accompliſh for concluding the truce.

Teſtimony of preſident Jeannin. Lettres de Jeannin.

King James gained not much credit by this negociation. Beſide his leaving all to the King of France, he acted not with ſincerity, if we may believe preſident Jeannin, who, in a letter to the King his maſter, on this occaſion, ſpeaking of King James, ſays, "He pretends a willingneſs to procure a peace, and yet obſtructs it, by publicly ſaying, he cannot forbear condemning the ſtates for rebelling againſt the King of Spain their Sovereign." In effect, Richardot ſcrupled not owning, in a letter to Jeannin, that the Catholic King's firmneſs was intirely owing to the King of England's promiſe, that the liberty of the ſtates ſhould not be mentioned in the treaty of truce. Henry IV had no great opinion of James, as appears from his writing to Jeannin, "that he knew "what that----was capable of; but however it did "not break his reſt."

Zealand, finally reſolving to follow the ſentiment of the other provinces, the conferences were renewed at Antwerp, where a twelve years truce was ſigned, April the ninth, 1609. By this truce, the ſtates obtained that the King of Spain and archduke owned them as free and independent, and even avoided renouncing the navigation and trade to the Indies, which had been a principal obſtacle to the negociation.

JAMES I. AN' 1609.

A twelve years truce in the Netherlands. Grotius. Howes.

James expreſſed not any ſatisfaction at the advantages obtained by the ſtates, becauſe he conſidered it as a precedent very dangerous and prejudicial to the ſovereign authority of Kings, wherewith he was ever ſtrongly prepoſſeſſed. This evidently appeared at preſent, by his licenſing two books, which maintained the moſt extravagant maxims of deſpotic power. The firſt, written by Cowel, doctor of civil law *, laid down theſe three principles:

James diſcovers more and more his principles concerning the regal power. Books on that ſubject. Coke, p. 63. * Not divinity, as in the French.

1. That the King was not bound by the laws, or his coronation-oath.

2. That the King was not obliged to call a parliament to make laws, but might do it alone by his abſolute power.

3. That it was a great favor to admit the conſent of ſubjects in giving ſubſidies.

The other book was compoſed by Blackwood, a divinity doctor, who laid down this principle, that the Engliſh were all ſlaves, by reaſon of the Norman conqueſt.

The parliament, which aſſembled in the inſuing year, took this affair to heart, and would have ſeverely puniſhed the authors of theſe books; but James interpoſed, and fruſtrated the parliament's deſign, by iſſuing a proclamation, to forbid reading thoſe books, and to order all copies being delivered to the magiſtrates. But commonly ſuch proclamations are ill-obeyed, eſpecially when it is not the Sovereign's intereſt to ſee them ſtrictly executed (2).

He diſappoints the juſtice of the parliament. Ibid. Howes, p. 898.

AN' 1610.

James's proceedings increaſed the diſcontent of moſt of the Engliſh. The proclamations which daily came out, and whereof ſeveral were on ſubjects never decided by preceding Kings without the parliament's concurrence, and the indiſcreet diſcourſes of the courtiers, who paſſed ralleries on the peoples privileges, bred ſuſpicions and jealouſies which James was not ſufficiently careful to ſtifle in their birth. On the other hand, his condeſcenſion for the Roman Catholics, whoſe cauſe he eſpouſed on all occaſions, their acceſs and credit at court, admitance into the moſt important offices, nay even into the miniſtry, created fears in the people, and cauſed them to ſuſpect ſome plot was formed againſt the Proteſtant religion. The miniſters, no ſtrangers to theſe diſpoſitions, were juſtly apprehenſive of meeting great difficulties in the parliament, which was to ſit the ninth of February. The King intended to procure money, of which he was in great want, tho' he had no war upon his hands, nor any affair which ſeemed to require extraordinary ſubſidies. It was therefore neceſſary to give the parliament at leaſt fair words, and try to palliate his profuſe expenſes ſince his acceſſion to the crown. But James, deeming it derogatory to the dignity of a Sovereign to make a perſonal apology to his ſubjects, ordered the earls of Suffolk and Saliſbury to do it for him.

The people diſſatisfied. Coke.

Papiſts countenanced. Oſborn.

The earl of Saliſbury, ſpokeſman, declared to both houſes, "That they were met, firſt, to ſup-

James's ſpeech to the parliament, Wilſon, p. 680, &c.

(1) Theſe two treaties bear date June 26. The ſums due from the ſtates to King James, are in the former treaty computed at eight hundred and eighteen thouſand, four hundred and eight pounds ſterling. Rym. Fœd. Vol. XVI. p. 674.

(2) The fifteen years letters patent granted by Queen Elizabeth to the Eaſt-India company, expiring about this time, King James, in May this year, inlarged their privileges, and granted them a charter, whereby he incorporated them for ever. Howes, p. 993, 994.

"ply

James I. An' 1610.

" ply his Majeſty's wants; ſecondly, to redreſs " the peoples grievances." Then he told them, " that the King, willing to ſhew them a ſingular " mark of his favor, had reſolved to create Prince " Henry, his eldeſt ſon, Prince of Wales, during " this ſeſſion of parliament, tho' he was free to do " it at any other time, as by many precedents was " evident." Having thus indeavored to procure his Majeſty the good-will of both houſes, by ſuch a ſtrong argument of their Sovereign's regard for them, he demonſtrated, " it was not without juſt " reaſons that the King demanded money, ſince " what he had received had been laid out in very " neceſſary expenſes. Firſt, as for the three hun- " dred and fifty thouſand pounds due in the late " Queen's time, he no ſooner received the money " with one hand, but he paid it away with the " other, in redeeming the crown-lands ſhe had " mortgaged to the city of London (1). Secondly, " he was forced to keep on foot, for ſome time, " an army of nineteen thouſand men in Ireland, " not deeming it proper to make peace with Spain " without the ſword in his hand. 3. He was " obliged to bury Queen Elizabeth, whoſe obſe- " quies were very expenſive (2). 4. His own " journey from Edinburg to London could not be " performed without money; for it would not " have been decent for a King to come the firſt " time to his kingdom like a private perſon, and " without a numerous train. 5. Neither was it " fit that his royal conſort, with his children, the " kingdom's future hopes, ſhould be expoſed to " robbers, without a guard and retinue, and con- " ſequently their journey muſt have been very " chargeable. 6. The King of Denmark's viſit " was ſo honorable to his Majeſty, that he could " not diſpenſe with giving him a futable and " magnificent reception. 7. The embaſſadors " who came from all parts to congratulate him " on his acceſſion to the crown of England, could " not be ſent back without preſents, for the honor " of the Engliſh nation, beſide the charge to en- " tertain them during their ſtay (3). 8. The King " was obliged to ſend embaſſadors to the Princes " by whom he was congratulated, and to return " their civilities (4).

Theſe were, according to the orator, the cauſes of his Majeſty's wants, and not, as ſome affected to give out, his indiſcreet bounty to his ſervants. " But, added he, how could a bounty " ſo worthy of a King be blamed? If he did not " give to his ſervants, they would be miſerable in " a country abounding with riches. As for the " Scots, it muſt be remembered, that tho' they " were not born in the kingdom, his Majeſty " was born among them; and not to have them " taſte of the bleſſing he had attained, was to have " him change his virtue with his fortune. Upon " all theſe accounts, his Majeſty deſires the com- " mons to ſupply his wants, which mark of eſteem " could not be denied to a King, who is not only " the wiſeſt of Kings, but the very image of an " angel, who has brought good tidings to the " Engliſh, and ſecured them in the injoyment of " perfect happineſs; to a King who, by his vaſt " knowledge and noble indowments, deſerves the " title of Defender of the Faith; to a King who " has ſhut the back-door by which England was " liable to invaſions, and who only ſeeks that " every man may live happy under his own olive. " That none will wonder or ſtartle at the King's " deſiring a ſupply, but ſuch as ſtudy to ſerve " their own turns, and believe nothing but what " they find written in the ſtories of their own " ignorance. Among whom are to be reckoned " thoſe, who hearing of an order to bind up the " printed proclamations in a book, that the better " notice may be taken of the things contained in " them, have ſpread a report, that the King in- " tended * to make proclamations equal to the " laws, which never entered into his thoughts. " That ſo far is he from governing by will and " pleaſure, that he is ready to hearken to any " motion from the two houſes, provided they " keep a juſt proportion, and obſerve what is due " to a great and gracious King."

James I. An' 1610.

* During this very parliament.

This ſpeech produced not the effect hoped by the King and his miniſters. Some of the commons loudly complained of the King's prodigality, and exceſſive bounty to the Scots (5). They ſaid, the whole wealth of England would not ſerve to ſatiate their greedineſs; that, ſince the King's acceſſion, gold and ſilver were as common in Edinburg as ſtones in the ſtreets; and that all the riches of England flowed thither, where they were ſwallowed up as in a gulph, and never returned. Others ſaid, it was viſible, the King was gradually undermining the nation's privileges by continual incroachments: that he deſigned to eſtabliſh the civil law inſtead of the common law, and had droped ſome expreſſions to that purpoſe at his own table: finally that he had approved of a book lately written, the deſign whereof was to render the common law contemptible.

Complaints againſt the King in the houſe of commons; Wilſon. p. 681.

But what made moſt noiſe in the lower houſe was the high commiſſion, which exerciſed in the kingdom a kind of inquiſition for matters of religion and ſtate. For the better underſtanding this cauſe of complaint, it muſt be remembered that, when Henry VIII was declared ſupreme head of the Church of England, he appointed Cromwell for his vicegerent in religious affairs, with power in his name to exerciſe the ſupremacy. After the tragic cataſtrophe of this firſt and ſole vicegerent, this office was executed by commiſſioners: and this is what was termed the high commiſſion, which continued during the lives of Henry VIII and Edward VI, and, ceaſing in Mary's reign, was revived by Elizabeth. In her reign, the high commiſſion exerciſed its authority with great moderation: but the caſe was otherwiſe under James I. This Prince, as I have frequently obſerved, mortally hated the Puritans, and after his proclamation for uniformity, it was the high commiſſion's buſineſs to ſee his injunctions executed. It may eaſily be gueſſed that the commiſſioners who were all named by the King, were not favorable to the Puritans: accordingly, they exerciſed their power with the utmoſt rigor. Had they ſtoped there, this ſeverity upon a ſet of obſtinate people, as they were reckoned,

particularly about the high commiſſion. Ibid. Coke, p. 63.

Oſborn, §. 16.

(1) July 3, 1607, King James repaid the city of London 60,000 l. borrowed by Queen Elizabeth February 3, 1589. Howes, p. 890.

(2) Her funeral charges were 17,428 l. And the expenſe of the King and his train on his journey from Scotland to London, amounted to 10,752 l. State of K. James's Revenue, p. 12.

(3) When marquis Roſny, the French embaſſador, landed at Dover, the King ſent him word, he could not bear embaſſadors charges by reaſon of their number. See Mem. de Sulley. Rapin.

(4) The charge of the foreign embaſſadors who came to England was, 31,400 l. And of the Engliſh embaſſadors ſent into foreign parts, 20,750 l. State of the Revenue, ibid.

(5) His free-gifts out of the Exchequer, paid moſtly to Scots, amounted to above 14,000 l. yearly.

and

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and whoſe number was ſmall in compariſon of the Epiſcoparians, would not have excited the commons complaints. But they puſhed matters abundantly farther. I have obſerved that, becauſe the Puritans were againſt the hierarchy, James infered they were alſo againſt monarchy, and there were but too many who labored to confirm him in this notion. For this reaſon, all who were not extremely ſubmiſſive to his Majeſty's orders, or were ſtrenuous aſſertors of the peoples privileges, were affectedly ſtiled Puritans. Under this pretenſe, the high commiſſion proceeded againſt them, and wanted not means to prove vexatious. Thus to be a true Proteſtant and member of the Church of England, communicating in that church, and complying with its external worſhip ſufficed not, the King's authority muſt alſo be acknowledged as extenſive as his flatterers were pleaſed to make it. Such as preſumed to cenſure his conduct, and queſtion his unlimited power, were deemed infected with Puritaniſm, and to reaſon upon Puritanical principles: ſo, there were then two ſorts of Puritans, Church-Puritans, and State-Puritans; but the high commiſſion affected to confound the one with the other, in order to exerciſe authority over both. This occaſioned thoſe complaints made in the houſe of commons.

James, having notice of what was diſcourſed in parliament, ſent for both houſes to Whitehall, and indeavored to ſhew he was charged very unjuſtly: but withal he intimated, by certain expreſſions which plainly diſcovered his ſentiments, that if he did not rule with a deſpotic ſway, it was not for want of power, but intirely owing to his equity.

The King's ſpeech to both houſes. Wilſon, p. 682.

He told them, "Tho' the King's heart be in "the hands of the Lord, yet he will ſet it before "the eyes of the people; aſſuring them, that he "never intended to govern by any law but the "law of the land; tho' it be diſputed among them, "as if he had a deſign to alter the law, and govern "by the abſolute power of a King. He knew, "he ſaid, the power of Kings, reſembling it to "the power divine: for as God can create and "deſtroy, make and unmake at his pleaſure, ſo "Kings can give life and death, judge all, and be "judged of none. They can exalt low things, and "abaſe high things, making the ſubjects like men "at cheſs, a pawn to take a biſhop. And when "he had raiſed the King's power to the height, "with, 'Ye are Gods,' he brings them down again "with, 'They ſhall die like Men:' and that all "Kings, who are not tyrants or perjured, will "bound themſelves within the limits of their laws; "and they who perſuade them the contrary, are "vipers and peſts both againſt them and the "commonwealth. Yet as it is blaſphemy to diſ-"pute what God may do, ſo it is ſedition in "ſubjects to diſpute what a King may do in the "height of his power: and as he will not have "his ſubjects diſcourſe of what he may, ſo he will "do nothing but what ſhall be conſonant to law "and reaſon. Then he ſtrives to mitigate the "ſharpneſs of the words droped from him at his "table, in diſparagement of the common law, "whereon he beſtows very high encomiums; but "recalling himſelf, he points out ſome corruptions "in it(1).

"He next addreſſes himſelf to the houſe of "commons, and not only thanks them for the "bonfire they made of certain papers, which "were preſented as grievances from ſome diſ-"contented murmuring ſpirits; inſtructing them "how to receive grievances hereafter: in which he "would have them careful to avoid three things.

"Firſt; that they meddle not with the main "points of government, that is his craft: to "meddle with that were to leſſen him, who hath "been thirty years at the trade in Scotland, and "ſerved here a ſeven years apprenticeſhip.

"Secondly; he would not have ſuch ancient "rights as he hath received from his predeceſſors "accounted grievances; that were to judge him "unworthy to injoy what they left him.

"And laſtly; that they ſhould be careful not to "preſent that for a grievance which is eſtabliſhed "by a law; for it is very undutiful in ſubjects to "preſs their King wherein they are ſure to be "denied. Complaints may be made unto them "of the high commiſſioners, let the abuſe appear "then, and ſpare not; there may be errors among "them: but to take away the commiſſion, is to "derogate from him; and it is now in his thoughts "to rectify it in a good proportion.

"Then he ſhews the emergent cauſe of his great "expenſes, ſince his coming to the crown, which "makes him deſire a ſupply from them: and if "they refuſe to grant it him, his reputation will "ſuffer at home and abroad; for the world will "think it want of love in them, or merit in him, "which both leſſened their hearts, and tied up "their hands towards him."

The commons diſſemble their reſentment.

There needs no great penetration to diſcover in this harangue the maxims whereon James pretended to have a right to govern the Engliſh nation, and his idea of monarchy in all countries, indiſcriminately. He expreſſed himſelf in ſuch plain terms, that it would have been difficult not to have comprehended his meaning. If it was ſedition in ſubjects to diſpute the extent of regal power, it neceſſarily followed, the King might do whatever he pleaſed; and if he ruled not like a tyrant, it was not for want of power, but intirely owing to his juſtice and clemency. In ſhort, if the whole ſpeech be examined, there is ſcarce a word but what tends, either plainly or ambiguouſly, to eſtabliſh in the King a deſpotic and abſolute power. The Engliſh had not been accuſtomed to hear their Kings talk thus. Henry VIII, the moſt arbitrary of all, managed his parliaments, in order to procure acts in favor of the Sovereign, but never pretended to eſtabliſh his authority on ſuch principles. So the commons, evidently perceiving what James had in view, determined ſtrenuouſly to oppoſe his deſigns; but it was not yet a proper ſeaſon to begin: ſuch great bodies require time to form and execute their projects. They feigned therefore to take no notice of the maxims the King would have eſtabliſhed, and granted a ſubſidy, tho' a much more moderate one than he expected. This done, the parliament, having ſat 'till the twenty-third of July, was prorogued to the ſixteenth of October. Jour. Parl.

Henry created Prince of Wales. June 4. Rym. Fœd. Vol. XVI. p. 688. Howes.

Before the ſeſſion ended, James created his eldeſt ſon Henry, Prince of Wales, and ſettled his houſhold, ſo that the young Prince kept his court at St. James's, while the Queen kept hers at Somerſet-houſe, to which ſhe gave the name of Denmark-houſe; but it was called ſo only during her life, and among her own people. Thus King James had three courts to maintain, which were very expenſive.

Prince Henry's character. Ibid. Welwood. p. 19, 20. Oſborn. §. 37, 38.

All the hiſtorians affirm, the Prince of Wales to have been of a character very different from that of the King his father. Tho' he was only ſixteen years of age, there appeared in him principles of equity, juſtice, moderation and magnanimity, which ſo

(1) He wiſhed that three things eſpecially were reformed in the common law: 1. That it were written in the vulgar tongue, and made plain to the peoples underſtanding. 2. That it might have a ſettled text in all caſes, and the expoſition of it were fixed by act of parliament. 3. That the diverſe contrary reports and precedents, and the ſeveral ſtatutes and acts of parliament which croſſed each other, might be reviewed and reconciled. See Wilſon, p. 682.

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so gained him the love and esteem of the English, that James could not but be jealous. His court was well regulated, no extravagancies or indecencies were seen there, except perhaps the too frequent masquerades, which were then much in vogue, because the Queen passionately affected those diversions. As for the King, it is said, he imployed not much of his time in state-affairs, but intirely trusted to his ministers. This is possibly somewhat exagerated, tho' it is not very improbable that a Prince who was in peace with all the world, and a great lover of books, and hunting, should leave common affairs to his ministers.

Welwood.

War about the duke of Cleves's succession. Grotius. Wilson.

While James lived in profound tranquillity, the eyes of all Europe were fixed on Henry IV's grand project to humble the house of Austria. This house daily grew so formidable, that it might very justly excite a jealousy in other Powers. What had lately happened, on account of the succession of John William, duke of Cleves, was a clear evidence how attentive the house of Austria was to agrandise itself on all sides. The duke of Cleves dying the twenty-fifth of March 1609, his four sisters, or their heirs, claimed his inheritance, containing the duchies of Cleves and Juliers, and the earldoms of La Marc, Bergh, Ravensbergh, and Ravestein. The chief competitors were, Wolfgang-William, the duke of Newburg's son; John duke of Deux-ponts, both of the Palatine family; John Sigismond, elector of Brandenburg; Christian II elector of Saxony, and Charles of Austria, marquis of Burgaw. While these Princes contended about the succession, the Emperor Rodolphus II pretended it was to be commited to his trust, 'till the affair was decided. To that purpose, he sent his orders to Leopold of Austria, bishop of Strasburg who, entering the duchy of Juliers at the head of an army, took the capital city, and left therein a garison. This procedure convincing the elector of Brandenburg, and the duke of Newburg, that while they were contending about the duke of Cleves's succession, they both ran the risk of losing it, they joined in a league, and taking possession of the deceased duke's other dominions, requested the aid of France and Holland to support them. Henry IV, who had now made great preparations against the house of Austria, promised to assist them personally. At the same time, he ordered the troops he had in Holland to be ready to join him in the duchy of Cleves, and desired the states to send thither also Prince Maurice, with part of their own forces. But while he was preparing for this expedition, he was by Ravaillac assassinated in his own coach, in the midst of Paris (1).

King Henry IV of France assassinated. May 3. Camd. Ann.

The murderer's confession (2) discovered, that this regicide was perpetrated in consequence of that Romish dogma which was so disagreeable to King James, and the Jesuits were universally believed deeply concerned: wherefore James, finding how much it behoved him to remove from his person men who held so detestable a doctrine, issued a fresh proclamation, commanding all Jesuits * to depart the kingdom, and all recusants not to come within ten miles of the court. Then he caused his subjects to take the oath of allegiance, which the parliament, still siting, had first taken.

Proclamation to banish the Jesuits. June 4. Rym. Fœd. Vol. XVI. p. 690. Wilson. p. 684. Howes.

* And priests.

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James desirous of matching his eldest son with Spain. Wilson. Winwood's Memoirs Vol. III. p. 291.

The court of Spain was generally suspected of contriving the King of France's murder, because that Prince was known to be making great preparations against the house of Austria, and that house was not seen to prepare to oppose his designs. Mean while, whether James did not believe it, or judged it advisable to gain the friendship of a house so formidable to the Protestants, he sent to sir Charles Cornwallis (3), his embassador, to negociate a match between the Prince of Wales and his Catholic Majesty's eldest daughter (4).

Bancroft's death. Wilson.

Richard Bancroft, archbishop of Canterbury, the Puritans capital enemy, died about this time. He had procured the King's patent to found a college at Chelsea, for the maintenance of a certain number of able controversists who, with their sermons and writings, were to combat the church of England's adversaries, as well Puritans as Papists; but his death put a full stop to the project (5). George Abbot, who succeded him, was of a very different character: nay, he was even suspected and accused of being a Puritan, bacause he would not, like his predecessor, persecute those sectarians, nor blindly follow the court's maxims with respect to government.

Abbot succeeds.

Parliament dissolved. Journ. Parl. Wilson. Howes. p. 909.

The parliament meeting the sixteenth of October, the commons were in a humor which pleased not his Majesty; and therefore he determined to dissolve the parliament by proclamation, the thirty-first of December, having before prorogued it. His ministers finding, by certain motions made in the lower-house, that a resolution was taken to use the most effectual methods to redress grievances, judged it not either the King's or their own interest to suffer the commons to execute this project. The pretenses for dissolving the parliament set forth in the proclamation, were;

" That his Majesty had proposed many things Coke, p. 64.
" far differing from and surpassing the graces and
" favors of former times, both in nature and value,
" in expectation of a good conclusion of some
" weighty cause, which had been there in delibe-
" ration, not only for supplying the necessities of
" his Majesty's estate, but for the ease and freedom
" of his subjects: but these being, the two last
" sessions, little taken notice of; and that the mem-
" bers, by reason of the length of the parliament,
" were debared from the hospitality they kept in
" the country, and that diverse shires, cities and
" boroughs had been burdened with expense of
" maintaining their members; for these reasons he
" dissolved them". This parliament, being the first of this reign, had sat seven years. From its dissolution, to the year 1614, it was the ministry's business to devise ways and means to supply his Majesty's necessities.

Juliers taken. Wilson. Rym. Fœd. Vol. XVI. p. 684.

On the first of September, Prince Maurice possessed himself of Juliers, with the aid brought by marshal De la Chatre from France, and the English forces which were in the states service, under com-

(1) Soon after this, King James renewed the league between England and France; and received from Lewis XIII sixty thousand pounds sterling, due to the crown of England. Rymer's Fœd. Vol. XIV. p. 694——706.

(2) He boldly confessed he did it, because the King did not take arms against the Hugonots, and that his making war against the Pope, is the same as to make war against God, " Seeing the Pope was God, and God was the Pope." Cave.

(3) Not sent over lord Cornwal, as our anthor mistakes it.

(4) It appears from a letter of the earl of Salisbury, that the first overture of this match came from the court of Spain. See Winwood's Mem. Vol. III. p. 291, &c.

(5) There is a formal act of parliament in being for the establishment of this college. Wilson, p. 685. Dr. Welwood thinks, Bancroft was not the author, tho' he might incourage this foundation. Notes on Wilson, p. 685. The founder was Dr. Sutcliffe, dean of Exeter, who indowed it with 300 l. a year, and 4000 l. in money. His death, which happened about this time, rather than Bancroft's, as M. Rapin says, put an end to the project. The site of this college coming afterwards to the crown, it was founded a-new for old and disabled soldiers, as it now stands. See Fuller, B. X. p. 51, &c. Stow's Survey, Vol. I.

mand

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mend of ſir Edward Cecil, the earl of Saliſbury's brother.

The court diverſions. Wilſon. p. 685.

James thus releaſed from the incumbrance of a parliament, and reſolving never to call another, the courtiers highly applauded his reſolution. Abſolute government was abundantly more for their advantage than a government bounded by laws, where the Sovereign is in ſome meaſure depending on the people. His whole court was overjoyed at their maſter's ſhaking off the troubleſome yoke of parliaments. The three courts were a continued ſcene of mirth and diverſions, and eſpecially the Queen's, where ſcarce any thing elſe was regarded. She had her favorites, as the King had his, that is, perſons whoſe thirſt after riches was to be ſatisfied. James indeed had not as yet any favorite, according to the uſual ſenſe of that word, tho', while he reigned in Scotland, he had plainly ſhewed he could ſcarce live without one: poſſibly, the ill offices the Engliſh and Scots did each other, had 'till now prevented his Majeſty's fixing; beſide, this Prince's taſte was very different from that of moſt others. Neither virtue, nor merit, nor eminent qualities, had any charms for him: he was to be captivated only by ſomething external and dazzling, as youth, gracefulneſs of perſon, pompous apparel, and the like. Never was Prince ſo much taken with theſe kinds of outſide accompliſhments. I ſpeak on the teſtimony of lord Clarendon (1), and ſeveral others, and on the characters of this Prince's favorites, as well in England as Scotland, in whom no other merit was ever aknowledged. Howſoever this be, among the Engliſh and Scots who approached this Prince's perſon, not one had hitherto appeared poſſeſſed of the qualities requiſite to become his favorite. He wanted a youth without experience whom he might mould as he pleaſed. The Engliſh and Scots, accounting it a ſort of miracle that he could live ſo long without abandoning himſelf to ſome perſon, ſtrove with emulation to give him a favorite, without his preceiving it, by bringing into his preſenſe all the youths of their reſpective nations whom they thought moſt capable of gaining his heart: as yet neither could ſucceed. It was not 'till 1611 that the Scots at length found means to gain the advantage of their rivals, by giving the Monarch a favorite of their nation.

The Engliſh and Scots ſtrive to give the King a favorite. Weldon.

Carr becomes the King's favorite. Wilſon. p. 685. Spotſwood. Hiſtoric. Narrat. c. 4. Weldon. p. 61, &c.

Robert Carr, a young Scotiſh gentleman, aged about twenty, juſt come from learning his exerciſes in France, going to court to wait on his compatriot lord Hay, his ſaid lordſhip, to whom he was recommended, no ſooner beheld him, but he imagined him a fit perſon to fix the King's affection. With this view, he reſolved to ſhew him at court, and ſurpriſe the King, by preſenting to him this new object, as if accidentally. One day at a tilting, he choſe Carr to preſent his ſhield and device to the King, according to cuſtom. His Majeſty, being on horſeback, and Carr advancing to perform his office, his horſe chancing to ſtart, threw him down and brake his leg. James, ſorry for this misfortune, aſked who the young man was, and hearing his name was Carr, remembered he had a page of that name in Scotland, who proved to be the ſame. This made him ſtill more concerned for his fall, and occaſioned his ordering him to be lodged in the palace, and all poſſible care to be taken of him. The tilting was no ſooner over, but he viſited Carr in his chamber. On the morow he returned; and, in ſhort, while Carr kept his bed, the King paſſed with him at leaſt an hour or two every day. He found not in this young Scot any learning, or experience, yet ſuch a calm outſide, as made him think there might be a fit harbor for his moſt retired thoughts: wherefore he reſolved to fix his inclination upon this object, hoping, by his inſtructions, to render him equal if not ſuperior to his ableſt miniſters. No ſooner was Carr recovered, but his Majeſty made him a knight, and gentleman of the bed-chamber, and took the pains himſelf to teach him Latin. In a word, Carr became a perfect favorite: all ſuits, all petitions were addreſſed to him, and no favors granted but thro' this new courtier. Happily for him, the earl of Dunbar *, a Scot, who was highly in his Majeſty's good-graces, died about this time: ſo Carr injoyed the King's favor without a rival, and was raiſed to the office of lord treaſurer of Scotland, vacant by the death of Dunbar.

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* George Hume.

James's new inclination hindered him not from interpoſing in the diſputes cauſed in Holland by the diverſity of opinion on certain religious points, between the Gomariſts and the Arminians, or Remonſtrants. Theſe diſputes are ſo well known, that it would be loſing time to explain them: it will ſuffice to relate the occaſion of this Prince's interpoſition without being applied to, and even with a very extraordinary zeal for the preſervation of orthodoxy in this church, tho' Foreign and Preſbyterian.

James ſides with the Gomariſts againſt the Arminians. K. James's Works.

Franciſcus Gomarus and Jacobus Arminius, both divinity-profeſſors in Leyden univerſity, had ſome years ſince diſcovered a oppoſite opinions concerning abſolute predeſtination, inamiſſibility of grace, and ſome other theological points. They began their diſputes near the cloſe of laſt century; but the war at that time not admiting much attention to their controverſy, it was confined to their ſchools 'till the year 1608. Gomarus followed the ſentiments of the firſt Reformers, and Arminius took a quite contrary courſe. At length, the ſtates of Holland, perceiving a ſchiſm was forming in their church, indeavored to prevent it by means of a conference, which ſerved only to inflame their animoſities. The diſputes continued; each ſtrengthened his party; and the ſtates, being then imployed in the important affair of the truce, could not attend to this, and prevent its conſequences. Arminius dying in 1608, his diſciples and followers continued the diſpute. Finally, they preſented to the ſtates a petition, containing the articles of their faith; and as, inſtead of the term Petitioners, they uſed that of Remonſtrants, they were ſo termed, and gloried in the name. The Gomariſts preſented likewiſe their petition, ſtiling themſelves Contra-Remonſtrants. For ſome time, the two parties were known by no other denomination: but afterwards that of Contra-Remonſtrants was ſcarce heard of, while the followers of Arminius are ſtill named Remonſtrants or Arminians.

Arminius's profeſſorſhip was filled by Conrade Vorſtius, divinity-profeſſor at Steinfort, in the county of Bentheim. This theologian had publiſhed a treatiſe concerning God, which had ſo excited the Gomariſts againſt him, that he was obliged to juſtify himſelf by a printed apology from their imputations: nevertheleſs, before he came to Leyden, he was repreſented as a confirmed Socinian. In 1611, he was attacked by ſome divines, who offered to point out ſeveral damnable errors, both in his treatiſe concerning God, and in his Apology. Theſe two books being ſent to England, King James read them, and preſently after ſent to ſir Ralph Winwood, his embaſſador at the Hague, a liſt of the errors he had remarked, ordering him withal to aſſure the

K. James's Works. p. 351.

(1) Of all wiſe men living, he was the moſt delighted with handſome perſons and fine cloaths. Clarendon, Vol. I. p. 9.

ſtates,

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ſtates, that he was reſolved in print to publiſh his deteſtation of ſuch abominable errors, and of their allowers and tolerators. This was directly falling upon the ſtates, who had acquitted Vorſtius. The embaſſador preſented therefore on this occaſion a memorial, to which the ſtates returned a very modeſt reply, tho' they had reaſon to complain of the haughtineſs wherewith James was pleaſed to treat them. Before his ſaid Majeſty received the anſwer, he had ordered ſome of Vorſtius's books to be publicly burned at London, Oxford, and Cambridge. Notwithſtanding all this, Vorſtius was received at Leyden, and King James wrote againſt (1) him, to the ſtates, with ſo much vehemence, that in his opinion, burning was too good for him: nay he threatened, that in caſe they continued to tolerate this profeſſor, he would cauſe the churches of England and Scotland to withdraw from the communion of that of Holland, and exhort all other reformed churches to follow the example. Winwood, on delivering this letter, made to the ſtates a ſpeech wherein he intirely well ſeconded the intentions of his maſter.

Novembr. 25. Winwood's Mem. Vol. III. p. 293, &c. 298.

K. James's Works. P. 355.

Tho' the ſtates of Holland thought it very ſtrange to be thus ſchooled and reprimanded, they nevertheleſs judged it was proper to ſhew a regard to the King of England, tho' without complying with what he required. To this end, they anſwered the embaſſador, that they had proviſionally ordered, that Vorſtius ſhould forbear the functions of his office 'till the next aſſembly upon this affair, and in the mean time remain at Leyden only as a ſojourner. Winwood took this anſwer for a denial, and complained in very haughty terms of their little reſpect for the King his maſter. Not long after, James publiſhed a declaration againſt Vorſtius, wherein he treats the ſtates of Holland very roughly. Then the ſtates, who were unwilling to quarrel with him, ordered Vorſtius to remove from Leyden to Gouda, where was provided for him another ſettlement.

Winwood's Mem. Vol. III. p. 316, 323.

Remark on this ſubject.

It is not eaſy to gueſs the true cauſe of King James's extraordinary zeal on this occaſion. It ſeems, on the contrary, that on many accounts he ought not to have interpoſed in a theological diſpute, about which the ſtates had not aſked his advice, and which concerned a church over which he could not challenge the leaſt juriſdiction. How could he, who in his ſpeech to both houſes of parliament, termed the queſtions about tranſubſtantiation, and the number of Sacraments, mere ſchool-queſtions, how could he, I ſay, account the queſtions concerning grace in Holland, to be of ſo much greater moment? Moreover, he who was of opinion, that Papiſts might be tolerated in England, provided they behaved like good ſubjects, could not bear that Vorſtius ſhould be tolerated in Holland, or even ſuffered to exiſt. Theſe are contradictions which I can only venture to explain by three conjectures. Firſt, as he pretended to be deeply learned in divinity, he imagined that, having declared for one of the opinions, he was bound in honor to ſupport it. Secondly, looking on himſelf ſtill as protector of the ſtates, he had a mind to exert his authority on this occaſion, and oblige them to do as he required. Thirdly, he was willing to favor Prince Maurice, who had declared for the Gomariſts, againſt the Arminians, who had at their head penſionary Barnevelt. I return to the affairs of England.

AN' 1612.

Carr made viſcount Rocheſter. Wilſon. Camden's Annals Howes. Weldon. May 13.

James's affection for his new favorite continually and ſwiftly increaſed. The favors heaped on him by his royal patron ſeemed to exceed all bounds. Having made him knight, gentleman of the bedchamber and lord-treaſurer of Scotland, he created him, the twenty-fifth of March 1612, baron of Branſpeth, and viſcount Rocheſter. A month after, he made him privy-counſellor, and then knight of the garter. All affairs at court paſſed thro' his hands, and whoever deſired any favor from his Majeſty was firſt to make viſcount Rocheſter his friend. The infinite bounties wherewith this favorite was loaded, convinced the miniſters and courtiers, it would be in vain to think of ruining him; and even to attempt it would be very dangerous: wherefore every one reſolved to pay his adoration to the perſon whom his Majeſty vouchſafed to honor. The earl of Saliſbury was not however greatly pleaſed at being noſed by this adventitious minion, and continually obliged to imploy his whole art to find money, in order to ſee it ſhowered on a ſtripling whoſe ſervices were yet ſo very inconſiderable. All hiſtorians agree, that James was immeaſurably profuſe in the preſents he made his young favorite, as if he had been poſſeſſed of inexhauſtible fountains of treaſure, tho' he was ever neceſſitous. It is ſaid, that his Majeſty having, one day, given him orders under his own hand, to receive twenty thouſand pounds at the Exchequer, lord treaſurer Saliſbury, ſurpriſed at the greatneſs of the donative, conſidering the treaſury's then ebbing condition, ſucceſsfully uſed a ſtratagem to convince the donor of his exceſſive liberality. He ordered the money to be laid on four tables in a chamber of the houſe, and inviting his Majeſty to a collation, cauſed him to paſs thro' that apartment, as by accident. James, as the lord-treaſurer foreſaw, failed not inquiring, for what all that money was deſigned; to which Saliſbury careleſly anſwered; It was for viſcount Rocheſter, purſuant to his Majeſty's command. Whether the King underſtood his meaning, or had not conſidered the largeneſs of his gift, he ſaid, it was too much for one man, and ordered the treaſurer to give him five thouſand pounds only (2).

JAMES I. AN' 1612.

The treaſurer's artifice to limit James's bounty. Coke. Oſborn. Hiſtoric. Narat. c. 6. *All in ſilver.

It is agreed by all hiſtorians, that Carr behaved very prudently on his firſt becoming a favorite. He was neither greedy nor inſolent; he did every one what ſervice he could, and eſpecially the Engliſh, whoſe friendſhip he prefered before that of his countrymen. He had but one Scotiſh ſervant, and one friend of that nation, a couſin-german. This conduct rendered him agreeable to the Engliſh. The Prince of Wales alone affected ſometimes to mortify him, becauſe they were both inamoured of the counteſs of Eſſex, who gave preference to the favorite. This was ſufficient to gain him the enmity of his Highneſs, who nevertheleſs ſought not revenge. He choſe rather to turn into contempt his love for the lady, who, as we ſhall ſoon find, little merited ſuch a lover. Except this amour, which proved his ruin, the favorite's deportment was very prudent, being guided by the counſels of ſir Thomas Overbury, a man of great wiſdom and abilities, who took care to keep him clear of thoſe rocks whereon favorits ſeldom fail ſpliting.

Prudent behavior of the favorite.

Wilſon.

Weldon. Hiſtoric. Narat. c. 14.

But tho' viſcount Rocheſter ſedulouſly avoided being troubleſome, his modeſty ſerved only to inflame James's deſire to render him inſtantly rich and powerful. This, added to many bounties he beſtowed on his courtiers, both Engliſh and Scots, and the maintenance of three ſeveral courts, held him perpetually ſtraitened. His miniſters were inceſſantly deviſing means to raiſe money without a parliament, whereof he would not hear the leaſt mention. It may be eaſily conceived theſe means were not all legal, but that many of them occaſioned

James loads him with favors.

The miniſters at a loſs for money. Coke, p. 66.

(1) The King's ſecond letter was ſent, tho' not delivered, before Vorſtius was ſettled at Leyden. K. James's Works, p. 358.
(2) Our author wrongly makes the whole only 5000 l. and the King to order him only 2000 l.

murmurs

JAMES I. AN' 1612.

murmurs among the people, as monopolies, benevolences, forced loans, &c. A King of England cannot eaſily augment his revenues by ſuch methods, without giving his ſubjects cauſe to believe he intends to incroach upon their privileges, and this Prince was now but too much ſuſpected of ſuch a deſign.

Earl of Saliſbury's death. May 24. Camden. Ann.

The King, to his great misfortune, loſt in the ſucceeding May, 1613, the earl of Saliſbury, who was perfectly acquainted with the ſtate's affairs, and genius of the Engliſh. He was a check to the other miniſters, and hindered them from runing upon precipices, the danger whereof they knew not ſo well as he. Moreover, he had a wonderful art of diverting the King from hurtful reſolutions, tho' he did not always ſucceed (1). The earl of Suffolk was made lord treaſurer: but he was widely different from the perſon he ſucceeded, both for qualifications and probity: beſide, he had a wife inſatiably ravenous, and who made no ſcruple to take money with both hands.

Suffolk is made lord treaſurer.

Queen Mary's body removed to Weſtminſter. Rym. Fœd. Vol. XVI. p. 721. Wilſon. p. 688. Howes. Spotſwood. * Robert Creighton.

During the felicitous tranquillity James injoyed, he removed to Henry VII's chapel at Weſtminſter, the remains of Queen Mary, his mother, from Peterborough, where ſhe was originally interred, and had ever ſince continued.

About the middle of this year, lord Sanquir*, a Scotiſh nobleman, was condemned to be hanged, for cauſing a certain fencing-maſter to be murdered (2). In vain the archbiſhop of Canterbury, and diverſe other grandees, interceded in his behalf. No interceſſion availed to obtain his pardon from James, who thought this example neceſſary to curb the inſolence of his Scots, who had already been guilty of many outrages in England. His clemency to ſome had produced ſuch ill effects, that he judged it not at all proper to continue the ſame courſe, leſt it ſhould finally produce a general quarrel between the two nations, which muſt needs have been to the Scots diſadvantage (3).

Sir Robert Sherley embaſſador from the King of Perſia. Camden. Ann. Howes.

Soon after arrived in England a very extraordinary embaſſy. Sir Robert Sherley, a native of England, who had many years ſerved the King of Perſia in his army, deſirous of reviſiting his native ſoil, obtained of that Monarch the character of his embaſſador, and a letter of credence to King James. His inſtructions were only to pay his compliments to the King, with the offer of a free trade to the Engliſh throughout the Perſian dominions. This embaſſador had paſſed thro' the Hague, where he demanded audience of the ſtates, to propoſe to them a treaty with the King of Perſia: but becauſe he came from Spain, where he had made ſome ſtay, the ſtates ſuſpecting he might have other deſigns, aſked to ſee his inſtructions, and upon his ſcrupling to ſhew them, he was required to withdraw. As he had been alſo at other courts, it was believed, he had put the King of Perſia in hopes of ingaging all the Chriſtian Potentates in a war with the Turks, who were preparing to invade him. He had eſpouſed a Perſian woman, who was delivered of a ſon in England, to whom the Queen ſtood godmother, and Prince Henry godfather. After a year's continuance in England, he returned into Perſia †.

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† See Howes, p. 2002. Finet, &c.

The arrival of this embaſſador made not ſo much noiſe as did that of Frederick V, elector Palatine, who came over in October to eſpouſe Princeſs Elizabeth, his Majeſty's daughter. He was received with all imaginable honor, and for ſome time nothing was ſeen at court but diverſions and feſtivities on his account. But amidſt the univerſal joy for theſe nuptials, the Prince of Wales was ſeized with a diſtemper, which at firſt was not judged dangerous. It began on the tenth of October, a few days before the elector Palatine's arrival: but he himſelf believed it of ſo little conſequence, that he for ſome days, every where accompanied the elector. He was not obliged to take to his bed 'till the twenty-fifth of the ſame month, and died the ſixth of November (4), aged eighteen.

The Palatine's arrival. Octob. Wilſon. p. 689. Howes.

Death of the Prince of Wales. Wilſon. Howes. Coke.

His encomium. Wilſon. p. 689. Coke. Oſborn.

He was one of the moſt accompliſhed Princes ever ſeen, I will not ſay in England only, but throughout Europe, if we may credit what is related of him by hiſtorians. He was ſober, chaſte, temperate, religious, and abounded with honor and probity. He was never heard to ſwear, tho' the examples ſet him by his father, and the whole court, were but too apt to corrupt youth. He greatly delighted in the converſation of men of worth; and thoſe who were not reckoned as ſuch were looked on with a very ill eye at his court. He had naturally a greatneſs of mind, noble and generous thoughts, and was as much diſpleaſed with trifles, as his father was fond of them. He frequently ſaid, if he ever attained the throne, his firſt care ſhould be to indeavor reconciling the Puritans to the church of England. As this could not be done without conceſſions on either ſide, and as ſuch a condeſcenſion was directly contrary to the temper of both court and clergy, he was ſuſpected to countenance Puritaniſm. His natural diſpoſition was mild and affable, yet had in his carriage a noble ſtatelineſs, without affectation, which commanded eſteem and reſpect. He ſhewed a warlike genius, in his paſſionate fondneſs for all martial exerciſes. A French embaſſador coming to take leave of him, found him toſſing a pike, and aſking him, "what "ſervice he would command him to his maſter?" The Prince bid him tell him, "what he was do-

Oſborn.

Coke, p. 71.

(1) For a farther character of this great ſtateſman, ſee Weldon, Oſborn, &c.

(2) This young nobleman having, it ſeems, a mind to diſgrace one Turner a fencing-maſter, in his own art, had one of his eyes thruſt out by him. Some time after, the King of France aſked him, "How he loſt his eye?" And Sanquir telling him, "it was done with a ſword." The King replied, "Does the man live?" This queſtion made ſuch impreſſion on him, that at his return to England, he cauſed Turner to be piſtoled, at his houſe in White-Friers, Wilſon, p. 688. He was tried in the court of King's Bench, June 27, and executed before Weſtminſter-hall-gate the 29th. Howes, p. 1002. Oſborn (p. 457) ſays, it was thought the King would not be prevailed with to pardon Sanquir, as he had done ſome other of his countrymen for the like offenſe, by reaſon of his love to the King of France, and not making any reply, when he ſaid in his preſenſe, to one who ſtiled our King James, Solomon, that "he hoped he was not David the Fidler's ſon———;" alluding to David Rizzo, his mother's favorite, whoſe ſtory ſee in the preceding reign.

(3) Ramſey ſwitched Philip Herbert, the earl of Pembroke's brother, over the face at a horſe-race, which he not reſenting, the King made him knight, baron, viſcount, and earl in one day. Mr. Edward Hawley of Grey's-Inn, coming to court one day, Maxwell led him out of the room by a black ſtring he wore in his ear, a faſhion then much in uſe. But this had like to have cauſed warm blood; not only Grey's-Inn ſociety, but all the gentry in London, thought themſelves concerned in the affront, and Hawley threatened to kill Maxwell wherever he met him, if he refuſed to fight; which ſo frighted the King, that he ſent for the benchers, and made up the quarrel. One Murray, a Scot, killed a ſerjeant who came to arreſt him; which things, with Sanquir's piſtoling Turner, and other inſolencies, occaſioned the following verſes on the Scots;

They beg our lands, our goods, our lives,
They ſwitch our nobles, and lie with their wives;
They pinch our gentry, and ſend for our benchers;
They ſtab our ſerjeants, and piſtol our ſencers. Oſborn, p. 752.

(4) Not the 12th, as our author miſtakes. His age was eighteen years, eight months, and ſeventeen days. He was interred in Weſtminſter-abbey, Dec. 17; and his funeral coſt 1616 l.

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"ing (1)." To ſay all in a word, tho' he was eighteen years old when he died, no hiſtorian has taxed him with any vice. The King his father is ſaid to have grown jealous of him, and to aſk one day, "If his ſon would bury him alive (2)?" I paſs over in ſilence many particulars ſaid upon this occaſion, more eſpecially what ſome authors would inſinuate, of the King's cauſing him to be poiſoned. In ſuch a caſe the proofs ought to be clear as the ſun, and I find, even in the moſt virulent writers againſt King James, only bare ſuſpicions and naked conjectures, which poſſibly were mere effects of the blackeſt malice. Others are contented with accuſing viſcount Rocheſter of this crime, but without any manner of proof. Some ſlight preſumptions, which I ſhall have occaſion to ſpeak of elſewhere, may have helped to breed this ſuſpicion, which indeed was ſpread immediately on the Prince's deceaſe. Wherefore his head and body were laid open in preſenſe of many phyſicians and ſurgeons, who gave their opinion upon oath, that no marks of poiſon appeared. But what reflected moſt upon the King, was his commanding that no perſon ſhould appear at court in mourning; whether he was deſirous of removing from his ſight all lugubrous objects, which would be a conſtant renewal of his grief, or thought not proper to interrupt the diverſions prepared for his daughter's marriage. Decency however obliged him, to defer the nuptials a few weeks, as Prince Henry's obſequies could not be ſolemniſed 'till the ſeventh of December.

Burnet. Coke.

Suſpicions againſt the King. Wilſon. p. 689, 690. Coke, p. 71.

Burnet.

Hiſtoric. Narrat. c. 15. Coke. Wilſon.

The Elector and Prince Maurice, made knights of the garter. Camd. Ann.

Some days after, his Majeſty held a chapter of the garter at Windſor, whereat the elector Palatine, and Prince Maurice, ſtadt-holder of Holland, were admited knights-companions of that moſt honorable order. They were inſtaled in February following, both on the ſame day, one at Windſor, the other at the Hague (3).

An' 1613. The Elector's marriage with Princeſs Elizabeth. Howes. Wilſon. p. 690. Rym. Fœd. Vol. XVI. p. 724, 736.

The begining of 1613, paſſed wholly in preparations for the Princeſs's matrimonials, celebrated the fourteenth of February, having been, a week before, proceded by the Elector's inſtalment. No coſt was ſpared to render the entertainments, on theſe occaſions, as magnificent as poſſible. To this purpoſe, James demanded aid-money of his ſubjects, according to the ancient cuſtom, obſerved on the Kings marrying away their eldeſt daughter. Tho' it was now a hundred years ſince this cuſtom had been uſed, there having been no occaſion ſince the reign of Henry VII, yet few or none durſt refuſe complying with his Majeſty's demand. By this method were raiſed very large ſums, all which were expended on theſe nuptials. The Elector and Princeſs ſtayed in England 'till April, all which interval was one continued ſcene of feaſting, balls, maſquerades, and other diverſions. The city of London gave the new married couple a ſplendid entertainment; after which, the lord-mayor (4) preſented the bride with a chain of oriental pearl, worthy the greatneſs and opulency of that metropolis.

See Howes, p. 1003, &c. Wilſon.

By the Elector's and his conſort's departure, the court was ſomewhat quieter as to public rejoicings, which had held ſeveral months uninterruptedly; yet at the ſame time, a private ſcene was acting, the intrigues whereof began now to ſhew themſelves, but were not quite laid open 'till two years after. I mean, diſſolving the earl of Eſſex's marriage; his counteſs's ſecond matrimonals with viſcount Rocheſter; and the violent death of ſir Thomas Overbury. As theſe three accidents occurred not all at once, and by accident, but were gradually brought in by diabolical practiſes, it will be requiſite to introduce a few paſſed tranſactions, which were poſtponed purpoſely not to interrupt the thread of this narrative.

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Robert Cecil, earl of Saliſbury, was, as I obſerved, the late earl of Eſſex's mortal enemy, and one of the chief inſtruments of his ruin. This unhappy nobleman left a ſon who, being only nine years old, gave not Cecil much uneaſineſs, tho' the King, at his coming to England, reſtored him to his eſtate and honors. Mean while, as this able miniſter could not be ignorant of his Majeſty's affection for the father, he was apprehenſive of being, ſooner or later, made accountable for all the artifices he had uſed to effect that earl's deſtruction. It was chiefly on this account that, in order to preſerve the King's favor, he judged it proper to unite cloſely with the Howard family, by his ſon's marriage with the earl of Suffolk's eldeſt daughter. That done, and perceiving the earl of Eſſex grew up, and fearing he might one day prove a thorn in his ſide, he believed it for his intereſt to be reconciled to him, and to confirm the reconciliation with a marriage between this young peer and the earl of Suffolk's ſecond daughter, his own daughter-in-law's younger ſiſter. Beſide his own advantage by this alliance, he gave King James the pleaſure to ſee in ſtrict union three families he beſt loved of any in all England, viz. thoſe of Howard, Devereux, and Cecil. Theſe nuptials were accompliſhed in 1606, the earl of Eſſex being then in his fifteenth, and his bride, Frances Howard, in her thirteenth year. As the married couple were yet very young, their relations thought fit the earl ſhould travel into France and Germany, 'till they were both ſomewhat maturer. While he was abſent, his counteſs became a complete beauty, and eclipſed all the court ladies.

The earl of Eſſex's ſtory. Wilſon. p. 686. Hiſtoric. Narrat. c. 5.

Wilſon. p. 686, &c.

The earl of Eſſex returned to England in 1610. He found his lady in the prime of her age and beauty: but withal, thro' the encomiums univerſally given her, highly prepoſſeſſed in favor of her own merit. For his part, he was perfectly charmed with her, but met not with that return he expected. She daily deviſed freſh excuſes to retard conſummation of her marriage, and ſhewed as much reluctance as he did eagerneſs. He for ſome time bore all patiently, being unwilling to uſe compulſion, for fear of incurring his bride's averſion. Not long after, he fell ſo dangerouſly ill of the ſmall-pox, that his life was deſpaired of: but the goodneſs of his conſtitution overcame his diſtemper, tho' his intire recovery was not very ſpeedy.

Wilſon.

It was during this interval Robert Carr became the King's favorite. On gaining his Sovereign's affection, he alſo made a conqueſt, almoſt at the ſame time, over the heart of lady Eſſex, who ſuffered herſelf to be captivated with the charms of this youthful Scot, and abſolutely abandoned herſelf to this new paſſion, yet without daring to reveal it to him who inſpired it. Mean while, the earl of Eſſex, finding his health compleatly reeſtabliſhed, preſſed his counteſs's conſent to the conſummation of their marriage: but, as ſhe was become inamored of another, he found in her a ſtill ſtronger reluctance. In ſhort, after trying all

Wilſon.

(1) He is reported to have ſaid of ſir Walter Ralegh; "Sure no Prince but my father, would ever keep ſuch a bird in a "cage!"

(2) King James ſaid this upon the Prince's court being more frequented than the King's. Coke, p. 71.

(3) This year was finiſhed Hick's-hall in London. It was ſo named from ſir Baptiſt Hicks, a juſtice of peace for Middleſex, at whoſe charges it was builded; on a piece of ground granted him by the King. Idem. p. 1003.

(4) And aldermen. Their preſent was of more than 2000 l. value. Howes, p. 1007.

imaginable

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imaginable means to prevail on her, without being able to ſucceed, he had recourſe to his father-in-law the earl of Suffolk, and intreated his paternal mediation to vanquiſh his daughter's obſtinacy. Suffolk, ſurpriſed at his ſon-in-law's requeſt, ſharply reprimanded the young lady, and told her in a tone of authority, that ſhe muſt abſolutely determine on conſummating her marriage. The counteſs thereupon, not daring directly to diſobey her father, deſired only ſome ſmall reſpite. She was of opinion that, provided conſummation with the earl of Eſſex could be any way evaded, it would not be impracticable to procure a divorce, and ſhe might then marry viſcount Rocheſter. In reality, Rocheſter was yet a ſtranger to her paſſion: but ſhe had too much reliance on her charms, not to hope a conqueſt, whenever ſhe ſhould have occaſion to make the diſcovery. On the other hand, Rocheſter's, Suffolk's and Northampton's great credit admited not her queſtioning that, if the favorite undertook aſking her in marriage, he would eaſily ſucceed. But ſhe wanted ſome time to lay her meaſures, wherein however ſhe met with great oppoſition both from her huſband and father.

Wilſon: Hiſtoric. Narrat. c. 7, 9. Coke.

In this dilemma, not knowing how to extricate herſelf from the preſent perplexity, ſhe addreſſed the widow of one Dr. Turner, a phyſician, a woman of diſſolute life, and capable of the vileſt actions. As this pernicious female had not any good counſel to give the lady, ſhe perſuaded her to apply to one Foreman, who paſſed for a conjurer. He had perhaps ſome ſecrets of nature, but was not ſorry to be thought ſkilled in magic, becauſe abundance of women crouded to conſult him, and gave conſiderable fees for his advice. To this man the counteſs of Eſſex imparted her ſecret, and deſired of him two things: firſt, to manage it ſo, that the earl of Eſſex ſhould be incapable to conſummate his marriage. Secondly, to make Rocheſter in love with her. Foreman very confidently promiſed both, and gave her certain powders for her huſband to take, and to be put among his linen, with inſtructions how ſhe ſhould behave to him. As for Rocheſter, he himſelf undertook to perform upon him the neceſſary operations.

Mean while, the counteſs could no longer diſobey her father's command, ſo was forced at laſt to cohabit with her huſband: but tho' they lay together, the marriage was not conſummated; whether it was owing to Foreman's powders, or to ſome other more effectual means uſed by the counteſs to fruſtrate her conſort's attempts. However this be, the earl of Eſſex imagined, that his living in London and at court might contribute to his miſfortue, and therefore reſolved on conveying his lady to a ſeat * of his about a hundred miles from London. The counteſs could not be excuſed from going with him; but, during the whole time of her being there, ſhe ſhut herſelf up in a chamber, and would not even ſuffer the light of the ſun to enter, giving herſelf over to exceſſive melancholy, whether thro' vexation or policy the better to avoid unwelcome importunities. After this manner ſhe paſſed ſome time in the country with her huſband, who little comprehended the meaning of this ſtrange behavior. Mean while, ſhe wrote letters to the widow Turner and Foreman, telling them, "She was afraid "Foreman's powders were not ſtrong enough: her "huſband was as luſty as ever: it would be very "difficult for her to hold out for ever, and if ſhe "ſhould chance to yield, ſhe ſhould become the "moſt unfortunate woman in the world: ſhe in"treated them to free her from her miſery, and "they ſhould have what money they deſired." Theſe letters were found in Foreman's ſtudy, and read in open court, on a certain occaſion which I ſhall mention preſently.

* Chartley in Staffordſhire.

Wilſon. p. 687. Truth brought to light, &c. p. 13, 136.

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At length, the earl of Eſſex, ſeeing himſelf in ſo uneaſy a ſituation, reſolved on re-conducting his lady to London, and leaving her at full liberty to live as ſhe pleaſed. He began to be ſenſible there was ſomething extraordinary in her carriage, which he choſe rather to be ignorant of than attempt penetrating.

The counteſs being returned to court, and miſtreſs of herſelf, no longer delayed acquainting Rocheſter with what ſhe indured for his ſake. There was no neceſſity for uſing magic to produce the deſired effect. He was young, and ſhe the fineſt lady in England: ſo, any advances from the counteſs were more than ſufficient to kindle a flame in this favorite's breaſt. As ſoon as they began to underſtand each other, aſſignations became frequent. This was at firſt carried on very privately: but after ſome time theſe lovers uſed ſo little caution, that no one courtier was a ſtranger to their amours. Very ſeemingly, his Majeſty was informed of it, ſince nothing more delighted him than to hear of the love-intrigues of his courtiers. The earl of Eſſex, who had alſo notice of it, choſe to ſhut his eyes, and contemn a woman ſo unworthy his affection.

Wilſon: Hiſtoric. Narrat. c. 13.

(1) At this juncture, viſcount Rocheſter was at the very ſummit of favor with his royal patron. He officiated as ſecretary of ſtate, tho' Winwood, who had been embaſſador in Holland, held the commiſſion. He opened all pacquets, and returned anſwers, without communicating them to the council, and even frequently without the King's knowledge: yet all he did was approved. It was one of King James's weakneſſes to ſuffer himſelf to be governed by his favorites. But as viſcount Rocheſter governed the King, he himſelf had alſo a favorite by whom he was wholly directed. This was the already-mentioned ſir Thomas Overbury, who greatly aſſiſted him in bearing the too ponderous burden, yet to him left the whole honor.

The counteſs of Eſſex's ſchemes to get her marriage diſſolved. Wilſon.

Lady Eſſex having ſucceeded in her purpoſed conqueſt, and finding herſelf ſure of her paramour's heart, would not allow his paſſion time to cool. All things ſeemed to favor the execution of her deſigns, that is, her divorce from Eſſex, and marriage with Rocheſter. Eſſex ſaw her no more, and ſeemed to concern himſelf very little about her, and Rocheſter was ſo beloved by the King, that, in all appearance, nothing would be impracticable: ſo ſhe let her lover know her deſires, and without much difficulty brought him to ſecond her projects. But as he was wont to impart his moſt ſerious affairs to Overbury, he believed he ought not to conceal this from him, and the more, as he expected from him ſome good advice to accompliſh it. But ſo far was Overbury from approving ſuch a project, that he uſed his utmoſt indeavors to diſſuade him from it. He repreſented to him the injuſtice and indignity of the action, nay his danger of being ruined by it; and laſtly, the little value he ought to have for a woman, who, tho' married, ſcrupled not throwing herſelf into the arms of another: that ſhe had already loſt her reputation in the world, and when ſhe ſhould be his wife, the whole diſhonor would reflect upon him. Rocheſter, who expected not oppoſition from his friend, could not forbear ſhewing ſome reſentment. He had however the addreſs to contain himſelf ſo far, as not to give him room to think he would proceed notwithſtanding his advice, and continued, as uſual, to com-

Overbury oppoſes it. Wilſon. Coke. Hiſtoric. Narrat. c. 18. Weldon.

(1) Mr. Tindal has thought fit to leave out this whole paragraph, thro' what view I know not.

municate

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municate to him his other affairs. The counteſs was in a violent paſſion when ſhe heard Overbury's advice, and from that moment ceaſed not exciting her gallant to vengeance. She was the more inſenſed againſt Overbury, as ſhe dreaded that, being acquainted with the deſign, he would labor to render it abortive. In ſhort, Rocheſter was ſo blind and complaiſant as to promiſe her to ſacrifice his friend. He might eaſily have diſmiſſed him: but it would have been too dangerous not to ruin him intirely, after truſting him with the ſecret. It is pretended that, to ſtrike with greater ſureneſs, he conſulted the earl of Northampton, the counteſs of Eſſex's uncle, and by his advice uſed this artifice to ruin him. He extolled to the King Overbury's abilities; but intimated withal, that he was too aſſuming, and was become inſufferably inſolent; and therefore he ſhould be very glad to have him removed by ſome honorable imployment, praying his Majeſty to ſend him embaſſador to Ruſſia (1). James, approving the propoſal, inſtantly nominated Overbury for the embaſſy. Rocheſter, having proceeded thus far, acquainted Overbury with his Majeſty's deſign, and, pretending he could not live without him, intreated him to refuſe the imploy, promiſing to procure him at court a better ſtation. He added, that indeed he believed it would not be in his power to prevent his Majeſty's being angry at firſt, and probably he would reſent his refuſal; but he doubted not appeaſing him in a few days. Overbury fell into the ſnare, and when the King ſent for him, to acquaint him with the imployment deſigned, he moſt humbly beſought his Majeſty to make choice of another.

Coke Hiſtoric. Narrat. c. 19.

Ibid. Wilſon. p. 691.

Rocheſter's artifices to ruin Overbury. Coke. Wilſon. Weldon's Hiſtoric. Narrat. c. 22.

ibid. c. 24.

No ſooner was he retired, but Rocheſter agravated his pride and inſolence, in daring thus to refuſe his Sovereign's gracious offer, adding, it was requiſite to chaſtiſe him. In a word, thro' Rocheſter's inſtances, the King commanded Overbury to be arreſted (2). Some days before, the favorite had cauſed ſir Gervaſe Elways, his creature, to be made lieutenant of the Tower. Overbury was there cloſely confined in a room, and not ſuffered to retain one of his ſervants, or receive any viſits from his relations and friends; a rigor not uſed even towards the moſt notorious criminals. He was now where Rocheſter and the counteſs of Eſſex wiſhed him, in order to diſpatch him with greater facility: nevertheleſs, they had ſtill ſome difficulties to incounter. They could not effect it with a dagger, becauſe the lieutenant of the Tower, who was to be anſwerable for his priſoners, would not have ſuffered it; and beſide, a murder openly commited in one of his Majeſty's priſons, would have made too much noiſe abroad. It was reſolved therefore to poiſon him. To that end, Turner provided a truſty agent, one Weſton, who had been her huſband's menial; and this fellow was, by ſir Thomas Monſon, recommended to the lieutenant of the Tower, to attend the priſoner as lackey: but even this was not ſufficient. What was brought Overbury to eat being dreſſed in the lieutenant's kitchen, there was a kind of neceſſity to ingage him in the plot. Some ſay the earl of Northampton diſcourſed him about it, intimating that all was done with the King's concurrence. Others affirm, the lieutenant refuſing to be concerned in the crime, and yet not daring to diſcover it, by reaſon of the parties great credit and quality, took care to ſeize whatever eatables were ſent from time to time by viſcount Rocheſter to the priſoner, and throw them into the privy (3); and this is moſt likely, ſince otherwiſe Overbury would have been ſoon diſpatched. Notwithſtanding all the lieutenant's care, Weſton found means to give Overbury a certain jelly, ſent by ſir Thomas Monſon, which almoſt deſtroyed him: hereupon the lieutenant was ſtill more diligent, that Overbury ſhould be ſeen by Weſton only. This was a great check upon Weſton, ſeeing none could be accuſed but himſelf; and therefore he durſt not be ſo expeditious in the affair as Overbury's enemies deſired. However, one inconveniency aroſe from this delay, namely, a general ſurpriſe to ſee the King uſe ſuch exceſs of rigor on a friend of viſcount Rocheſter, and for ſo trivial a crime, if humbly intreating to be excuſed from going in embaſſy to Ruſſia may properly come under that denomination. It could not be conceived, and it was vainly indeavored to penetrate the real cauſe of this extreme ſeverity wherewith Overbury was treated.

Overbury ſent to the Tower. Wilſon. Hiſtoric. Narrat. c. 20.

His death reſolved. May 9. Wilſon. Hiſtoric. Narrat. c. 21, 24. Coke.

Wilſon. p. 693.

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Weldon. P. 74.

Hiſtoric. Narrat. c. 48.

While the unhappy priſoner languiſhed under his rigid durance, viſcount Rocheſter and the counteſs of Eſſex were meditating how to execute their project of annulling Eſſex's marriage, that his lady might afterwards eſpouſe the viſcount. To effect this, without Rocheſter's appearing to be concerned, the earl of Northampton, who was in the two lovers ſecrets, undertook ſpeaking to his Majeſty. Some ſay, Rocheſter had already acquainted the King with the counteſs's deſign to be divorced, and ſollicited his procuring him the lady when her marriage ſhould be diſſolved; but I am not certain this report was well atteſted. However, the earl of Northampton gave his Majeſty the counteſs of Eſſex's petition, which was to this purport (4): that the earl her huſband being incapable of conſummating their marriage, ſhe beſought his Majeſty to let her complaint be examined, and if found well grounded, to have liberty of re-marrying. On this petition, James commiſſioned the archbiſhop, diverſe other prelates, and ſome laics, to hear and determine the matter. The ſaid court proceeded very gravely to the trial of this cauſe, and entered into ſuch particular and ſecret examinations as did not greatly ſuit the eccleſiaſtical function. The earl of Eſſex being examined, briefly replied, that he had never conſummated his marriage, neither did he think he ſhould ever be able; but found not a like inability with regard to other women. Tho' this acknowledgment greatly favored the counteſs's cauſe, the court deemed it proper to be certain of the truth by another method, and ordered the counteſs to be inſpected by a jury of matrons, aſſiſted by ſome midwives. This inſpection being made, the matrons declared ſhe was a virgin: but it is pretended, the counteſs, under color of modeſty, was permited to appear in a veil before the matrons, and that miſs Fines, a young gentlewoman of her age and ſtature, was introduced in her apparel (5). Decency forbids my inſerting many circumſtances of this trial, which are to be met with in diverſe writers. It ſuffices to ſay in

The earl of Eſſex's marriage annulled. Wilſon. Franklyn's annals. Hiſtoric. Narrat. c. 17. Truth brought to light. Coke.

Wilſon. Annals of James I.

Wilſon. Hiſtoric. Narrat. c. 31.

Weldon. p. 80, &c.

(1) Some ſay, into France, others into Flanders. Rapin.

(2) Under pretenſe, that he had vented ſome ſtinging ſarcaſms againſt the court. Coke, p. 75.

(3) Wilſon ſays, ſeveral ſorts of poiſons were tempered with his broths, and every bit of meat he eat; that he might waſte by degrees; and his very ſalt was mixed with mercury, p. 693. See Hiſtoric. Narat. c. 48.

(4) Dr. Franklyn, author of the annals of James I, ſays, the earl of Suffolk preſented the petition. Here he begins his account, without any notice of what preceded. Rapin.

(5) Sir Anthony Weldon declares, upon the reputation of a gentleman, that he had this verbatim from a knight, who uſhered the lady into the place of inſpection, and told it often to his friends in mirth. Court of King James, p. 81.——The author of the firſt fourteen years of King James, (chap. 17.) ſays, it was one of ſir Thomas Monſon's daughters who was ſearched in the counteſs's ſtead.

a word,

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a word, that, by the ſentence, the marriage was diſſolved, contrary to the opinion of the archbiſhop of Canterbury, who even publiſhed his reaſons againſt it: but James himſelf took the pains to anſwer the archbiſhop's arguments, and to maintain the juſtice of this ſentence, upbraiding the prelate with founding his opinion on Puritanical principles. Dr. Bilſon, biſhop of Wincheſter, one of the judges, having ſpoken very ſtrenuouſly to prove the nullity of this marriage, his ſon was ſoon after knighted: but the public maliciouſly ſtiled him ſir Nullity Bilſon. This affair made great noiſe, and brought little honor to the judges, moſt of whom could not be ignorant of the counteſs of Eſſex's ill character (1).

Rocheſter marries the counteſs of Eſſex. Wilſon.

Had this lady, after her divorce, married any other than viſcount Rocheſter, her conduct might have been eaſily juſtified: this was not the firſt marriage annulled on a like account: but ſcarcely was the ſentence publiſhed, when Rocheſter openly made to her his addreſſes, and the match was ſoon concluded. James not only gave his favorite leave to marry the counteſs, but likewiſe created him earl of Somerſet, on the fourth of November, that the ſecond huſband might be of equal rank with the firſt. Their nuptials were ſolemniſed, a month after, with ſuch extraordinary rejoicings, that there could not have been greater doings even at the matrimonials of a ſon of his Majeſty's. The city of London ſignaliſed itſelf on this occaſion, by a ſplendid entertainment which the lord-mayor and aldermen gave the new-married couple, and to which the King, Queen, and whole court were invited. For ſome time, nothing was ſeen or heard of but banquets, balls, maſquerades, and other diverſions, in honor of the nuptials.

He is made earl of Somerſet. Nov. 24. Dec. 26. Wilſon. Howes. Coke. Jan. 4.

Johnſton's hiſtory of Scotland.

All this furniſhed the diſaffected with matter to talk of James very freely. They reported, that in Scotland the earl of Arran, formerly his Majeſty's favorite, married the earl of Athol's daughter, having by like means, and on the ſame account, procured a diſſolution of that lady's marriage with the earl of March. It was thereby inſinuated, that James had taught his favorite the way to attain his miſtreſs: but theſe inſinuations reached not the King's ear, thoſe about him being better courtiers than to acquaint him with ſuch aſperſions.

Violent death of Overbury. Wilſon. p. 692. Weldon, p. 74.

While lady Eſſex's marriage was annulling, the unfortunate Overbury languiſhed under a rigid confinement, without the comfort of ſeeing any of his friends, as if guilty of the moſt heinous of crimes. He had been reduced to the laſt extremities by the poiſon given him, without knowing the cauſe of his ailments: but when he heard what was tranſacting, he no longer doubted whence derived his miſery. In this lamentable ſtate, he ſaw no other remedy than writing to Somerſet, to implore deliverance from his wretched condition (2). The favorite replied, that his Majeſty being ſtill highly inſenſed, he had not yet been able to ſpeak in his behalf, but hoped to do it in a few days: nay, ſome report, that he ſent a certain powder in this letter, as a ſure remedy to cure his diſtemper; but Overbury was ſo wiſe as not to take it. In ſhort, the two lovers, impatient to ſee ſurvive one who might effect their ruin, cauſed a poiſonous clyſter to be adminiſtered by one Franklin, apprentice to a certain apothecary, which at once terminated his miſeries. Some ſay, that Weſton and

Franklyn's annals, p. 4. Hiſtoric. Narrat. c. 28. Winwood's Mem. T. III. p. 478.

Sept. 14. Coke. Weldon, p. 76.

Franklin, ſeeing the extraordinary effects of the clyſter, and fearing, if they ſuffered the poiſon to operate any longer, it would leave on the body ſuch tokens as would riſe in judgment againſt them, ſmothered him with the bed-cloaths. When dead, he was ſpeedily buried, without any ceremony, and a report ſpread, that, dying of the pox, he was ſo rotten he could not be kept any longer. This was the earl of Northampton's account, in his letter to the favorite, to acquaint him with Overbury's death, admiring withal God's juſtice on ſuch wicked inſtruments (3).

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Hiſtoric. Narrat. c. 28. Wilſon. Winwood's Mem. Vol. III. p. 481.

The favorite wholly ruled by the earl of Northampton. Hiſtoric. Narrat. c. 36.

The earl of Somerſet thought it a great advantage to have diſpatched Overbury. But, on the other hand, he found himſelf much more imbaraſſed in the management of affairs, ſince he was no longer aſſiſted by that faithful counſellor. As his ſmall experience rendered all things difficult, he was forced to chuſe another friend; and it was the earl of Northampton who ſupplied Overbury's place; but there was a vaſt difference between theſe two counſellors. Overbury's ſole view was to procure his friend honor and advantage; whereas Northampton's chief aim was to uſe his credit to countenance the Papiſts. Ever ſince his being in favor, he had always protected them to the utmoſt of his power, as was univerſally obvious: but when he came to rule the favorite, he acted without the leaſt reſerve. As he was warden of the Cinque ports, the Jeſuits and Romiſh prieſts could ſafely land there without being examined at their arrival; by which means their number ſo increaſed in a very ſhort ſpace, that the people loudly murmured at it, and caſt the whole blame on Northampton. Wherefore, to ſilence thoſe who talked too freely, he took out againſt ſome of them a writ of Scandalum Magnatum. He fancied it not poſſible to convict him of what was grounded only upon common report, and, that, ſuch evidence not being valid in law, he ſhould by chaſtiſing ſome of the moſt forward to ſpeak againſt him, abſolutely ſilence all his adverſaries. But the archbiſhop of Canterbury broke his meaſures, by producing a letter, under the earl's own hand to cardinal Bellarmine, wherein he ſaid, "That however the ſituation of the affairs of England, and the inſtances of the King compelled him to be a Proteſtant in ſhew, nevertheleſs his heart ſtood firm with the Catholics, and he would be ever ready to countenance them to the utmoſt of his power." Upon this letter, the parties accuſed were diſcharged: nay, his Majeſty ſo reprimanded the earl, that he retired to his country-houſe, where he died ſoon after. He declared, in his laſt will and teſtament, that he had always been a Catholic, and would die in that religion. Thus ſeveral hiſtorians ſpeak of him: but the anonymous author of the Annals of King James I, and Charles I, who indeavors to vindicate theſe Princes, their miniſters, and government, in every point without exception, forgets not to juſtify alſo the earl of Northampton. He ſays, among other particulars, that the charge of being concerned in Overbury's murder was merely a rumor ſpread after his deceaſe; as if that were a certain proof of his innocence. As to the earl's religion, the ſame author ſays, "He died ſuſpected more Catholic than ſome will think reaſonable, tho' in the form of a Church-Papiſt."

Who countenances the Papiſts. Wilſon, p. 694.

Ibid.

Hiſtoric. Narrat. c. 31. Coke.

Wilſon. p. 694. Coke, p. 8.

Death of Northampton, June 15. Wilſon. Howes. Franklyn.

Annals of James I. p. 4.

(1) The earl of Eſſex was forced to repay his counteſs's portion (which was 5000 l.) to do which he was obliged to ſell his ſeat of Benington in Hertfordſhire. Wilſon, p. 693.

(2) In one of his letters, he tells the earl of Somerſet, "You and I will come to public tryal before all the friends I have. "They ſhall know what words have paſſed betwixt us heretofore——I have all this vacation wrote the ſtory betwixt you "and me, from the firſt hour to this day, &c." Theſe threats, probably, haſtened Overbury's death; and hurried the earl to diſpatch him quickly out of the way, for fear he ſhould tell tales. See Winwood's Mem. Vol. III. p. 478.

(3) King James's friends have given Overbury a very bad Chnracter, probably to extenuate Rocheſter's crime. Rapin.

JAMES I. AN' 1611.

The court was not ſo well diſpoſed toward the Puritans as Papiſts. The Puritans were conſidered as enemies to both King and monarchy, but the Papiſts as hearty wiſhers that the King might meet with no oppoſition to his will. This was ſufficient to induce the court to countenance the latter, and make the former undergo continual mortifications. Towards this year's ſpring, certain Preſbyterian families determined on repairing to the Engliſh plantations * in America, there to injoy that quiet which they could not find at home. The author I juſt mentioned concerning the earl of Northampton, ſays, theſe people were notorious Schiſmatics of ſeveral ſects, known by the general name of Puritans, which term included good and bad in their diſtinct kinds, truly and ingeniouſly diſtinguiſhed into the Puritan-knave, and the knave-Puritan. As it was not impoſſible, by the increaſe of Preſbyterian families, the Engliſh plantations might become nurſeries for Non-Conformiſts, the court gave orders not to let them depart: but afterwards, ſuch as deſired to remove beyond ſea, being examined, ſome were allowed to purſue their voyage, and others were detained as ſureties for thoſe who went abroad.

The Puritans mortified. Wilſon. p. 694.

* New-England. Annals of James I.

Four years had now paſſed ſince James had called a parliament. It was to him a ſingular ſatiſfaction not to have diſputes with the houſe of commons, ever ready to complain of grievances, and take occaſion to examine the conduct of the Sovereign or his miniſters. To command abſolutely and without controul, was abundantly more to his liking: but this was attended with great inconvenience. He was obliged to be perpetually inventing new methods to raiſe money, and theſe methods, grounded on abſolute authority, occaſioned loud clamors among his people: neither did theſe methods bring in ſums ſufficient for the neceſſities of his Majeſty, who was a paſſionate lover of magnificence, and always ready to give. Hence aroſe his wants, which continually augmented, his revenues, both ordinary and extraordinary, not ſufficing for his expenſes. He however ſeemed poſſeſſed of a fund inexhauſtible, ſo profuſe was he, without conſidering whence to reimburſe himſelf of what was thus needleſly laviſhed. The following inſtance of his liberality may ſerve to ſhew his character. Being one day in his gallery †, and none with him but ſir Henry Rich, afterwards earl of Holland, and James Maxwell §, ſome paſſed by with three thouſand pounds, going to the privy-purſe. Rich, ſeeing the money, whiſpered Maxwell. The King obſerving that, aſked what he ſaid? Maxwel told him, Rich ſhould think himſelf very happy if thoſe bags were in his coffers. Hereupon the King, calling to the porters, ordered them to carry the money to Rich's lodgings, ſaying, "You think "you have a great purchaſe; but I am more de-"lighted in giving you the money, than you can "be in receiving it."

The King's profuſeneſs. Wilſon. p. 695.

Ibid.
† At Whitehall.
§ Of his bedchamber.

Had King James been thus liberal out of his abundance, or his ſavings, his generoſity would certainly have been truly laudable. But unhappily, in order to be thus profuſe to a few private perſons, he gained the ill-will of all his other ſubjects, and was, to raiſe money, forced to uſe various extraordinary methods, which were looked on as ſo many grievances, and loudly exclaimed againſt. Moreover he was obliged, either not to call a parliament, or to quarrel with the houſe of commons. Yet was James the Solomon of the age, the wiſeſt, moſt prudent, and juſteſt of Kings. Theſe are at leaſt the epithets generally given him, and which are to be found in diverſe hiſtories written even ſince Charles II's reſtoration.

Remark on this ſubject.

JAMES I. AN' 1614.

Coke, p. 78.

This King's exceſſive munificence reducing him to perpetual ſtraits, he finally had recourſe to a project, formed by the late earl of Saliſbury; namely, to create knights-baronets, a ſort of mid-nobility, between barons and knights. Their number was not to exceed two hundred: but James, at their firſt promotion, made only a hundred (1). To purchaſe this honor, which was to be hereditary, each baronet was to pay his Majeſty a thouſand pounds: but, in order to give ſome color to this new inſtitution, every baronet was, by his patent, obliged to maintain thirty foot ſoldiers in Ireland, for three years, at eight-pence a day each ſoldier (2). Afterwards it was hinted to them that, if they would compound, and pay down the whole ſum at once, part ſhould be abated, and the King would himſelf maintain his troops in Ireland; which offer was generally imbraced. The author of the before-mentioned Annals affirms his Majeſty to have received only about a hundred thouſand pounds of the baronets, and that the maintenance of the troops in Ireland coſt him abundantly more: ſo, according to him, this new order was inſtituted merely to eaſe the ſubjects.

Creation of baronets. Annals of K. James. p. 8. Wilſon. p. 695.

Beſide this method, James made uſe of others to repleniſh his empty coffers, without being obliged to have recourſe to parliament. I ſhall only mention them, without pretending to determine whether this Prince did or did not exceed his prerogative. 1. The King, by his letters-patent, granted monopolies to private perſons, excluſive of all others, and raiſed great ſums by theſe ſorts of favors. 2. He iſſued commiſſions for reviving obſolete laws, for making men who could expend annually forty pounds, to compound for not being knighted. In former times, land to the yearly value of forty pounds was conſiderable: and therefore the owners of ſuch eſtates were deemed proper to be made knights, and as ſuch to ſerve the King in his wars, or find ſoldiers. But in James I's days, ſuch a revenue was inconſiderable: there were infinite numbers who had more, but, not deſiring to be knights, choſe rather to part with a ſum than be obliged to receive a feather in their caps, which rendered them very dependant. 3. He created a certain number of knights of Nova Scotia (3), and each paid him a ſum of money. 4. The dignities of baron, viſcount, and earl, were rated at a fixed price: his Majeſty received for making a baron ten thouſand pounds, for a viſcount fifteen thouſand, and twenty thouſand for an earl; thus, whoever had money, might be made a peer of the realm. 5. The ſame honors were rated likewiſe in Scotland and Ireland, tho' at lower prices. 6. Thoſe who had defective titles, were obliged to compound with the King for rectifying them, otherwiſe they were declared null and void. 7. The ſtar-chamber condemned in exceſſive fines, to the King's uſe, ſuch as were cited thither: I have already related ſome inſtances, and ſhall have occaſion to take notice of ſome others

Other means to raiſe money. Coke, p. 66.

(1) The firſt baronets were created on May the 22d, 1611, by patent. See Britiſh Compend. Part II. p. 352.

(2) Which amounts to juſt one thouſand ninety-five pounds, and not two thouſand, as is wrongly computed by our author. It has been cuſtomary for thoſe who have ſince been admited into this order without money, to have a receipt indorſed on their patent for the ſaid ſum of 1095 l. to be appropriated to the ſame uſes; and for want of ſuch indorſement, ſeveral baronets were compelled, in King Charles II's time, to pay 1095 pounds.

(3) This order of baronets was firſt erected for advancing the plantation of Nova Scotia in America, and for ſettling a colony there, to which the aid of theſe knights was appropriated. It was intended in 1621, but not actually founded 'till 1625. Scotiſh Compend. p. 502.

hereafter.

JAMES I. AN' 1614.

hereafter. 8. To all this, may be added the ſums levied by the King upon his ſubjects, when the Prince his ſon was knighted, and his daughter married.

He would have had alſo a good means of raiſing money, if he had demanded of the United-Provinces the ſums due to him: but, if we credit certain hiſtorians, he durſt not claim his debt, for fear of ingaging in a war, in caſe of their refuſal. A more probable reaſon might be given, by ſaying, the places he held in Holland and Zealand kept the ſtates in a ſort of ſubjection, if he had not ſhewn, two years after, that this was not the true reaſon, by receiving his money when offered him by the ſtates.

Coke, p. 78.

James calls a parliament. Wilſon. p. 696. Coke.

In ſhort, the King's revenue not anſwering his expenſes, recourſe muſt be had to a parliament. The earl of Somerſet, having with him neither Overbury nor the earl of Northampton, was at a loſs how to find the King money, and the lord treaſurer, his father-in-law, was no leſs imbaraſſed. All extraordinary means ſeeming to be exhauſted, they propoſed calling a parliament. To induce James to it, they put him in hopes that, by their intereſt and management, the majority of the commons ſhould be at his devotion. The King was very loth to conſent: but at length was perſuaded, and a parliament was ſummoned to meet the firſt of April *.

* It met not 'till the fifth ditto. It meets. Journ. Parl.

The King demands money. Coke, p. 79.

This parliament conſiſted not of ſuch members as the King was made to expect. The people, who were diſcontented, inſtead of being gained by the court, choſe repreſentatives of a quite different character from thoſe the miniſters deſired. The very firſt day, James demanded money for the marriage of his daughter, and told the commons, after diſpatching that affair, he would give them leave to examine the nation's grievances. But the commons thought proper to invert the method preſcribed them, and begin with the grievances. Inſtead therefore of granting the money firſt, as the King expected, they examined to what uſes he had applied the crown-revenues. The reſult was, that the King had beſtowed on the Scots exceſſive grants, both in land and money, and that the Scots, having ſold theſe lands to the Engliſh, had conveyed the money into Scotland, to the great detriment of England. If what King James gave the Engliſh had been as ſtrictly ſcrutiniſed, it would have been found ten times more, even by the hiſtorians confeſſion (1): but herein appeared not the like inconvenience.

The commons examine grievances.

1. Grievance. The King's revenues put to ill uſes. Weldon. p. 696.

Then inquiry was made into the cauſes of the increaſe of Popiſh recuſants; ſince it ſhould rather ſeem that the laws inacted after the Powder-plot ſhould have greatly diminiſhed their number. The firſt cauſe appeared to be the King's admiting into his council Popiſh peers, publicly known for ſuch. A ſecond was, the negociations abroad for matching the late Prince Henry and Prince Charles with Popiſh Princeſſes.

2. Grievance. Increaſe of Papiſts.

Next the commons took into conſideration the monopolies authoriſed and licenſed by the King's letters-patent, to the great prejudice of trade; and the extraordinary levies of money, without conſent of parliament. Upon all theſe grievances, it was reſolved to repreſent them in a petition to his Majeſty, and to pray him to redreſs them, and eſpecially to hinder the future ſettlement of Scots in England.

3. Grievance. Monopolies.

The commons vote an addreſs.

JAMES I. AN' 1607.

The commons deportment was ſo different from that of the courtiers, who never mentioned his Majeſty but with admiration, that James had not patience to bear it. So, on the ſeventh of June he diſſolved the parliament, after a ſeſſion of about two months, wherein not one ſtatute was inacted. The parliament was no ſooner diſſolved, but his Majeſty commited to priſon ſeveral members of the lower houſe, who had expreſſed themſelves with moſt freedom, without admiting them to bail (2).

Parliament diſſolved. Wilſon, p. 696. Coke.

Members impriſoned.

The parliament not anſwering James's expectation, and his exchequer being quite exhauſted, there was a neceſſity of recurring to new expedients to repleniſh it. But before we ſpeak of theſe expedients, it will not not be amiſs to ſhew one of the chief cauſes of the King's being reduced to ſtraits. I mean the electreſs his daughter's marriage, which had coſt him very near a hundred thouſand pounds, according to the following account, inſerted by the anonymous writer in his ſaid Annals.

Account of the electreſs's marriage-expenſes,

	l.
For the Palſgrave's diet at his ſtanding houſe	6000
For his diet at his inſtalment of the garter - -	4000
For diet at his marriage - - - - - -	2000
For lodging for his ſervants - - - - -	830
To the wardrobe for apparel for Princeſs Elizabeth - - - - - - - - - - -	6252
For furniſhing her chamber - - - - -	3023
Apparel and neceſſaries for her to lord Harrington's - - - - - - - - - -	1829
Jewels and apparels for her ſervants - -	3914
To diverſe merchants for ſilk, &c. - - -	995
The lords maſk at her marriage - - - -	400
For the naval fight of fire-works on the Thames at her marriage - - - -	4800
More fire-works on the Thames at her marriage - - - - - - - - - - -	2880
To ſir Edward Cecil, as treaſurer, for her journey from hence to Heidelbergh, and for her purſe - - - - - - - -	2000
For ſettling her jointure, and charges to ſome of the gentry to go thither and to take the aſſurance - - - - - -	800
The charges of her journey - - -	8000
For her tranſport to Fluſhing - - -	5555
Paid over to the Palſgrave's agent, for her portion - - - - - -	40000
(3) Total——	93278

Annals of K. James, p. 9. State of the revenue. p. 14.

The King reſolving to call no more parliaments, extraordinary means were to be deviſed to ſupply his expenſes, his ordinary revenues being far from ſufficient. To that end, certain perſons diligently ſearched into hiſtory, to diſcover what had been done by former Kings in like caſes, or when there was not time to call a parliament. Among all theſe methods, the court choſe the way of benevolence, invented by Edward IV, aboliſhed by Richard III, and once revived, if I miſtake not, by the parliament itſelf in the reign of Henry VIII. Nevertheleſs, the author of theſe Annals pretends, that James only followed the conſtant example of

James levies a benevolence. Wilſon, p. 696.

(1) Of this ſir Anthony Weldon, p. 60, gives a notable inſtance. He ſays, Saliſbury would make the Scots buy books of fee-farms, ſome 100 l. per Annum, ſome one hundred marks, and would compound with them for a thouſand pounds, which they were willing to imbrace, becauſe they were ſure to have them paſs without any controul or charge; then would Saliſbury fill up this book with ſuch prime land, as ſhould be worth ten or twenty thouſand pounds, which, as treaſurer, he might eaſily do, and ſo inriched himſelf infinitely; and caſt the envy on the Scots, in whoſe names theſe books appeared, and are ſtill upon record to all poſterity.

(2) Theſe were Chutts,—Nevil lord Abergavenny's ſon, Wentworth, Jo. Hoſkins. Camden's Ann. This, ſays Coke, p. 79. was the greateſt violation of the privileges of parliament ever done by any King of England before.

(3) Tho' this account ſeems of little moment, it may ſerve however to ſhew this King's profuſe diſpoſition, and his opinion that the parliament was obliged to find him money for theſe expenſes. Rapin.

all

James I. An' 1614.

all his predeceſſors, and upon theſe pretended examples, and the cuſtom in France and Spain, undertakes to vindicate him: but too many things muſt be advanced on this topic, ſhould it be inſiſted on.

Annals of K. James, p. 10. Coke.

The reſolution being taken, not only to aſk extort a benevolence, all ſherifs were by the council injoined to demand of all perſons within their diſtrict a free gift, in proportion to his Majeſty's neceſſities: and at the ſame time, they were expreſly commanded to return to the council the names of ſuch as ſhould refuſe contributing, or not give anſwerably to their abilities. This evidences its not being James's meaning the benevolence ſhould be intirely voluntary: but this method however was not ſo ſucceſful as his Majeſty had expected. The more eager the ſherifs and court party were to excite peoples liberality, the more induſtrious were others to diſſuade them from it, by ſeting before them the conſequences. So, if we may believe the ſaid Annals-writer, this benevolence procured King James only 52,909 l. "which yet (continues he) madded "the ill-minded men (pillars, ſo ſome called them, "to the kingdom's liberties) always plotters to the "kingdom's miſeries, who being aſhamed to be "out-done in honeſty and honor, they juſtly drew "upon themſelves a mark of malignity.—— And "yet they would be medling, deviſing poor argu-"ments, to pretend it was againſt the ſubjects "liberties, tho' accuſtomed evermore by examples "of all foreign Sovereigns." Others ſpeak of it very differently, and repreſent this way of raiſing money upon the ſubjects as a real extortion and incroachment on the nation's liberties. Thus do King James's hiſtorians contradict each other, not in facts but in principles, ſome deeming illegal what others maintain to be the crown's undoubted prerogative.

Wilſon.

Remark on K. James's hiſtorians.

The King of Denmark's ſecond viſit. Wilſon. Howes.

The monies accruing from this benevolence, tho' no very large ſum, came however very ſeaſonably for the reception of his Daniſh Majeſty, who made James a ſecond viſit, with a train of forty perſons only. During the fortnight he ſtayed in England, feaſtings and diverſions were inceſſant.

The Ruſſian embaſſy. Howes.

Soon after, James received with great pomp the Ruſſian embaſſador ſent by the Czar, to requeſt his mediation to accommodate certain differences between himſelf and the King of Sweden.

Project againſt the favorite. Wilſon, p. 697.

Hitherto, the earl of Somerſet ſo intirely poſſeſſed King James's heart that even the Queen grew jealous. Some ſay, ſhe inwardly grieved for the death of Prince Henry, and ſuſpected him to be the author. Others ſay only, that this favorite's greatneſs had ſo blinded him that he was wanting in his reſpect to her Majeſty (1). Howſoever this be, ſhe had conceived a very violent hatred of him, and the more eaſily to effect his ruin, ſhe thought proper to gain ſir Ralph Winwood, who was ſtill ſecretary of ſtate, but without exerciſing the office, at leaſt in important matters, becauſe Somerſet had ſeized the whole management of affairs. Winwood readily joined with the Queen to overthrow this minion, who left him only the bare name of ſecretary. This was a preparative to the revolution which occurred in the year inſuing.

Welden. p. 93.

Water conveyed to all parts of London. Howes. Stow'sSurvey.

Before we quit this year, I muſt not forget to mention the memorable undertaking of Mr. Hugh Middleton, citizen and goldſmith of London, who, warranted by act of parliament, found means to bring water, from Hertfordſhire, to the principal parts of London, to its inhabitants great conveniency (2).

James I. An' 1614.

An' 1615. The King's progreſs to Cambridge. Coke. Camden's Annals

King James was, twice a year, accuſtomed to take a journey into ſome county of the kingdom. Theſe journies were termed progreſſes, one whereof was made in winter, the other in ſummer. In his winter-progreſs, in the year 1615, he paſſed thro' Cambridge, where the ſcholars entertained him with a comedy, called Ignoramus, which ridiculed the common law. Nothing could be more diverting to the King. The civil law, or the laws made by the ſupreme authority of Roman Emperors, appeared to him of much greater value than the common or ſtatute law, and he ſometimes could not forbear ſpeaking contemptuouſly of theſe latter: wherefore he was ſo delighted with this play, that he cauſed it to be acted twice in his preſenſe, during his ſhort ſtay at Cambridge.

Ignoramus, a famous comedy. Hiſtoric. Narrat. c. 33.

George Villiers. Coke, p. 82.

It was at this play James was ſtruck with a new object, which made the ſame impreſſion upon his mind as did Robert Carr the firſt time he ſaw him in England (3). This was George Villiers, a young gentleman who appeared before him with all the advantages of a good mien, a fine ſhape, and rich and gentile apparel. Every one perceived he beheld this youth with pleaſure, and from that moment it was judged Villiers might ſupplant Somerſet: and in reality it was with this very view certain of the nobility had taken care to place him oppoſite to his Majeſty at the repreſentation.

His extraction Wilſon, p. 699. Coke, p. 80. Welden.

George Villiers was of a ſubſtantial and ancient family in Leiceſterſhire, ſon of ſir George Villiers (4), by a ſecond wife, who bore him three ſons, of whom this George was the ſecond (5). On ſir George's deceaſe, his widow married ſir Thomas Compton, the baron of that name's brother. As George Villiers was only a younger ſon of a ſecond bed, his fortune could be but ſmall; nevertheleſs, his mother took great care of his education. After he had finiſhed his ſtudies, ſhe ſent him into France, where he made himſelf a complete maſter of that language, with all the exerciſes proper for a gentleman, and eſpecially dancing, wherein he excelled. When returned from his travels, his mother ſent him to court to make himſelf known, and indeavor to procure himſelf friends and a place. He no ſooner appeared there, but the earls of Pembroke and Bedford, with ſome other peers, enemies to the favorite, and who ſought his deſtruction, fancied this young man might be ſubſervient to their deſign. They knew the King ſufficiently to hope he would be taken with the external accompliſhment of this new-comer. To this end, they liberally ſupplied all requiſites to attract the King's eyes. The project ſucceeded to their expectation. James being at the play, looked with admiration on George Villiers, and could not help ſhewing ſome ſigns of his growing inclination. He however took care to conceal it as much as poſſible, not to alarm the earl of Somerſet: nevertheleſs he from that inſtant determined on having Villiers near his perſon, imagining he might eaſily retain both. So, to have time to manage this affair, he privately cauſed Villiers to purchaſe a cup-bearer's place, and to be inſtructed how to behave.

Annals, p. 30.

Weldon. p. 91.

Begining of his fortune.

He is made cup-bearer to the King. Wilſon. Weldon.

(1) Or elſe from a ſurmiſe, that the King's love was alienated from her, by this maſculine converſation and intimacy. But it was, more probably, from a ſuſpicion of his being concerned in the Prince's death, for ſhe would never ſee him after it. Wilſon, p. 697.

(2) He cut a channel from the two great ſprings of Chadwell and Amwell, near Ware in Hertfordſhire; in which the water is conveyed to a large pond at Iſlington, and thence in pipes to all parts of the city. This new river runs under near eight hundred bridges. Howes. And is near ſixty miles in length.

(3) It was not at Cambridge the King firſt ſaw Villiers, but at Apethorpe in Northamtonſhire. Dugdale's Baron. Vol. II. p. 429.

(4) Of Brokeſby. Our author by miſtake, ſays ſir Edward.

(5) Lord Clarendon wrongly ſays, he was the eldeſt. Vol. I. p. 9. See Dugdale's Baron. Vol. II. p. 428.

What

JAMES I. AN' 1615.

What care ſoever James might take to conceal his growing inclination, the courtiers failed not perceiving it. Somerſet, as moſt concerned, was harder to be deceived than the reſt. His office of lord chamberlain giving him a great authority over the King's ſervants, he wanted not opportunities to vex and mortify Villiers, who bore all with patience; and the King feigned not to perceive it: but, at laſt, a certain accident happened which ſuffered not the King to diſſemble any longer. It was cuſtomary for the cup-bearer whoſe turn it was to be in waiting, to have the firſt place at the table where the cup-bearers dined. Villiers, having begun his month, ſat at the upper end during the whole time of his ſervice, without any oppoſition: but offering to ſit in the ſame place after his month was expired, the perſon whoſe turn it was to wait rudely thruſt him thence, which greatly confounded him. Some days after, the ſame cup-bearer, carrying a glaſs of wine to the King, let it fall, accidentally or deſignedly, on Villiers, who gave him a box on the ear. It is a law of long ſtanding at court, that whoever ſtrikes in the King's palace, is to loſe his right-hand, with ſundry formalities. It is the lord chamberlain's buſineſs to ſee crimes of this nature puniſhed, and the earl of Somerſet failed not doing whatever lay in his power to have the law executed to the utmoſt rigor. But the King granted Villiers a pardon, without injoining any ſatisfaction to the party offended. This was the firſt public mark of his affection for Villiers.

Adventures which befel Villiers.

The King gives him a ſignal mark of his favor.

From thenceforward, the earl of Somerſet's enemies labored inceſſantly to ruin him in the James's favor, in which they could not better ſucceed, than by cheriſhing the King's new inclination by immoderate commendations of Villiers. The truth is that James, even before he had ſeen Villiers, began to be weary of Somerſet, who was become far leſs agreeable than when he was firſt taken into favor. Since his marriage with the counteſs of Eſſex, he had given himſelf up to a deep melancholy, whereof very probably Overbury's murder was the true cauſe: alſo in his perſon and dreſs he was grown ſtrangely negligent. He had loſt that vivacity which rendered him ſo delectable to his royal maſter, and his temper, now gloomy and ſullen, induced him harſhly to oppoſe ſome wanton tricks which were ſometimes played in the King's anti-chamber, and wherein his Majeſty took a ſingular delight: nay, he was become ſo intereſted, that he did nothing for any one without a preſent. His enemies neglected not acquainting the King with all this, either directly, or by broad hints, knowing how much it might conduce to make him forfeit his favor, ſince there was no vice more contrary to James's humor than avarice. The Queen for her part miſſed no opportunity to do him ill offices: ſo that, in all appearance, the project of making Villiers the King's favorite was formed upon the plain appearances of Somerſet's decline.

James diſguſted with Somerſet. Coke, p. 82.

Weldon, p. 92.

The whole court perceived the alteration in his Majeſty ſince he had Villliers about him, and all labored to puſh the tottering favorite down the precipice. To effect it, the readieſt way was to ingage his patron to declare for Villiers: but one very great obſtacle was firſt to be removed. James, thro' a groſs ſort of artifice, would have no favorite but of the Queen's recommending, that in caſe ſhe complained of him afterwards, he might ſay, he had received him at her hands. This was one of the turns of policy of his ſaid Majeſty, who fancied, by ſuch a deviſe, to impoſe on his Queen and the whole court. The buſineſs was therefore to prevail with her Majeſty to recommend Villiers to the King: but ſhe was already prejudiced againſt this young man, and not ſeeing with the ſame eyes her conſort did, perceived nothing in him worthy ſuch exaltation. Poſſibly likewiſe ſhe had turned her own eyes towards ſome other, to procure him this advancement. Somerſet's adverſaries, knowing how the Queen ſtood affected to Villiers, judged the archbiſhop of Canterbury alone able to perſuade her to what they deſired. This prelate, who neither loved nor regarded that favorite, readily undertook ſpeaking to Queen Ann; but his firſt attempt was fruitleſs. Her Majeſty, who was perfectly acquainted with King James's temper, told the prelate, that neither he, nor they who ſet him on, knew what they did; adding, "I know the King better "than you all; for if this young man be once "brought in, the firſt perſon he will plague, muſt "be you who labor for him: yea, I ſhall have my "part alſo. The King will teach him to deſpiſe "and hardly intreat us all, that he may ſeem to "be beholden to none but himſelf."

The Queen ſollicited to ſpeak for Villiers. Coke, p. 83.

Abbot's vindication, in Ruſhworth. Vol. I. p. 434, &c.

JAMES I. AN' 1615.

Ruſhworth, p. 456. Edit. 1721. Coke, p. 83.

For this time, the archbiſhop could not prevail with the Queen; but afterwards he ſo preſſed her that at length ſhe deſired the King to receive Villiers as a favorite. James, who waited for nothing elſe, inſtantly ſent for Villiers, knighted him with the Prince of Wales's ſword, and ordered him to be ſworn gentleman of the bed-chamber. Somerſet, having notice, came inſtantly, and intreated the King to make Villiers only a groom; but the archbiſhop and other grandees intreated her majeſty to compleat the work; and at laſt Villiers was admited to the poſt firſt ordered him by his royal patron. Immediately on his quiting the King's preſenſe, he waited on the archbiſhop, and acknowledging himſelf indebted to him for his good fortune, deſired his inſtructions how to behave. The prelate told him, he had three leſſons to give him: Firſt, to pray without ceaſing for the King's proſperity, and for grace to ſerve his maſter faithfully. Secondly, to labour continually to preſerve a good union between the King, Queen, and Prince. Thirdly, to tell the King nothing but truth. Then he cauſed him to repeat theſe three leſſons before him, to know if he retained them. The King hearing this, was extremely well pleaſed with it, and ſaid, theſe leſſons were truly worthy a biſhop. The Queen's prediction proved but too true, with regard to the archbiſhop, who was one of the firſt who taſted of the new favorite's ingratitude. Mean while, as Villiers came to court without a great ſtock of wealth, the King eaſily gueſſed he wanted a ſupply. Had it been in his power to follow his inclination, this ſupply would have been very conſiderable: but he was himſelf ſo deſtitute of money, that a preſent of a thouſand pounds was the utmoſt he could ſpare him at that juncture.

He is made gentleman of the bed-chamber. Wotton. Camden. Ann. Howes.

The archbiſhop inſtructs him how to deport himſelf. Ruſhworth, p. 437.

The King gives him 1000 l. Hiſtoric. Narrat. c. 33. Coke.

After Villiers was made gentleman of the bed-chamber, diverſe courtiers ſided with him, in hope he would ſoon ſupplant his competitor. Others continued firm to the earl of Somerſet, whether thro' gratitude, or for fear of ruining their fortune by a wrong conjecture. Accordingly, two parties were formed at court, who claſhed on all occaſions. Had James at once diſmiſſed Somerſet, all would have been quiet: but he deſigned to retain both; not ſo much thro' any great regard to Somerſet, of whom he was tired, as to avoid the imputation of inconſtancy. Thus, by James's ſtill affecting to ſhew he loved his favorite as well as ever, his courtiers were ſtrangely imbaraſſed. But Villiers daily ſtole the hearts of both courtiers and petitioners from his rival, by his noble and generous way of promoting their ſuits.

Two parties formed at court. Weldon.

Coke, p. 48.

Mean while the earl of Somerſet, perceiving he daily declined in favor, before all things, thought of ſecuring himſelf from the danger to which he might be expoſed on account of Overbury's murder. Tho' he knew the King bore him not the ſame affection as formerly, he however hoped, as it was not utterly extinguiſhed, to obtain what

The earl of Somerſet ſues for a pardon; Wilſon. p. 698. Hiſtoric. Narrat. c. 32.

James I. An' 1615.

at leaſt would free him from anxiety. Finding therefore a favorable opportunity, he caſt himſelf at his royal maſter's feet, and repreſented to him that, having ſerved him ſome years in a moſt perilous ſtation, it was difficult not to fall into ſome miſcarriages, and therefore beſought him to grant him a general pardon, which might ſecure him from the malice of his enemies. James very readily complied with his requeſt, and ordered the drawing up as ample a pardon as poſſible. This was accordingly done; but, whether thro' the ignorance or malice of the perſon who drew this inſtrument, the King was made to ſay in it, that he pardoned not only all manner of treaſons, murders, felonies, and outrages whatever, already commited, but alſo thoſe which ſhould be hereafter commited by the earl of Somerſet (1).

Coke, p. 84.

James ſigned this pardon without any ſcruple, and poſſibly without reading it: but the lord chancellor Egerton refuſed affixing the ſeal, (2) ſaying, as there had never been any inſtance of ſuch amneſty, he ſhould incur a Præmunire if he paſſed it; and when he acquainted his Majeſty with the reaſon of this refuſal, he readily ſatisfied him he could not anſwer ſealing it. Nothing was eaſier than to draw another pardon, without that clauſe which raiſed the chancellor's ſcruples: but whether the Queen oppoſed it, as ſome affirm, or Somerſet cared not to diſcover manifeſtly the occaſion he had for a pardon, or the King had already learned the circumſtances of Overbury's death, nothing more was ſaid of it. Indeed, there is a probability of James's now having ſome knowledge of Overbury's caſe, but perhaps not ſufficient to convince him of Somerſet's guilt. However this be, he commenced his ſummer progreſs before this buſineſs became public.

But the chancellor would not paſs it. ibid.

Uncertainty of the courtiers, with reſpect to the favorites. Weldon.

King James's diſſimulation, with reſpect to his two favorites, held the court in continual ſuſpenſe. Many were afraid of adhering to Villiers, leſt his credit was not yet firmly eſtabliſhed. Others declared openly againſt Somerſet, in order to make a merit of it with the new favorite. Winwood was one of theſe, and on every occaſion affected to oppoſe the earl of Somerſet, who no longer had it in his power to be revenged. During the whole progreſs, many diſputes and quarrels aroſe between the two parties, to the great diſguſt of his Majeſty. Finally, on the court's return to Royſton, the fatal blow was given.

James informed of Overbury's being poiſoned. Weldon, p. 94. Wilſon. Franklyn's annals.

Franklin, who adminiſtered the invenomed clyſter to Overbury, in compoſing it was aſſiſted by one Reeve, an apothecary's boy, who was afterwards ſent into Flanders, or poſſibly run away from his maſter. This Reeve, being at Fluſhing, whither ſome affairs had brought Sir William Trumbull, King James's envoy at Bruſſels, got acquainted with ſome of his retinue, and, whether unadviſedly, or with deſign, informed them of what he knew concerning Overbury's death (3). Thoſe ſervants imparting this to their maſter, he perſonally examined Reeve, and having drawn from him what he deſired, found means to detain him at his houſe. Then he wrote to Winwood, deſiring him to obtain the King's leave for his coming to England, as having ſome matters to reveal, which he could not truſt to paper. Leave being granted, he acquainted Winwood with what he had learned (4), and Winwood told it the King, who

He keeps it private.

commanded them both to keep it private 'till farther orders.

James I. An' 1615.

He tries in vain to reconcile his two favorites. Weldon, p. 97, 98.

Some time after, the King being returned to London, wanted to reconcile his two favorites, to be freed from the inceſſant importunities occaſioned by their partiſans conteſts. He imagined to have pitched on a moſt excellent expedient, by obliging Villiers to make the firſt advances, and deſire the earl of Somerſet's favor and protection. To that purpoſe, he ordered ſir Humphrey May, Somerſet's creature, but who ſhewed great reſpect for Villiers, to tell the earl, as of himſelf, that he was credibly informed Villiers would come and deſire his friendſhip and protection, and adviſed him to receive him courteouſly, and that, by giving his Majeſty this token of his compliance, he would ſtill remain highly in favor, tho' he was not to flatter himſelf with reigning alone in the King's affection. Sir Humphrey May having diſcharged his commiſſion, and finding Somerſet not very ready to follow his advice, was at length forced to tell him in plain terms, that what he had ſaid was by the King's order, and warned him to conſider ſeriouſly the conſequence of a refuſal. About half an hour after, Villiers came to the earl, whom he thus accoſted: "My lord, I deſire to be your "ſervant and creature, and to take my court-pre-"ferment under your lordſhip's favor, and your "lordſhip ſhall find me as faithful a ſervant as ever "did ſerve you." To this ſo ſubmiſſive a compliment, Somerſet made this abrupt return: "I "will have none of your ſervice, and you ſhall "have none of my favor. I will, if I can, break "your neck, and of that be confident." This anſwer greatly inſenſed the King, who from that inſtant determined on being rid of Somerſet.

It is difficult to judge whether, ſuppoſing the earl of Somerſet had behaved with more condeſcenſion to his Majeſty, and been reconciled to Villiers, Overbury's affair would have been buried in eternal oblivion. This ſeems at leaſt to be the courſe James had reſolved to take, had the earl been inclined to do what he deſired. But howſoever it be, the King arriving at Royſton, to begin his winter progreſs, expreſſed no diſpleaſure againſt Somerſet, but carried himſelf towards him as before, without the leaſt ſign of any alienation of his friendſhip. But ſome days after, he ſent in the night a meſſenger to lord chief juſtice Coke, with a letter, ordering him to make a warrant to apprehend the earl of Somerſet at Royſton, and his counteſs at London, with Franklyn, Weſton, Ann Turner, and ſir Gervaſe Elways, lieutenant of the Tower. The meſſenger was ſent back to Royſton at four in the morning, with a judge's officer to execute the warrant. This officer, on his arrival, found his Majeſty with his arm round the neck of Somerſet, who was juſt departing for London, and affectionately ſaying to him, "When ſhall I ſee thee again, Somerſet?" At that very inſtant the officer, by ſir Edward's warrant, arreſted Somerſet. who exclaimed, that ſuch affront was never offered to a peer of the realm in the King's preſenſe. The King feigned ignorance, aſking what was the matter? and when informed ſaid jeeringly; "Nay, man, there is no remedy, "for if Coke ſends for me I muſt go." Then accompanying him to the ſteps before the door, he deſired him, as he was going down, to return ſpeedily, ſaying, "he could not live without him."

Somerſet, and his accomplices in Overbury's death, arreſted. Wilſon. p. 698. Coke, p. 87. James's unaccountable diſſimulation. Weldon, p. 102.

(1) The pardon was drawn by ſir Robert Cotton, and this clauſe taken out of a bull granted by the Pope to cardinal Wolſey. Coke. Hiſtoric. Narrt. c. 32.

(2) Wilſon ſays, that the Queen prevailed with the chancellor not to let this pardon paſs the great ſeal, 'till after the King's return to London; by which time the affair of Overbury was become quite public, p. 698.

(3) Reeve, falling ſick at Fluſhing, diſcovered the whole matter. Ibid.

(4) Winwood himſelf got the firſt information of this horrible buſineſs, from the counteſs of Shrewſbury, then a priſonerin the Tower, and whom he frequently uſed to viſit; who had been told of it by ſir Gervaſe Elways. Weldon, p. 93.

No

James I. An' 1615.

No ſooner was Somerſet in his coach, but James, in the hearing of ſome perſons, who afterwards divulged it, ſaid, "Now the de'el go with thee; I "will never ſee thy face more." If this be true, we muſt acknowledge it to have been a needleſs and very ſtrange diſſimulation: but this Prince delighted in ſuch unaccountable proceedings

The King's injunction to chief-juſtice Coke. Coke, p. 87. Wilſon. Weldon. p. 130.

Somerſet, when got to London, was ſent to the Tower, his counteſs, and the other accomplices, having been arreſted and commited while he was on the road. The ſame day, chief-juſtice Coke going to Royſton, the King told him all he had heard from Trumbull, and injoined him to ſearch narrowly into the affair, without partiality or reſpect of perſons. He concluded with ſaying, "God's curſe be upon you and yours, if you ſpare "any of them: and God's curſe be upon me and "mine, if I pardon any one of them."

The criminals condemned and executed. Truth brought to light. Wilſon, p. 699. Howes. Weldon. p. 112.

Coke receiving ſuch ſtrict orders, was very active in the affair: nay, ſome pretend, he was over and above ſo, and that finding in the earl of Somerſet's papers indications of his being concerned in the death of Prince Henry, he had not the prudence to conceal them. However this be, moſt of the parties accuſed were tried in October and November, and, being found guilty, were condemned and executed (1). Sir Thomas Monſon, who was likewiſe apprehended, appeared twice before the judges, and at the ſecond time Coke received a note from the King, which obliged him to ſend back the priſoner to the Tower, with theſe words, "Take him away, we have other matters againſt "him of a higher nature." It is affirmed, Coke ſaid aloud one day, as he was on the bench, "God "knows what became of that ſweet babe Prince "Henry, but I know ſomewhat"---- and then was ſilent. This gave occaſion to ſuggeſt he had made ſome diſcovery concerning the Prince's death (2).

Weldon. p. 113, 123.

Ibid. p. 106. * Simon Maſon.

* Simon, ſir Thomas Monſon's ſervant, who had been imployed to carry a poiſoned tart to Overbury, being likewiſe brought into court, the judge ſaid to him, "Simon, thou hadſt a hand "in this poiſoning buſineſs. No, my good lord, "(anſwered Simon) I had but one finger in it, "which coſt me all my hair and nails." He had, it ſeems, thro' liquoriſhneſs, as he was carrying the tart, taſted with his finger a little of the ſyrup. This ingenuous anſwer occaſioned his acquitance: it being preſumed he would not have taſted the ſyrup, had he known it to be poiſoned.

The earl of Somerſet's trial. State Trials. Weldon. p. 115.

The trial of Somerſet and his counteſs were defered to May next year, 1616, but to avoid being obliged to reſume this affair, I ſhall relate here the particulars which there occurred. If we may credit ſir Anthony Weldon, author of a little book intitled, The Court and Character of King James, which is properly but a ſatire, the King had aſſured Somerſet he ſhould not be tried. For this reaſon, when George More, lieutenant of the Tower, came and told him he muſt prepare for his trial on the morrow, he anſwered, That poſitively he would not appear in court, except he was forcibly carried thither in his bed. The ſame author adds that James, having thereof notice, ſent him word, he could not hinder his appearing before the judges, but would prevent their paſſing on him any ſentence. By this artifice, ſays Weldon, the earl was prevailed on to appear in court, where he pleaded in his defenſe, from eight in the morning 'till ſeven at night, when, contrary to his expectation, ſentence of death was paſſed upon him, as guilty of Overbury's murder. We are likewiſe aſſured by the ſame author, that the King was terribly uneaſy all that day, neither was he at reſt 'till news came of his condemnation. This ſame writer's aim, in relating theſe and many other circumſtances, was to inſinuate, that King James was afraid the earl of Somerſet, to ſave his life, would divulge ſome ſecrets he would willingly conceal: but theſe ſecrets are not explained, and probably are only chimeras. Had this Prince been under any dread from the earl of Somerſet, he would never have brought him to a trial, or commanded the judge to be ſtrict in his ſcrutiny. Nevertheleſs, allowing Weldon's book to be really a libel, and his teſtimony not much to be depended on, ſome truth however appears in what he relates, ſince the King's conduct after Somerſet's condemnation ſhews there was in this affair ſome circumſtance which held him imbaraſſed.

James I. An' 1615.

The counteſs condemned alſo. May 24.

The counteſs of Somerſet being brought before the court, pleaded only with a ſhower of tears, which raiſed ſome compaſſion in her judges, but however hindered her not from being condemned to die as well as her lord. His Majeſty granted them a reprieve, which was often renewed 'till the year 1621, when they had liberty to take up their abode at a country-ſeat, yet without however being diſcharged from the ſentence. At laſt, in 1624, about four months before the King's death, a pardon was granted them. After the earl of Somerſet was condemned, James gave him four thouſand pounds a year in land, which rents in his ſervants names he conſtantly received. This noble preſent; the pardon granted, notwithſtanding the execration James had denounced againſt himſelf and poſterity, if ever he pardoned the guilty; his reſtleſſneſs during the trial; the note ſent to the chief-juſtice while he was trying ſir Thomas Monſon; Coke's imprudent words concerning Prince Henry, and his diſgrace which ſoon followed: all theſe particulars, I ſay, have given this King's adverſaries occaſion to inſinuate, he was conſcious of ſome guilt, and they have been pleaſed to apply the whole to Prince Henry's death. But beſide that, all theſe circumſtances could at moſt only form a bare preſumption, who can affirm them to be preciſely true? Amidſt the perpetual contrarieties in the authors who write of King James I, it is difficult to know diſtinctly the truth. Some paſs over in ſilence particulars which are chiefly inſiſted on by others, or abſolutely deny facts which the others advance as inconteſtable. Some there are whoſe aim was to give a very diſadvantageous idea of the manners and qualities of this King, while others repreſent him as a Prince of moſt conſummate wiſdom, juſtice and piety. Some penned his reign while the civil wars raged in England, or when the monarchy was converted to a commonwealth. Theſe thought to do their country ſervice, in demonſtrating that the project of inſlaving England commenced in the reign of James I, and was purſued in that of Charles I. Others wrote after Charles II's reſtoration, when the civil wars were termed a moſt impious unnatural rebellion, and when the fear of falling under a deſpotic government was treated as chimerical. Hence ariſes the difficulty of making a choice amidſt ſuch contrarieties between the hiſtorians. Unhappily, the ſame factions ſtill ſubſiſt with the ſame prepoſſeſſions: ſo that no impartial hiſtory of England, from the begining of King

They are reprieved. Truth brought to light. Wilſon: and finally pardoned. Weldon, p. 120.

Occaſion of the King's being ſuſpected to be concerned in Prince Henry's death; with his vindication.

He is condemned Franklin's Annals.

(1) Thoſe who ſuffered were ſir Gervaſe Elways, Ann Turner, Weſton and Franklyn.

(2) He intimated as if Overbury had been concerned in Prince Henry's death, and the King in Overbury's; whereupon it was ſaid, that the King went to the council-table, and kneeling down, deſired God to lay a curſe upon him and his poſterity for ever, if he were conſenting to Overbury's death. Wilſon, p. 702.

James

James I. An' 1615.

James I's reign, to our time, can well be expected. Let a hiſtorian lean towards which ſide he thinks fit, he will be looked on as partial by one or other of the two parties. This is a remark abſolutely neceſſary, as well for the fact I juſt mentioned, as for the whole reign of James I, and ſtill more for the ſubſequent ones.

Wilſon. p. 699.

To have done with what concerns the earl and counteſs of Somerſet, I ſhall briefly add, that their love, which had ingaged them to perpetrate ſuch enormities, finally converted to hatred. They paſſed many years in one houſe, as ſtrangers to each other, and at length ſhe died of a very extraordinary diſeaſe (1). The earl ſurvived long enough (2) to ſee his daughter married to the duke of Bedford, who had by her lord Ruſſel, beheaded in Charles II's reign.

Death of Arabella Stuart. Annals, p. 17. Wilſon. p. 702. Camden's Annals. She is ſuſpected to be poiſoned. The King juſtified.

Arabella Stuart, the King's couſin-german, died in the Tower, September 27, 1615, a little before the accomplices of Overbury's murder were brought to trial. Many ſeeing that, on occaſion of theſe trials, Prince Henry's death began to be talked of afreſh, imagined this kinſwoman of his Majeſty might alſo be poiſoned. This is what ſome hiſtorians, enemies to King James, have advanced, or at leaſt inſinuated, without any other foundation than this malicious report, grounded on the chimerical project, in the begining of the preſent reign, of ſeting Arabella on the throne. She was daughter of Charles Stuart younger brother to Henry, his Majeſty's father. Conſequently, ſhe could have but very remote pretenſions to the crowns of England and Scotland, which James injoyed not by the Stuart's title, of which family he was by the father's ſide, but by right of his mother, Queen Mary, to whom Arabella was very diſtantly related. King James muſt therefore have carried his ſuſpicions beyond all imagination, to thing on poiſoning this relation at a time when there was no commotion either in England or Scotland, and when ſhe was actually in priſon. The cauſe of her diſgrace was, her privately eſpouſing, without the King's conſent, ſir William Seymour, grandſon of the earl of Hertford, for which King James ſent them both to the Tower, whence ſome time after they eſcaped, deſigning to flee into France. Seymour had the good fortune to get off; but Arabella was taken and ſhut up in the Tower, where ſhe died (3).

Rym. Fœd. Vol. XVI. p. 710.

Villiers rules all at court. Weldon. p. 123.

Somerſet's affair ending all diſputes between the two favorites, the court was reſtored to its priſtine tranquillity, under the management of Villiers, who ingroſſed the King's affection without a rival (4). The new favorite behaved in much the ſame manner as his predeceſſor. He ſuffered himſelf at firſt to be guided by ſuch as he thought wiſer and more experienced than himſelf: but in time he fancied himſelf the ableſt perſon in the kingdom. His firſt care was gradually to diſmiſs the earl of Somerſet's creatures, and confer their imploys on his own friends and relatives. Nothing more material was tranſacted at court, for ſome years, except thoſe two uſual affairs of this reign, wherein the new favorite's promotion made no alteration: I mean ſtretching the prerogative royal (on which James was conſtantly and zealouſly intent) and ſtudying means to raiſe money without the parliament. Of theſe two points, the firſt did this year produce between his Majeſty and the judges a ſharp conteſt, whereof this was the occaſion.

James I. An' 1615.

Diſpute between James and the judges concerning the prerogative. Annals, p. 17. Camden. Ann.

James deſigning to give in Commendam a vacant benefice, it was, in the court of Common-Pleas, diſputed not only whether the King might give a Commendam to a biſhop, either before or after his conſecration, but alſo whether Commendams were to be granted without neceſſity. The chief juſtice of the Common-Pleas, finding the caſe difficult to be decided, deſired to have it farther argued by all the judges, as in nice points is the uſual practiſe. King James, who was at Royſton, having thereof notice, ordered his attorney-general * to ſignify, by letters, to all the judges, that they ſhould defer determining the affair 'till his return. Notwithſtanding this order, the judges met and argued the caſe: after which, they unanimouſly ſigned a writing, declaring they could not obey his Majeſty's command, becauſe they were ſworn to have no regard to the King's orders or letters, in matters concerning private perſons. James, irritated at their procedure, wrote to them, that it was not his intent to ſtop the courſe of juſtice; nevertheleſs he would not indure that, under color of determining caſes between private perſons, they ſhould attack the prerogative royal, or "That "any perſon ſhould be allowed to diſpute or argue "on that head:" that the argument drawn from their oath was impertinent, ſince the oath was injoined by the Kings his predeceſſors, only to prevent the importunities of ſuitors †, and not to give the judges authority to determine in points of prerogative. He concluded with a peremptory injunction, not to proceed "'till they had conſulted "him."

* Sir Francis Bacon.

Annals, p. 17.

† To the Prince.

It muſt be obſerved that, in this letter, King James ſuppoſed two or three principles, which neither the judges, nor moſt of the Engliſh did admit. The firſt, that no perſon had a right to argue concerning the extent of his prerogative, ſince the judges of the realm, being conſidered as intermediate perſons between King and people, were alone to decide, and generally did decide all queſtions on this head. The ſecond principle was, that the oath taken by the judges, at their admitance into their office, was injoined by the Kings his predeceſſors, to avoid the ſollicitations of ſuitors; whereas it was the common opinion, that the power aſcribed judges to diſobey the Sovereign's letters, was given them by the whole nation repreſented in parliament. The third principle was, that nothing ought to be decided without conſulting him; meaning that their determination was to be founded on what himſelf ſhould injoin. The generality of people thence maintained, that James's drift was thereby to eſtabliſh a new prerogative unheard of in England.

The council decides in James's favor. Annals, p. 17.

His Majeſty being returned to London, ſent for all the judges to the council-table, and reprimanded them very ſharply. He told them among other things that, ſince his acceſſion to the crown of Eng-

(1) See Wilſon, p. 83. Compl. Hiſt. p. 699. She died in Auguſt 23, 1632.

(2) He died in July 1643, and was buried in the pariſh church of St. Paul's Covent-Garden. Dugdale's Baron. Vol. II. p. 426.

(3) Sir William Seymour upon his marriage was commited to the Tower, but Arabella was confined to her houſe at Highgate. After ſome time they appointed to meet at a certain place on the Thames, in order to flee beyond ſea. He leaving his man in his bed to act his part with his keeper, got out of the Tower in diſguiſe, and came to the place appointed. She, dreſſed like a young gallant, followed him from her houſe, but happening to ſtay beyond the limited time, he went away, leaving word, if ſhe came, he was gone before to Dunkirk. She, full of tears, and lagging in her flight, was apprehended and ſent to the Tower. After her death ſir William got leave to come home, and married afterwards the lady Frances, ſiſter to the earl of Eſſex. Wilſon, p. 702.

(4) In the begining of January, he was made maſter of the horſe, and July 7, knight of the garter. The King beſtowed upon him the beſt part of Somerſet's eſtate. Howes, p. 1024, 1025. Coke, p. 88.

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land, he had obſerved that the counſellors at the bar § aſſumed a liberty to argue the extent of a prerogative royal, which on that pretenſe was trampled upon, and it was the judges buſineſs to bridle this inſolence in their reſpective courts. Then touching on the order he had ſent them, he ſaid in a moſt magiſterial tone, that no reaſon whatſoever could excuſe their non-compliance. James's manner of utterance terrified the judges, who choſe rather to give way than reſiſt him to his face. Coke alone conſtantly maintained, that the King's order being contrary to law, they were not to blame for refuſing to obey it. Thereupon, with ſome emotion, the Monarch ſaid, whether they had done well or ill, he would not ſuffer his prerogative to be conteſted. In fine, the judges being withdrawn, the council unanimouſly determined the caſe in his Majeſty's favor.

§ And in the houſe of commons.

The peoples murmurs.

This affair made great noiſe among the people. They who were already prejudiced againſt the King, ſaid, It was manifeſt that he aimed at reigning deſpotically: that not only he contemned the judges deciſions, but would not even indure that his prerogative ſhould be argued, and pretended to be ſole judge of the extent of his power. But others admired his courage in maintaining the crown's prerogatives.

Coke turned out. Wilſon, p. 704, 705. Coke, p. 91. Annals.

It was not long before Coke felt the effects of his Majeſty's indignation. The chief juſtice having brought a complaint, in the ſtar-chamber, againſt lord chancellor Elleſmere, concerning an order iſſued from the court of Chancery, and having loſt his cauſe, was cited before the council, where he was accuſed, 1. Of having wrongfully attacked the lord chancellor (1). 2. Of having * concealed a ſtatute of twelve thouſand pounds due to the King from the late lord chancellor Hatton. 3. Of having ſaid in open court, that his Majeſty was laboring to overthrow the common-law of England. 4. Of having behaved very inſolently to the King, in the caſe of Commendams. Alſo the lord treaſurer reproached him before the council, for ſuffering his coachman to drive him bare-headed, a privilege not allowed even to the lord chancellor. As the King was diſpleaſed with him, this ſufficed to turn him out of his place, which was given to ſir Henry Montague. Coke was extremely well verſed in the common laws of England, of which he wrote a book highly eſteemed, and which is daily cited in the courts of juſtice, and the high-court of parliament (2). But as he was one of thoſe who ſuſpected the King of aſpiring to arbitrary power, and thought it his duty to oppoſe it, he could not be agreeable to the court.

* When atorney-general.

Howes.

The lord chancellor delivers up the great-ſeal. Annals, p. 20.

Very ſoon after, the lord-chancellor Elleſmere being taken ſo ill as to deſpair of being able to continue the functions of his office, deſired the King to confer it on another. But James, without granting his requeſt, ſent for the ſeal, telling him, he would himſelf be his deputy: and in effect he kept the great-ſeal 'till Elleſmere's death, which was not 'till March in the year following. After that, ſir Francis Bacon, attorney-general, was made lord-keeper, and then chancellor. He was a man of great abilities, as appears in his works, but a ſervile flatterer, cringing to thoſe in favor, and very haughty to ſuch as he believed he ſhould not want.

Bacon made lord-keeper. Wilſon. Annals. Weldon, p. 130, &c.

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Prince Charles, the King's only ſon, was created this year (3) Prince of Wales, with the uſual ſolemnities. His father thought of marrying him, but it was not eaſy to find a Princeſs fit for him. There was not then in all Europe any daughter of a Proteſtant King, and James could not reſolve to match him with any perſon of a lower degree. Several of his predeceſſors had not been ſo difficult: but for his part, he was extremely nice on this article. According to him, it would have been a diſparagement to the Prince his ſon to eſpouſe the daughter of any German Prince. He choſe rather, contrary to all the rules of good policy, to ſeek him a wife of a houſe ſworn enemy to the Proteſtant religion, than to marry him to one of his own perſuaſion, who was not royally deſcended. This infatuation, if I may be allowed the expreſſion, is to be conſidered as the ſource of all the remaining occurrences of this reign, and of all the vexations James had to indure, as well from foreigners as his own ſubjects. It may be farther added, that this made him better known than before, and in a manner no way to his advantage. He would have matched his eldeſt ſon, Prince Henry, with Ann of Auſtria, who afterwards eſpouſed Lewis XIII, King of France: but having finally diſcovered, that the Spaniſh court carried on the negociation only to amuſe him, he deſiſted from that project. The French King's marriage being ſolemniſed this year, 1616, James ſent embaſſadors to France and Spain to congratulate both theſe Monarchs. Lord Hay, a Scot, was choſen for the French embaſſy (4), and lord Roſs for the Spaniſh. They had both orders to ſound the two courts concerning the Prince of Wales's marriage with Lewis XIII's eldeſt ſiſter, or with the Infanta Maria, daughter of Philip III. Lord Hay ſoon perceived his negociation would be fruitleſs, ſince the Princeſs of France was already promiſed to the Prince of Piedmont, ſon to the duke of Savoy.

Prince Charles created Prince of Wales. November 4. Rym. Fœd. Vol. XVI. p. 792. Howes. Wilſon. p. 703.

James meditates matching the Prince of Wales to a French or Spaniſh Princeſs. Wilſon.

Franklyn's Annals. Wilſon.

While theſe matters were in agitation, and before lord Roſs's arrival in Spain, ſir John Digby, King James's embaſſador to Philip III, wrote home to his royal maſter, that the duke of Lerma had made overtures of a marriage between the Infanta Maria, and the Prince of Wales, and deſired particular inſtructions on the affair. He adviſed him however not to break off the negociation with France, leſt Lerma's motion ſhould be a mere artifice to render him ſuſpected to the Proteſtants. James could the leſs doubt of Digby's ſuſpicion being well grounded, as ſir Dudley Carleton, his embaſſador at the Hague, had informed him, that to weaken the good intelligence between him and the ſtates-general, a report was ſpread, that the Prince of Wales's marriage with the Infanta of Spain was on foot, and already in good forwardneſs. But he took no notice of this intelligence. On the contrary, he ſent ſir John Digby orders to commence the negociation with Spain. At the ſame time, count Gondemar *, the Spaniſh embaſſador in England, received a commiſſion to treat with the King concerning this alliance.

He determines for the Spaniſh match. Annals, p. 36. Ruſhworth, Vol. I. p. 1.

Annals, p. 19.

The Spaniſh match is treated of. Ruſhworth. Vol. I. p. 2.

* Don Diego Sarmiento.

James, having taken this reſolution, could not conceal

James is amuſed by the court of Spain.

(1) This was the whole cauſe. The reſt of the articles were added to it in order to humble him. Wilſon, p. 705.

(2) He wrote Inſtitutes, or A Comment on Littleton, ſeveral volumes of Reports, &c. He is accuſed of diſcovering too much paſſion and prejudice on the bench, and of acting the part of a pleader rather than a judge. His pleadings at the trial of ſir Walter Ralegh, ſhew, to his eternal infamy, that he could at any time talk an innocent perſon to death; for there never was ſeen ſuch a heap of inſolence and hard names. See State-Trials, Vol. I. p. 205, &c. Wilſon, p. 705.

(3) The firſt of November. Others ſay, the fourth. Rapin.

(4) This was one of the moſt magnificent embaſſies recorded in hiſtory. Among other things, lord Hay, at his public entry into Paris, had his horſe ſhod with ſilver ſhoes ſlightly tacked on; and when he came over-againſt houſes or balconies, where perſons, or beauties, of eminency were, his horſe prancing in humble reverence, flung his ſhoes away, which the ſurrounding mob ſcrambled for; then one of his train, out of a velvet bag took others, and tacked them on; which laſted 'till he came to the next view of grandees. Wilſon, p. 704.

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conceal his extreme desire to have this match accompliſhed. Hence he gave occaſion to the Spaniard, who had then no deſign to treat ſeriouſly of this affair, to feign that he paſſionately wiſhed to conclude it to his ſatisfaction, and to draw from his readineſs conſiderable advantages for the houſe of Auſtria and the Catholic religion. By means of this ſame deſire it was, that count Gondemar, a man of great abilities, ſo inſinuated himſelf into James's good graces that, for diverſe years he made him to do in a manner juſt whatever he pleaſed, by puting him in fear that the marriage would miſcarry if the Spaniſh court was not managed. We may judge of the policy of that court, by the length of this negociation, which was made to laſt ſeven years. At firſt, the Spaniard intended only to prevent King James's interfering in the Cleves war, and aſſiſting the Proteſtant Princes: but afterwards a more important affair made it his intereſt more than ever to amuſe the King of England, and to keep him, as we ſay, with his noſe to the grind-ſtone.

James's ſtrange conduct.

Certainly, the conduct of this Prince, who in ſome people's opinion ſtill paſſes for the Solomon of his age, was very extraordinary. Under color of being at peace with all the world, he meddled not with any foreign affairs. He unconcernedly beheld France openly laboring the Hugonots extirpation, and the houſe of Auſtria forming projects to inſlave all Europe, and daily growing in power, to the juſt dread of even circumjacent ſtates, but more particularly thoſe of the Proteſtants. Moreover, he expreſſed a ſtrong deſire to be allied to that houſe, by a marriage which could not but be prejudicial to the eſtabliſhed religion of England. In ſhort, if his management at home be examined, one is at a loſs where to meet with that capacity, that vaſt ſtock of wiſdom wherewith he imagined himſelf bleſſed.

Coke, p. 85.

Without any war upon his hands, he had conſumed immenſe ſums, and alienated almoſt all the crown-lands, to inrich a dozen of Engliſh and Scotch favorites, who had never done him any ſervice of conſideration. The earl of Somerſet had, before his diſgrace, amaſſed two hundred thouſand pounds in money, plate and jewels, beſide nineteen thouſand pounds a year in land, tho' he had been only five years in favor. The earl of Saliſbury, lord Burleigh's younger ſon, who had no eſtate but what he derived from the crown, had left his ſon as rich as any peer in England. The earl of Northampton, younger brother of the late duke of Norfolk, had erected in London a moſt ſtately palace (1), ſince named Northumberland-houſe, and left a vaſt inheritance to his nephew, the earl of Arundel, tho' he had little or nothing from his family. The earl of Suffolk, the duke of Norfolk's youngeſt ſon, had builded a country ſeat, which coſt upwards of two hundred thouſand pounds; and he did not, as may be preſumed, lay out his whole ſubſtance on this ſtructure (2). The duke of Lenox, the earl of Dunbar, and lord Hay, had remited immenſe ſums into Scotland, and ſir Henry Rich, afterwards earl of Holland, tho' a younger ſon, had found means to raiſe a prodigious eſtate. Amidſt all theſe favorites ſo wealthy and powerful, the King was extremely indigent, continually giving beyond his ability, and runing into needleſs expenſes, without ever regulating his treaſury. To all this was added a new favorite, who being no leſs greedy than the reſt, was alſo to be inriched, and had a numerous kindred, whom he did not mean ſhould be left neceſſitous. Another effect of this King's great wiſdom was, to quarrel with his parliament, in ſupport of a prerogative which he would have carried higher than any of his predeceſſors, and thereby put himſelf under a neceſſity of uſing illegal methods of raiſing money, which could not but alienate from him the affection of his people. Let us finally ſubjoin his weakneſſes, in conſtantly ſuffering himſelf to be ſo ſwayed by his minions, that he either could not, or would not ſee but with their eyes. At the time I am now ſpeaking of, his cabinet-council conſiſted ſolely of the new favorite, a young man without experienſe, thro' whoſe hands never any affair of moment had paſſed, and who notwithſtanding thought himſelf the ableſt ſtateſman in the kingdom (3). The earl of Suffolk was more verſed in affairs, tho' he was never counted a great genius: but he was now on the decline of his favor, Villiers being far from ſupporting the earl of Somerſet's father-in-law. Bacon, lord-keeper, was well verſed in the national laws, and capable of giving good counſel; but he made it his whole ſtudy to adapt himſelf to the King's humor, and make his court to the favorite.

Coke. Clarendon. Weldon.

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The ſole buſineſs which then imployed King James and his miniſters, was to find money, and in plenty too, otherwiſe his Majeſty would have led a ſad life: but all means ſeemed to have been exhauſted, and a parliament could not ſafely be called, the wound of the impriſoned members being ſtill too freſh to hope it was yet cloſed. Mean while, the treaty of the Prince of Wales's marriage with the Infanta, brought James a ſeaſonable and very unexpected ſupply. Queen Elizabeth had ſettled with the ſtates of the United Provinces the arrears they owed her, amounting to eight millions of florins: this ſum was due to James, as Elizabeth's ſucceſſor. The ſtates would have paid the debt long ſince, had they not found their account in remaining debtors to England, becauſe they thereby ingaged that kingdom to ſupport them: but after the twelve years truce was concluded, the face of affairs was changed. The ſtates no longer needed England's protection, and beſide James held in their provinces places which gave him opportunity to treat them magiſterially, as he had done in the affair of Vorſtius. It was therefore time for them to recover theſe places, ſince they had not the ſame intereſt now to leave them in Engliſh hands, when their dread of Spain was very conſiderably leſſened by the truce: but the ſum they were to pay was ſo large, that they waited a favorable opportunity to procure them ſome abatement. Such occaſion offering not 'till the preſent year 1616, they imbraced it more eagerly, as they were under a preſſing neceſſity to withdraw their towns from the Engliſh. King James treating of his ſon's marriage with the Infanta, it was to be feared reſtitution of theſe towns, to which the Spaniards laid claim, would be one article of the marriage treaty, eſpecially as a clauſe in the treaty of 1604, between England and Spain, gave them juſt cauſe for ſuch apprehenſion. On the other hand, the preſent juncture was favorable to them, becauſe James's coffers were quite empty, and there was no likelihood of his venturing to call a parliament, by reaſon of the peoples diſcontent. The whole difficulty then conſiſted in managing ſo, that the offer of reſtoring thoſe cautionary towns ſhould come from James himſelf, becauſe, in ſuch

He gives up the cautionary towns for the third part of what is due to him. Coke, p. 88. Ruſhworth, Vol. I. p. 3.

Ruſhworth, Vol. I. p. 3.

(1) And alſo three hoſpitals; one at Riſing in Norfolk, for twelve poor women and a governeſs; a ſecond at Clun in Shropſhire, for the ſame number of men; the third at Greenwich, for a governor, and twelve poor almſmen. Howes, p. 1012.

(2) Audley-Inn in Eſſex, the nobleſt ſtructure next to Hampton-court, ſays Coke, ever erected by any ſubject in England, which by modern eſtimates coſt above 190,000 l. Coke's Detect. p. 85.

(3) Gondemar is ſaid to tell King James in raillery, "That he was the wiſeſt Prince in Chriſtendom, to make privy-"counſellors ſage at the age of twenty-one, which his maſter the King of Spain could not do 'till ſixty. Peyton, p. 42.

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caſe the ſtates might pretend inability to diſcharge ſo large a ſum, and that would naturally lead to a negociation for ſome abatement: ſo, to bring the King to this point, they ceaſed for a time paying the gariſons of the places in poſſeſſion of the Engliſh; tho', 'till then, they had punctually executed the treaty which obliged them to furniſh their ſubſiſtence. The gariſons complained, and the ſtates, without however refuſing payment, deviſed ſeveral pretexts to defer it. This delay obliged the Engliſh forces, who were greatly neceſſitated, to addreſs their Sovereign, who was not in condition to give them ſatisfaction. He complained to the ſtates, who anſwered with great moderation, inſiſting on the ill ſtate of their affairs, by reaſon of their vaſt expenſe during the war. In a word, this affair was not ſettled, and the Engliſh gariſons ſtill remained unſupplied. At length Caron, the Dutch envoy in England, intimated as of himſelf to ſome one of the miniſters, that he believed, if his Majeſty would offer to reſtore the towns in his poſſeſſion, the ſtates would do their utmoſt to diſcharge the whole debt, by borrowing money at high intereſt. This intimation produced the wiſhed effect. James, being in great want of money, and ſeeing a near proſpect of drawing from the ſtates a large ſum, which the courtiers had already devoured in their thoughts, readily determined on ſurrendring the cautionary towns. Purſuant to this reſolution, he wrote to the ſtates, "That he knew them to be "his good friends and confederates, both in point "of religion and policy, therefore he apprehended "not the leaſt fear of difference between them: "in contemplation whereof, if they would have "their towns again, he would willingly ſurrender "them." Upon this letter, they ſent over penſionary Barnevelt, who ſo artfully managed this affair, that they were diſcharged for two millions ſeven hundred twenty eight thouſand florins, in lieu of eight millions, which they had promiſed to pay to Elizabeth, beſide eighteen years intereſt. By this agreement, the cautionary towns were delivered to the ſtates the fourteenth of June 1616.

Cabala. Rym. Fœd. Vol. XVI. p. 783, — 787.

Reflections to the King's diſadvantage.

They who were leaſt pleaſed with the court, greatly cenſured this treaty, which robbed the crown of England of the advantage of holding the United Provinces in a ſort of ſubjection. It was ſaid that, indeed Elizabeth was bound to reſign theſe places, on payment of the ſums ſhe had advanced; but there was no neceſſity to reſtore them for much leſs: that there was the leſs occaſion to haſten this reſtitution, as the gariſons were not maintained by the crown; and if the ſtates neglected performing their ſtipulation with Queen Elizabeth, his Majeſty ſhould have made them ſenſible they had not done it with impunity. Theſe reflections made not greatly for James's honor, and his proceedings on this occaſion could at moſt but confirm to him the title of Pacific (1), which he affected above all others. But it was abundantly worſe, when it was ſeen, very ſoon after, that the money paid by the ſtates was vaniſhed, without a poſſibility of gueſſing how it had been imployed. The King had not diſcharged any of his debts: the navy was ſuffered to decay for want of money to repair it; and nothing had been ſent to his army in Ireland, which had not received one penny for ſeveral years, and whoſe wants had ſerved for pretenſe to treat with the ſtates.

The lord treaſurer accuſed of miſmanagement. Wilſon, p. 705. Annals, p. 22. Coke. Camd. Ann.

It finally appeared, that the lord treaſurer Suffolk had converted to his own uſe good part of the money received from the cautionary towns. The favorite miſſed not this opportunity to ruin a man whom he could not conſider as his friend, ſince he was father-in-law to the earl of Somerſet. Suffolk was therefore accuſed, in the ſtar-chamber, of ſundry miſdemeanors in the exerciſe of his office, and eſpecially of having kept for himſelf great part of the money received from the Hollanders. Sir Edward Coke, who was reſtored to his place, or had another, was his accuſer. He agravated his miſdemeanors; his extortions; his miſmanagement of the King's treaſures; his boldneſs in applying them to his own uſe; the corruptions of his counteſs, who took bribes with both hands; the artifices of his deputy Bingley to inſnare ſuch as had buſineſs with his maſter. After that, he cited many precedents of treaſurers who, in former reigns, had been puniſhed for ſlighter crimes than thoſe of the earl of Suffolk, and ſhewed the dangerous conſequences reſulting from the ill adminiſtration of the treaſurerſhip, when it was not managed by uncorrupt perſons. Had the lord treaſurer caſt himſelf on the King's mercy, he would have had a cheap acquitance: but he would needs juſtify himſelf, and not doing it to the ſatisfaction of his judges, he was fined thirty thouſand pounds, and condemned to impriſonment during his Majeſty's pleaſure, and Bingley was fined two thouſand pounds. 'Till the King ſhould make choice of a treaſurer, that office was executed by commiſſioners, the firſt of whom was ſir Henry Montague, the favorite's creature.

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He is fined 30,000 l.

Annals, p. 22.

Other changes at court.

The earl of Suffolk was not the only ſacrifice to Villiers's policy, who by degrees removed Somerſet's creatures. Sir John Bennet, judge of the prerogative court, was turned out, and fined twenty thouſand pounds. Sir Henry Yelverton, the King's attorney, alſo loſt his place, as well as ſeveral others whom it is needleſs to mention. Secretary Winwood dying about this time, ſir Robert Naunton a Proteſtant, and ſir George Calvert a Papiſt, were made ſecretaries.

Wilſon. Camd. Ann.

James ever full of his prerogative.

The tranquillity James injoyed, might have been deemed perfect, if the fear of his pretogative's being attacked, had not continually diſturbed his repoſe. In vain did he preach and advance his principles on all occaſions, having the misfortune to be regarded by none but his courtiers and immediate dependants. For this reaſon he durſt not call a parliament, knowing the commons allowed not of his maxims. He ſeems to have thought it pure ignorance in the Engliſh, and that, by a frequent repetition of the Sovereign's prerogatives, he ſhould at length ſucceed in convincing them of the truth of his principles. This he took occaſion to do in June this year, in a ſolemn aſſembly held in the ſtar-chamber, on pretenſe of making known his deſign to correct certain abuſes in the courts of juſtice. He made a very prolix harangue, abounding with diviſions and ſubdiviſions, according to his cuſtom, and took for his text theſe words of Pſalm lxxii. 1. "Give thy judgments to the "King, O God, and thy righteouſneſs to the "King's ſon (2).

His ſpeech in the ſtar-chamber. Annals, p. 23. K. James's Works. p. 549.

He begins with ſaying, "The literal ſenſe of "theſe words runs upon David and Solomon, godly and wiſe; the myſtical upon God and Chriſt, "juſt and righteous; and from this imitation all "governments, eſpecially monarchies have been "eſtabliſhed. Kings ſit in the throne of God, and "thence all judgment is derived; from the King "to the magiſtrates, not privative but cumulative. "So by the counſel of Jethro to Moſes, the judges "were deputed for eaſier queſtions, the more pro-"found left to Moſes; and in this manner all "Chriſtian Kings govern, whereby appears the "near conjunction between God and the King up-

(1) Rex Pacificus. He took for his motto, Beati Pacifici.

(2) See the ſpeech at length in King James's Works, p. 549.

"ward,

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" ward, and the King and the judges downward; " the King to ſettle the law of God, and his " judges to interpret the law of the King."

Then he teaches the judges their duty in adminiſtering juſtice; and, after expatiating upon many common places, he proceeds to the limits preſcribed them: " Incroach not upon the prerogative; deal " not in difficult queſtions, before you conſult with " the King and council, for fear of wounding the " King thro' the ſides of a private perſon." Hereupon he takes occaſion to commend ſome of the judges for rebuking the popular humor of certain pleaders at the bar, who meddled with ſuch matters. " That which concerns (ſays he) the myſtery " of the King's power, is not lawful to be diſputed; " for that is to wade into the weakneſs of Princes, " and to take away the myſtical reverence which " belongs to thoſe who ſit in the throne of God " (1)."

Having run thro', and given his opinion concerning the ſeveral courts of judicature, he goes on, " It is the duty of judges to puniſh ſuch as ſeek to " deprave the King's courts, and therefore it was " a very odious and inept ſpeech in Weſtminſter-" Hall, to ſay, that a Præmunire lay againſt the " court of Chancery. I mean not that the Chancery " ſhould exceed its limits, but the King only is to " correct it, and none elſe; and therefore I was " greatly abuſed in that attempt: and for that rea-" ſon commanded, that no man hereafter preſume " to ſue a Præmunire againſt that court."

Afterwards he ſpeaks of the Star-Chamber, and ſays, " As a ſtar is a glorious creature, next in " place to the angels; ſo this court is the moſt " glorious of all courts, conſiſting of privy-coun-" ſellors, judges, peers of the realm, and biſhops, " and conſequently the learning of both divine and " human law, the experienſe and practiſe of go-" vernment, are conjoined together in the pro-" ceedings of this court." Adding; " I have la-" boured to gather articles, like an index expurga-" torius of novelties creped into the law; look to " Plowden's caſes, and if you find it not there, a-" way with it."

Next he addreſſes the auditory, and gives them advice with reſpect to the law-ſuits then carrying on in the ſeveral courts. He chiefly adviſes them in their pleas, " not to preſume to meddle with " things againſt the King's prerogative or honor: " If they do, the judges will puniſh them; and in " caſe the judges do not, he muſt puniſh both them " and the judges. Plead not (continues he) upon " new Puritanical ſtrains, which make all things " popular, but keep you within the ancient limits " of pleas."

In ſpeaking of recuſants, that is, thoſe who refuſed to be of the church of England, he ſays, " There are three ſorts: The firſt are they who " inforced by law, come now and then to church; " theſe are formal to the law, but falſe to God (2). " The ſecond ſort are they who have their con-" ſcience miſled, and therefore refuſe to come to " church, but otherwiſe live as peaceable ſubjects " (3). The third ſort are practiſing recuſants, " who force their ſervants and tenants to be of " their opinion; theſe are men of pride and pre-" ſumption (4). He adds, I can love the perſon " of a Papiſt ſo born and bred, but apoſtate Pa-" piſts I hate; ſuch deſerve ſevere puniſhment (5). " I confeſs I am loth to hang a prieſt only for his " religion, and ſaying maſs; but if they re-" fuſe the oath of allegiance, I leave them to the " law."

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He concludes his long ſpeech with exhorting the judges to countenance the clergy againſt both Papiſts and Puritans; adding, God and the King will reward their zeal.

Remark on this ſpeech.

It is eaſy to obſerve, as well in this as in James's other ſpeeches in public, and on ſundry occaſions, three principal deſigns which he had ever in view. The firſt was, to eſtabliſh the prerogative royal according to his own principles. The ſecond, to intimate, that the Papiſts were not to be moleſted, provided they lived peaceably, and took the oath of allegiance. The third was, to expreſs his hatred of the Puritans, and to create a like averſion for them in the people. But it would be a great miſtake to aſcribe this hatred to their refuſing to allow of the ſurplice, the croſs in baptiſm, kneeling at the communion. Theſe were not the points which rendered them ſo odious in his ſight. He fancied their principles with reſpect to church-government led them to be enemies to monarchy. For this reaſon, all arguments againſt the extent of the royal prerogative ſeemed to him to be founded on Puritanical principles.

Villiers made earl of Buckingham. Howes.

On the 27th of Auguſt, his Majeſty created ſir George Villiers baron of Whaddon and viſcount Villiers (6), and on the firſt of January following, he was made earl of Buckingham.

An' 1617. Account of the archbiſhop of Spalato. Wilſon. p. 707. Howes. p. 1026.

Early in 1617, arrived in England Marco Antonio de Dominis (7), archbiſhop of Spalato in Dalmatia, who was come to profeſs the Proteſtant religion in the communion of the church of England. As he was a man advanced in years, and very corpulent, it was readily believed, no other motive but that of religion and conſcience could have induced him to undertake ſo long a voyage, and quit his archbiſhoprick. He preached and wrote againſt Popery, and at length was prefered to the maſterſhip of the Savoy, and deanery of Windſor. After ſome years ſtay in England, he ſuffered himſelf to be gained by count Gondemar, the Spaniſh embaſſador, with hopes of a cardinal's cap, if he would go to Rome, and publicly abjure the Proteſtant religion. This man, upon the brink of the grave, being ſeduced by Gondemar's promiſe, went to Rome, and abjured the belief he had imbraced in England, after which, inſtead of being a cardinal, he was thrown into a dungeon in the Inquiſition, where he died, and notwith-

(1) He farther ſays, " The abſolute prerogative of the crown is no ſubject for the tongue of a lawyer, nor is it lawful to be " diſputed. It is atheiſm aud blaſphemy to diſpute what God can do: Good chriſtians content themſelves with his revealed " will. So it is preſumption and high contempt in a ſubject to diſpute what a King can do or ſay, that a King cannot do this or that, but reſt in that which is the King's revealed will in his law. King James's works, p. 557.

(2) Theſe were the Preſbyterians, of whom ſeveral made no ſcruple to be preſent at the ſervice of the church of England. Rapin.

(3) Theſe were the Papiſts, who were willing to ſwear allegiance. Rapin.

(4) Theſe were the zealous and furious Papiſts. Rapin.

(5) There could be but few of theſe in the kingdom. Rapin——Our author erroneouſly ſays, Papiſts in general. See King James's works, p. 567.

(6) M. Rapin miſtakes in ſaying, that he was created baron of Brandſpach, or rather Brandſpeth, which was the title of Robert Carr earl of Somerſet—George Villiers was created Auguſt 27, 1616, Lord Whaddon, the great lordſhip of Whaddon in Buckinghamſhire (then in the crown by the attainder of the lord Grey of Wilton) being given him at the ſame time. A little after he was created viſcount Villiers, and on the 5th of January 1617, earl of Buckingham. Camden's Ann.——Alſo July 9, ſir John Hollis was created baron of Houghton, and ſir John Roper lord Tenham, of Tenham in Kent. Howes, p. 1025.——This year Alderſgate in London was rebuilded. Ibid.

(7) According to Howes (p. 1026.) he arrived Dec. 16. 1616.

ſtanding

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James determines to compel the Scots to conform to the church of England. Spotſwood. p. 529, &c. Annals, p. 25. Wilſon, Burnet.

ſtanding his abjuration, his body was publicly burned.

I have frequently mentioned King James's averſion to the Puritans, whoſe government, which came very near the republican, was directly contrary to the principles he was laboring to eſtabliſh. Ever ſince his arrival in England, he had held theſe ſectarians ſo low, that it was not in their power to give him any diſturbance: but to his exceſſive mortification the church of Scotland was ſtill Presbyterian. Indeed epiſcopacy was not intirely ſuppreſſed in that kingdom; but it was in ſuch a ſtate, that the biſhops had no manner of juriſdiction. The ſeveral preſbyteries, and the general aſſembly of the clergy, had ingroſſed the whole eccleſiaſtical authority, and left the prelates a bare name without power. There were alſo many other points wherein the Scotiſh church differed from the Engliſh, ſo that Puritaniſm triumphed in Scotland, at the time it was in England regarded as a ſort of rebellion. James had therefore determined to put the church of Scotland on the ſame foot with that of England; but perceiving that to compel the Scots, all at once, to a perfect conformity with the Engliſh church, would be a task too difficult, he was for leading them to it gradually. Agreeably to this ſcheme, he had ſent to the general aſſembly of the kirk certain articles, which he deſired might be inſerted into the church canons. Theſe articles were:

Spotſwood. Annals.

1. For the future, the holy communion ſhould be received kneeling.

2. The euchariſt ſhould not be denied to the ſick, with three or four perſons to communicate with them.

3. Chriſtmas, Eaſter, Aſcenſion-day, and Whit-ſunday, ſhould be kept as holy-days, and the preachers ſhould make choice of texts ſuitable to the occaſion.

4. Confirmation ſhould be practiſed after this manner; when the children were eight years old, the miniſters ſhould catechiſe them, and then the biſhops in their viſitations ſhould bleſs them with prayer for God's grace, and the gifts of the Holy Ghoſt (1).

He meets with oppoſition. Spotſwood.

With regard to this latter article, James deſired not that confirmation ſhould be received in Scotland as practiſed in the church of England, becauſe he was not fully convinced of its utility: but as it concerned one of the epiſcopal functions, he would that biſhops ſhould have at leaſt ſome hand in the matter.

James's deſign being to compaſs his end by degrees, he had ſelected theſe four articles as leaſt liable to give offenſe to the miniſters, in order to leave them inexcuſable, in caſe they rejected them. The general aſſembly of the Scotiſh church, perceiving his Majeſty's drift, declared, if the churches of England and Scotland differed only in theſe four articles, they might be received for the ſake of peace; but as they were innovations incapable of producing a perfect union, there was no neceſſity of inſerting them among the canons. James, offended with this refuſal, reſolved to compel the Scots, not only to receive theſe four articles, but alſo many more which he had not thought fit to meddle with at firſt, being perſuaded he had a right, by virtue of his royal authority, to impoſe upon his people of Scotland the religion which to him ſeemed moſt eligible. With this view, he determined on taking a journey into Scotland, under color of viſiting his native country, which in fourteen years he had not ſeen.

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His journey into Scotland. Spotſwood. Annals, p. 27, 28.

Before his departure, he ordered a proclamation to be publiſhed in Scotland, wherein he ſaid, he was going to viſit his old kingdom, "Not to alter the "civil and eccleſiaſtical ſtate, but to reform cer- "tain abuſes in the church and commonwealth." At the ſame time he previouſly diſpatched away thither ſome officers of his houſhold, all Engliſh, with orders to adorn his chapel at Edinburg in the ſame manner as that at Whitehall; nor did thoſe agents omit taking with them a ſet of church pictures, and even ſtatues of the apoſtles. As ſoon as they began to adorn this chapel, the people of Edinburg exclaimed aloud, ſaying, "Images were "begun to be introduced, and maſs would quickly "follow."

He treats the Scots imperiouſly. May. Spotſwood. p. 530. Annals.

James, being arrived at Berwick, prorogued the parliament of Scotland, to open it himſelf, as in effect he did with a long ſpeech, according to cuſtom. To conceal his real deſign, he made diverſe propoſitions, among which he did not forget the article concerning religion, the only point he was ſeriouſly laboring. He contented himſelf at firſt with requiring, that a certain number of commiſſioners ſhould be appointed to examine and regulate religious matters. The parliament concurring with this motion, James waited not the two houſes nominating the commiſſioners, but choſe them himſelf, and appointed the lord chancellor, lord treaſurer, and clerk of the rolls, who were all three his creatures. But as the parliament ſcrupled conſenting to this nomination, he broke out into exceſſive choler, thinking it very ſtrange they ſhould pretend to name others after he had made known his pleaſure. In ſhort, as they durſt not reſiſt him to his face, he obtained whatever he pleaſed.

He gets paſſed a certain article which gives him full power. Spotſwood.

Theſe commiſſioners inſtantly ſettled one article, after which there was nothing more to be examined. The article was, "That whatſoever his Majeſty "ſhould determine in the external government of "the church, with the advice of the archbiſhops, "biſhops, and a competent number of the mini- "ſtery, ſhould have the ſtrength of a law." The King himſelf had dictated this article: "Not (ſaid "he) that I am againſt the advice of the grave "and learned miniſters, but to be over-ruled, as "in your former general aſſemblies, I will never "agree; the biſhops muſt rule the miniſters, and "the King govern both, in matters not repugnant "to God's law." Thus did King James evidently manifeſt that, ſince his acceſſion to England, he claimed in Scotland a greater authority than before.

Proteſtation againſt this article. Spotſwood. p. 531.

Mean while, the miniſters in and about Edinburg, perceiving that, by the commiſſioners prevarication, their church was on the brink of ſubverſion, ſince the King was impowered to make what innovations ſoever he pleaſed, aſſembled to conſult on ſome efficacious remedy. They found no other expedient than a proteſtation againſt the article paſſed by the commiſſioners, which having drawn they gave to one Hewet, to preſent it to his Majeſty. Hewet being come into the King's anti-chamber, in order to execute his commiſſion, the archbiſhop of St. Andrews accoſted him very courteouſly, deſiring to ſee the proteſtation; which the miniſter readily ſhewed. No ſooner had the prelate hold thereon, but he was for pocketing it, when Hewet ſeized his paper; all which could not be done without

(1) There were in all five articles, the other, which is placed third, was the ſacrament of baptiſm not to be defered longer than the next Sunday, and in caſe of neceſſity to be adminiſtered in a private houſe, with public declaration of the ſame, the Sunday after, in the church.

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making ſome noiſe. James thereupon coming out, and hearing what occaſioned the buſtle, ſpake ſo harſhly to the miniſter, that the poor man, all in a fright, fell on his knees and craved pardon, proteſting never more to meddle in the affair.

He ſummons the miniſters, and treats them roughly. Spotſwood, p. 533. Annals.

But notwithſtanding his Majeſty had got what he wanted of the commiſſioners, he found however he ſhould never attain his ends without conſent of the miniſters, eſpecially as their proteſtation was public, and many copies, which continually increaſed, were already diſperſed. He ordered therefore the biſhops to ſummon the miniſters to meet on the tenth of July, at St. Andrews, where he would come and ſpeak to them in perſon. The miniſters obeying the ſummons, James called them all to witneſs his great care of the church of Scotland as well before as ſince his acceſſion to the Engliſh crown, adding, he expected however no thanks for his zeal for the true worſhip of God, and for maintaining good order in his church. Then he told them that before he ſet out for Scotland, he ſent them four articles to be inſerted in their canons, which were rejected, and yet he was ſilent; that having lately deſired it might be declared that, by virtue of his prerogative, he had power to make eccleſiaſtical laws, they mutined and proteſted againſt him: However, he was very willing to paſs by all theſe, with many other affronts received at their hands. "But now, continued he, the er-
"rand for which I have called you, is to know
"your reaſons, why this ſame power ought not to
"be admited. I mean not to do any thing againſt
"reaſon; and on the other part my demands be-
"ing juſt and religious, you muſt not think that
"I will be refuſed or reſiſted." He uttered theſe laſt words kniting his brows, and looking at them, ſays the author of the Annals, with a majeſtical and ſtern eye, which made them all fall down on their knees. Then continuing his ſpeech, he ſaid, "It
"is a power innate, and a ſpecial prerogative
"which we who are Chriſtian Kings have, to or-
"der and diſpoſe of external things in the policy
"of the church, as we, by advice of our biſhops,
"ſhall find moſt fiting. And, ſirs, for your ap-
"proving or diſapproving, deceive not your ſelves,
"I will never regard it, unleſs you bring me a rea-
"ſon which I cannot anſwer."

Spotſwood.

p. 29.

They demand a general aſſembly. Spotſwood. Annals.

The miniſters obſerving how magiſterially the King delivered himſelf, deſired leave to confer among themſelves. Their requeſt being granted, they returned in a few hours, with a petition for a general aſſembly, that what his Majeſty propoſed might be received with common conſent. "Ay,
"ſays the King, but what aſſurance have I of their
"conſenting?" Whereupon ſome of them ſaid, they ſaw no reaſon to the contrary. "But, ſays
"the King, if the general aſſembly be of another
"mind, and your reaſon now be none of theirs
"then, and the articles are rejected, my difficulty
"will be the greater; for when I ſhall hereafter
"uſe my own authority in eſtabliſhing them, I
"ſhall be pulpited a tyrant and perſecutor; ye were
"wont to do ſo." Then all cried out, that none durſt be ſo mad. "Yet experience tells (ſays the
"King) that it hath been ſo; therefore unleſs I be
"made ſure, I will not give way to an aſſembly.

The King refuſes it.

He grants it afterwards.

It was however eaſy to comprehend that, without ſuch aſſembly, the King could not poſſibly compaſs his views. Tho' he ſhould have extorted the conſent of thoſe miniſters then preſent, it would have been to no purpoſe, ſince they were not authoriſed: and if James had cauſed theſe articles to be paſſed by any order flowing from his abſolute authority, he ſhould have been firſt ſecure of the obedience of his ſubjects, or at leaſt of a ſufficient power to compel them, both which were equally difficult, not to ſay impracticable: wherefore James, having conſidered the buſineſs more maturely, agreed, finally, that a general aſſembly ſhould be held, at St. Andrews, in November. In this interval, Symſon, the miniſter, who drew up and ſigned the proteſtation, was impriſoned in Edinburg-caſtle, and Catherwood, who carried letters to other miniſters to incourage their adherence thereto, was baniſhed. This done, James ſet out for England.

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Spotſwood. Annals.

He is diſſatisfied with the aſſembly. p. 534, &c.

The general aſſembly, held at St. Andrews in November, reſolved to defer receiving the four articles, 'till all the churches of Scotland were informed of this affair; and then ſeparated. The King was extremely inſenſed, and looking on this delay as a contempt of his authority, ordered all payment of the miniſters ſtipends to ſtop for a year: But finding this only exaſperated people, and retarded his deſign, he gave leave at length that another general aſſembly ſhould be held at Perth, Auguſt the twenty-fifth, next year. Thereat, by fair or foul means, he obtained the churches conſent to thoſe four articles: but withal, he ſowed in Scotland the ſeeds of thoſe troubles which diſtracted that kingdom in the inſuing reign, and deprived the King his ſon and ſucceſſor both of crown and life. Thus, his zeal againſt the Puritans urged him to forſake thoſe principles of equity and moderation, which he deemed ſo reaſonable with regard to Papiſts: he would not force the conſcience of theſe, provided they behaved like good ſubjects; but the Preſbyterians were to ſubmit, tho' ever ſo unwilling, to what he ſhould judge requiſite. What has been advanced on this head, is taken in a manner verbatim from the ſaid Annals, whoſe author cannot be ſuſpected of repreſenting matters to this King's diſadvantage.

He grants another, wherein he obtains his deſire. Ibid. p. 537, &c. Annals.

Buckingham made privy counſellor of Scotland.

Before James quited Scotland, he made the earl of Buckingham privy counſellor of that Kingdom, as he had been ſo for ſome time in England.

Petition preſented to James concerning recreations on Sundays. Wilſon. p. 709. Annals. p. 31. Camden. Annals.

While his Majeſty was returning to London, he received a petition from ſome ſervants, laborers, mechanics, and other vulgar perſons, complaining, that they were debared from dancing, playing, church-ales, in a word, from all recreations on Sundays, after divine ſervice. It was thereupon ſuggeſted to him, that the Puritans deſigned to perſuade the people ſuch diverſions were contrary to that regard due to the Lord's-day: that theſe men went upon erroneous principles, namely, that Chriſtians were obliged to keep the day of reſt with the ſame ſtrictneſs as the Jews, and therefore affected to call Sunday the Sabbath. This was a ſufficient inducement to make James condemn this Puritanical ſcruple, and the rather, as he himſelf was not over and above ſcrupulous in that regard. In his name therefore was publiſhed a book, wherein by various arguments he maintained, that paſtimes on Sundays, after evening ſervice, were allowable, and withal, commanded that none ſhould be hindered or diſcouraged from any lawful recreations. This book (1) made much noiſe, neither was it exclaimed againſt by the Preſbyterians alone. Many churchmen diſapproved it, and particularly the lord-mayor of London, who, notwithſtanding the prohibition, commanded the King's own carriages to be ſtayed, as they were paſſing thro' the city on a Sunday. But James, wholly regardleſs of theſe murmurs, and willing to ſupport what he had done, injoined all miniſters to read his book publicly in their churches; and ſuch as refuſed were ſeverely puniſhed by the high-commiſſion. Some pretend, this order was a ſnare to intrap certain miniſters, who, tho'

He publiſhes the book of ſports.

It makes a great noiſe.

He orders it to be read in all churches. Wilſon. p. 709.

(1) It was called the Book of Sports. No Recuſant was to have the benefit of this liberty. Collier, Vol. II. p. 712.

Puritans,

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Puritans, ſcrupled not profeſſing themſelves of the church of England, or preaching thoſe doctrines.

Buckingham rules all. Wilſon.

Theſe were the moſt material affairs then tranſacting in England. King James, as has been obſerved, never concerning himſelf in any foreign buſineſs, intruſted his miniſters with the whole adminiſtration. The earl of Buckingham was chief manager. He ruled with abſolute ſway both in church and ſtate, diſpoſing of all places and preferments. If we may credit ſome writers, he beſtowed nothing without money or a yearly penſion. As the King was ever neceſſitous, the favorite was obliged to find means to ſupport, and even inrich his numerous kindred, who flocked to court to partake of his prodigious affluence. To avoid returning to theſe matters, I ſhall ſay here at once, that the favorite's elder brother was made viſcount Purbeck; his younger brother, earl of Angleſey; his mother, tho' a Papiſt, was created counteſs of Buckingham, without her huſband's injoying the ſame honor. In a word, all his female relations were married into the nobleſt and moſt opulent families of England. The favorite's mother being a ſtanch Romaniſt, and governing her ſon, who was properly of no religion, with the ſame facility as he himſelf ruled the King, it was no great wonder the Papiſts conceived mighty hopes, and ſwarmed in the kingdom. The King gave himſelf little trouble on that account. Provided people took the oath of allegiance, and were not Puritans, every thing elſe was indifferent to him. He was in a manner wholly imployed in his diverſions, and as he very frequently hunted, his admirers pretended he took thoſe times to conſider of government affairs.

Weldon, p. 129.

Ibid, p. 135. Dugdale.

The Papiſts ſwarm in England.

Annals. p. 31.

I ſhall cloſe the events of the year 1617, with the deplorable cataſtrophe of ſir Walter Ralegh. He had been a priſoner twelve years, ſince his condemnation, during which tedious confinement he had imployed himſelf in compiling his Hiſtory of the World. He finally obtained his liberty, tho' without the King's pardon. As his eſtate was all forfeited, and given to the earl of Somerſet, he was greatly imbaraſſed when he came out of priſon. The court, where he was intirely unknown, was to him like a ſtrange region. On this account, he formed the project of ſeeking his fortune in diſtant climates. He had formerly traverſed the American ſeas, and knew all the coaſts, particularly that of Guiana; nay, it is affirmed he ſet up marks to direct him again to a certain place, where was a gold mine, and that Keymis (1), his old attendant, brought him thence a piece of ore, which made him think the mine was very rich. However this be, as he was utterly at a loſs how to beſtow himſelf, he found means to acquaint King James, that he knew of a noble mine in America, whence he hoped to return mountains of gold, if his Majeſty would be pleaſed to grant him a private commiſſion. The mine lying in a country belonging to the Spaniard, it could not be ſeized without a rupture with Spain. Nevertheleſs, the Monarch, undoubtely allured with the golden hopes inſpired by Ralegh, granted him a commiſſion, directed to "Our beloved and faithful Walter Ralegh, knight, "&c". It was ſaid afterwards, that James gave him the commiſſion with this limitation, that he ſhould not injure the Spaniſh ſubjects. But how was it poſſible to bring away gold from a mine appertaining to Spaniards, without doing them injury?

Sir Walter Ralegh's tragical ſtory. Wilſon, p. 712. Annals, p. 31. Coke. p. 93, &c.

JAMES I. AN' 1617.

However, by virtue of his commiſſion, Ralegh ingaged ſeveral perſons in this project. He was ſupplied with money to fit out twelve ſail, and departed in Auguſt, 1617, in ſearch of the mine. At his arrival on the coaſt of Guiana, he found not the marks he had left there, neither could he know again the place he thought to have ſo well obſerved. He detached however his ſon, and captain Keymis, with five ſhips, to ſail up the river Oroonoco, as high as poſſible, in order to diſcover the mountain where the ſuppoſed mine lay. The mountain not appearing, the Engliſh landed, and routing ſuch Spaniards as oppoſed their deſcent, purſued them to the town of St. Thomas, which they took and plundered. Sir Walter Ralegh's ſon was killed in the aſſault. Then leaving a gariſon in the place, they advanced farther into the country, without being able to find the wiſhed for mine. At length, tired with ſearching, they returned to ſir Walter, who finding himſelf diſappointed of his hope, menaced Keymis with the King's indignation, and ſome days after, Keymis was found dead in his cabin (2). The ſailors, vexed at this ill ſucceſs, loudly complained of their being drawn into a chimerical project, and conſtrained Ralegh to ſail back for England. When they arrived at Kingſale in Ireland, he would have perſuaded them to go with him into France; but inſtead of liſtening to his propoſal, they forcibly conducted him to Plymouth, where he was arreſted by the Kings orders, and conveyed to the Tower of London.

Rym. Fœd. Vol. XVI. p. 789. Auguſt. 20. Annals. p. 21. Howes.

Wilſon.

Rym. Fœd. Vol. XVII. p. 92.

During his abſenſe, Don Diego Sarmiento, count Gondemar, the Spaniſh embaſſador in England, making loud clamors concerning ſir Walter's commiſſion, which was become public (3), James found no better way to appeaſe him, than by diſowning it, or at leaſt by aſſuring, that Ralegh had expreſs orders not to act againſt the Spaniards (4). Sir Walter returning without gold, his caſe was ſo much the worſe; beſide, the embaſſador openly inſiſted on his being puniſhed, and told the King, there was no other means to continue the treaty of the Prince of Wales's marriage with the Infanta: wherefore James determined at length to ſacrifice Ralegh to the Spaniard. But as he could not be proſecuted for his recent expedition, for which he had a commiſſion in form, it was reſolved he ſhould loſe his head by virtue of the ſentence paſſed on him fourteen years before. In vain did he plead, that his commiſſion, wherein the King ſtiled him faithful ſervant, and gave him power of life and death over thoſe under his command, was equivalent to a pardon. The judges told him, "That treaſon could not be pardoned but by "expreſs words. So, without being called to account for his late expedition, it was ordered that the former ſentence ſhould be executed (5).

Wilſon.

Octobr. 28.

Rym. Fœd. Vol. XVI. p. 791. Welwood.

(1) Captain Keymis, maſter of arts of Baliol college, Oxford, had been his companion in the Guiana voyage, in the year 1595. —— Not his lackey, as our author miſtakes. See Hakluyt.

(2) He firſt ſhot himſelf, but that not doing his buſineſs, he thruſt a Knife into his body, up to the haft, and expired. Wilſon, p. 713.

(3) Sir Walter gave King James a plan of his deſign, together with the number of his men, burden of his ſhips, the country and river he was to enter, &c. which the King promiſed to keep ſecret; but it was ſent by Gondomar to Spain, and thence to the Indies, before Ralegh went out of the Thames; and that very orignal paper was found in the Spaniſh governor's cloſet at St. Thomas's. State-Trials, Vol. I. p. 219. Welwood, p. 23.

(4) So it is ſaid in the warrant for apprehending ſir Walter, "we did, ſays the King, by expreſs limitation and caution "reſtrayne and forbid them from attempting any acte of hoſtility, wronge, or violence whatſoever upon any of the territories, "ſtates, or ſubjectes of any forrayne Princes with whome we are in amity, and more peculiarly of thoſe of our deare brother "the King of Spayne, in reſpect of his domynions and intereſtes in that continent, &c." Rymer's Fœd. Vol. XVII. p. 92.

(5) He was not beheaded 'till October 29. 1618. Rapin, —— In the Old Palace-yard, Weſtminſter. Wilſon, p. 714.

Thus

James I. An' 1617.

Thus fell ſir Walter Ralegh, in the ſeventy ſeventh year of his age. He was a man who deſerved a better fortune, and had a large ſhare of merit. He had alſo ſome faults, which are leſſened or agravated, in order to render his execution more or leſs odious, according as the hiſtorians are for or againſt King James. Moſt certain it is, he fell a ſacrifice to the mortal hatred conceived by the Spaniards againſt him in Queen Elizabeth's time, and to King James's unhappy deſire to accompliſh the Prince his ſon's marriage with the Spaniſh Infanta (1).

Osborn. Sect. 7. Burnet. p. 16. Ruſhworth. p. 9.

An' 1618. The people complain of James and the adminiſtration

Since this Prince's being on the throne, the Engliſh had lived with all their neighbors peaceably, without being diſturbed by any hoſtilities from abroad. James and his miniſters pretended this was the chief point of government, and that nothing more evidently demonſtrated the capacity of rulers than the tranquillity they procure their ſubjects. Mean while the people were diſguſted. Many affirmed, this maxim was falſe when carried too far, and that war often happens to be no leſs neceſſary than peace, for the welfare of a nation. It was diſliked that the Hollanders were ſuffered to fiſh upon the Engliſh coaſt, without aſking leave of the governor of Scarborough,* as was cuſtomary before they had redeemed their cautionary towns. Nor was it thought leſs ſtrange, that the King ſhould let them brave him with a fleet to ſupport their fiſhery, as if they flatly gave to underſtand they would fiſh on his coaſt in ſpite of him; and it was openly ſaid, that to preſerve peace by bearing ſuch affronts was no great indication of ability. The Engliſh likewiſe complained, that his Majeſty deſerted the Proteſtant religion's cauſe at a juncture when France, the Emperor, Catholic King and Roman Pontif were imploying their utmoſt efforts to work its deſtruction, and had but too much hope of ſucceeding, ſince the Defender of the Faith remained inactive. James's exceſſive jealouſy, touching his prerogative, was another main ground of diſcontent. It appeared not wherein this prerogative had been infringed; but it was thought very manifeſt he intended to ſtretch it much farther than any of his predeceſſors. It was conſidered, he had impriſoned diverſe members of parliament, purely for inſiſting in the houſe on the peoples grievances; had granted ſundry monopolies; and raiſed money on the ſubject without conſent of parliament: that his ſpeeches to the houſes, to the judges, and in the ſtar-chamber, tended only to exalt the regal authority, and make it in ſome meaſure equal to God's; from whence it was infered, that he deſigned utterly to ſubvert England's conſtitution. People could not without indignation behold a youth, who had ſcarce attained his twenty-fifth year, magiſterially lording it over the whole realm; diſpoſing of all preferments in favor of his relatives and friends; inveſted with the office of lord high admiral, tho' he had never made a voyage by ſea, except from Dover to Calais; and laſtly, honored with the title of marquis of Buckingham, without having ever done the ſtate any ſervice during the two years he had been at court. Theſe two dignities were lately beſtowed on the favorite; the firſt, by reſignation of the earl of Nottingham, who had amaſſed great wealth and obtained a penſion for the reſidue of his days. But there were ſtill farther complaints. It was ſaid, the court gave a very bad example to the whole kingdom: nothing was heard there but blaſphemous oaths and execrations, the King himſelf not being free from this vice: that religion there was made to conſiſt only in not being Puritanically inclined: that one of the two ſecretaries of ſtate was a Papiſt, as was alſo the favorite's mother: that tho' it was not known what religion her ſon was of, his debaucheries were public, and gave univerſal offenſe: that number of Papiſts daily increaſed: that matching the Prince of Wales with a Popiſh Princeſs, daughter of the Reformation's moſt capital adverſary, evidenced how little his Majeſty regarded the concerns of religion: that if any one repreſented to him or his miniſters the inconveniencies ariſing from ſuch a marriage, he was ſilenced by being told, it was attempting on the prerogative royal; and that every man, who without being required pried into the ſecrets of government, was guilty of rebellion.

* Or of the King himſelf.

Coke, p. 98. Addreſs to the freemen. Pref.

Murmurs alſo againſt the favorite. Wilſon. Coke, p. 97. Rym. Fœd. Vol. XVII. p. 124. January 1. 1618.

James I. An' 1618.

But on the other hand, James was no leſs offended with this boldneſs in cenſuring his conduct, as if a King muſt neceſſarily be guided by the caprice of his ſubjects. What moſt troubled him was, that the Puritans were not the only perſons who durſt murmur at the adminiſtration, but that even the eccleſiaſtical Hierarchy's faſteſt friends could not brook a deſpotic government in temporals. Even the parliament had ſufficiently convinced him how far they were from ſubmiting to any laws but thoſe which had been hitherto in uſage.

The King diſſatisfied with his people. Coke.

Thus were both King and people alike diſſatisfied. True it is, James ſeemed to have a great advantage, as, there not being a parliament, no man had a right openly to arraign his conduct: but then, treaſure flowed not ſo plentifully into the exchequer as under his royal predeceſſors, who knew how to manage their parliaments. Nevertheleſs, he choſe to be in want, or to procure money by ſuch means as increaſed the peoples diſcontent, rather than run the hazard of having a parliament might queſtion his prerogative, of which he was ſtrangely jealous. He however comforted himſelf with the hope of ſpeedily concluding his ſon's marriage, whence he was to receive a dowry of two millions. It is certain, the Spaniſh court had offered that ſum: but I have not been able to diſcover what ſort of money was underſtood. I imagine the Spaniard left that undetermined, to have opportunity of prolonging the negociation as much as he pleaſed, and of finally breaking it when he thought proper.

Ruſhworth. p. 8.

The Spaniard's aim in the match-affair.

When the King of Spain's proceedings with reſpect to this marriage are conſidered, it muſt be believed he deſigned not to conclude it, either at the time the negociation commenced, or long after (2). At firſt, his ſole aim was to amuſe King James, and prevent his interpoſing in the Cleves affair. The Emperor was diſpoſed either to keep that duchy for himſelf, or to give it to ſome Prince of his family, under color of holding it in ſequeſtration 'till the diſpute was decided; but the ſtates of the United Provinces, avoiding this ſnare, ſeized part of the country in queſtion, proteſting to reſtore it to the perſon to whom it ſhould be adjudged: moreover, they openly protected the elector of Brandenburg, who was one of the chief claimants, and a Proteſtant; as on the contrary, the houſe of Auſtria favored the duke of Newburg, who was turned Papiſt. On this pretenſe, Prince Maurice

(1) Weldon obſerves, that he was executed without all precedent, without any juſt cauſe, and even againſt King James's will; who in many things was over-awed by his timorous diſpoſition. But the Spaniſh faction, and Spaniſh gold betrayed his life, as they had done the kingdom before; and it was one of Gondomar's greateſt maſter-pieces to purchaſe Ralegh's head; yet, had not the earl of Briſtol, who was poſſeſſed of Sherborn caſtle, formerly ſir Walter's, co-operated, the King would never have conſented, p. 28, 29.

(2) Camden ſays, the Spaniard's aim in this negociation was to disjoin and ſeparate England from the United Provinces, that he might the more eaſily reduce them to obedience.

on

on the one ſide, and Spinola on the other, indeavored to become maſters of that duchy, and ſo inſued a ſort of religious war wherein England's not interpoſing was of great conſequence to the houſe of Auſtria. On this account it was that James was allured by the Spaniard with hopes of this marriage and a dowry of two millions.

Convention for the Prince of Wales's marriage with the Infanta. Ruſhworth. Annals.

Pretexts were not wanting to prolong the negociation. The union of a Catholic Princeſs with a Proteſtant Prince required that care ſhould be taken to ſecure to the Infanta a liberty of profeſſing her religion, with the decorum ſuiting a daughter of Spain. This was the ſole article originally inſiſted on; the two courts being of opinion that, before this was ſettled, it was in vain to bring others on the carpet. As it was the Spaniard's intereſt to prolong this negociation, ſo it was neceſſary to ſatisfy King James of his ſincerity, to hold him ſtill in play. In order thereto, after a two years debate, fearing that James would be at laſt diſcouraged, he agreed with Digby and Cottington, the Engliſh embaſſadors, upon five articles, the firſt whereof facilitated the continuance or even the intire interruption of the treaty, when it ſhould be no longer his intereſt to diſſemble. The articles were as follow, viz.

Ruſhworth, p. 4. Annals, p. 36.

1. That the Pope's diſpenſation be firſt obtained by the mere act of the King of Spain.

2. That the children of this marriage be not conſtrained in matter of religion, nor their title prejudiced in caſe any prove Catholics.

3. The Infanta's family, being ſtrangers, may be Catholics, and ſhall have a decent place appointed for all divine ſervice, according to the uſe of the church of Rome; and the eccleſiaſtics and religious perſons may wear their proper habits.

4. That the marriage ſhall be celebrated in Spain by a procurator, according to the inſtructions of the council of Trent; and after the Infanta's arrival in England, ſuch a ſolemniſation ſhall be uſed as may make the marriage valid, according to the laws of this kingdom.

5. That ſhe ſhall have a competent number of chaplains, and a confeſſor, being ſtrangers, one whereof ſhall have power to govern the family in religious matters.

James ſigns the articles.

Theſe articles being tranſmited to England, King James, in allowing and ſigning them, thus expreſſed himſelf: "Seeing this marriage is to be "with a lady of a different religion from us, it "becometh us to be tender, as on the one part, "to give them all ſatisfaction convenient, ſo on "the other, to admit nothing may blemiſh our "conſcience, or detract from the religion here "eſtabliſhed." I confeſs myſelf unable to comprehend, how this maxim agreed with the ſecond article. For the firſt, he ſuppoſed as previous, the Pope's diſpenſation, which was diverſe years expected and at length came, but abounding with additions and limitations, which we ſhall have occaſion to mention elſewhere.

King Philip's reaſons for protracting the negociation.

The Spaniard, in procraſtinating this negociation had hitherto in view only the Cleves ſucceſſion: but the affairs of Germany and Bohemia began this year to give room for apprehenſion that a religious war would be kindled in thoſe countries. This was a freſh reaſon for the Spaniard's amuſing King James, leſt he ſhould ſide with the Proteſtants, and ſend them powerful aſſiſtance. For the better comprehending what is to inſue, it will be abſolutely requiſite we examine the then ſituation of affairs in Germany and Bohemia.

Affairs of Germany. Ruſhworth. p. 4, &c. Annals, p. 38.

As for Germany, it ſuffices briefly to ſay, that for ſome time there had been ſtrong jealouſies and mutual diffidence between the Catholics and Proteſtants. Theſe latter complained; that they could not have juſtice either from the Emperor or the Imperial chamber. The Catholics complained in their turn; that the Proteſtants were inceſſantly ſtriving to extend their privileges beyond what the laws of the Empire allowed: that after pretending to be ſatisfied with a bare toleration, they had aſpired to an equality, and, not content with that, had ploted to baniſh the Catholic religion from all Germany. On this pretenſe it was the Catholics had entered into a confederacy, which occaſioned the like among the Proteſtants. Theſe being aſſembled at Hailbrun, the Emperor Matthias wrote to exhort them to diſſolve their league: but they thought not proper to ſubmit to his exhortations, by reaſon their league was only defenſive, and the Catholics offered not to break their confederacy. This was a motive for the Spaniard to amuſe King James, and prevent his uniting with the German Proteſtants. But the combuſtions which this year brake out, in Bohemia, furniſhed him with a motive of far greater conſequence, which I muſt explain here as ſuccinctly as poſſible, becauſe this affair continually influences the whole reſidue of this reign.

Affairs of Bohemia.

In Bohemia were legally authoriſed two religions; the one was ſtiled "ſub unâ," and the other "ſub utrâque." The former was profeſſed by Papiſts, who communicated in one kind only; the latter by the Huſſites, who received the euchariſt in both kinds, and ſince the Reformation, were become real Proteſtants. I have elſewhere mentioned the religious wars which afflicted that kingdom under the Emperor Sigiſmund: wherefore it here ſuffices to add, that this Emperor was forced, in order to be owned for King of Bohemia, to grant the Huſſites a certain edict, whereby, among other privileges, it was decreed, that none could be either a magiſtrate or citizen of Prague who was not of their religion. This edict, granted in the year 1435 was ſtrictly obſerved 'till 1570, when, by order of Maximilian II, a Papiſt was made citizen of Prague. Another of the ſame creed obtained a like favor in 1599, and withal, a place in the magiſtracy. Thenceforwards Sigiſmund's edict was very frequently violated, and finally Jeſuits were admited into Prague, and there erected a ſtately college. Thus, by degrees the number of Papiſts was conſiderably augmented in that city, by means of its governors and others the Emperor's officers, who were all of that perſuaſion. The more they increaſed, the higher they carried their pretenſions, and at length, if we may credit that apology which the Bohemians publiſhed afterwards, Sigiſmund's edict was never in the leaſt regarded. However, in the reign of Rodolphus II, the Proteſtants, by interceſſion of Prince Matthias, obtained of the Emperor a ſecond edict which, under color of confirming their privileges, put them on a ſort of equality with the Catholics, tho' they had injoyed the ſuperiority for a hundred and fifty years: yet this equality was as much as they could expect, conſidering the preſent juncture. But, tho' it was far ſhort of their ancient privileges, the Emperor's officers in Bohemia, deeming the ſaid edict prejudicial to the Catholic religion, refuſed to publiſh it, affirming it was extorted from his Imperial Majeſty while at war with the Turk. Very ſeemingly, they were privately countenanced by the court of Vienna.

Apology of the Bohemian ſtates. Hiſt. of the Reb. of Boh.

Rodolphus II, dying in 1612*, his brother Matthias ſucceeded him, both in the kingdom of Bohemia, and the Imperial dignity. Under this new King, the Proteſtants immunities were violated much more openly, and with greater haughtineſs than under his predeceſſor, if any credit may be given to their apology. But this was not all: Matthias, having adopted his kinſman, Ferdinand of Auſtria, was inclined to ſecure him likewiſe the crown of Bohemia. The execution of this project would

Rebellion of Bohemia. Wilſon. Coke. Ruſhworth, p. 6.

* Our author wrongly ſays 1614.

would doubtleſs have been very difficult, had not Matthias uſed artifice. Sileſia, Moravia, Upper and Lower Luſatia, being annexed to Bohemia, had a right to ſend deputies to the aſſembly of the ſtates of that kingdom. But as theſe countries were Proteſtant, their deputies very probably would join with thoſe of Bohemia, of the ſame religion, and fruſtrate the Emperor's deſign: wherefore he convened the ſtates of Bohemia without ſummoning the others. The Proteſtants complained of this innovation, and not to authoriſe it, moſt of them refuſed ſending repreſentatives to the ſtates. This was what Matthias foreſaw and wiſhed: for the Popiſh deputies being the majority, Ferdinand was declared Matthias's preſumptive ſucceſſor, and not long after crowned at Prague; after which he reſided at Gratz. The defenders (ſo were termed a certain number of eminent perſons choſen and appointed by the ſtates to take care edicts were put in execution) perceiving the Imperial court's drift, ſummoned the ſtates purſuant to their power, and forgot not to cite the incorporated provinces. This aſſembly only drew a petition to be preſented to his Imperial Majeſty, wherein the ſtates demanded execution of the national ſtatutes, and a juſt reparation for the injuries done them. Mean while, as they could come to no reſolution before the Emperor's anſwer was received, they adjourned to the Monday after Rogation-week, in the year 1618.

Annals, p. 41.

Ferdinand of Auſtria declared heir to Matthias. Ruſhworth, p. 6.

The ſtates of Bohemia petition the Emperor.

p. 7.

Matthias, inſtead of being inclined to ſend a favorable anſwer to the ſtates petition, ordered his lieutenant in Bohemia to hinder the next ſeſſion of the aſſembly, ſummoned without his licenſe: but the lieutenant was not in condition to execute this order. His oppoſition ſerved only to exaſperate the ſtates, who were aſſembled on the day appointed in the college of Charles IV; they went in a body to the Chancery, and ſeizing the Emperor's officers, pitched upon three, and threw them out of the caſtle-window. This done, they drove the Jeſuits from Prague.

They throw three of the officers out at a window.

Reſolve on riſing. Wilſon. Ruſhworth, p. 7.

Matters being come to theſe extremities, the ſtates publiſhed an apology, to acquaint the public why they had puniſhed theſe officers: but as they preſumed the Emperor would not liſten to their reaſons, they ſigned a confederacy, promiſing mutual aſſiſtance againſt all oppoſers. Mean while, underſtanding Matthias was making preparations to attack them, they choſe twenty-four protectors, impowering them to raiſe forces, and lay upon the kingdom and the incorporated countries what taxes they ſhould judge neceſſary. Thus a war being unavoidable, every one took ſuch meaſures as he deemed requiſite, whether to attack or defend.

Army levied in the Netherlands for the Emperor. Hiſt. of Reb. Boh.

Bucquoy the Emperor's general.

James amuſed by the Spaniſh court. Wilſon.

While the Bohemian ſtates were taking theſe reſolutions, the Infante cardinal was, in the Netherlands, preparing a force to aſſiſt the Emperor. As this army was levying, he ſent Charles de Bucquoy count de Longueval, to Matthias, who nominated him general of the army deſigned againſt Bohemia. The ſtates choſe for their generals counts Erneſt of Mansfeldt and De la Tour. This war was of ſuch importance to the houſe of Auſtria, that it is not to be wondered the Spaniard ſhould ſtill perſevere in amuſing King James with hopes of his ſeeing the projected match ſuddenly accompliſhed. According to all appearance, this would at laſt become a religious war, and in that caſe England could greatly ſtrengthen the Proteſtant party. Afterwards, the King of Spain had ſtill farther motives to cuntinue this management: but the greateſt wonder of all is, that notwithſtanding James had very ſtrong reaſons to ſuſpect the Spaniard of artifice and colluſion, he ſtill obſtinately relied on his ſincerity. "It ſeemeth unto us here in England (ſays one of his miniſters in a letter to Cottington) that Conde Gondomar hath gone but very ſlowly in his journey: and diverſe (ſeeing how long time he hath ſpent by the way) do make conjecture, that it proceedeth from the ſmall affection that he judgeth to be there, towards effecting the main buſineſs.-----But if the Spaniards act unſincerely, I ſhall judge them the moſt unworthy and perfidious people of the world, and the more, for that his Majeſty hath given them ſo many teſtimonies of his ſincere intentions towards them, which he daily continueth, as now of late, by the cauſing ſir Walter Ralegh to be put to death, chiefly for the giving them ſatisfaction, when by preſerving him, he might have given great ſatisfaction to his ſubjects, and had at command upon all occaſions as uſeful a man as ſerved any Prince in Chriſtendom (1)." It is however certain that James was amuſed by the Spaniſh court. Count Gondomar undertaking to carry into Spain the articles ſigned by his ſaid Majeſty, was ſo very long on the road, that it was manifeſt he ſought only to delay the time. Notwithſtanding this, King James continued wilfully to ſhut his eyes, which will in the ſequel ſtill more evidently appear.

Ruſhworth, p. 9 Annals of James I. p. 39.

Tho' the people of England knew not the contents of thoſe articles agreed on by the two courts, they were however ſenſible the marriage was on the point of being concluded, and thought it could not but be prejudicial to religion. This occaſioned many complaints and murmurs among the Proteſtants, while the Papiſts triumphed, knowing the King of Spain would not give Prince Charles his daughter without procuring them great advantages: at the worſt, they were ſure of having in this Princeſs a powerful protectreſs, who would never forſake the intereſt of her religion. We ſhall find, in the ſubſequent years, how artfully the Spaniard prolonged the negociation, 'till he had drawn from it all poſſible benefit, as well for the houſe of Auſtria, as for the Catholic religion.

The Proteſtants of England murmur, and the Catholics triumph. Ruſhworth, p. 4, &c. Annals, p. 37.

Very early in 1619, the earl of Northumberland, who had been in the Tower ever ſince the powder-plot, finally recovered his liberty by means of lord Hay, his ſon-in-law, lately created viſcount Doncaſter.

An' 1619. The earl of Northumberland releaſed. Wilſon.

About the ſame time, doctor Williams, dean of Weſtminſter, was made privy-counſellor, and not long after biſhop of Lincoln. I purpoſely mention this prelate's advancement, becauſe he will frequently occur in the hiſtory of this, as well as of the inſuing reign.

Williams made privy-counſellor. Weldon.

In March this year (2) King James loſt his Queen, in the forty-ſixth year of her age. Soon after, he was himſelf ſeized with a violent indiſpoſition, which brought him, as I may ſay, to the very brink of his grave. It would have been well for his reputation, had he died at this time, ſince the remaining ſix years of his reign redound not greatly to his honor. In this ſpace, he more manifeſtly diſcovered his ſettled deſign to ſtretch the prerogative royal as high as poſſible: he moreover gave very convincing proofs that, tho' he much ſtickled for the Proteſtant religion in his writings, he had

Queen Ann dies. Howes. Weldon, p. 129. The King's ſickneſs.

(1) The author of the Annals inſinuates, that this letter might be of Ruſhworth's own invention, but gives no reaſon. Rapin.

(2) Ruſhworth fixes Queen Ann's death on the 17th of November 1619. Rapin. ——— Camden ſays, ſhe died March the firſt 1619, in the night, of a dropſy. Annals. Howes, p. 1031. The Character of this Queen is variouſly drawn. Some repreſent her as a vicious, leud, and luxurious woman; but this, upon the beſt inquiry, ſeems to be only calumny. Wilſon more juſtly affirms, that ſhe was a good woman, and may have ingraven upon her monument a character of virtue. See Sir E. Peyton, p. 27, 28. Wilſon, p. 719, &c.

not

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not its intereſt very near his heart. In fine, his eager deſire to conclude the Spaniſh match diſplayed all his weakneſs, and the affair of Bohemia, wherein he ought certainly to have intereſted himſelf, thoroughly convinced the world of his ſlender capacity.

Continuation of the Bohemian affairs. Hiſt. Reb. Boh.

Matthias dies and Ferdinand proclaimed King of Bohemia.

The Emperor Matthias dying the twentieth of March 1619, Ferdinand, his couſin and adopted ſon, was proclaimed King of Bohemia, as well in conſequence of his election, as by virtue of his pretended hereditary right to that crown. Mean while, as his main drift was to acquire the Imperial dignity, and as, to effect it, he ſtood in need of the Proteſtant electors, he feigned a diſpoſition to terminate amicably a war commenced in Bohemia, by giving the ſtates a reaſonable ſatisfaction concerning their privileges; but the ſtates were not of opinion they ought to confide in his promiſes: mean while, he labored to gain the electors, and make alliances with the Catholic Princes of Germany. James, who gloried in being ſtiled the Pacific King, did as ſuch deem himſelf obliged, by his mediation, to attempt appeaſing the diſturbances of Bohemia. To this purpoſe, he made choice of viſcount Doncaſter to labor a pacification between Ferdinand and the Bohemians. Not a Prince in Europe was ſo improper as he for a mediation of this nature, conſidering his principles with reſpect to regal power. This embaſſy was extremely expenſive; the embaſſador, who was ſomewhat of a favorite, and exceſſively proſuſe, having been not a little laviſh of his maſter's money. Mean while, I am not ſure whether he could obtain even a ſingle audience of Ferdinand, who ſtill removed as his ſaid excellency approached. Thus much is certain, the embaſſy was intirely fruitleſs, and ſerved only to manifeſt the ſmall account Ferdinand made of the King of England's mediation.

The ſtates refuſe owning him.

James interpoſes to accommodate matters. Ruſhworth, p. 11, &c. Annals, p. 41. Wilſon. p. 720.

Ferdinand invited to the diet as King of Bohemia, and elector. Hiſt. Reb. Boh.

The time appointed for electing a new Emperor drawing near, the archbiſhop of Mentz ſummoned his fellow electors, and particularly Ferdinand, as King of Bohemia. The ſtates of that kingdom proteſted againſt this citation, urging; that Ferdinand could not be received as elector in quality of King of Bohemia, ſince he was not in poſſeſſion of the kingdom: but their oppoſition was fruitleſs.

The ſtates oppoſe it.

Ferdinand elected. Ruſhworth, p. 11. Wilſon.

Ferdinand was not only acknowledged for King of Bohemia and elector, but was alſo choſen Emperor, Auguſt, 1619. The ſtates of Bohemia, finding they had not been able to prevent Ferdinand's being elected Emperor, ſolemnly ſwore never to own him for their Sovereign, and withal, on the fifth of September, choſe for their King Frederic, elector Palatine, and ſent deputies to acquaint him with his election, and requeſt his haſting to Prague (1). Frederic wanted not much ſollicitation to accept a crown offered him by thoſe who, in his opinion, had a right to diſpoſe of it. He however diſpatched baron D'Aulné (2) to the King his father-in-law, for his advice; but that was all mere compliment. As he knew him to be a Prince not over and above prompt to ingage in grand undertakings, he ſtayed not for his anſwer, but aſſembling ſome troops went to Prague, where he was crowned, the fourth of November.

Wilſon. p. 721.

The Bohemian ſtates choſe the elector Palatine.

He accepts the crown. Wilſon.

Before Frederic's envoy reached England, James hearing the news of his ſon-in-law's election, called a council to debate, whether the elector ought to accept or refuſe the crown of Bohemia. The archbiſhop of Canterbury not being preſent, by reaſon of the gout which confined him to his bed, wrote to ſecretary Naunton, "That it was his opinion, "the elector ſhould accept the crown, and England "openly ſupport him: and therefore, as ſoon as "there ſhould be certain news of his coronation, "the bells ought to be rung, guns fired, and "bonfires made, to let all Europe ſee the King "was determined to countenance him." But this advice was not followed. King James, in council, maintained Ferdinand's cauſe againſt the ſtates of Bohemia, and without knowing or examining one tittle of their privileges, as he afterwards owned, decided that the Bohemian ſtates were in actual rebellion (3). As for the reaſons wherewith the archbiſhop ſupported his opinion, in his letter to Naunton, James rejected them, as grounded on Puritan principles: for, as I have elſewhere obſerved, there were in this reign State-Puritans as well as Church-Puritans, whom the court took great care to confound one with another, and this confuſion of ideas has been preſerved to this day. Hence is derived the obſcurity which ſtill occurs in the notion of the two factions of Whigs and Tories. It was therefore reſolved, that his Majeſty ſhould admoniſh the elector to refuſe the offered crown, not only becauſe it was agreeable to the King's principles, but for another and no leſs potent reaſon; viz. the King rightly judged that the elector's acceptance could not but be greatly prejudicial to the negociation of the Spaniſh match, conſidering what a ſtrict union was between the Princes of the Auſtrian family.

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James of opinion the elector ought to refuſe it. The archbiſhop's counſel rejected. Ruſhworth, p. 12. Annals, p. 42. Cabala, p. 110.

Annals.

But the elector Palatine had already broken theſe meaſures by accepting the crown, without expecting the council of England's reſolution. James was hereat ſo irritated, that he refuſed audience to baron D'Aulné, who, ſince his departure, had received orders to excuſe the elector, from the neceſſity he was under of proceeding with all poſſible expedition. Had the ſtates of Bohemia deſigned to gain King James by electing his ſon-in-law, they found themſelves greatly deceived, ſince they never had from him the leaſt aſſiſtance. Even the embaſſadors, ſent by King James on this occaſion to the Emperor and diverſe German Princes, did great injury to the ſtates; for thoſe very agents had expreſs orders to diſavow Frederic's proceedings; and, of all the Proteſtant Potentates, James alone never ſtiled him King.

James very angry with the elector. Ruſhworth, p. 12. Wilſon, p. 721. Annals, p. 42.

Ruſhworth, p. 12.

Nevertheleſs, tho' the Elector was now crowned, the King his father-in-law fancied he could perſuade him to quit the crown, and induce the ſtates of Bohemia to acknowledge Ferdinand. With that view, he diſpatched away two embaſſadors, viz. Richard Weſton a Papiſt, and ſir Edward Conway a Proteſtant. Conway being afterwards made ſecretary of ſtate, the King uſed to ſay to him merrily, that never Prince had ſuch a ſecretary, who could neither read nor write (4). This embaſſy was very needleſs, as might eaſily have been preſumed.

He is for perſuading him to quit the crown. Ruſhworth, p. 12. Howes.

(1) They offered the crown firſt to the duke of Savoy, who refuſed it. The elector Palatine accepted it, thro' the perſuaſion of his two uncles, Maurice Prince of Orange, and the duke of Bouillon. Burnet's Hiſt. p. 13.

(2) Some ſay, it was the baron of Dhona. Indeed I am not certain, whether it was D'Aulné, or Dhona. Rapin.—Moſt of our hiſtorians ſtile that perſon baron Done, as the Annals, p. 42. Wilſon, p. 721, &c. In Rymer's Fœd. he is named baron de Dona. Vol. XVII. p. 160.

(3) He was ſo poſſeſſed of the opinion of a divine right in all Kings, that he could not bear, even a limited and elective King ſhould be called in queſtion by his ſubjects. Burnet's Hiſt, p. 13.

(4) King James made this pleaſant remark, that Stenny [Buckingham] had given him three notable ſervants: a gentleman of the bed-chamber (Clark) who could not help him to untruſs a point, for he had but one hand. A chaplain, (Dr. Preſton) who could not ſay prayers, for he ſcrupled to uſe our liturgy; and a ſecretary of ſtate (Conway) who could neither write nor read. Conway had been bred a ſoldier, being governor of the Briel, when England gave up the cautionary towns.

Mean

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He is for perſuading him to quit the crown. Ruſhworth, p. 12. Howes.

Mean while, his Catholic Majeſty was not negligent in rendering the Emperor a very ſignal ſervice, by keeping James in his pacific diſpoſition. Nothing was diſcourſed at the court of Madrid, but the king of England's generoſity, juſtice, and equity. In fine, the better to amuſe him, the marriage negociation was renewed, having been interrupted on pretenſe of waiting for the Pope's diſpenſation: nay, it was intimated to Cottington, that in caſe the diſpenſation arrived not very ſpeedily, the match ſhould be concluded without it, or means found to oblige his Sanctity to a compliance. Cottington, well acquainted with the Spaniſh court, fell not into this ſnare. He wrote to England, that nothing more was to be expected concerning the marriage; that the King of Spain's intent was only to amuſe his Majeſty, and therefore he believed, the negociation ought to be broke off: but, inſtead of ſeeing his advice followed, he received orders he ſhould declare to the Catholic Monarch, that his maſter was not concerned in the Bohemian crown's being accepted by the Palatine: that his Britannic Majeſty's ſaid ſon-in-law had proceeded without his approbation, or even knowledge, and therefore he utterly diſowned him. Philip anſwered, he was glad to find the King, his brother, in ſo juſt and generous a diſpoſition, and that nothing could ſooner gain his eſteem and affection than the continuance of this expreſs diſowning a preſumption ſo repugnant to equity.

Ruſhworth, p. 15.

An' 1620. James deſires to be umpire between Ferdinand and Frederic, but cannot ſucceed. Sarmiento.

The affair of Bohemia put in motion diverſe of the European Potentates, and held the reſt in ſuſpenſe. Ferdinand and Frederic had each their friends and allies, who were preparing to aſſiſt them, while James ſtood neuter, imagining that, by making a ſhew of neutrality, he ſhould induce the two competitors to make him arbiter of their difference: but both were jealous of him; the one becauſe he was a Proteſtant, and his rival's father-in-law, the other, becauſe he had openly declared he diſapproved his conduct: ſo, without much regarding his ſollicitations, both parties prepared to decide the quarrel by arms.

Ferdinand greatly imbaraſſed. Wilſon. Annals. Ruſhworth,

Had England eſpouſed Frederic's cauſe, and with a powerful navy held in awe Spain and the Netherlands, very ſeemingly the Elector would have preſerved his crown, in ſo good a ſituation were his affairs at the begining of 1620. Sundry Princes of Germany had formed a league to ſupport him, and were already levying forces, to be commanded by the Prince of Anſpach (1). On the other hand, Bethlem Gahor, Waywood of Tranſilvania, had excited the Hungarians to rebel againſt Ferdinand, and moſt part of Auſtria had followed the example of Hungary and Bohemia. All this confounded the Emperor, and would have given him yet farther imbaraſs, had the Elector of Saxony ſtill remained neuter, anſwerably to his firſt reſolution; but Ferdinand offering him Upper Luſatia, on condition he would conquer it, he could not withſtand the temptation of acquiring a country which lay ſo convenient for him. Moreover, the duke of Bavaria, and the three eccleſiaſtical electors (2), declared for the Emperor; his Holineſs ſupplied him with money, and the Catholic King ordered his forces at Naples and in the Milaneſe to march to his aſſiſtance.

But this was not all the aid given Ferdinand by the Spaniard. He aided him ſtill more conſiderably, in preventing King James's aſſiſting his daughter and ſon-in-law, and keeping him immoveable, and, as it were, inchanted with hopes of the marriage and dowry of two millions. To hold him the faſter in his chains, Philip ſent back count Gondomar, under color of finiſhing the affair (3). He diſſembled ſo artfully that James, who had recalled Digby from Spain, ſent thither ſir Walter Aſton, to indeavor, with Cottington, to finiſh the treaty, which he judged very near a concluſion. Gondomar being returned to England with large ſums of money, he imployed it ſo to the purpoſe, and made ſuch good uſe of his talents and knowledge of the court, that he became in a manner maſter of the King, the favorite and the miniſters, and managed them juſt as he pleaſed.

James I. An' 1620.

Philip orders forces to be raiſed in the Netherlands to invade the Palatinate. Wilſon. p. 725. Ruſhworth, p. 14. Cabala.

To this ſuccor, far from being inconſiderable, Philip was preparing to add another more effectual, to inable the Emperor to get the advantage of his adverſary. Frederic had drawn from the Palatinate ten thouſand men, and ſent them into Bohemia. This inſpired Ferdinand with thoughts of invading him on that ſide, and to execute this project Philip and the archduke Albert levied twenty ſix thouſand foot, and four thouſand horſe, in the Netherlands, to be commanded by Ambroſio Spinola. The truce between Spain and the United Provinces not being yet near expired, t was evident theſe forces could be deſigned only againſt the Palatinate. Of this the Hollanders gave King James notice, and ſuch of the courtiers as were not corrupted by Spaniſh gold never ceaſed repreſenting to him the danger to which the elector's dominions would be expoſed, if he did not ſuddenly reſolve to prepare for their defenſe: but James could not prevail on himſelf to take ſuch meaſures on bare ſuſpicions. He was ſatisfied with ordering ſir Thomas Edmunds, his embaſſador at Bruſſels, to aſk the archduke his reaſons for ſuch a conſiderable armament. The archduke replied; it was by order of his Catholic Majeſty, and the reaſon might be known from Spinola, who commanded the army. Spinola, being aſked the ſame queſtion, anſwered; That indeed he was ordered by the King of Spain to raiſe forces, but knew not the intent: that his orders being ſealed, he could not open them 'till his march, and if the embaſſador would follow him, he might then be reſolved. People muſt have been wilfully blind, not to perceive the drift of this myſtery; and yet James ſtill continned immoveable, relying on the Spaniards friendſhip, and Gondomar's fair promiſes.

James's ſtrange conduct. Du Cheſne. Hiſt. d'Aug. Wilſon. Annals. Ruſhworth, p. 14.

He is prevailed on to ſuffer a few troops to ſet out for the Palatinate. Wilſon. p. 722. Ruſhworth, p. 15.

All England was extremely ſurpriſed at the King's inſenſibility for his ſon-in-law, his daughter, and their children; but he, for his part, looked on the quarrel between the Emperor and Frederic in a quite different light. He was at the very point of being ſtrictly united to the houſe of Auſtria, by his ſon's marriage with the Spaniſh Infanta, and at this very criſis his ſon-in-law, the elector, had broken all his meaſures by a raſh, unjuſt, and inconſiderate action: for ſo he termed his accepting the crown of Bohemia. "Is it reaſonable (ſaid he) I ſhould "ſuffer myſelf to be drawn by a ſon-in-law's ambition and humor into a war againſt the houſe "of Auſtria, who have done me no wrong? Muſt "I alter my projects, all my meaſures, becauſe the "elector Palatine has been pleaſed to accept the "crown of Bohemia, without ſo much as aſking "my advice?" However, by much perſuaſion, he was finally prevailed on to ſuffer a regiment of two

(1) The preference given to this Prince, before counts Mantfeldt, and De la Tour, occaſioned ſome diſcontent in the two latter, which was very prejudical to the elector Palatine's affairs. Wilſon, p. 722.

(2) The archbiſhops of Mentz, Triers, and Cologn.

(3) This crafty Spaniard's memorable tranſactions in the Engliſh court (where he was omnipotent) are no where ſo clearly and in ſuch lively colors diſplayed as in two curious pamphlets, intitled Vox Populi, or News from Spain. See Phœnix Britannicus. Vol. I. p. 218. 341.

thouſand

thouſand two hundred men to be raiſed, which was done moſtly at the charge of ſome noblemen. Sir Horatio Vere, who had long ſerved in Holland, where he had acquired great reputation, commanded this regiment, having under him Burroughs and Herbert for major-generals. The earls of Oxford and Eſſex accompanied him, and commanded each a company of gentlemen volunteers.

Thoſe ſuccors are commanded by ſir Horatio Vere.

This regiment being raiſed with extraordinary promptneſs, was tranſported to Holland. Then they paſſed the Rhine below Wezel, to avoid Spinola, who was at Aix la Chapelle. It was not without danger the Engliſh traverſed ſo many countries to reach the Palatinate: nay, they durſt not have attempted it, had not Prince Frederic Henry of Naſſau, with two thouſand horſe and ſome foot, conducted them to Francfort, and deceived the vigilance of Spinola, who expected them on another road. It was the firſt of October before they joined the army of the King of Bohemia's allies, commanded by Anſpach.

They join the confederates army. Auguſt 31. Wilſon, p. 722. Annals.

Spinola, who departed from Bruſſels the eighth of Auguſt, being come to Coblentz, opened his orders in preſenſe of the Engliſh embaſſador, who had accompanied him thus far. The orders were, to make war upon whoſoever ſhould declare for the elector Palatine. This was all Edmonds could learn of Spinola's deſigns. The reſt was eaſy to be gueſſed, conſidering which way he was marching. He arrived in the Palatinate before the Engliſh had joined the confederate army, and took diverſe ſmall places. The two armies tried each other for ſome time, and were once actually in ſight ready to ingage, but no action of moment inſued. The ſeaſon, which daily grew more rigid, finally obliging them to retire into winter quarters, the confederate Princes led home their troops, leaving the Engliſh in gariſon at Heidelbergh, Manheim, and Frankendal.

Campain of the Palatine. Wilſon. Annals.

In April this year, the King of France ſent to his Imperial Majeſty, and ſundry German Princes, the duke of Angoulême, the duke of Bethune, and M. Des Preaux, to attempt appeaſing the Bohemian and Hungarian diſturbances. At the ſame time, James diſpatched ſir Henry Wotton *, on the ſame errand, and to exhort to peace all the powers ingaged in the quarrel between Ferdinand and the Palſgrave. If, while he ſent this embaſſador, he had armed by land and ſea, and put himſelf in a condition to ſtrike terror, his remonſtrances would doubtleſs have been liſtened to, and his mediation perhaps accepted. But Wotton, having traverſed moſt part of Germany, and diſcourſed ſeveral Princes of both parties, brought back only general expreſſions, which ſhewed how little the King his maſter was regarded. He finally arrived at Vienna, where he found the French embaſſadors. In the audience he had of his Imperial Majeſty, he made two propoſitions, each divided into three articles, according to the uſual cuſtom of King James, who was mighty fond of diviſions and ſubdiviſions. It muſt be obſerved, that Ferdinand had now publiſhed againſt the elector Palatine a ban (1), wherein he had fully ſet forth the reaſons moving him to come to ſuch extremities: that Spinola was marching to the Palatinate: that the duke of Bavaria was conducting his troops towards Bohemia to join the Imperial army (2), and the elector of Saxony advancing to invade Luſatia. Then it was Wotton made his two propoſitions to the Emperor.

Embaſſy to Germany from France. Annals.

* Not ſir Edward as in the French.

Succeſs of that embaſſy. Annals, p. 43.

Hiſt. Reb. Boh.

The firſt general propoſition was, that his Imperial Majeſty might confide in the King of Great-Britain, as appeared from the three following reaſons.

1. The King was never concerned in the elector's accepting the crown of Bohemia.

2. The elector Palatine did not impart to him the buſineſs before his election, and he had diſapproved it: this was evident from the King's never ſuffering him to be ſtiled King of Bohemia, or to be prayed for as ſuch in the churches.

3. His Majeſty never aſſiſted the elector with men or money.

The ſecond propoſition was concerning the means of procuring a peace, and contained theſe three articles.

1. He deſired the Emperor to let him know, whether he was come to treat of an accommodation by his maſter's and the French King's mediation: adding, if his Imperial Majeſty expected the affairs of Bohemia ſhould be reſtored to their former ſtate, he conceived that his ſtay at Vienna, and the King his maſter's mediation would be fruitleſs.

2. He prayed the Emperor to inform him of the ſtate of affairs in Bohemia.

3. And that he would be pleaſed to grant a ceſſation of arms, and let the roads be open between Vienna and Prague during the negociation.

Ferdinand, ſurpriſed to hear ſuch propoſitions in the preſent ſtate of affairs, told the embaſſador, he did not fully underſtand his diſcourſe, and deſired a clearer and more ſubſtantial memorial, that he might be able to give him a ſuitable anſwer. Whether Wotton could not explain his maſter's meaning with regard to the firſt article of the ſecond propoſition, or for ſome other reaſon unknown, the required memorial was never given in; whereat the Emperor was greatly diſpleaſed. Thus ended this embaſſy.

The elector of Saxony, the duke of Bavaria, and marquiſs Spinola, commiſſioned to execute the Imperial ban, began all three to act in September. I have already intimated what was done by Spinola in the Palatinate, during this firſt campain. The elector of Saxony, at the head of twenty thouſand men, entered Luſatia, and by the end of October conquered the whole country, which he kept for himſelf, according to his ſtipulation with Ferdinand.

The duke of Saxony conquers Luſatia. Annals, p. 42. Ruſhworth, p. 15.

While the elector of Saxony was in Luſatia, the duke of Bavaria having ſubdued Upper Auſtria, the begining of September, joined count Bocquoy, who commanded the Imperial army in Bohemia. As Frederic had all his forces there, the Emperor's two generals were obliged to take ſome places before they could advance to Prague. At length, having opened a paſſage, they came, early in November, within ſight of that metropolis, and of the enemy's army, poſted between them and the city. A few days after (3) was fought the famous battle of Prague, wherein Frederic's army was intirely routed. This Prince, who ſtayed at Prague during the battle, haſtily retired with his wife and children, leaving all his baggage and money in the city, which on the morrow opened her gates to the Imperialiſts and Bavarians. Weſton and Conway, the Engliſh embaſſadors, followed him in his flight: but, finding he deſigned to withdraw into Holland, they obtained a paſs to return to Prague, where they remained not long, their ſtay being utterly needleſs.

The duke of Bavaria joins Bocquoy. Wilſon, p. 724. Annals.

Novemb. 7. Battle of Prague, wherein Frederic is defeated. He flees to Holland. Wilſon. Annals. Coke, p. 108.

(1) Since April 30, 1620. Rapin.
(2) Count Bocquoy joined the duke of Bavaria the 6th or 7th of September. Idem.
(3) November 8, ſix thouſand Bohemians ſlain, and more made priſoners. Coke, p. 108.

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The victory lately gained by Ferdinand's arms produced great effects; the firſt whereof was, that the Palſgrave was forſaken by moſt of the Princes his confederates: even the Prince of Anhalt, who commanded his army, entered into the Emperor's ſervice. Count Mansfeldt alone remained faithful, and was ſtill ſerviceable to him (1).

He is deſerted by his allies. Wilſon. p. 725. Annals.

This ſame year, the Hugonots of France being vigorouſly puſhed by Lewis XIII, James ſent ſir Edward Herbert (2) to ſollicit him in their behalf: nay, he had orders to uſe menaces, in caſe the court of France refuſed to regard his remonſtrances. This envoy diſcharged his commiſſion ſo rudely, that conſtable Luynes being offended at it, cauſed him to be recalled. Herbert would have afterwards challenged the conſtable for miſrepreſenting his words; but this King James would not ſuffer. Viſcount Doncaſter, lately created earl of Carliſle, was ſent to France in Herbert's room. He expended vaſt ſums without effecting any thing for the Hugonots. This is not ſurpriſing, ſince the French court knew King James was neither able nor willing to aſſiſt them.

James ſollicits Lewis XIII, in behalf of the Hugonots. Coke, p. 109. but to little effe&.

The Palatinate campain was no ſooner ended, than the earl of Eſſex poſted away, to repreſent to his Majeſty the impoſſibility of ſaving that country, without a ſpeedy and powerful ſuccor (3). But it was not by way of arms that James deſigned to ſupport his ſon-in-law's intereſt. Count Gondomar ruled him as he pleaſed, by feeding him with continual hopes of the marriage's good ſucceſs, provided he would not diſturb the negociation by proceedings offenſive to the Catholic Monarch: nay, he told him that, ſhould the Emperor become maſter of the Palatinate, it would only be a ſurer means to terminate the war, becauſe then it would be given to the Infanta for a preſent to her princely conſort, who might reſtore it to his brother-in-law the Palatine. With James all this paſſed current. He was ſo poſſeſſed with the project of ending the war by means of this match, that nothing could change his ſentiment. Count Gondomar had with preſents and penſions corrupted all thoſe who had the King's ear, and who took care to keep him in this vain belief (4). The reſt of the world were aſtoniſhed to ſee this Prince taking ſuch wrong meaſures: but none durſt preſs him upon that head, all knowing he liked not that any, except his miniſters, ſhould ſpeak to him of ſtate-affairs. He was ſtrongly perſuaded there was no other way to ſave the Palatinate, than to preſerve a good underſtanding with the King of Spain and the Emperor, by ſtanding neuter. This he himſelf declared to the council, adding however, that if his inſtances were rejected he would at laſt have recourſe to arms: not that he had the leaſt deſign of breaking with the houſe of Auſtria, happen what would, but hoped this would be a good pretenſe to get money, which he greatly wanted. To this end likewiſe it was debated in council, how to make preparations for defenſe of the Palatinate, in caſe his Majeſty's mediation was rejected. Gondomar having notice of what had paſſed at the board, wrote to the marquis of Buckingham, deſiring to know what was the King's intention. The following is the favorite's anſwer, which manifeſtly diſcovers King James's ſentiments on this affair.

He takes falſe meaſures to ſave the Palatinate. Wilſon, p. 725.

Ibid.

Ibid. Ruſhworth. p. 18.

Ruſhworth, p. 17. Annals.

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Buckingham's letter to Gondomar. Du Cheſne, p. 1145. Hiſt. Reb. Boh. Part V. p. 712.

"I Shewed your Letter to the King, who thinks your requeſt reaſonable. He has ordered me to tell you, that the ſpeech he lately made to the council contained two principal points: Firſt, whereas the world talked ſo variouſly of him, he declared, he was ſo far from adviſing the elector Palatine to accept the crown of Bohemia, that he uſed his utmoſt indeavors to diſſuade him from it. For the particulars of what he ſaid about this ſubject, he refers to lord Digby who, being preſent, can inform your excellency. His Majeſty declared moreover, he was reſolved to continue neuter for three reaſons. Firſt, becauſe his conſcience obliged him to it. Secondly, becauſe his honor was concerned. Thirdly, not to give ill example. Upon the firſt reaſon he ſaid, he was ſure the religion he profeſſed did not allow that crowns ſhould be removed from one head to another on account of religion: that our church very juſtly oppoſed the principle of the Jeſuits, who take upon them to inthrone and dethrone Kings according to their fancy: that our religion injoins us to obey our Princes and Sovereigns, tho' they ſhould be Turks or Infidels: that the world was inclined to turn this to a religious war, to which his Majeſty is intirely averſe. As to the point of honor, the King ſaid that, being ſollicited by the King of Spain to uſe all his intereſt to procure a peace between the Emperor and the Bohemian ſtates, and this accident, of accepting the crown of Bohemia, happening while his embaſſador was in Germany mediating accommodation, he was obliged to make known his innocence, in order to ſave his honor: that if now he aſſiſted his ſon-in-law in this affair, his actions would be directly contrary to his proteſtation, which would be very diſhonorable. Upon the third reaſon, his Majeſty declared, It was a very dangerous precedent againſt all Chriſtian Princes, to allow of the tranſlation of a crown by the peoples authority: that, tho' he was King by hereditary right, yet it could not be ſufficiently conſidered how far this miſchief might reach, if once it took root, and that this example might very ſenſibly affect the King of Denmark, his brother-in-law, whoſe crown was elective: that as for thoſe privileges the Bohemians might have, in this caſe, by the ancient and fundamental laws of the kingdom, it would be neceſſary to turn over many volumes, read abundance of hiſtories, and carefully examine what their rights are, before this point could be determined, with which he has nothing to do, not being made judge of the diſpute. The ſecond thing, concerning which the King declared himſelf, was the affair of the Palatinate. Upon this point he firſt informed his council, that he had omited nothing, as well by means of his embaſſadors, as by his own mouth, in ſpeaking to your excellency: that moreover, he had ſent an embaſſador to the German Princes, who were concerned in the affair, to remonſtrate to them, that ſince he had with ſo much ſincerity and candor continued neuter, he had great reaſon, on the other hand, to repreſent to

(1) He had with him between fourteen and fifteen thouſand men. Wilſon, p. 725.

(2) Afterwards lord Herbert of Cherbury.

(3) King James ſent the elector Palatine 30,000 l. to keep the Princes of the union in arms. Ruſhworth, Vol. I. p. 18.

(4) Wilſon ſays, he bribed the very ladies, eſpecially thoſe who talked much, and to whom much company reſorted, that they might allay ſuch as were too ſowre in their expreſſions, and ſtop them if they run on too faſt. But it ſeems he had neglected lady Jacobs, who on his paſſing by her window in his chair, inſtead of anſwering his ſalutation as uſual, only gaped with her mouth, which repeating again next day, he ſent to know the reaſon; ſhe replied, That ſhe had a m uth to ſtop as well as other ladies, p. 726.

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" them how much he was concerned in the in-
" vaſion of the Palatinate, ſince he had given his
" daughter to the elector Palatine, bonâ fide,
" while that Prince was in poſſeſſion of his domi-
" nions, and long before theſe troubles could be
" foreſeen: that at preſent, his grand-children
" were lawful heirs to it, and it was neither juſt
" nor reaſonable to deprive them of their inheri-
" tance, ſince they are not guilty, conſidering the
" ſincerity of the King their grandfather: that
" indeed it cannot be denied, there was notice
" given from Spain, that the Emperor would be
" forced to make this diverſion, to free himſelf
" from the oppreſſion he indured in Bohemia and
" Auſtria: that your excellency ſaid the ſame
" thing, which was confirmed by his embaſſadors:
" that the invaſion being really made, nature
" obliged him to provide for the defenſe of his
" grand-children by all poſſible and lawful ways:
" that the approaching winter allowed him to
" make two ſorts of preparations: firſt, to indea-
" vor that a peace may be concluded before ſum-
" mer; and if, as he hoped, the elector his ſon-
" in-law would be guided by him, and the Em-
" peror be willing to hearken to the overtures
" which would be made him, he did not queſtion
" but a peace would inſue, and the calamities
" Chriſtendom was threatened with, both by a
" Turkiſh invaſion and inteſtine wars, would be
" happily prevented. But if the elector would be
" willing to yield to reaſonable terms, and the
" Emperor refuſe to comply, in that caſe he would
" not loſe the opportunity of the winter, to pre-
" pare for defenſe of the Palatinate: and if, on
" the contrary, the elector remained obſtinate, he
" would then leave him to his own counſels.

" After the King had thus ſpoken, it was de-
" bated in council, concerning the means of de-
" fending the Palatinate, as lord Digby could have
" informed your excellency. To conclude this
" letter, his Majeſty commands me to aſſure you,
" upon the honor of a Chriſtian King, that this is
" all has paſſed in this affair, either in public or
" private. He is perſuaded, not only your ex-
" cellency but the King of Spain alſo will believe
" it, ſooner than all the informations which, thro'
" ignorance or malice, may be given you from
" any other place."

James demands a benevolence for defenſe of the Palatinate. Annals, p. 45. Ruſhworth, p. 16.

King James's whole conduct, whether at the time this letter was written, or afterwards, agrees ſo punctually with the ſentiments therein expreſſed, that it would be loſs of time to diſpute its being genuine. It is certain, James never deſigned to defend the Palatinate by arms, while he had any hope of accompliſhing the Prince his ſon's marriage with the Infanta. He nevertheleſs uſed this pretext to draw money from his ſubjects, and to ſend a letter, ſigned by the council to all the nobility, and to the lord mayor of London, for a benevolence: but ſeemingly this method was unſucceſsful, ſo much were the people diſſatisfied with the government. At the very inſtant he ſeemed deſirous to defend the Palatinate, invaded by the Spaniards, count Gondomar, properly ſpeaking, governed England by his influence over the King. All who had any expectations from the court were extremely careful no way to offend him, as being ſenſible how much it was in his power to prejudice thoſe he diſliked. Secretary Naunton, on ſome occaſion, neglecting ſo neceſſary a piece of politics, loſt his imploy, which was given to Conway.

Gondomar rules the Engliſh court. Ruſhworth, p. 18.

Conway made ſecretary of ſtate.

Buckingham's mother in great power Wilſon, p. 727.

On the other hand, the marquis of Buckingham ruled in the King's name, without induring the leaſt contradiction. All offices were abſolutely diſpoſed of by him, or indeed rather by his mother, ſince he could not deny her any thing. As ſhe was extremely greedy of money, and a moſt zealous bigot to Popery, none were advanced but ſuch as could make large preſents to the favorite's mother, and were well inclined to Rome, or at leaſt indifferent as to religion: nay, places were frequently taken from thoſe who had paid dear for them, in order to diſpoſe of them to new purchaſers. Montague, having given twenty thouſand pounds for the office of lord-treaſurer, was removed before the year expired, and ſir Lionel Cranfield put in his place, and created ſoon after earl of Middleſex. Cranfield had been a London merchant, and had afterwards a poſt in the cuſtom-houſe, whence he was introduced at court as a projector; a name given to ſuch as ſuggeſted to the miniſters expedients for repleniſhing his Majeſty's coffers when there was no parliament.

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Cranfield made lord-treaſurer. Ibid. Weldon, p. 141.

The marquis of Buckingham, towards this year's cloſe, married the earl of Rutland's only daughter, the wealthieſt heireſs in England. Some affirm his having firſt debauched her, and that Rutland let him know that, in caſe he made her not his wife, the King's favor ſhould not ſcreen him from his vengeance. Buckingham readily complied, it being a match ſo very advantageous: but as the young lady was by her mother educated a Papiſt, ſhe muſt, for form-ſake, be inſtructed by doctor White, who, as is pretended, made her a good Proteſtant. However, ſhe was by her mother-in-law brought into the old way again.

Buckingham's marriage. Wilſon, p. 728.

The Reformation affairs in Germany and France were in a wretched ſituation. On the other hand, the King of Bohemia being expulſed his kingdom, found himſelf at the point of loſing alſo the Palatinate. There was a general murmur at beholding King James's exceſſive indolence with reſpect to theſe two affairs, wherein he was ſo particularly concerned, as a father, as a King of England, and as a Proteſtant. Theſe murmurs finally produced a parliament: not that the court's intent was to ſatisfy the people; but it was judged, ſince they were ſo deſirous of having proper meaſures taken for defenſe of religion and the Palatinate, the houſe of commons would be ready to grant his Majeſty ſubſidies anſwerable to a deſign of ſuch importance. A parliament was therefore ſummoned to meet on the twentieth of January 1621. But the better to make people believe his Majeſty was really determined on a war, the council, a few days before the parliament met, nominated a certain number of grandees and officers of moſt note, who had orders to aſſemble and give their opinion concerning means of carrying on the war vigorouſly. Mean while, as the people talked of the King's and his miniſtry's conduct with too great freedom, they were forbid by proclamation to diſcourſe of ſtate-affairs. But this inhibition produced a quite contrary effect, it being ſcarcely poſſible by thoſe methods to bridle mens tongues.

The King feigns a cordiality to defend the Palatinate. Ruſhworth, p. 20.

He calls a parliament to get money. Howes. Ruſhworth, p. 21.

p. 17.

Proclamation inhibiting the ſubjects talking of ſtate-affairs. Ibid. p. 21. Rym. Fœd. Vol. XVII. p. 275.

James doubtleſs wiſhed to preſerve the Palatinate for his ſon-in-law: all he could be blamed for was, his taking a wrong courſe to effect it. Amuſed, or as it were bewitched by Gondomar's charm, he believed Prince Charles's marriage with the Infanta was the propereſt means, not perceiving that this match was only a decoy to divert him, and prevent his taking more ſuitable meaſures. It will certainly be thought ſtrange, that James ſhould ſuffer himſelf to be thus guided by a Spaniſh embaſſador in what ſo nearly concerned the houſe of Auſtria; but it will be the leſs aſtoniſhing if his then ſituation be conſidered. Firſt, he was extremely averſe to war, and tho' he would have made believe it was thro' reaſon and choice, it is however certain, this averſion was ſo natural, that it was in a manner impoſſible for him to overcome it. Secondly, his imbibed ſentiments concerning the

AN' 1621. The reaſon of James's taking wrong meaſures to ſave the Palatinate.

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the extent of regal power, inſpired him with a dread of every occaſion which might bring his prerogative into diſpute. If he ingaged in a war, he muſt call a parliament, and parliaments had already convinced him they agreed not with him in opinion touching the extent of the royal prerogative, of which he was ſo jealous. It is therefore no wonder that, of the two ways which offered to preſerve the Palatinate, viz. war and Prince Charles's marriage, he ſhould chuſe that which beſt ſuited his humor and diſpoſition. What much more deſerves wonder is that, in comparing theſe two ways, he ſhould be ſo blind as to think the marriage eaſieſt and moſt proper, and would not ſee it was only a ſnare to deceive him. On the other hand, he was not ſatisfied with reſolving to take this method rather than the other, but even affected to intimate to the houſe of Auſtria, that he ſhould not, 'till the laſt extremity, think of having recourſe to arms, and thereby marred all his affairs. The Emperor and King of Spain knew how to improve theſe wrong proceedings. Gondomar having eaſily diſcovered the King's ſcheme, failed not to incourage him to purſue it ſteadily, by feeding him with hope of ſucceſs. There was another and very ſtrong reaſon for Gondomar's keeping King James in this ſituation. The truce between Spain and Holland being near its period, if James ſhould reſolve to ſupport his ſon-in-law by arms, he would be able to make ſuch a diverſion in the Netherlands as would render the Palatinate's conqueſt dear to the houſe of Auſtria. For this reaſon chiefly the courts of Vienna and Madrid flattered him with the hope of obtaining an honorable peace for the Prince Palatine. But theſe were only words, which the too credulous James ſwallowed for realities.

Tho' the King deſigned nothing leſs than to declare war with Spain, he was however very glad that the people were inclined to ſupport by arms the elector's intereſt. He hoped the parliament would grant him large ſums to inable him to make himſelf feared, and then he fancied, it would be eaſy for him to determine his ſon-in-law's affairs, without drawing ſword, and conſequently without imploying the money which ſhould be given him by parliament. Herein his view was to imitate his great-grandfather Henry VII, who often uſed this expedient to cram his coffers: but he ſhould likewiſe have imitated that Prince's addreſs in concealing his deſigns, whereas on the contrary James's intentions were known univerſally.

Parliament meets. Jan. 30. 1621.

The parliament being aſſembled, his Majeſty made a ſpeech to both houſes, which he divided into three heads. In the firſt, he told them what a parliament was, under color of reminding them of a point ſo neceſſary and fundamental. The ſecond contained the reaſons of their meeting. In the third, he ſpake of thoſe grievances which the people thought they had cauſe to complain of, and indeavored to juſtify his conduct. As this ſpeech is very prolix, I ſhall only cite ſuch paſſages as may ſerve as well to diſcover James's principles as his deſigns. He begins thus:

My Lords Spiritual and Temporal, and You the Commons.

The King's ſpeech. Annals of James I. p. 47. Ruſhworth, p. 21. Nalſon's Introduction.

" IN multiloquio non deeſt peccatum, ſaith the " wiſeſt man ever was; and this experience I " have found in mine own perſon, for it is true " there have been many ſeſſions of parliament " before this, wherein I have made many diſcourſes " to the gentlemen of the lower houſe, and in " them delivered a true mirror of my heart; but " as no man's actions are free from cenſure, in " regard of the excellency of perfection, ſo perhaps it pleaſed God, ſeeing ſome vanity in me, " to ſend back my words as wine ſpit into my own " face, ſo as I may truly ſay, 'I have piped unto " you, and you have not danced; I have mourned, " and you have not lamented.'

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Concerning the conſtitution of a parliament.

" What is a parliament? It is an aſſembly " compoſed of a head and a body; the Monarch " is the head, and the three eſtates (1) the body, " which are called, in a monarchy, a parliament, " which was uſed and created by Monarchs; for " Kings were before parliaments, who as ſoon as " they had ſettled a form of government, and " were willing that the people ſhould be governed " by laws, called their parliaments, &c.-----Only " this I would have you to obſerve, that it is a " vain thing for a parliament to preſs to be popular; there is in no ſtate a parliament without " a monarchy.-----This I put you in mind of, " that you ſerve under a monarchy, and that we " muſt ſtand and fall with it: now conſider, firſt, " who called you? Your King. Secondly, whom " he calls? The peers, who in reſpect of the " eminency of their places and highneſs have an " intereſt therein by birth and inheritance, becauſe " they are to aſſiſt the King in his greateſt affairs. " In the next, the church, the clergy, not all, " but the principal heads thereof, the biſhops.----- " The knights ſtand for the ſhires, and the other " gentlemen for the boroughs: of theſe is the " whole body compact.

" Thirdly, why ye are called? To give the King " your advice in ſuch errands as he ſhall aſk of " you, or you ſhall think fit to aſk his advice " in.

" The King makes laws, and ye are to adviſe " him to make ſuch as will be beſt for the common-" wealth. There is another cauſe for which the " houſe of commons is called, for that they beſt " know the particular eſtate of their country; and " if the King ſhall aſk their advice, they can beſt " tell what is amiſs, as being moſt ſenſible; and " alſo petition him to redreſs and amend it; they " are the authors of ſuſtenance alſo to him, to ſupply his neceſſities; and that is the proper uſe of a " parliament. Here they are to offer what they " think fit to ſupply his wants, and he is in lieu " thereof to afford them mercy and juſtice.

" And this I dare boldly ſay, and I am not " aſhamed to ſpeak it, that all people owe a kind " of tribute to their King, as a thankfulneſs for " his love to them; and where there is a ſympathy " between a King and his people, it breeds a " happy parliament.-----

Concerning religion.

" As for religion there are laws enough, ſo as " the true intent and execution follow.----

" As touching the rumor which is ſpread, that " I ſhould tolerate religion in reſpect to the match " which hath been long in treaty with Spain for " my ſon; I profeſs I will do nothing therein " which ſhall not be honorable and for the good " of religion, elſe am I not worthy to be your " King; and if any thing break off this match, " it ſhall be the cauſe of religion. The trial which " you have had of my words and writings, where-" in I have been a martyr, tortured in the mouths

(1) As in the following reign there were great diſputes, whether the biſhops were a ſtate or a body apart by themſelves in the parliament, each ſide grounded their aſſertion upon theſe words of this ſpeech, the one affirming the King ſaid, the Three Eſtates, and the other maintaining, he mentioned only Two Eſtates. This is the reaſon of the difference which occurs in the ſeveral copies. Ruſhworth and Wilſon have Two Eſtates. Franklyn, Nalſon, &c. Three Eſtates.

" of

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" of many idle fellows, may give you ample " teſtimony of my integrity, in ſuch ſort, as I hope " you will truſt the wiſdom of your King ſo far; " as I will never do one thing in private and " another in public; but if after this my decla- " ration any ſhall tranſgreſs, blame me not if I " ſee them ſeverely puniſhed.

Concerning the reaſons of calling the parliament.

" Now the major errand (I ſpeak truth) for " which I have called you, is for a ſupply of my " urgent neceſſities in urgent cauſes; ye can all " bear me witneſs, that I have reigned above " eighteen years among you; if it hath been a " fault in me that you have been at peace all this " time, I pray you pardon it; for I took it for an " honor unto me, that you ſhould live quietly " under your vines and fig-trees, reaping the fruits " of your own labors, and myſelf to be a juſt and " merciful King among you. You have not been " troubled with preſſing of men, nor with other " inconveniencies which the diſaſters of war pro- " duce, and yet in theſe eighteen years have I had " leſs ſupplies than any King before me. The late " Queen, of famous memory, was ſo far ſupplied in " her time, that it grew to a uſual contribution " of one hundred thirty-five thouſand pounds a " year: I had never above four ſubſidies and ſix " fifteenths. I challenge not more of deſert than " ſhe; but ſure I am, I have governed as peace- " ably. The time ſince my ſupply hath been as " the time of women with child, Quæ decem " tulerint faſtidia menſes, who after ten months " longing, are delivered of their burdens; but I " have travailed ten years, and therefore full time " to be delivered of my wants.

" Now you have ſeen a trial of my late care in " diverſe years laſt paſſed, in looking into the " particulars of my eſtate, wherein I muſt confeſs " I have found my revenue (as Job's friends) for- " ſaking me. In my houſhold expenſes I have a- " bated ten thouſands pounds per annum: in my navy " I have abated twenty five thouſand pounds, and " ſhortly I hope to abate ten thouſand pounds " more. In my ordinary I have brought the ex- " penſe from thirty four thouſand to fourteen " thouſand pounds, and yet I was loth to believe " at firſt that theſe were ſo much out of order: " but at laſt, by the information of ſome private " gentlemen, I was induced to come into a parti- " cular ſurvey; and herein was the love of my " young admiral to me, as he took the envy of " all upon himſelf for my ſake: and tho' he be " but young, yet I find him true in faith, and an " honeſt man, and hath had the beſt ſucceſs in all " he hath taken in hand. He appointed under " himſelf diverſe commiſſioners, as a young com- " mander ſhould do, the better to preſerve him- " ſelf from errors, and ſought no reward but my " good and ſervice, nevertheleſs went thro' with " great diligence and good ſucceſs: and therefore " I hope the kingdom ſhall ſay I have now a true " care of my eſtate, not taking from others by " violence, houſe or land, but governing my own " with good husbandry."

Touching the Bohemia affair, he ſaid much the ſame things as the marquis of Buckingham wrote in his letter to count Gondomar, after which he added:

" I am now to take for a worſe danger againſt " next ſummer, albeit I will leave no travel untried " to obtain a happy peace; but I thought good " to be armed againſt the worſe time, it being " beſt to treat of peace with the ſword in my " hand: Now I ſhall labour to preſerve the reſt " of the Palatinate, wherein I declare, that if by " fair means I cannot get it, my crown, my blood " and all ſhall be expended, with my ſon's blood alſo, " but I will get it for him; and this is the cauſe " of all, that the cauſe of religion is involved in " it, for they will alter religion where they con- " quer, and ſo perhaps my grand-child may ſuffer " who hath commited no fault at all. But this " is nothing without a ſpeedy ſupply, Bis dat qui " citò dat.

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" Conſider who it is moves you? your King; " and the care of the reformation, and the charges " which he hath diſburſed, beſide forty thouſand " pounds upon the pyratical wars(1); and conſider " I deſerve not your reſpects?

" It is ſtrange that my mint hath not gone this " eight or nine years; but I think the fault of the " want of money is in the uneven balancing of " trade: for other things I confeſs I have been " liberal, but the main cauſe of my wants hath " been the ill government of thoſe whom I " have truſted under me, for I will not make every " day a Chriſtmaſs; and yet it may be in ſome " grants I have hurt my ſelf, and in others my " ſubjects; but if I am truly informed I will right- " ly reform them.

" But for you to hunt after grievances to the " prejudice of the King and yourſelves is not the " errand: deal with me as I ſhall deſerve it at your " hands: I will not leave any thing undone that " becomes a juſt King, if you find accordingly.

" I know this parliament hath been of great ex- " pectation, and ſo was that at my firſt coming. " You I knew, but not the laws and cuſtoms of " this land. I was led by the old counſelors I " found, which the old Queen left, and it may be " there was a miſtaking and miſunderſtanding be- " tween us which bred an abruption. And at the " laſt parliament there came up a ſtrange kind of " beaſt called Undertakers (2), a name which in " my nature I abhor, which cauſed a diſſolution.

" Now you have that advantage that I call you " out of my own free motion, and my truſt is " in your good offices: for my good ſtates, " even all and every one ſhall find an honeſt King " of me.

" How happy a fame will that be, that he is " reverenced and loved of all his people, and he " reciprocally loves them. So ſhall I then be ho- " nored by my neighbor Princes, and peradventure " my government be made an example for poſte- " rity to follow (3)."

Remarks on this ſpeech.

Many remarks and reflections might be made on this ſpeech; but as that would lead me too far, I ſhall reſt ſatisfied with making only a ſingle obſervation. This ſpeech contained ſome maxims concerning regal power, which certainly the Engliſh in general did not then admit, as they do not even at this day. If ſince King James's acceſſion, the parliament, or the commons in particular, had indeavored to incroach upon his prerogative, it might not be thought ſtrange that he ſhould let them know his reſolution to maintain it, and mark out the bounds they were not to exceed. But if we conſider what paſſed in the two firſt parliaments of this reign, the commons did not begin to attack the King, but the King himſelf gave the parliament reaſon for complaint: and ſuppoſing the grievances complained of by the lower houſe were groundleſs,

(1) Here his Majeſty muſt mean ſir Robert Manſel's vain and fruitleſs attempt, this year, upon the Algerines in their port. See the complete journal of this expedition in Hiſt. Algiers. Vol. II.

(2) Theſe were the earl of Somerſet, and ſome others, who undertook to procure the King a parliament at his devotion.

(3) This ſpeech is taken out of the annals of King James I. For the author pretends, that in Wilſon is not the true one. Rapin——Neither Ruſhworth's, nor Wilſon's, nor Franklyn's ſeems to be the true ſpeech; but that in Nalſon's Introduction.

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to repreſent them to the King was no attempt upon the prerogative-royal; and yet this was the ſole cauſe of diſſolving the two firſt parliaments. It moreover appears, not only in this to the preſent parliament, but alſo in his former ſpeeches, that he made his prerogative to conſiſt in a boundleſs authority, ſince he ſaid in expreſs terms, "That as "to diſpute what God may do, is blaſphemy; "ſo is it ſedition in ſubjects to diſpute what a King "may do in the height of his power (1)." Hence it was eaſy to infer, he ſet no bounds to the prerogative-royal.

The parliament grants the King a ſubſidy. Coke, p. 111.

The occaſion of calling a parliament was ſo plauſible, that the commons readily judged if, as uſual, they began with examining grievances, before they gave his Majeſty money, he would not fail ſaying, that a delay in ſo important a juncture, was the ſame as a denial. The people were highly inſenſed againſt Spain for invading the Palatinate. They dreaded Prince Charles's marriage with the Infanta, and the deſtruction of the Proteſtant religion abroad: ſo to deny the King money, on this occaſion, would be juſtifying his indolence. Nevertheleſs, certain members, believing James had no deſign to enter on a war, were deſirous to ſpare the ſubjects purſes: but the reſt demonſtrated to them the neceſſity of ſacrificing a ſum of money, whether his Majeſty imployed it in defenſe of the Palatinate, or put it to other uſes. In the firſt caſe, the public would have what they wiſhed, and the money given would be only a ſmall part of what was farther to be expended in ſupport of ſuch war. In the ſecond caſe, his Majeſty's drift would be rendered manifeſt, and that would afford a juſt motive to refuſe him money hereafter for chimerical projects. So, without any ſollicitation, the commons granted the King two intire ſubſidies (2), with which he was ſatisfied, in expectation of obtaining much more afterwards on the ſame pretext.

Digby ſent to Vienna. p. 731.

Not long after, James diſpatched away lord Digby to Vienna, to attempt adjuſting the elector Palatine's affair, or at leaſt obtaining a truce, which ſhould ſecure the Palatinate from thoſe dangers wherewith it was menaced in the inſuing campain. Having previouſly recited what paſſed in parliament, I ſhall ſpeak of this negociation.

Complaints to the parliament againſt monopolies. Ibid.

The ſubſidy act was no ſooner paſſed, but many petitions were received by the houſe of commons, as well againſt the increaſe of Popery and impunity of recuſants, as againſt monopolies, informers, or projectors. Of the monopolies three were chiefly complained of. The firſt was concerning Inns, which no man could keep without a licenſe. The ſecond was of the ſame nature with reſpect to alehouſes. The third was the moſt enormous. It was a patent granted by the King to ſir Giles Monpeſſon, and ſir Francis Michel, for the ſole making and ſelling gold and ſilver lace. By this means, they vended great quantities of counterfeit gold lace, inſtead of real, and if any perſon preſumed to make or ſell any other, he was hurried to priſon and ſeverely fined (3). The two patentees being informed againſt in the houſe of commons, were inſtantly impriſoned: but Monpeſſon, Buckingham's creature, found means to make his eſcape. He was no ſooner in ſafety but James iſſued a proclamation, promiſing a reward to any perſon by whom he ſhould be apprehended.

Coke, p. 111; Monpeſſon and Michel impriſoned by the commons, and fined. Monpeſſon eſcapes. Coke. Ruſhworth. Wilſon. p. 731.

Mean while, the two houſes applied themſelves cloſely to the affair of monopolies. The commons would know how theſe perſons obtained their patent, while the peers were diligently forming their proceſs; during all which the King was very uneaſy. By the manner this affair was examining, he plainly perceived the odium could not but fall upon himſelf or favorite: wherefore, to prevent the conſequence, he repaired to the houſe of lords, and made a ſpeech replete with tender and affectionate expreſſions. He affirmed, he was ignorant of the ill effects his patent had cauſed, and charged them to bring the offenders to ſpeedy and ſevere juſtice: adding, his intention was to revoke all his patents which had been ſo injurious to the people, and particularly that of gold and ſilver lace, which was a kind of falſe coin. He moreover exhorted them to diſpatch the bill they were preparing againſt informers and projectors, ſaying, he had already ſhewn his diſlike of ſuch people, and to be rid of them would be the greateſt eaſe to himſelf *; "For (continued he) Buckingham told me, he never "found ſuch quiet and reſt as in this time of par- "liament from projectors and informers, who at "other times miſerably vexed him at all hours." He finally told them, he thought 'till then the people had never been ſo happy as in his reign: but now he was aſhamed to conſider how his people had been vexed and polled, by the vile execution of projects, patents, bills of conformity, and the like, which have more exhauſted their purſes than ſubſidies would have done. Having thus obviated the complaints which could be made againſt him, by being ſo ready to condemn the occaſion, he taught the lords how they were to proceed in equitably judging the matters before them, namely, not to ſuffer themſelves to be carried away with inconſiderate zeal for juſtice, in hearkening to thoſe who accuſed the innocent as well as the guilty.

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James's ſpeech to the lords. Ruſhworth, p. 24. Wilſon. Annals.

* And all thoſe about him.

He tries to ſcreen Buckingham. Wilſon. p. 734. Cabala.

All knew his meaning was to prevent the attacking Buckingham, who was deemed principal author of the monopolies. He had indeed the ſatisfaction to find this matter not too far puſhed by the parliament. But tho' he had ordered his ſpeech to be printed, and diſperſed, he could not hinder reflections greatly to his diſadvantage. For inſtance, he ſaid in his ſpeech, that "he aſſured "them, in the heart of an honeſt man, and by the "faith of a Chriſtian King, if theſe grievances had "been complained of to him before the parliament "he would have puniſhed them more ſeverely than "perhaps the parliament intended to do;" and yet he was contented with abandoning Monpeſſon and Michel, while he deſired the perſon who procured them their patent ſhould be left unmoleſted.

Monpeſſon's and Michel's ſentence. Wilſon. Annals, p. 52. Ruſhworth, p. 27.

However this be, the lords were ſatisfied with puniſhing Monpeſſon and Michel. They confiſcated the eſtate of Monpeſſon, who had eſcaped, and degraded him of his knighthood (4). Michel was alſo degraded, fined a thouſand pounds, impriſoned for life, and led on horſeback, with his face to the tail, thro' the public ſtreets in London.

Chancellor Bacon accuſed. The King exhorts the lords to do juſtice. Weſton. Wilſon. Ruſhworth, p. 28. He demands money.

Not long after James, hearing complaints were brought before the peers againſt chancellor Bacon, went to the houſe of lords, and ſending for the commons, made a ſpeech, wherein he chiefly inſiſted on the neceſſity of puniſhing corruption and bribery in judges. Then he thanked the commoners for the two ſubſidies, but ſaid, the money had been imployed previouſly for defenſe of the Palatinate and maintenance of his children, who were fled to Holland for refuge: that he had procured a ſhort truce, and hoped ſoon to obtain a general peace; but the great charges of ſending

(1) See King James's ſpeech to the lords and commons at Whitehall, March 21. 1609, in his own works, p. 531.
(2) And the clergy three. Coke, p. 111.
(3) The lace was made of copper, and other ſophiſticated materials, which were of ſo poiſonous a nature, that they rotted the hands and arms, and brought lameneſs and blindneſs upon thoſe who wrought this compoſition. Wilſon, p. 731.
(4) Alſo outlawed, and condemned him to perpetual baniſhment.

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embaſſadors over all Europe, or an army into the Palatinate, in caſe his negociations became fruitleſs, required a much larger ſum than what had been granted him. He concluded, with proteſting before God, he would not diſſolve his preſent parliament 'till the affairs in agitation were completed.

He promiſes not to diſſolve the parliament.

Mean while, the houſe of commons, having demanded a conference of the lords, repreſented to them, that the chancellor being charged with ſundry crimes, it was not fit he ſhould continue any longer in ſo eminent a poſt if he was guilty, or be expoſed to calumny if innocent. Whereupon the lords ſent Bacon to the Tower, and prepared for his trial. He uſed all poſſible indeavors to avoid the ſhame of a particular and full confeſſion. To that end, he preſented to the houſe a very humble petition, ſubmiting to their cenſure, confeſſing himſelf guilty in general, and imploring pardon, or at leaſt, that his puniſhment might not extend farther than taking from him the great ſeal: but the peers were inexorable. They required him to confeſs all particulars of the charge, which conſiſted in the enumeration of ſeveral bribes he had taken. He was ſo very expreſs, that he confeſſed one of his ſervants took a dozen of buttons as a gift, in a cauſe depending before him (1): but this confeſſion, however full and plain it was, prevented not his being declared unworthy, not only of the office of chancellor, but even of thenceforth ſiting in the houſe of peers (2), tho' he had been created baron of Verulam, and viſcount St. Albans: nay, he was very near being deprived of this dignity. He was a very extraordinary genius, and one of the moſt learned men in Europe, but a ſervile flatterer, exceſſively arrogant while he injoyed the ſmiles of fortune, and moſt abjectly cringing under her frowns. After his diſgrace, he compoſed diverſe works, and among others, the Hiſtory of Henry VII, to whom certainly he has not given a juſt and true character. This is not much to be wondered at; for as his eſtate was forfeited by the ſentence paſſed upon him, and as he lived only on a penſion from King James, who always ſpoke of Henry VII, his great-grandfather, with high commendations, he made his court to the King, by repreſenting that Prince as a pattern of wiſdom and virtue.

The commons require Bacon's being brought to a trial. Wilſon, p. 734. Annals, p. 53.

He confeſſes himſelf guilty in general. Ruſhworth, p. 29.

Is forced to make a particular confeſſion.

Is turned out of his office in the houſe of peers. Howes. Weldon, p. 735.

His character. Weldon, p. 133.

Remark on his hiſtory of Henry VII.

Origin of Whig and Tory.

It was properly in this third parliament that two parties were formed, the one for the court, the other for the people, who began from this time to oppoſe each other on all occaſions. Theſe had the ſtrongeſt party among the commons, and his Majeſty in the houſe of lords: not but that the Kings had always their adherents in both houſes, and the miniſters and favorites their opponents and emulators. But 'till this parliament, there were not properly any formed parties, or, if any, they were not long-lived: but thoſe which began to be formed this year, continually increaſed. Theſe are the parties ſtill ſubſiſting, under the denominations of Tories and Whigs; whereof the firſt labors inceſſantly to ſtretch the prerogative royal as high as poſſible, when favored by the King, and the other is perpetually inſiſting on the rights and privileges of the people. The mutual animoſity of theſe two factions, when firſt they were formed, was nothing in compariſon to what it is at preſent. When parliamentary affairs came to be tranſacted with a ſpirit of party, all things tended gradually to confuſion. As one of the factions was always ready to inhance the Sovereign's power, the others imployed their utmoſt efforts not only to keep it within due bounds, but alſo to contract it, for fear the King's prerogatives might ſerve him for ſteps to mount higher: thus both went too far. James I gave birth to theſe two parties (who occaſioned ſo many calamities in England and his own family) by magiſterially eſtabliſhing prerogatives which, perhaps, would never have been queſtioned had he not founded them on principles which opened a door to arbitrary power. He nevertheleſs met with great oppoſition, not only in the houſe of commons, but even among the peers, ſeveral of whom ſcrupled not contradicting him openly. Of this number were the earls of Eſſex, Oxford, Southampton * lord Say and Seal, lord Spenſer, and ſome others. It was then become cuſtomary that, when one lord had ſpoken for or againſt the government, he was anſwered by another of the oppoſite party, and very frequently with a heat and paſſion unbecoming the dignity of that auguſt aſſembly. One day as lord Spenſer was diſcourſing of government, and urging diverſe inſtances concerning their noble anceſtors, Arundel ſuddenly interrupted him, ſaying, "My lord, when theſe things you ſpeak of "were doing, your anceſtors were keeping ſheep." Spenſer inſtantly replied, "When my anceſtors (as "you ſay) were keeping ſheep, yours were ploting "treaſon." Whereupon the houſe ordering them both to withdraw, it was reſolved, in ſpite of the moſt zealous courtiers, that the earl of Arundel, as agreſſor, ſhould give lord Spenſer ſatisfaction, which he refuſing was ſent to the Tower, and not releaſed 'till he had ſubmited to the houſe's orders.

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Wilſon. p. 736. * And Warwick.

Quarrel between Arundel and Spenſer. Wilſon. p. 737.

Mean while the commons, finding his Majeſty made no preparations for war, but only ſent Digby to the Emperor, were not forward to give him a freſh ſupply, eſpecially as they knew the two ſubſidies already granted had been put to other uſes: neither were they ignorant that the King grounded all his hopes on the Spaniſh match, and conſequently would not eaſily reſolve to take arms againſt the houſe of Auſtria, and the more, becauſe Gondomar had ſtill over him a very great influence: and in reality, had King James ſincerely deſigned to wreſt from the Spaniard what was taken from the Palatine, it was not natural for a Spaniſh embaſſador to have ſo much power at court. The people were thereat highly diſguſted, and looked on the Spaniſh marriage as a very grievous calamity to the nation, and the Proteſtant religion. Of this they gave a ſenſible proof to Gondomar himſelf, who was reviled and inſulted by the populace in London ſtreets (3). The King hearing of it, ordered one of the inſolent mob to be publicly whiped by the common executioner.

The commons delay granting the King money. Wilſon. p. 737.

Gondomar inſulted by the mob. Ruſhworth, p. 34.

James, perceiving the commons would never think of granting him a freſh aid, before it was more certainly known whether there would be peace or war, ordered the lord-treaſurer to go in his name, and adjourn the parliament to the fourteenth of November. The ſpirit of jealouſy, which then reigned among the commons, made them conſider this adjournment as a manifeſt infringment of their privileges. They pretended, the Sovereign had indeed power to prorogue and diſſolve parliaments, but that adjournment was the peculiar privilege of each houſe: ſo they deſired a conference with the lords, to perſuade their concurring with

James orders the parliament to be adjourned. Annals, p. 55.

The commons think it a breach of privilege. Coke. p. 111. Ruſhworth, p. 35.

(1) That dozen of buttons was valued at 50 l. See the proceedings againſt him (which continued from March 15, to May 3) in State-Trials, Vol. I. p. 353, &c.

(2) He was alſo condemned in a fine of 40,000 l. to be impriſoned during the King's pleaſure, and declared for ever incapable of any office.

(3) Gondomar uſed all poſſible methods to weaken this nation. For he cauſed ordnance, and other warlike proviſions, to be conveyed from England, to furniſh the Spaniſh arſenals; and procured underhand, the ſending of ſir Robert Manſel into the Mediterranean, to deſtroy the Algerines, which ſecured the Spaniſh coaſts and ſhipping, and diverted to another uſe that money and ſtrength which ſhould have been imployed for defenſe of the Palatinate. Ruſhworth, p. 34.

the

them in preſenting a petition to his Majeſty on this occaſion. But James acquainting the peers, that ſuch a petition would extremely diſguſt him, and that he would not ſuffer his power to call, adjourn, prorogue, and diſſolve the parliament to be diſputed, their lordſhips refuſed joining with the commons. Whereupon the commons declared, that they were highly diſturbed at his Majeſty's reſolution, becauſe it deprived them of the means of finiſhing what was begun for the public's advantage.

The lords refuſe to join with the commons.

This declaration brought James to the houſe of peers, and after thanking their lordſhips for acknowledging his prerogative, and refuſing to join with the commons, he told them, if they deſired it, he would grant them a delay of eight or ten days; but would not do it at requeſt of the commons. Upon this offer, the peers, after a conference with the commons, moved his Majeſty to continue their ſeſſion fourteen days longer, which was granted. Some days after, a commitee of both houſes attending the King, he took occaſion to tell them, how ill he took it that the commons ſhould diſpute his undoubted right to adjourn the parliament. Seemingly, this power was not confirmed by cuſtom, ſince the commons conſidered it as a downright incroachment on their immunities; whereas they never thought of queſtioning his right to prorogue and diſſolve the parliament. Howſoever this be, the commons, ſeeing the peers, who were equally concerned in the affair, refuſe their concurrence, proceeded no farther. Nevertheleſs, on the day they were to ſeparate, they up drew the following declaration, "That taking into moſt "ſerious conſideration the preſent ſtate of the "King's children abroad, and the generally afflicted "eſtate of the true profeſſors of the ſame Chriſtian "religion profeſſed by the church of England in "foreign parts, and being touched with a true "ſenſe and fellow-feeling of their diſtreſſes, as "members of the ſame body, they do with "unanimous conſent declare-----they ſhall be ready, "to the utmoſt of their power, both with their "lives and fortunes, to aſſiſt his Majeſty ſo, as "that he may be able to do that with his ſword "which by a peaceable courſe ſhall not be "effected."

They are permited to ſit a fortnight longer. Ruſhworth. Ibid.

The commons declaration for defenſe of the Palatinate. Wilſon. p. 737. Ruſhworth, p. 36. Annals, p. 56.

Preſently after, James iſſued a proclamation, wherein he ſet forth, that as many great affairs, debated in parliament, could not be brought to perfection in ſo ſhort a time, "the commons "thought it convenient to continue the ſame "ſeſſion in courſe of adjournment:" that, as for the grievances, they were ſuch as he needed not the aſſiſtance of parliament to reform the ſame, and would have redreſſed them himſelf, had they been ſooner made known to him. Adding; that, by his own regal authority, he annulled and revoked the patent for gold and ſilver thread, and ſome others mentioned in the proclamation. At the ſame time, a ſecond proclamation was publiſhed againſt ſuch as were ſo bold as to talk of ſtate-affairs, notwithſtanding his Majeſty's former command, with threats of ſevere puniſhment, as well againſt the concealers of ſuch diſcourſes, as againſt audacious tongues and pens.

Proclamation to revoke ſundry monopolies. Ruſhworth, p. 36.

Another againſt talking of ſtate-affairs. Coke. Ruſhworth. p. 56.

In July, John Williams dean of Weſtminſter, was ſworn lord-keeper of the great-ſeal of England, the chancellorſhip having been vacant ever ſince Bacon's ſentence.

Williams made lord-keeper. Hacket.

I muſt now briefly relate what paſſed in Bohemia and the Palatinate, after the battle of Prague. This knowledge is abſolutely requiſite towards clearly comprehending the affairs of England.

The day after that battle, the city of Prague ſurrendered at diſcretion, and the duke of Bavaria returned to Munich, leaving his army in Bohemia under command of his general count Tilly. On the other hand, count Bucquoy departed, the twelfth of December, for Moravia which voluntarily ſubmited, as deſpairing of aſſiſtance. When Bucquoy had paſſed part of the winter in Moravia and at Vienna, he went and commanded the Imperial army in Hungary, where, after having made ſome progreſs, he was killed. A little before, Sileſia had alſo ſubmited to the Emperor.

Affairs of Bohemia. Hiſt. Reb. Boh.

Mean while count Mansfeldt had fortified himſelf in Bohemia, whence the Imperialiſts would have found it difficult to drive him. But the King of Bohemia, who was ſtill in Holland, hearing the duke of Bavaria was preparing to invade the Upper Palatinate, cauſed Mansfeldt to march his army thither, having obtained of the Hollanders a hundred and fifty thouſand florins to pay his troops. Mansfeldt was not however in condition to withſtand Tilly, who being entered the Upper Palatinate with twenty-five thouſand men, had taken Bamburgh and ſome other places. Mean while, as Mansfeldt had intrenched himſelf behind a moraſs, where it was impracticable to attack him, count Tilly, to make him quit the country, concluded with him a treaty, whereby he ingaged to ſupply him with two hundred thouſand florins. This treaty was concluded the twenty-ſeventh of September 1621, but ſome difficulty ariſing, it was not executed: ſo Mansfeldt held his poſt 'till the arrival of lord Digby, who, paſſing that way in his return from Vienna, prevailed with him to march into the Lower Palatinate, which was in extreme danger. By this means the Upper Palatinate was effectually loſt, being reduced by the duke of Bavaria.

Mansfeldt marches into the Upper Palatinate.

He makes a treaty with Tilly; Hiſt. Reb. Boh. p. 805.

but to no effect.

Loſs of the Upper Palatinate.

In the year 1620, Spinola, as I ſaid, began his conqueſts in the Lower Palatinate. Since the King of Bohemia's allies ſubmiſſion to the Emperor, after the battle of Prague, Spinola had continued his conqueſts with rapidity; for there was no army to ſtop him, and the Engliſh were too weak to oppoſe his progreſs. However, on the ſecond of Auguſt 1620, a five weeks truce was concluded at Haguenau, which was the truce mentioned by King James in his ſpeech to the parliament. The archduke had made him believe, he agreed to this truce purely on his account; but in reality it was purely to afford Ferdinand leiſure to ſend forces into the Lower Palatinate, in the room of thoſe Spinola was leading back to the Netherlands, becauſe of the expiration of the twelve years truce between Spain and Holland. Spinola leaving but very few troops with Don Gonſales de Cordoua, who was to command in the Palatinate, the truce was as much for the Spaniard's advantage as for the King of Bohemia's. Soon after, the Spaniſh army being become ten thouſand ſtrong, Vere was obliged to ſhelter himſelf in Wormes. Mean while, the Spaniſh general became maſter of Stein, Ladenburg, and Keiſers-Lautern, and in October beſieged Frankendal, whither Vere had retired. There was no other way to ſave this important place, than, as I obſerved, by cauſing Mansfeldt to come from the Upper Palatinate. On Mansfeldt's approach, Gonſales raiſed the ſiege of Frankendal: but immediately after Tilly arriving in the Lower Palatinate, with the Bavarian army, and ſome troops of Mentz and Wirtzburg, Mansfeldt was forced to withdraw into Alſatia. This campain ended with the loſs of all the towns in the Lower Palatinate, except Manheim, Heidelbergh and Frankendal, which were the moſt important. Vere continued at Frankendal, Herbert commanded in Manheim, and Burroughs in Heidelberg.

Affairs of the Lower Palatinate. Ibid.

Ruſhworth, p. 23.

Coke.

Siege of Frankendal.

Mansfeldt raiſes the ſiege.

Tilly arrives and Mansfeldt retires.

Philip III, King of Spain, died the thirty-firſt of March, this year, and was ſucceeded by his ſon Philip IV.

Death of K. Philip III. Cabala. p. 240.

In France, Lewis XIII vigorouſly preſſed the Hugonots,

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Hugonots, and inveſted Montauban; but the beſiegeds long reſiſtance obliged him to deſiſt.

King James amuſed by the archduke;

The twelve years truce between Spain and the United Provinces being about to expire, the archduke was afraid, James would ſend the ſtates a powerful ſuccor, in order to compel the Spaniards to reſtore what was taken in the Palatinate. To divert James from ſuch thoughts, the Spaniard intimated to him, that a pacification between his Imperial Majeſty and the elector Palatine was not ſo difficult as was imagined, and the Emperor would doubtleſs agree to it on reaſonable conditions: nay, he ſent Ferdinand, in the elector's behalf, a very preſſing letter, which was communicated to King James. This was attacking him on his weak ſide: for he was ever of opinion that juſtice, honeſty and the world's regard for him, were ſufficient to determine this affair. To inſnare him with greater facility, Ferdinand wrote to the archduke that, at his inſtances, and out of his great reſpect to the King of England, he was ready to imbrace all proper methods for a peace with the elector Palatine. On the other hand, his Catholic Majeſty acquainted Ferdinand, that if he gave the Upper Palatinate to the duke of Bavaria, as was reported, he muſt expect no farther aſſiſtance from Spain. All theſe letters were imparted either to James or his embaſſadors, which confirmed him in his opinion, that there would be no occaſion for war, and that ſhewing the leaſt diffidence would ſpoil all. Thus the Princes of the houſe of Auſtria amuſed the King, to induce him to remain in his fatal neutrality. Upon theſe hopes therefore, without at all queſtioning their ſincerity, he diſpatched lord Digby to Vienna, the ſucceſs of whoſe negociation I muſt now relate.

and by the Emperor. Annals.

Succeſs of Digby's embaſſy. Du Cheſne. Ruſhworth, p. 37. Annals.

The embaſſador, having audience of the Emperor the fifteenth of July, confined his demands to theſe two heads. Firſt; That the elector Palatine ſhould he reſtored to the ſame ſtate he was in before he was King of Bohemia. Secondly; That the Imperial ban ſhould be revoked, or at leaſt ſuſpended; for which the King his father-in-law would undertake obliging him to give the Emperor due ſatisfaction.

Ferdinand, who only ſought to gain time, anſwered in writing; that the King of England, and ſome other Princes having ſollicited him in the Palſgrave's behalf, he was ready to pardon him at their requeſt: that the difficulty of this affair conſiſted in two principal points, the firſt whereof was, that the Palſgrave ſhould pay him the obedience due to the head of the Empire; the ſecond, that he ſhould give him a reaſonable ſatisfaction. As this was James's ſcheme for accommodation, a peace ſeemed not to be very remote: but the term ſatisfaction being capable of a more or leſs extenſive meaning, it was eaſy for Ferdinand to prolong the negociation as he pleaſed. Nevertheleſs, leſt he ſhould be taken at his word, he added in his anſwer, that, as he had undertaken this war with the advice and aſſiſtance of diverſe Potentates, he could not act without their concurrence; but had called a diet at Ratiſbon, the reſolutions whereof ſhould be communicated to the King of England. It muſt be obſerved, this diet did not meet 'till January 1623.

Death of the archduke. ibid.

A few days after Ferdinand had delivered this anſwer to the embaſſador, he received a letter from the Infanta Iſabella, notifying the archduke her conſort's deceaſe, at Bruſſels, the thirteenth of July, and repeating withal her inſtances in the elector's behalf. Whereupon Digby preſented a freſh memorial, demanding a truce for the Lower Palatinate on three conditions. 1. That count Mansfeldt ſhould obſerve the truce, otherwiſe the elector Palatine ſhould revoke his commiſſion. 2. That the commiſſion of John-George de Brandenburg, marquis of Jagerndorf, who ſerved the elector, ſhould be alſo revoked. 3. That as ſoon as the truce was publiſhed, the elector ſhould deliver to his Imperial Majeſty Tabor and Witigaw, the only places he ſtill held in Bohemia.

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Ferdinand, having received theſe propoſals, communicated them to the elector of Saxony and duke of Bavaria, who returned both a like anſwer, as if they had given each other the word, viz. they counſelled him not to omit whatever might reſtore peace to Germany: looſe expreſſions without any meaning, but which however gave occaſion to believe they were inclined to peace. After this, Ferdinand ſent the Infanta a letter, which was imparted to Digby, telling her that, at her requeſt, and out of his great regard for the King of England, who had ſhewn ſo much prudence, ſincerity and moderation, he was determined on negociating a truce, on the conditions propoſed by the Engliſh embaſſador himſelf: adding that, during the truce, conferences might be held, to indeavour bringing matters to a thorough pacification. Thus James was obliged, either to ſit ſtill and wait the event of theſe conferences, or to break with the Emperor and Spain, when peace ſeemed to be on the point of concluſion, to which it was well known he would not readily be perſuaded.

Ruſhworth, p. 37. Annals.

Some time after the Emperor, whether to gain time, or to be freed from Digby's importunities, told him, he intended to grant a truce for the Palatinate, provided the duke of Bavaria would conſent: nay, he counſelled him to negociate with that Prince in perſon. Digby, quiting Vienna, the eleventh of September, came into the Upper Palatinate, where the duke of Bavaria then was, at the time Mansfeldt was concluding the forementioned truce with Tilly. When Digby talked of a truce, the duke told him, "There was no need to "labor for a truce, for the wars were at an end, "in that he had agreed with count Mansfeldt; nor "did he doubt of keeping both Palatinates in "peace 'till the Emperor and Palſgrave were a-"greed." Ferdinand, learning from Digby this anſwer, wrote to him, that the face of affairs being changed in the Upper Palatinate, thro' the ill conduct of Mansfeldt, who had entered that country with his troops, the duke of Bavaria was under a neceſſity of levying forces to drive him thence, and it was not reaſonable he ſhould be at that charge to no purpoſe. Then it was that Digby, having acquainted King James with the ſtate of affairs in Germany, brought Mansfeldt into the Lower Palatinate, where his coming ſaved Frankendal. After that, he borrowed on his own credit ten thouſand pounds ſterling, to pay the Engliſh troops, who had not for a long time received any ſubſiſtence.

Satisfaction offered Ferdinand by King James in the Palatine's name. Du Cheſne.

King James being, by his embaſſador's letter, informed of the duke of Bavaria's anſwer, wrote to his Imperial Majeſty, to complain of the Palatinate's being invaded, and to tell him in what manner he conceived the elector Palatine was to give him ſatisfaction, in order to remove that word's ambiguity. 1. That he ſhould renounce the crown of Bohemia. 2. That, as Prince of the Empire, he ſhould ſubmit to his Imperial Majeſty. 3. That he ſhould aſk pardon on his knees. 4. That, for the future, he ſhould remain quiet, and raiſe no diſturbance in the Empire. 5. That he ſhould be reconciled to all the Princes. 6. That, if this was not ſufficient, he would undertake to procure what other terms ſhould be deemed reaſonable. Laſtly, He told him that, if he could not obtain his ſon-in-law's pardon by this means, he was reſolved to have recourſe to arms. Ferdinand, without being terrified with this menace, ſtill continued to amuſe him, and the better to perſuade him he was inclined

The Emperor ſends an embaſſador to amuſe him.

to

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to peace, he dispatched count Schwatzenburgh to settle with him the conditions of a truce. The count was very magnificently received at London. But before I speak of the success of his embassy, I must relate what passed in England 'till the close of this year.

James assembles the parliament at Digby's return. Rushworth.

James had farther adjourned the two houses from the fourteenth of November to the eighth of February 1622. But Digby's return occasioned his ordering them to meet November twenty. As he was somewhat indisposed, he commanded the lord keeper, lord treasurer, and lord Digby, to acquaint the parliament with his intentions.

The keeper's speech. Wilson. Rushworth, p. 39. Annals.

The lord keeper said that, since the last adjournment, his Majesty had taken great care of the nation, reforming by his proclamations thirty-seven several grievances complained of by the people, without demanding ought in return for these favors, as was usual in former times: that he had reassembled the parliament, on the commons declaration to assist him powerfully in recovering the Palatinate: that he had used his indeavors to procure a good peace, but with little success, as lord Digby would inform them. Then he put them in mind, that the King had advanced forty thousand pounds to keep together an army in the Lower Palatinate: "But (continued he) unless the parliament take "farther resolution, and imitate rather ancient "than modern principles, and be more expeditious "in what they do, his Majesty's indeavors will "fall to the ground." He concluded with saying, his Majesty had resolved to continue the session 'till seven or eight days before Christmas, and renew it the eighth of February.

Digby's speech. Wilson. p. 738. Rushworth, p. 39. Annals.

Lord Digby, speaking next, gave a brief account of his embassy to Vienna, and said he plainly discovered his Imperial Majesty designed to give the Upper Palatinate to the duke of Bavaria. Adding, that a good sum of money was absolutely necessary, both to keep count Mansfeldt's army together, and to send a strong supply of English troops to the Palatinate.

The treasurer's speech. Rushworth, ibid.

Lord treasurer said, the King's coffers were empty, his treasure being exhausted by the sums imployed in defense of the Palatinate: nevertheless, tho' his Majesty declared for war, he was resolved to conclude the Spanish marriage, hoping by that means to heal the breach.

James's design. Rushworth, ibid.

Certain it is, King James had no notion of entering on a war, since it could be only with the Spaniard, whom he considered as his best friend, and with whom he was on the point of being strictly allied, by his son's marriage with the Infanta: but he feigned being ready to take arms, in case he should be necessitated. To this effect, it was, in his opinion, requisite to make early preparation, and begin with sending Mansfeldt wherewithal to pay his troops and continue war in the Palatinate, 'till he could learn the success of the Vienna and Madrid negociations. James would therefore have it supposed, as a thing certain, that in case their negociations proved ineffectual he was determined to commence the war, and support it vigorously. Consequently he demanded money to inable him to make the necessary preparations, and in short required, that the affair should be left intirely to his management.

Remark on this occasion.

Indeed parliaments are wont to act thus when they think the King is undertaking a just and necessary war: so James proceeded upon the usual parliamentary custom and method. There was only a single objection to be made, whereon however no man durst speak his mind freely; viz. that the conduct of former parliaments was grounded on a good opinion of their Kings, and the confidence they in them reposed: but the commons had no such confidence in James I. He demanded money for a war, to which they were persuaded he had no inclination: and therefore they could not help fearing that what monies should be granted him would be otherwise imployed than in a war against Spain. On the other hand, the commons were taken in their own nets. To shew that the delay of a war, universally deemed necessary, proceeded not from them, they had promised to put his Majesty in condition to begin and pursue it vigorously: but when this promise came to be performed, the little confidence they had in their Sovereign made them very reserved. It was however requisite to satisfy the public, and shew they intended to keep their promise, provided they could be certain it would be for the nation's advantage. To this end, they resolved to make a remonstrance to the King, representing what, in the present juncture, they judged necessary: not that they expected he would grant their requests, but to leave him without excuse in case he refused them, which was scarce to be doubted. Such were the effects this distrust between King and parliament began to produce. Instead of using their joint indeavors for the public good, each strove to take advantage of the other. The better to comprehend the events of this reign, which were the source and origin of those combustions which occurred in the next, it will not be amiss (long as it is) to insert the whole remonstrance.

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The commons resolve on making King James a remonstrance.

Most Gracious and Dread Sovereign,

The commons remonstrance. Rushworth, p. 40. Wilson, Annals of James. I. p. 38.

"WE your Majesty's most humble and loyal "subjects, the knights, citizens and bur-"gesses, now assembled in parliament, who re-"present the commons of your realm, full of "hearty sorrow to be deprived of the comfort of "your royal presense, or the rather, for that it "proceedeth from the want of your health, where-"in we all unfeignedly do suffer; in all humble "manner, calling to mind your gracious answer to "our former petition concerning religion, which, "notwithstanding your Majesty's pious and prince-"ly intentions, hath not produced that good effect "which the danger of these times doth seem to us "to require: and finding how ill your Majesty's "goodness hath been requited by Princes of dif-"ferent religion, who, even in time of treaty, have "taken opportunity to advance their own ends, "tending to the subversion of religion, and disad-"vantage of your affairs, and the estate of your "children; by reason whereof your ill-affected "subjects at home, the Popish recusants, have ta-"ken too much incouragement, and are dange-"rously increased in their number, and in their "insolencies. We cannot but be sensible thereof, "and therefore humbly represent what we conceive "to be the causes of so great and growing mis-"chiefs, and what be the remedies.

"I. The vigilancy and ambition of the Pope "of Rome, and his dearest son, the one aiming "at as large a temporal monarchy, as the other "at a spiritual supremacy.

"II. The deviliſh positions and doctrines "whereon Popery is builded, and taught with au-"thority to their followers, for advancement of "their temporal ends.

"III. The distressed and miserable estate of the "professors of true religion in foreign parts.

"IV. The disastrous accidents to your Majesty's "children abroad, expressed with rejoicing, and "even with contempt of their persons.

"V. The strange confederacy of the Princes of "the Popish religion, aiming mainly at the ad-"vancement of theirs and subverting of ours, and "taking the advantages conducing to that end "upon all occasions.

"VI. The great and many armies raised, and "maintained at the charge of the King of Spain, "the chief of that league.

VII. The

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" VII. The expectation of the Popiſh recuſants " of the match with Spain, and feeding themſelves " with great hopes of the conſequences thereof.

" VIII. The interpoſing of foreign Princes, " and their agents, in the behalf of Popiſh recu- " ſants, for continuance and favor unto them.

" IX. The open and uſual reſort to the houſes, " and, which is worſe, to the chapels of foreign " embaſſadors.

" X. Their more than uſual concourſe to the " city, and their frequent conventicles and confe- " rences there.

" XI. The education of their children in many " ſeveral ſeminaries and houſes of their religion in " foreign parts, appropriated to the Engliſh fu- " gitives.

" XII. The grants of their juſt forfeitures in- " tended by your Majeſty, as a reward of ſervice " to the grantees; but, beyond your Majeſty's in- " tention, transfered or compounded for, at ſuch " mean rates, as will amount to no leſs than a tole- " ration.

" XIII. The licencious printing and diſperſing " of Popiſh and ſeditious books, even in the time " of parliament.

" XIV. The ſwarms of Prieſts and Jeſuits, the " common incendiaries of all Chriſtendom, diſ- " perſed in all parts of your kingdom.

" And from theſe cauſes, as bitter roots, we " humbly offer to your Majeſty, that we foreſee " and fear there will neceſſarily follow very dan- " gerous effects both to church and ſtate. For,

" I. The Popiſh religion is incompatible with " ours, in reſpect of their poſitions.

" II. It draweth with it an inviolable depen- " dency on foreign Princes.

" III. It openeth too wide a gap for popularity, " to any who ſhall draw too great a party.

" IV. It hath a reſtleſs ſpirit, and will ſtrive by " theſe gradations; if it once get but a connivance " it will paſs for a toleration; if that ſhould be " obtained, they muſt have an equality; from " whence they will aſpire to ſuperiority, and will " never reſt 'till they get a ſubverſion of the true " religion.

" The remedies againſt theſe growing evils, " which, in all humility we offer unto your moſt " excellent Majeſty, are theſe,

" I. That ſeeing this inevitable neceſſity is " fallen upon your Majeſty, which no wiſdom or " providence of a peaceful and pious King can " avoid, your Majeſty would not omit this juſt " occaſion, ſpeedily and effectually to take your " ſword into your hand.

" II. That once undertaken upon ſo honorable " and juſt grounds, your Majeſty would reſerve to " purſue, and more publicly avow the aiding of " thoſe of our religion in foreign parts, which, " doubleſs, would re-unite the Princes and ſtates " of the union, by theſe diſaſters diſheartened and " diſbanded.

" III. That your Majeſty would propoſe to " your ſelf to manage this war with the beſt ad- " vantage, by a diverſion or otherwiſe, as in " your deep judgment ſhall be found fitteſt, and " not to reſt upon a war in theſe parts only, which " will conſume your treaſure, and diſcourage your " people.

" IV. That the bent of this war, and point of " your ſword, may be againſt that Prince (what- " ſoever opinion of potency he hath) whoſe armies " and treaſures have firſt diverted, and ſince main- " tained the war in the Palatinate.

" V. That for ſecuring our peace at home, your " Majeſty would be pleaſed to review the parts of " our petition, formerly delivered unto your Ma- " jeſty, and hereunto annexed, and to put in execu- " tion, by the care of choice commiſſioners to " be thereunto eſpecially appointed, the laws " already and hereafter to be made, for preventing " dangers by Popiſh recuſants, and their wonted " evaſions.

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" VI. That to fruſtrate their hopes for a future " age, our moſt noble Prince may be timely and " happily married to one of our own religion.

" VII. That the children of the nobility and " gentry of this kingdom, and of others ill-affected " and ſuſpected in their religion now beyond the " ſeas, may be forthwith called home by your " means, and at the charge of their parents or " governors.

" VIII. That the children of Popiſh recuſants, " or ſuch whoſe wives are Popiſh recuſants, be " brought up, during their minority, with Pro- " teſtant ſchool-maſters and teachers, who may " ſow in their tender years the ſeeds of true " religion.

" IX. That your Majeſty will be pleaſed " ſpeedily to revoke all former licenſes for ſuch " children and youth to travel beyond the ſeas and " not grant any ſuch licenſe hereafter.

" X. Your Majeſty's learned council may re- " ceive commandment from your Highneſs, care- " fully to look into former grants of recuſants " lands, and to avoid them, if by law they can; " and that your Majeſty will ſtay your hand from " paſſing any ſuch grants hereafter.

" This is the ſum and effect of our humble de- " claration, which we (no way intending to preſs " upon your Majeſty's undoubted and regal pre- " rogative) do, with the fulneſs of our duty and " obedience, humbly ſubmit to your moſt princely " conſideration: the glory of God, whoſe cauſe it " is; the zeal of our true religion, in which we " have been born, and wherein (by God's grace) " we are reſolved to die; the ſafety of your Ma- " jeſty's perſon, who is the very life of your " people; the happineſs of your children and " poſterity; the honor and good of the church " and ſtate, dearer unto us than our own lives, " having kindled theſe affections truly devoted to " your Majeſty.

" And ſeeing, out of our duty to your Majeſty, " we have already reſolved to give, at the end of " this ſeſſion, one intire ſubſidy for the preſent " relief of the Palatinate only, to be paid in the " end of February next, which cannot well be " effected but by paſſing a bill in a parliamen- " tary courſe before Chriſtmaſs; we moſt humbly " beſeech your Majeſty (as our aſſured hope is) " that you will then alſo vouchſafe to give life, by " your royal aſſent, to ſuch bills as before that " time ſhall be prepared for your Majeſty's honor, " and the general good of your people: and that " ſuch bills may be alſo accompanied (as hath been " accumſtomed) with your Majeſty's gracious par- " don, which proceeding from your own mere " grace, may, by your Highneſs's direction, be " drawn to that latitude and extant as may beſt " ſort with your Majeſty's bounty and goodneſs. " And that not only felons and criminal offenders " may take benefit thereof, but that your good " ſubjects may receive eaſe thereby. And if it " ſhall ſo ſtand with your good pleaſure, that it " may extend to the relief of the old debts and " duties to the crown, before the firſt year of your " Majeſty's reign, to the diſcharge of alienations " without licenſe, and miſuſing of liveries, and " Ouſtre le Maine, before the firſt ſummons of this " parliament, and of concealed wardſhips, and " not ſuing of liveries, and Ouſtre le Maines, be- " fore the twelfth year of your Majeſty's reign: " which gracious favor would much comfort " your good ſubjects, and eaſe them from vexa- " tion,

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" tion, with little loſs or prejudice to your own " profit.

" And we by our daily and devout prayers to " the Almighty, the great King of Kings, ſhall " contend for a bleſſing upon our indeavors; and " for your Majeſty's long and happy reign over " us; and for your childrens children after you, " for many and many generations."

Different principles of King and commons.

King James had, at opening this parliament, taken great care to mark out bounds which the commons were not to exceed. Above all things, he intimated to them, that they ought not to give him advice without being aſked. They neglected this charge very much in their remonſtrance, and plainly ſhewed, they did not believe it belonged to the King to determine on the extent of duty in the peoples repreſentatives in parliament. James's principles were ſo different from thoſe of the commons, that it is no wonder their inferences were directly contrary. This Prince's meaning never was that the commons ſhould adviſe him; and the commons pretended, it was their indiſpenſible duty to repreſent to him the dangers of church or ſtate, with the propereſt remedies. James reſted on the prerogative royal; but the commons agreed not to the extent he gave this prerogative, by virtue whereof he pretended to hinder their taking care of church and ſtate when they were in danger, or their concerns neglected. It is very difficult, not to ſay impoſſible, to mark out the bounds of royal prerogative, as well as of the privilege and duty of the nation's repreſentatives, in all caſes which may occur: ſo, without undertaking to decide this point, I ſhall only ſay, the commons diſtruſt made them take a very extraordinary courſe, which doubtleſs they would not have followed, had they been to deal with a Prince of greater eſtimation. On the other hand, it muſt be allowed James gave great occaſions of ſuſpicion and jealouſy, in affecting to eſtabliſh his prerogative upon general principles, which will never be received in England, without reſtrictions ſuitable to the nature of that kingdom's conſtitution.

James offended at the manner of this remonſtrance.

But attempting on the royal prerogative was not what alone offended his Majeſty. The remonſtrance contained what could not but be to him extremely diſagreeable, ſince, in obſcure terms, he was taxed with neglecting the welfare of religion and the nation; with tolerating recuſants; with having no deſign to ingage in a war for recovering the Palatinate, tho' he deſired money for that purpoſe; with granting licenſes prejudicial to the realm; and laſtly, with having little or no concern for the intereſt of religion, in matching the Prince his ſon with a Spaniſh Princeſs. The commons, not daring to ſpeak their thoughts freely on this occaſion, were contented with giving intimations. James perceived it, but in his own vindication forbore entering on particulars, which would not have redounded to his advantage. It was abundantly more agreeable to his intereſt and dignity to hinder ſo ungrateful a remonſtrance from being preſented to him: and that was the courſe he took. As ſoon as he heard the remonſtrance was ready, he wrote thus to the ſpeaker.

To our truſty and well-beloved, ſir Thomas Richardſon, knight, ſpeaker of the houſe of commons.

Mr. Speaker,

King James's letter to the ſpeaker. Wilſon. p. 172. Annals of James I. p. 60.

" WE have heard, by diverſe reports, to our " great grief, that our diſtance from the " houſes of parliament, cauſed by our indiſpoſition " of health, hath imboldened ſome fiery and " popular ſpirits of certain of the houſe of com- " mons, to argue and debate publicly of " matters far above their reach and capacity, " tending to our high diſhonor, and breach of the " prerogative royal. Theſe are therefore to com- " mand you to make known, in our name, unto " the houſe, that none therein ſhall preſume hence- " forth to meddle with any thing concerning our " government, or deep matters of ſtate; and " namely, not to deal with our deareſt ſon's match " with the daughter of Spain, nor to touch the " honor of that King, or any other our friends " and confederates; and alſo not to meddle with " any man's particulars which have their due " motion in our ordinary courts of juſtice. And " whereas, we hear they have ſent a meſſage to " ſir Edwin Sandys, to know the reaſons of his " late reſtraint, you ſhall in our name reſolve them, " that it was not for any miſdemeanor of his in " parliament; but to put them out of doubt of " any queſtion of that nature that may ariſe among " them hereafter, you ſhall reſolve them, in our " name, that we think our ſelf very free and able " to puniſh any man's miſdemeanors in parlia- " ment, as well during their ſiting, as after: " which we mean not to ſpare hereafter, upon any " occaſion of any man's inſolent behavior there, " which ſhall be miniſtered unto us: and if they " have already touched any of theſe points, which " we have forbiden, in any petition of theirs which " is to be ſent unto us, it is our pleaſure that you " ſhall tell them, that except they reform it before " it come to our hands, we will not deign the " hearing nor anſwering it."

Dated at New-market, Dec. 3. 1621.

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This letter being read and examined in the houſe, the commons thought not proper to keep ſilence, but to let the King ſee his threats ſhould not deter them from doing what they pretended was their duty. They drew therefore a petition, which was, with the foregoing remonſtrance, preſented to his Majeſty. The petition ran thus:

Moſt dread and gracious Sovereign,

The commons remonſtrance. Ruſhworth, p. 44. Annals of James I. p. 60.

" WE your moſt humble and loyal ſubjects, " the knights, citizens and burgeſſes " aſſembled in the commons houſe of parliament, " full of grief and unſpeakable ſorrow, thro' the " true ſenſe of your Majeſty's diſpleaſure, expreſſed " by your letter lately ſent to our ſpeaker, and by " him related and read unto us: yet comforted " again with the aſſurance of your grace and " goodneſs, and of the ſincerity of our own in- " tentions and proceedings, whereon with confi- " dence we can rely, in all humbleneſs beſeech " your moſt excellent Majeſty, that the loyalty " and dutifulneſs of as faithful and loving ſubjects " as ever ſerved, or lived under a gracious Sove- " reign, may not undeſervedly ſuffer by the miſ- " information of partial and uncertain reports, " which are ever unfaithful intelligencers: but that " your Majeſty would, in the clearneſs of your " own judgment, firſt vouchſafe to underſtand from " our ſelves, and not from others, what our humble " declaration and petition (reſolved upon by the " univerſal voice of the houſe, and propoſed with " your gracious favor to be preſented unto your " ſacred Majeſty) doth contain. Upon what oc- " caſion we entered into conſideration of thoſe " things which are therein contained, with what " dutiful reſpect to your Majeſty, and your ſervice, " we did conſider thereof, and what was our true " intention thereby. And that when your Majeſty " ſhall thereby truely diſcern our dutiful affections, " you will, in your royal judgment, free us from " thoſe heavy charges, wherewith ſome of our " members are burdened, and wherein the whole " houſe is involved.

" And

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" And we humbly beſeech your Majeſty, that " you would not hereafter give credit to private re- " ports, againſt all or any of the members of our " houſe, whom the whole have not cenſured, un- " til your Majeſty have been truly informed there- " of from our ſelves: and that in the mean time, " and ever, we may ſtand upright in your Ma- " jeſty's grace and good opinion, than which no " worldly conſideration is or can be dearer unto us.

" When your Majeſty had re-aſſembled us in par- " liament, by your royal commandment, ſooner than " we expected, and did vouchſafe, by the mouths " of three honorable lords, to impart unto us the " weighty occaſions moving your Majeſty there- " unto, and from them we did underſtand theſe " particulars,

" That notwithſtanding your princely and pious " indeavors to procure peace, the time is now " come, that Janus's temple muſt be opened.

" That the voice of Bellona muſt be heard, and " not the voice of a turtle.

" That there was no hope of peace, nor any " truce to be obtained, no not for a few days.

" That your Majeſty muſt either abandon your " own children, or ingage your ſelf in a war, " wherein conſideration is to be had, what foot, " what horſe, what money will be ſufficient.

" That the Lower Palatinate was ſeized upon " by the army of the King of Spain, as executor " of the ban there in quality of duke of Burgundy, " as the Upper Palatinate was by the duke of Ba- " varia.

" That the King of Spain, at his own charge, " had now at leaſt five armies on foot,

" That the Princes of the union were diſbanded, " but the Catholic league remained firm, whereby " thoſe Princes ſo diſſevered were in danger, " one by one, to be ruined.

" That the eſtate of thoſe of the religion in fo- " reign parts was miſerable; and that out of theſe " conſiderations we were called to a war, and forth- " with to adviſe for a ſupply of keeping the forces " in the Palatinate from diſbanding, and to foreſee " the means for raiſing and maintaining the body " of an army for a war againſt ſpring. We there- " fore, out of our zeal to your Majeſty and your " poſterity, with more alacrity and celerity than " ever was precedented in parliament, did addreſs " our ſelves to the ſervice commended unto us. " And altho' we cannot conceive that the honor " and ſafety of your Majeſty and your poſterity; " the patrimony of your children invaded, and poſ- " ſeſſed by their enemies; the welfare of religion, " and ſtate of your kingdoms, are matters at any " time unfit for the deepeſt conſideration, in time " of parliament: and altho' before this time we " were in ſome of theſe points ſilent, and yet being " now invited thereunto, and led on by ſo juſt oc- " caſion, we thought it our duties to provide for " the preſent ſupply thereof, and not only to turn " our eyes on a war abroad, but to take care for " ſecuring our peace at home, which the dangerous " increaſe and inſolency of Popiſh recuſants, appa- " rently, viſibly, and ſenſibly did lead us unto. " The conſideration whereof did neceſſarily draw " us truly to repreſent unto your Majeſty, what " we conceive to be the cauſes, what we feared " would be the effects, and what we hoped might " be the remedies of theſe growing evils; among " which, as incident and unavoidable, we fell upon " ſome things which ſeem to touch upon the King of " Spain, as they have relation to Popiſh recuſants " at home, to the wars by him maintained in the " Palatinate againſt your Majeſty's children, and to " his ſeveral armies now on foot; yet, as we con- " ceived, without touch of diſhonor to that King, " or any other Prince your Majeſty's confederate.

" In the diſcourſe whereof, we did not aſſume to " our ſelves any power to determine on any part " thereof, nor intended to incroach or intrude upon " the ſacred bounds of your royal authority, to " whom and to whom only we acknowledge it " doth belong to reſolve of peace and war, and of " the marriage of the moſt noble Prince your ſon: " but, as your moſt loyal and humble ſubjects and " ſervants, repreſenting the whole commons of your " kingdom (who have a large intereſt in the happy " and proſperous eſtate of your Majeſty, and your " royal poſterity, and of the flouriſhing eſtate of " our church and commonwealth) did reſolve, out " of our cares and fears, truly and plainly to de- " monſtrate theſe things to your Majeſty, which " we were not aſſured could otherwiſe come ſo " fully and clearly to your knowledge; and that " being done, to lay the ſame down at your Ma- " jeſty's feet, without expectation of any other an- " ſwer of your Majeſty, touching theſe higher " points, than what at your good pleaſure, and in " your own time, ſhould be held fit.

" This being the effect of that we had formerly " reſolved upon, and theſe the occaſions and rea- " ſons inducing the ſame, our humble ſuit to your " Majeſty and confidence is, that your Majeſty " will be graciouſly pleaſed to receive, at the hands " of theſe our meſſengers, our former humble de- " claration and petition, and vouchſafe to read, and " favorably to interpret the ſame: and that to ſo " much thereof as containeth our humble petition " concerning Jeſuits, Prieſts, and Popiſh recuſants, " the paſſage of bills, and granting your royal " pardon, you will vouchſafe an anſwer unto us.

" And whereas your Majeſty, by the general " words of your letter, ſeemeth to reſtrain us from " intermeddling with matters of government, or " particulars which have their motion in the courts " of juſtice, the generality of which words, in the " largeneſs of the extent thereof (as we hope be- " yond your Majeſty's intention) might involve " thoſe things, which are the proper ſubject of par- " liamentary occaſions and diſcourſe.

" And whereas your Majeſty doth ſeem to a- " bridge us of the ancient liberty of parliament, " for freedom of ſpeech, juriſdiction and juſt cen- " ſure of the houſe, and other proceedings there " (wherein, we truſt in God, we ſhall never tranſ- " greſs the bounds of loyal and dutiful ſubjects) a " liberty which we aſſure our ſelves ſo wiſe and " ſo juſt a King will not infringe, the ſame being " our ancient and undoubted right and inheritance, " received from our anceſtors: without which we " cannot freely debate, nor clearly diſcern of things " in queſtion before us, nor truly inform your Ma- " jeſty; in which we have been confirmed by " your Majeſty's moſt gracious former ſpeeches and " meſſages. We are therefore now again inforced, " in all humbleneſs, to pray your Majeſty to al- " low the ſame, and thereby to take away the " doubts and ſcruples your Majeſty's late letter to " our ſpeaker hath wrought upon us.

" So ſhall we your loyal and loving ſubjects " ever acknowledge your Majeſty's juſtice, grace " and goodneſs, and be ready to perform that ſer- " vice to your Majeſty, which in the true affec- " tion of our hearts we profeſs, and pour out our " daily and devout prayers to the Almighty for " your Majeſty's long life, happy and religious " reign, and proſperous eſtate, and for your royal " poſterity after you for ever."

This petition, with the remonſtrance annexed, was ſent to the King by twelve members, at the head of whom the houſe affected to ſet ſir Richard Weſton, a privy-counſellor, a known Papiſt, and thought to be the perſon who moſt inſenſed his Majeſty againſt the commons. Then the houſe re-

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ſolved to proceed to no other affair, 'till they had anſwer to their petition. James received the twelve members very roughly: ſome ſay, he called for twelve chairs for them, ſaying, "Here are twelve "Kings come to me." He received from them their laſt petition, but rejected the remonſtrance, with a copy of their petition already preſented to him againſt the recuſants. Some days after, he ſent the commons his anſwer in writing. As nothing can better diſcover that Prince's deſigns and character than his ſpeeches, tho' generally very tedious, the reader perhaps will be glad to ſee the whole anſwer at large.

King James's anſwer to the latter petition. Ibid. p. 174. Annals of James I. p. 62. Ruſhworth, p. 46.

"WE muſt here begin, in the ſame faſhion "we would have done if your firſt petition "had come to your hands, before we had made a "ſtay thereof; which is to repeat the firſt words of "the late Queen, of famous memory, uſed by her "in anſwer to an inſolent propoſition made by a "Polonian embaſſador unto her; that is, "Legatum expectabamus, Heraldum accipimus". For "we had great reaſon to expect, that the firſt "meſſage from your houſe ſhould have been a "meſſage of thankſgiving, for our continued gracious behavior towards our people, ſince your "laſt receſs, not only by our proclamation of grace, "wherein were contained ſix or ſeven and thirty "articles, all of ſeveral points of grace to the "people, but alſo by the labor we took for the "ſatisfaction of both houſes, in thoſe three articles "recommended unto us in both their names, by "the right reverend father in God, the archbiſhop "of Canterbury; and likewiſe for the good government of Ireland, we are now in hand with "at your requeſt. But not only have we heard no "news of all this, but contrary-wiſe great complaints of the danger of religion within this kingdom, tacitly implying our ill-government in this "point. And we leave you to judge, whether it be "your duties, who are the repreſentative body of "our people, ſo to diſtaſte them with our government; whereas by the contrary it is your duty, "with all your indeavors, to kindle more and more "a dutiful and thankful love in the peoples hearts "towards us, for our juſt and gracious government.

"Now whereas, in the very begining of this "your apology, you tax us in fair terms of truſting "uncertain reports, and partial informations concerning your proceeding; we wiſh you to remember, that we are an old and experienced King, "needing no ſuch leſſons, being in our conſcience "freeſt of any King alive from hearing or truſting "idle reports, which ſo many of your houſe as are "neareſt us can bear witneſs unto you, if you would "give as good ear to them, as you do to ſome tribunitial orators among you: and for proof in "this particular, we have made your own meſſengers confer your other petitions ſent by you with "the copy thereof, which was ſent us before; "between which there is no difference at all, but "that ſince our receiving the firſt copy, you added "a concluſion unto it, which could not come to "our hands 'till it was done by you, and your "meſſenger ſent, which was all at one time. And "if we had no copy of it beforehand, we muſt "have received your firſt petition, to our great "diſhonor, before we had known what it contained, "which would have inforced us to return you a far "worſe anſwer than now we do; for then your "meſſengers had returned with nothing but that, "we have judged your petition unlawful and unworthy of an anſwer: for as to your concluſion "thereof, it is nothing but "proteſtatio contraria "facto"; for in the body of your petition, you "uſurp upon our prerogative royal, and meddle "with things far above your reach; and then in "the concluſion you proteſt the contrary; as if "a robber would take a man's purſe and then "proteſt he meaned not to rob him. For firſt, "you preſume to give us your advice concerning "the match of our deareſt ſon with ſome Proteſtant "(we cannot ſay Princeſs, for we know none of "theſe fit for him) and diſſuade us from his match "with Spain; urging us to preſent war with that "King; and yet in the concluſion, forſooth, ye "proteſt, ye intend not to preſs upon our moſt undoubted and regal prerogative; as if the petitioning us in matters which your ſelves confeſs ye "ought not to meddle with, were not a meddling "with them.

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"And whereas ye pretend, that ye were invited "to this courſe by the ſpeeches of three honorable "lords; yet, by ſo much as your ſelves repeat of "the ſpeeches, nothing can be concluded, but that "we were reſolved by war to regain the Palatinate, "if otherwiſe we could not attain unto it. And "you are invited to adviſe forthwith upon a ſupply, "for keeping the forces in the Palatinate from "diſbanding, and to foreſee the means for the "raiſing and maintenance of the body of an army "for that war againſt the ſpring. Now, what "inference can be made upon this, that therefore we muſt preſently denounce war againſt the "King of Spain, break our deareſt ſon's match, "and match him to one of our religion, let the "world judge. The difference is no greater, than "if we would tell a merchant, that we had great "need to borrow money from him for raiſing an "army; that thereupon it would follow, that we "were bound to follow his advice in the direction "of the war, and all things depending thereupon: "but yet not contenting your ſelves with this excuſe "of yours, which indeed cannot hold water, ye "come after to a direct contradiction to the concluſion of your former petition, ſaying, that the "honor and ſafety of us and our poſterity, and the "patrimony of our children, invaded and poſſeſſed "by their enemies, the welfare of religion, and ſtate "of our kingdoms, are matters at any time not "unfit for your deepeſt conſiderations in parliament. To this generality, we anſwer with the "logicians, that where all things are contained, "nothing is omited. So as this plenipotency of "yours inveſts you in all power upon earth, lacking nothing but the Pope's to have the keys alſo "both of heaven and purgatory: and to this vaſt "generality of yours, we can give no other anſwer; "for it will trouble all the beſt lawyers in the houſe "to make a good commentary upon it: for ſo did "the Puritan miniſters in Scotland bring all kind of "cauſes within the compaſs of their juriſdiction, "ſaying, that it was the church's office to judge "of ſlander, and there could no kind of crime "or fault be commited, but there was a ſlander "in it, either againſt God, the King, or their "neighbor; and by this means they hooked in "to themſelves the cogniſance of all cauſes: or, "like Bellarmine's diſtinction of the Pope's power "over all Kings, "in ordine ad ſpiritualia", "whereby he gives them all temporal juriſdiction "over them.

"But to give you a direct anſwer to the matter "of war, for which you are ſo earneſt: we confeſs, "we rather expect you ſhould have given us great "and hearty thanks, for the ſo long maintaining "a ſettled peace in all our dominions, when as "all our neighbors about are in a miſerable combuſtion of war; but, "dulce bellum inexpertis", "and we indeed find by experience, that a number "of our ſubjects are ſo pampered with peace, as "they are deſirous of change, tho' they know "not what.

"It is true, that we have ever profeſſed, and in

"that

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" that mind, with God's grace, we will live and " die, that we will labor by all means poſſible, " either by treaty or by force, to reſtore our chil- " dren to their ancient dignity and inheritance: " and whatſoever Chriſtian Princes or Potentates " will ſet themſelves againſt it, we will not ſpare " any lawful means to bring our ſo juſt and honor- " able purpoſe to a good end; neither ſhall the " match of our ſon, or any other worldly reſpect, " be prefered to this our reſolution: for, by our " credit and intervention with the King of Spain, " the archdücheſs and her huſband, now with " God, we preſerved the Lower Palatinate one " whole year from any farther conquering in it, " which in eight days ſpace, in that time might " have eaſily been ſwallowed up by Spinola's " army without any reſiſtance. And in no better " caſe was it now at our embaſſador the lord " Digby's coming thro' Heidelberg, if he had " not extraordinarily ſuccored it.

" But becauſe we conceive that ye couple this " war of the Palatinate with the cauſe of religion, " we muſt a little unfold your eyes herein.

" The begining of this miſerable war, which " hath ſet all Chriſtendom on fire, was not for " religion, but only cauſed by our ſon-in-law's " haſty and harſh reſolution, following evil counſel, " to take to himſelf the crown of Bohemia.

" And that this is true, himſelf wrote letters " unto us at that time, deſiring to give aſſurance " both to the French King, and ſtate of Venice, " that his accepting the crown of Bohemia had no " reference to the cauſe of religion, but only by " reaſon of his right of election, as he called it. " And we would be ſorry that ſuch aſperſion " ſhould come upon our religion, as to make it a " good pretext for dethroning Kings, and uſurping " their crowns; and we would be loth that our " people here ſhould be taught that ſtrange doctrine: " no, let us not ſo far wrong the Jeſuits, as to " rob them of their ſweet poſitions and practiſe in " that very point.

" And upon the other part, we aſſure our ſelf " ſo far of your charitable thoughts of us, that " we would never have conſtantly denied our ſon- " in-law both the title and aſſiſtance in that point, " if we had well been perſuaded of the juſtice of " his quarrel. But to conclude; this unjuſt uſur- " pation of the crowns of Bohemia and Hungaria " from the Emperor, hath given the Pope and all " that party too fair a ground, and opened them " too wide a gate for curbing and oppreſſing " many thouſands of our religion, in diverſe parts " of Chriſtendom.

" And whereas you excuſe your touching upon " the King of Spain, on occaſion of the incidents " by you repeated in that place, and yet affirm " that it is without any touch to his honor; we " cannot wonder enough that you are ſo forgetful " both of your words and writs: for in your for- " mer petition ye plainly affirm, that he affects " the temporal monarchy of the whole earth; than " which there can be no more malice uttered " againſt any great King, to make all other " Princes and Potentates both envy and hate him; " but, if ye liſt, it may eaſily be tried, whether " that ſpeech touched him in honor or not, if ye " ſhall aſk him the queſtion, whether he means to " aſſume to himſelf that title or no, for every " King can beſt judge of his own honor. We " omit the particular ejaculations of ſome foul- " mouthed orators in your houſe, againſt the honor " of that King's crown and ſtate.

" And touching your excuſe of not determining " any thing concerning the match of our deareſt " ſon, but only to tell your opinion, and lay it " down at our feet. Firſt, we deſire to know, " how you could have preſumed to determine in " that point, without commiting high-treaſon. " And next you cannot deny but your talking of " his match, after that manner, was a direct " breach of our commandment, and declaration " out of our own mouth, at the firſt ſeting down " of this parliament, where we plainly profeſſed, " that we were in treaty of this match with Spain; " and wiſhed you to have that confidence in our " religion and wiſdom, that we would ſo manage " it, as our religion ſhould receive no prejudice " by it: and the ſame we now repeat unto you, " profeſſing that we are ſo far ingaged in that " match, as we cannot in honor go back; except " the King of Spain perform not ſuch things as " we expect at his hands. And therefore we are " ſorry, that ye ſhould ſhew to have ſo great " diſtruſt in us, as to conceive that we ſhould be " cold in our religion; otherwiſe we cannot " imagine how our former public declaration " ſhould not have ſtoped your mouths in this " point.

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" And as to your requeſt, that we would now " receive your former petition; we wonder what " could make you preſume that we would receive " it, whereas in our former letter we plainly de- " clared the contrary unto you.

" And therefore we have juſtly rejected that ſuit " of yours: for what have you left unattempted " in the higheſt points of Sovereignty, in that " petition of yours, except the ſtriking of coin? " For it contains the violation of leagues, the par- " ticular way how to govern a war, and the mar- " riage of our deareſt ſon, both negative, with " Spain, nay, with any other Popiſh Princeſs? " and alſo affirmatively, as to the matching with " one of our religion; which we confeſs is a ſtrain " beyond any providence or wiſdom God hath " given us, as things now ſtand.

" Theſe are unfit things to be handled in par- " liament, except your King ſhall require it of " you: for who can have wiſdom to judge of " things of that nature, but ſuch as are daily ac- " quainted with the particulars of treaties, and of " the variable and fixed connexion of affairs of " ſtate, together with the knowledge of the ſecret " ways, ends and intentions of Princes, in their " ſeveral negociations? Otherwiſe, a ſmall miſtak- " ing of matters of this nature may produce more " effects than can be imagined: and therefore, " Ne ſutor ultra crepidam." And beſide, the in- " termedling in parliament with matters of peace " or war, and marriage of our deareſt ſon, would " be ſuch a diminution to us, to our crown in " foreign countries, as would make any Prince " neglect to treat with us, either in matters of " peace or marriage, excepting they might be " aſſured by the aſſent of the parliament. And ſo " it proved not long ago with the King of France *; " who, upon a trick procuring his ſtates to diſſent " from ſome treaty which before he had made, " was after refuſed treating with any other Princes, " to his great reproach, unleſs he would firſt pro- " cure the aſſent of his eſtates to their propoſition. " And will you caſt your eyes upon the late times, " you ſhall find that the late Queen, of famous " memory, was humbly petitioned by a parliament " to be pleaſed to marry: but her anſwer was; " that ſhe liked their petition well, becauſe it was " ſimple, not limiting her to place or perſon, as " not befiting her liking to their fancies; and if " they had done otherwiſe, ſhe would have thought " it a high preſumption in them. Judge then " what we may do in ſuch a caſe, having made " our public declaration already (as we ſaid before) " directly contrary to that which you have now " petitioned.

* K. Francis I, on receding from his agreement ſettled with Charles V, the Emperor.

" Now

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" Now to the points in your petition, whereof " you deſire an anſwer, as properly belonging to " the parliament: the firſt and greateſt point is " that of religion; concerning which, at this " time, we can give you no other anſwer than in " general; which is, that you may reſt ſecure, " that we will never be weary to do all we can " for the propogation of our religion, and re- " preſſing Popery: but the manner and form you " muſt remit to our care and providence, who can " beſt conſider of times and ſeaſons, not by un- " dertaking a public war of religion thro' all the " world at once, which how hard and dangerous " a taſk it may prove, you may judge; but this " puts us in mind, how all the world complained, " laſt year, of plenty of corn; and God ſent us a " cooling-card this year for that heat: and ſo we " pray God, that this deſire among you of kindling " wars (ſhewing your wearineſs of peace and plenty) " may not make God permit us to fall into the " miſeries of both. But as we already ſaid, our " care of religion muſt be ſuch, as on the one part " we muſt not, by the hot perſecution of our recu- " ſants at home, irritate foreign Princes of con- " trary religion, and teach them the way to plague " the Proteſtants in their dominions, with whom " we daily intercede, and at this time principally, " for eaſe to thoſe of our profeſſion who live under " them; yet upon the other part, we never mean " to ſpare from due and ſevere puniſhment any " Papiſt who will grow inſolent for living under " our ſo mild government. And you may alſo " be aſſured, we will leave no care untaken, as " well for the education of youth at home, eſpe- " cially the children of Papiſts, as alſo for pre- " ſerving at all times hereafter ſuch youth as are or " ſhall be abroad, from being bred in dangerous " places, and ſo poiſoned in Popiſh ſeminaries. " And as in this point, namely, the good educa- " tion of Popiſh youth at home, we have already " given ſome good proofs, both in this kingdom " and in Ireland, ſo will we be well pleaſed to " paſs any good laws which ſhall be made, either " now or at any time hereafter, to this purpoſe.

" And as to your requeſt of making this a " ſeſſion, and granting a general pardon; it ſhall " be in your defaults, if we make not this a " ſeſſion before Chriſtmaſs.

" But for the pardon, ye crave ſuch particulars " in it as we muſt be well adviſed upon, leſt " otherwiſe we give you back the double or " treble of that we are to receive by your intire " ſubſidy, without fifteens. But the ordinary " courſe we hold fiteſt to be uſed ſtill in this caſe, " is, that we ſhould of our free grace ſend you " down a pardon from the higher houſe, con- " taining ſuch points as we ſhall think propereſt, " wherein we hope ye ſhall receive good ſatiſ- " faction.

" But we cannot omit to ſhew you, how ſtrange " we think it, that ye ſhould make ſo bad and " unjuſt a commentary upon ſome words of our " former letter, as if we meaned to reſtrain you " thereby of your ancient privileges and liberties " in parliament. Truly, a ſcholar would be " aſhamed ſo to miſplace and misjudge any ſen- " tences in another man's book. For, whereas in " the end of our former letter, we diſcharged you " to meddle with matters of government, and " myſteries of ſtate, namely, matters of war or " peace, or our deareſt ſon's match with Spain; " by which particular denominations we interpret " and reſtrain our former words: and then, after " we forbid you to meddle with ſuch things as " have their ordinary courſe in courts of juſtice; " ye couple together thoſe two diſtinct ſentences, " and plainly leave out thoſe words, Of myſteries " of State; ſo as ye err, à bene diviſis ad male " conjuncta: for of the former part, concerning " myſteries of ſtate, we plainly reſtrain our mean- " ing to the particulars which were after mentioned; " and in the latter, we confeſs we meaned it by " ſir Edward Coke's fooliſh buſineſs (1). And " therefore it had well become him, eſpecially " being our ſervant, and one of our council, to " have complained unto us, which he never did, " tho' he was ordinarily at court ſince, and never " had acceſs refuſed him. James I. An' 1621.

" And altho' we cannot allow of the ſtile, call- " ing it Your ancient and undoubted Right and " Inheritance; but could rather have wiſhed, that " ye had ſaid, That your privileges were derived " from the grace and permiſſion of our anceſtors " and us (for moſt of them grow from precedents, " which rather ſhew a toleration than inheritance) " yet we are pleaſed to give you our royal aſſu- " rance, that as long as you contain yourſelves " within the limits of your duty, we will be as " careful to maintain and preſerve your lawful " liberties and privileges, as ever any of our pre- " deceſſors were; nay, as to preſerve our own " royal prerogative, ſo as your houſe ſhall only " have need to beware to trench upon the prero- " gative of the crown; which would inforce us, " or any juſt King, to retrench of their privileges " thoſe who would pare his prerogative, and " flowers of the crown: but of this, we hope, " there ſhall never be cauſe given."

Dated at New-market the eleventh day of December, 1621 (2).

This concluſion of King James's anſwer was ſo clear, as not to require any explication. He had contented himſelf hitherto with inſinuating certain principles, the conſequences whereof he had carefully concealed, and thereby ſeemed to reſerve to himſelf the power either of admiting theſe conſequences in their utmoſt extent, or with reſtrictions, or of denying them according as occaſion ſhould offer. But now, whether he gave way to his paſſion, or was at length glad he had opportunity of delivering his ſentiments freely, and being no longer under the conſtraint of uſing ambiguous terms, very frequently pretended not to be underſtood, he put the commons under a neceſſity either of granting his pretenſions, or oppoſing them openly. But, if I may preſume ſo to expreſs myſelf, he was guilty of a moſt inexcuſable error, in not diſſolving the parliament, before the commons had time to debate upon his anſwer: he would thereby have eſtabliſhed his pretenſions without incuring ſuch a mortification as a bare-faced public oppoſition, which, had he not been wilfully blind, he muſt have expected. The commons, having peruſed his reply, the conſequences whereof they plainly perceived, and knowing the parliament was going to be diſſolved or prorogued, drew up the following proteſtation:

" THE commons now aſſembled in parliament, " being juſtly occaſioned thereunto, concern- " ing ſundry liberties, franchiſes, and privileges of " parliament, among others here mentioned, do " make

The commons proteſtation, Wilſon, p. 747. Annals of James I. p. 65. Coke. Ruſhworth, p. 55.

(1) This fooliſh buſineſs, was a deſign formed by chancellor Bacon, Lepton, and Goldſmith, againſt ſir Edward Coke, after he was diſcharged from being chief juſtice, namely, to exhibit an information againſt him in the ſtar-chamber, or ſend him into Ireland. This buſineſs was debated in the houſe of commons. Coke, p. 118.

(2) The lord-keeper Williams adviſed, that the harſhneſs of this anſwer might be mitigated and ſoftened, for he could never bear, that there ſhould be a miſunderſtanding between the King and his people, if it were poſſible to prevent it. Philips, p. 98.

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" make this proteſtation following, that the liber-
" ties, franchiſes, privileges, and juriſdiction of
" parliament are the ancient and undoubted birth-
" right and inheritance of the ſubjects of England;
" and that the arduous and urgent affairs concern-
" ing the King, ſtate, defenſe of the realm, and
" of the church of England, and the maintenance
" and making of laws, and redreſs of miſchiefs
" and grievances which daily happen within this
" realm, are proper ſubjects and matter of counſel
" and debate in parliament; and that, in the hand-
" ling and proceeding of thoſe buſineſſes, every
" member of the houſe of parliament hath, and of
" right ought to have freedom of ſpeech, to pro-
" pound, treat, reaſon, and bring to concluſion
" the ſame; and that the commons in parliament
" have like liberty and freedom to treat of theſe
" matters in ſuch order, as in their judgments ſhall
" ſeem fiteſt; and that every member of the ſaid
" houſe hath like freedom from all impeachment,
" impriſonment, and moleſtation (other than by
" cenſure of the houſe itſelf) for or concerning any
" ſpeaking, reaſoning, or declaring of any matter or
" matters touching the parliament or parliamentt
" buſineſs: and that if any of the ſaid members be
" complained of, and queſtioned for any thing
" done or ſaid in parliament, the ſame is to be
" ſhewed to the King by the advice and aſſent of
" all the commons aſſembled in parliament, be-
" fore the King give credence to any private infor-
" mation."

James, hearing of this proteſtation, called a council, and repairing thither gave orders for what is contained in the ſubſequent memorial.

Whitehall, Dec. 30, 1621.

James eraſes this proteſtation from the journal-book. Ruſhworth, p. 53.

" HIS moſt excellent Majeſty coming this day
" to the council, the Prince his Highneſs,
" and all the lords, and others of his Majeſty's
" privy-council ſiting about him, and all the judges
" then in London, which were ſix in number,
" there attending upon his Majeſty; the clerk of
" the commons houſe of parliament was called for,
" and commanded to produce his journal-book,
" wherein was noted, and entries made of moſt
" paſſages which were in the commons houſe of
" parliament; and among other things, there was
" written down the form of a proteſtation, con-
" cerning ſundry liberties, privileges, and fran-
" chiſes of parliament; with which form of pro-
" teſtation his Majeſty was juſtly offended. Ne-
" vertheleſs, his Majeſty, in a moſt gracious man-
" ner, there expreſſed, that he never meaned to
" deny that houſe of commons any lawful privi-
" leges they ever had injoyed; but whatſoever pri-
" vileges or liberties they had by any law or ſta-
" tute, the ſame ſhould be inviolably preſerved
" unto them; and whatſoever privileges they in-
" joy by cuſtom, or uncontrouled and lawful pre-
" cedent, his Majeſty would be careful to preſerve.
" But this proteſtation of the commons houſe ſo
" contrived and carried as it was, his Majeſty
" thought fit to be razed out of all memorials,
" and utterly to be annihilated, both in reſpect of
" the manner by which it was gained, and the
" matter therein contained. For the manner of
" geting it, firſt in reſpect of the time: for, after
" ſuch time as his Majeſty, out of his princely
" grace, and to take away all miſtakings, had di-
" rected his letter to ſecretary Calvert, dated at
" Royſton, 16 Decembris, and therein had ſo
" explained himſelf in the point of maintaining the
" privileges of the houſe of commons, as that moſt
" of the ſaid houſe reſted fully ſatisfied, and freed
" from any ſcruple of having their liberties im-
" peached; and after that, by his Majeſty's letters,
" directed to the ſpeaker, dated eighteenth Decem-
" ber, being Tueſday, his Majeſty, at the humble
" ſuit of the houſe of commons, condeſcended to
" make this meeting a ſeſſion before Chriſtmaſs,
" and for that purpoſe had aſſigned Saturday fol-
" lowing. Now upon this very Tueſday, and
" while the meſſengers from the houſe of commons
" were with his Majeſty at Theobalds, to return
" thanks unto his Majeſty, and therewith an ex-
" cuſe from them not to make it a ſeſſion, in re-
" ſpect of the ſtrait of time whereunto they were
" driven; which deferment his Majeſty admited of
" at their deſires, and thereupon gave orders for
" the adjournment of the parliament until the
" eighth of February next, which was the firſt day
" formerly appointed by his Majeſty for the meet-
" ing together of the parliament: and while their
" meſſengers were with his Majeſty, and had re-
" ceived a gracious anſwer to return unto their
" houſes; even that afternoon, a commitee was
" procured to be made for taking their liberties
" into conſideration; and this afternoon a proteſta-
" tion was made (to whom appears not) concerning
" their liberties; and at ſix o'clock at night, by
" candle-light, the ſame proteſtation was brought
" into the houſe by the commitee, and that time of
" night it was called upon to be put to the queſtion,
" there not being the third part of the houſe
" then preſent; whereas in all matters of weight
" their uſual cuſtom is, to put nothing of import-
" ance to the queſtion 'till the houſe be full: and
" at this time many of them who were preſent ex-
" pected the queſtion would have been defered to
" another day, and a fuller houſe; and ſome then
" preſent ſtood up to have ſpoken to it, but could
" not be ſeen or heard in that darkneſs and con-
" fuſion. Now for the matter of the proteſtation,
" it is penned in ſuch ambiguous and general words,
" as may ſerve for future times to invade moſt of
" the rights and prerogatives annexed to the impe-
" rial crown; the claim of ſome privileges being
" grounded upon the words of the writ for aſſem-
" bling the parliament, wherein ſome words, viz.
" Arduis Regni, are cunningly mentioned; but the
" word " quibuſdam", which reſtraineth the gene-
" rality to ſuch particular caſes, as his Majeſty
" pleaſeth to conſult with them upon, is purpoſely
" omited (1).

" Theſe things conſidered, his Majeſty did, this
" preſent day, in full aſſembly of his council, and
" in preſenſe of the judges, declare the ſaid pro-
" teſtation to be invalid, annulled, void, and of
" no effect: and did farther, " manu ſuâ propriâ,"
" take the ſaid proteſtation out of the journal-book
" of the clerk of the commons houſe of parliament,
" and commanded an act of council to be made
" thereupon, and this act to be entered in the re-
" giſter of council cauſes."

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Six days after, James did by proclamation diſ-
ſolve the parliament, declaring he was not obliged
to give account thereof to any, ſince diſſolving the
parliament when he pleaſed was confeſſedly in his
power. That he was however willing to inform
the public, it was becauſe the commons took the
liberty not only to treat of his high prerogatives
which belonged not to them, but alſo to ſpeak diſ-
reſpectfully of foreign Princes: that they buſied

The parliament diſſolved, January 6. Ruſhworth, p. 54. Annals, p. 60. Coke. Wilſon. p. 748.

(1) Formerly, parliaments ſat but a few days, and took into conſideration ſuch affairs only as the King had before ſet forth in the writs of ſummons. But this method being altered, parliaments were called without the occaſion of their meeting being known, and were not limited to the affairs mentioned by the Kings in their firſt ſpeeches; and this made their ſeſſion hold ſo ong. Rapin. See Elſyng's manner of holding parliaments, p. 7. &c.

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themſelves moſtly in diſputing about their privileges without regarding the public wants: that ſome ill-tempered ſpirits ſowed tares among the corn, and by their cunning deviſes had impoſed on him a neceſſity of diſcontinuing the preſent parliament, without puting it to the name or period of a ſeſſion. Then, he declared that, tho' the parliament was broken off, he intended to govern well, and ſhould gladly imbrace the firſt occaſion to call another at a proper ſeaſon.

Proclamation forbiding to ſpeak of ſtate-affairs. Wilſon, p. 748.

This proclamation was followed by another, forbiding, under ſevere penalties, to talk of ſtate-affairs, and charging the judges in their circuits, to put the laws in force againſt licencious tongues.

Several members impriſoned. Annals, p. 66. Wilſon. Coke, p. 121. Ruſhworth.

Not that this was the ſole effect of James's reſentment. Some of the commons, who had appeared moſt zealous to maintain the privileges of the houſe, as ſir Edward Coke (1), ſir Robert Philips, Mr. Selden, Mr. Pym and Mr. Mallery, were impriſoned. Alſo ſir Dudley Diggs, ſir Thomas Crew, ſir Nathaniel Rich, and ſir James Perrot, were ordered into Ireland, to execute a certain commiſſion, the King intending thereby to remove them from their homes, and puniſh them with a kind of exile. On the other hand, the earls of Oxford and Southampton were ſent to the Tower on ſome ſtudied pretenſe: but it was very manifeſtly on no other real account than for ſpeaking, in the upper houſe, ſomewhat too freely of his Majeſty's conduct.

Cauſe of the difference between King and commons.

'Till this laſt parliament the King and commons had only mutually tried each other, the one to extend his prerogative, the other to preſerve privileges which they deemed inconteſtible: but, on the preſent occaſion, both parties were under a neceſſity of declaring and acting openly. The King pretended, as appears by his anſwer to the commons petition, that their privileges having no other foundation than the conceſſions made by his royal predeceſſors, he had a right to revoke them on their giving juſt occaſion. The commons on their ſide, pretended, they injoyed theſe privileges by ancient and undoubted right, had received them by inheritance from their anceſtors, and the King had no power to take them away. I paſs over in ſilence the conſequences which may be drawn from both theſe principles, if carried as far as the general terms will allow: they are obvious to the meaneſt capacity. I beg leave, not to determine ſo difficult a point, but only to make ſome remarks, which, I hope, will be of uſe to the ſequel of this hiſtory.

Remarks on this difference.

Firſt, it is in my opinion extremely difficult, and perhaps impoſſible, to eſtabliſh upon fixed principles as well the royal prerogatives of the Kings of England, as the privileges of parliament, and of the houſe of commons in particular. We muſt except ſuch as are allowed on both ſides, ſince this mutual conſent is of no leſs force than a law. Cuſtom therefore and precedent are the only foundation whereon to eſtabliſh their reſpective rights.

The Anglo-Saxons, who conquered Britain, had no Kings in thoſe parts of Germany where they inhabited before their paſſing over to England. Their government was ariſtocratical. Seven of their chiefs, by whom Britain was conquered, aſſumed the title of Kings, which was never before in uſe among them.

It muſt be obſerved, as a very neceſſary point, that the dominion of theſe new Kings did not properly extend over the vanquiſhed people, viz. the Britons, of whom the majority were driven into Wales and Cornwal, but over the conquerors themſelves, among whom the ſubdued country was divided. Hence it is evident that the right of conqueſt, which might be alledged in favor of the firſt Kings and their ſucceſſors, is wholly excluded.

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It is very probable, not to ſay certain, that the parliament of England is as ancient as the monarchy, tho' ſome diſpute it, but in my opinion without much foundation (2); at leaſt, the time cannot be aſcertained when parliaments firſt commenced: but it is very difficult to prove the commons were ſummoned to parliament, and there voted.

On the other hand, it cannot be doubted theſe firſt Kings had great prerogatives, which were much augmented by their ſucceſſors: but I believe it may be taken for granted that, in general, neither the King's prerogatives, nor the peoples privileges, owe their origin to the laws; conſequently, they can neither be limited nor extended but as warranted by examples and precedents. Now theſe precedents are ſo contrary one to another, that there is no forming any fixed and certain rules: and what cauſes moſt difficulty in this matter, is the ambiguity of the terms, and firſt, in the word parliament.

If parliaments are conſidered as bodies compoſed of King and two houſes, we may without ſcruple aſcribe thereto a power unlimited, with reſpect to the kingdom's affairs: but if we ſuppoſe a parliament to conſiſt only of the two houſes without the Sovereign, we cannot deny its rights to be limited. The two houſes are properly the whole nation, excluſive of the King. They have their privileges; but it belongs not to them to extend them as they pleaſe: to effect this the King's conſent is neceſſary. This is ſtill abundantly more certain when one of the houſes acts alone, without the other's concurrence: for then it repreſents but part of the nation, who cannot legally claim any other rights than thoſe which are granted either by ſome law, or by the tacit conſent of the King and the other houſe. Very true it is that, to each of the two houſes belong ſeparate rights and privileges; and that the two houſes together, tho' ſeparated from the King, have alſo their privileges: but the queſtion is to know, how far they reach, and whether the Sovereign alone ought to be arbiter.

The term prerogative royal is liable to no leſs ambiguity than the word parliament. It is a looſe and general term, which gives only a very confuſed idea of the thing ſignified. If it is a right common to all who bear the title of King, the prerogative royal muſt be the ſame every where, and the Kings of England and Poland will be as abſolute as the King of Perſia. If it has bounds, by whom were they ſet? Or, what are the bounds which it cannot exceed? I believe it is no leſs difficult to reſolve theſe queſtions, than thoſe concerning parliamentary privileges. But as the prerogative royal includes many particular rights, let us examin, for inſtance, the power challenged by James of revoking the houſe of commons privileges. From whence had he this particular prerogative? Was it a right common to all Kings? But there are in the world kingdoms without parliaments or a houſe of commons. Was this prerogative as ancient as the Engliſh monarchy? But he himſelf would not grant the houſe of commons to be ſo ancient. Was it from ſome law? But he produced none. Was it by a tacit conſent, or by uſurpation? But the thing had never

(1) Orders were given for ſealing up the locks and doors of ſir Edward's chambers in London, and in the Temple, for the ſeizing his papers; and it was debated in council how he might be excluded from the benefit of the general pardon which was to have paſſed this laſt parliament. Ruſhworth, Vol. I. p. 55. Annals, p. 66. Sir Edward, it ſeems, had called the King's prerogative an over-grown monſter. Wilſon, p. 749.

(2) See my diſſertation in the preceding volume of this Hiſtory. Rapin.

happened

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happened before. Was it, in fine, upon this general maxim, that whatever is granted by one King may be revoked by another? But, beſide that this is no inconteſtible principle, eſpecially after many centuries of uninterrupted poſſeſſion, his Majeſty would have been ſtrangely puzzled to name thoſe Kings who had granted the commons their privileges. Thus King James ſuppoſed, that the prerogative was a thing fixed, indiſputable, known to all the world, tho' nothing was more indeterminate, or of leſs known limits and extent.

Let us now conſider what were thoſe rights, liberties and privileges claimed by the commons as their ancient and indubitable birth-right and inheritance. Theſe are all uncertain and general terms, of which we cannot have a clear and diſtinct idea, without applying them to particular caſes. But what was ſaid concerning the royal prerogative, may be applied here. How came the commons by theſe rights? How far did they reach? Where were their bounds? This would be very difficult to fix. James perhaps went too far, when he would have intirely deprived the commons of the right of repreſenting to him the nation's grievances, and of the liberty to debate, reaſon, and ſay in the houſe what was thought proper. But if, under color of theſe rights, the commons would take upon them to adviſe the King upon all occaſions, and ſpeak injuriouſly of his Majeſty in their houſe, upon what would they ground ſuch privileges?

Since therefore it is ſo difficult to decide theſe queſtions concerning the prerogative royal, and the privileges of both houſes, or of each in particular, prudence and good policy require, that Kings and parliaments avoid as a rock the ingaging in ſuch diſputes. Accordingly, we may in peruſing this hiſtory have obſerved that the wiſeſt, the moſt illuſtrious Kings, thoſe whoſe merit is moſt univerſally acknowledged, as Edward I, Edward III, Henry V, Edward IV, Henry VIII, Elizabeth, never had any conteſts of this nature with their parliaments. On the contrary, thoſe who were leaſt eminent for their prudence and capacity, ſuch as Henry III, Edward II, Richard II, were ruined for ſtarting ſuch arguments. James is the firſt, who in thoſe later days ingaged in this quarrel. He was followed by his ſon and grandſons, and theſe Princes, very far from ſucceeding in their projects, only rendered themſelves extremely unhappy. A wiſe and prudent King of England, who knows his own intereſt, will never quarrel with his parliament; and a parliament, whoſe ſole view is the kingdom's welfare, will take care never to call in queſtion the King's juſt prerogative: nay, they will rather chuſe to ſee it ſomewhat too far ſtretched than run the riſque of breaking a union, which is the ſole foundation of public happineſs. I hope I ſhall be forgiven this digreſſion, which to me ſeems of uſe to inform the reader, and help him to judge impartially of the differences which gave birth in this, and produced ſo many calamities in the inſuing reign.

Ill conſequences of diſſolving the parliament.

The diſſolution of this parliament, and the little likelihood of James's ever calling another, could not but be attended with ill conſequences. The King forfeited, by this proceeding, not only the love and eſteem of great part of his ſubjects, but alſo the regard of foreigners. When he was thus imbroiled with his people, it was univerſally concluded he could be no longer either a friend to be relied on, or a foe to be dreaded. On the other hand, the nation could not without terror reflect that they were on the point of being expoſed to a deſpotic power, ſince they were not to have any more parliaments to keep within due bounds the prerogative royal. But the worſt effect produced by this rupture between King and parliament, was the diviſion among the ſubjects, who continually joined with the two oppoſite parties, which ſubſiſt to this day, with ſome difference, under the denominations of Whigs and Tories.

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Theſe two parties which began to be formed, were at firſt contented with mutual diſputes in defenſe of the King's or the peoples rights, relating to what had occaſioned this parliament's diſſolution. The Royaliſts ſaid, the commons aimed at converting the Engliſh monarchy to a republic: that their meddling with ſtate-affairs, and adviſing his Majeſty how he ſhould manage the kingdom and his own family, ſhewed they aſpired to no leſs than governing the ſtate, ſince they would never want pretenſes to give the King counſel; with which if he refuſed complying he would, on that very account, be deprived of the neceſſary aids for defenſe of the realm, and conſtrained to receive law from foreign Princes: that England was originally a monarchy, and had ever continued upon the ſame foot: but the foundations were going to be undermined, by making the King ſubject to the parliament: that at firſt only remonſtrances were made to the King; afterwards counſels were added; but theſe counſels would ſoon be converted into inſtructions, and thoſe inſtructions into orders and commands: in a word, if the commons were ſuffered to proceed, the King would quickly become a mere Doge: that the commons had the leſs right to pretend to the ſtate government, as the ſtate had ſubſiſted five hundred years without them, ſince it was about the end of Henry III's reign, and during the earl of Leiceſter's uſurpation, that the peoples repreſentatives were firſt admited into parliament. In ſhort, that it was very ſtrange that, under a monarchial government, the people, or their repreſentatives, ſhould tell the King how he was to govern his kingdom: that ſuppoſing the people had ſuch a right, it would be neceſſary to impart to them all the ſtate ſecrets, and conſult them about alliances and treaties, peace and war; but, as this had never been practiſed, it followed of courſe that the ſuppoſition was falſe, and the people were called to parliament only to ſupply the King's wants, and to ſettle taxes and impoſitions in a manner leaſt burdenſome to the ſubjects: that indeed, as to the laws concerning the ſtate's internal government, it was thought proper to inact them with conſent of the people who were to be ſubject to them, that they might be the better executed; but no conſequence could thence be drawn, either for foreign affairs, or for the execution of theſe laws which was left to the King alone, or for the kingdom's general government.

Reaſons alledged for and againſt the King.

The peoples favorers ſaid in their turn, that the King, not ſatisfied with England's being a monarchy, would make it a deſpotic monarchy: that he affected to confound the ſeveral kinds of monarchies, whereof ſome were more others leſs abſolute, in order to acknowledge but one ſort, to which he aſcribed power unlimited: that the Engliſh monarchy was not of this kind, but began with the parliament, which being as ancient as the royalty, formed, together with the Sovereign, that abſolute power which his Majeſty would aſſume to himſelf alone: that the parliament had their privileges, as the King had his, nor could be deprived of them, without deſtroying the nature and conſtitution of the Engliſh government: that the parliament repreſented the whole nation, who were as much or more concerned in the ſtate's welfare than was the King himſelf: that indeed, the King had his undoubted prerogatives; but they were intended for the welfare and preſervation of the ſtate, and not for its ruin: that, while he kept within theſe bounds, and acted only for the kingdom's benefit, he anſwered the end and intent of his prerogatives; but it was deſtroying the conſtitution to pretend, that his prerogative royal gave him power to ſubvert

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vert the laws, to make alliances repugnant to the good of the realm, to render the nation contemptible in the eyes of foreigners, to expoſe religion to the danger of being ruined thro' exceſs of careleſſneſs and condeſcenſion for its enemies: that, in ſuch a caſe, as he ſwerved from the end and deſign of his prerogative, it was the peoples, or their repreſentatives buſineſs to ſhew him the inconveniences of his conduct, propound means to prevent them, and give him counſels proper for their cure: that if this were not ſo, it would follow the King would be abſolute and arbitrary; might ruin and deſtroy the kingdom at his pleaſure, trample upon the eſtabliſhed laws, oppreſs the ſubjects, take away their lives and fortune, which was directly contrary to the conſtitution of England: that, as to the reſt, it evidently appeared, the King was laboring to reduce the parliament's privileges to little or nothing. Does the parliament repreſent to him the peoples grievances? It may, ſays he, be thence infered, that the King governs ill, and this tends to alienate from him the love of his ſubjects. Is he deſired to put the laws againſt recuſants in execution? He anſwers, that affair muſt be left to his care; he knows what is proper to be done; he is an old experienced King, who has no need to be taught, and yet he is not ſeen to do the leaſt thing towards redreſſing the grievances complained of: do the commons repreſent to him, that the Prince his ſon's marriage with the Spaniſh Infanta may be of very ill conſequence to religion? He replies, they have no buſineſs to meddle with his family-concerns: do they ſtrive to make him ſenſible, that the Proteſtant religion is in danger of being deſtroyed throughout Europe, for want of aſſiſtance, and that the King of Spain amuſes him with fair promiſes, while he is over-runing the Palatinate? He anſwers, theſe are matters of ſtate too high for the peoples repreſentatives, who have neither wiſdom nor capacity enough to comprehend the myſteries of government: "Ne ſutor ultra crepidam". In a word, he reduces the privileges of the commons to adviſing the King when he ſhall do them the honor to aſk it, and to ſupplying him with money when he demands it on any pretenſe, tho' the pretenſe be evidently falſe, ſince he will not ſuffer his reaſons to be examined. But this is not all. He plainly tells the commons, their privileges are only conceſſions of himſelf and predeceſſors, and intimates that they ſhall keep them no longer than their ſubmiſſion makes them worthy thereof. Is it poſſible, ſay they, to give plainer marks of a ſettled deſign to uſurp arbitrary power? Suppoſing the commons were not called to parliament 'till the reign of Henry III, which however cannot be proved, have they not ever ſince been a very eſſential part of parliament, and conſequently have they not undoubted right to all parliamentary privileges?

The Puritans for the people.

This is part of what was then urged on both ſides, and is what ſerved to cheriſh diviſion between the two parties, who have not ever ſince ceaſed reviling each other. It is eaſy to gueſs with which of theſe factions the Puritans joined themſelves. They loved not the King, who on his part diſcovered, on all occaſions, that he was their mortal enemy: but there were, as I have already obſerved, two ſorts of Puritans, viz. State-Puritans and Church-Puritans. Before King James declared himſelf ſo openly with reſpect to his prerogative royal, the State-Puritans were few, becauſe his Majeſty having not gone great lengths, his intention was yet only ſuſpected: but after the diſſolution of his third parliament, their number greatly increaſed, and the King, thro' a policy very deſtructive of his intereſts, always affected to confound theſe two ſorts of Puritans. He thereby forced them to make but one party, tho' they were united only in a ſingle point, viz. in oppoſing the court's maxims: ſo the Church-Puritans, who before made but a ſmall figure in the kingdom, ſuddenly formed a very conſiderable party by this junction of the State-Puritans. This party grew at length ſo powerful, that they overthrew the eccleſiaſtical hierarchy, and the monarchy itſelf; but this happened not 'till the ſucceeding reign.

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On the other hand, the King's party was ſtrengthened by junction of the Arminians, who were very numerous. Arminius's doctrine had bred diſputes in England, tho' with leſs noiſe than in Holland. Many eccleſiaſtics had imbraced this doctrine, tho' condemned by the ſynod of Dort, whoſe authority they did not acknowledge, and notwithſtanding his Majeſty's open profeſſion to reject Arminius's tenets. Theſe men, improving this opportunity ariſing from the diſcord between the two parties, readily joined the Royaliſts, and from that time were as much careſſed at court as they were hated before. By this means, William Laud, a divinity doctor of great parts and learning, was qualified, tho' Arminian in principle, to be promoted to the See of St. David's by the intereſt of Buckingham, who deſired the biſhop of Lincoln (1) to recommend him to his Majeſty. It was however with ſome difficulty that James agreed to this preferment, being prejudiced againſt him on account of his proud and turbulent ſpirit. After the Arminians had liſted themſelves in the King's party, they were in the height of proſperity, favored by the courtiers, who were laboring to hinder the growth of Puritaniſm. On the other hand, the Papiſts alſo declared openly for the King, becauſe it was by abſolute power alone they could obtain their wiſhes, whereas parliaments were profeſſedly their enemies. Finally, moſt of the clergy ſided alſo with the King, looking on him as the only perſon capable of ſupporting them againſt attempts of the Puritans, whoſe number continually increaſed.

The Arminians for the King. Weldon, P. 751.

Coke.

Hacket's life of Williams. P. 63, 64.

The Papiſts imbrace this party,

as do likewiſe the clergy.

The two factions being thus compoſed of men of different kinds and ſentiments, mutually upbraided one another with what was moſt odious in each party. The Royaliſts confounded under the name of Puritans all who oppoſed the King, and the Puritans taxed all the Royaliſts with being Papiſts or Arminians.

Mutual reproaches of the two parties. Clarendon.

This diviſion, which began to be remarkable in England, little helped to eſtabliſh King James's reputation abroad. It was now two years ſince his ſon-in-law's dominions were invaded by the Spaniard and duke of Bavaria, and he was not ſeen to take any effectual courſe for their recovery. Embaſſies and ſollicitations were the only arms he uſed for that purpoſe (2). The King of Spain had amuſed him four or five years with hopes of a marriage which advanced not, and by that means tied up his hands while he ſeized the Palatinate. In fine, when all Europe expected he would open his eyes to look towards his kingdom's his family's and his own intereſts, and take ſome vigorous reſolution, it was heard that he was irreconcileably at variance with his parliament. Hereupon he was deſpiſed abroad, and inſults ſoon followed contempt. In the Netherlands he was publicly ridiculed on their ſtages. Comedies were acted, with meſſengers

King James little eſteemed abroad. Wilſon. Ruſhworth.

Openly ridiculed in the Netherlands. Wilſon. p. 749.

(1) Lord-keeper Williams.——Archbiſhop Abbot had repreſented him to the King as unſound in religion, becauſe he was an Armenian. Hacket, p. 63. Coke, p. 126.

(2) It was ſaid, the King might almoſt have purchaſed ſuch a country as the Palatinate, with the money ſquandered away on embaſſies. Wilſon, p. 748.

haſtily

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haſtily bringing news that the Palatinate was juſt ready to be over-run by the numerous forces ſending thither by the King of Spain's enemies: the King of Denmark was to find a hundred thouſand pickled herrings; the Hollanders a hundred thouſand butter-boxes; and the King of England, a hundred thouſand embaſſadors. In one place, King James was pictured with a ſcabbard without a ſword; in another with a ſword which could not be drawn, tho' diverſe perſons ſtood pulling at it (1). In England itſelf the almoſt-forgot ſtory of David Rizzo was revived. But what gave moſt chagrin to that party who oppoſed the court, was to ſee Buckingham govern ſo abſolutely that James ſeemed to have made his favorite his maſter. None were advanced to poſts but Papiſts, Arminians, or ſuch as were preſumed to have little or no religion. In a word, at court ſuch only paſſed for Proteſtants as were for the royal prerogative in its utmoſt extent, be their creed what it would: all the reſt were Puritans. Abbot himſelf, archbiſhop of Canterbury, was reckoned among the Puritans, becauſe he approved not of the court-maxims. He had the misfortune, in 1622, to kill a man with an arrow as he was ſhooting at a buck; and this accident occaſioned his being deemed incapable of any longer performing the epiſcopal functions: wherefore he reſolved alſo to ſave himſelf the trouble of going to the council, where his advice was little regarded, as coming from a perſon of Puritan principles.

Archbiſhop Abbot deemed a Puritan. Wilſon, p. 751.

He kills a man accidentally, and retires from court. Ibid. Ruſhworth. Cabala.

While peoples minds were in this ſort of fermentation, James wanted money. He was for ſending Digby to Spain, and Weſton to Bruſſels to finiſh at once the marriage and Palatinate affairs: beſide, Buckingham and his relations were a gulph which could not be filled. There was no probability of a new parliament, after the ſteps James had lately taken. Tho' a parliament could have been prevailed on to give the King money, it would not have been 'till after their privileges were ſecured at the expenſe of the prerogative royal, and James thought that remedy worſe than the diſeaſe. Recourſe muſt therefore be had to extraordinary methods. The ſureſt and moſt expeditious ſeemed to be the exacting from the people a contribution under the name of Benevolence. As the court very well knew that, except ſome compulſion was uſed, the peoples liberality would not go any great lengths, the judges were ordered in their circuits to demand a benevolence, and to intimate withal, that his Majeſty would not be ſatisfied with what ſhould be voluntarily offered, if it was not proportionable to the donor's abilities. To that purpoſe the council directed a circular letter to the judges, concluding with theſe words: "Nevertheleſs, if any perſon "ſhall, out of obſtinacy or diſaffection, refuſe to "contribute herein proportionably to their eſtates "and means, you are to certify their names unto "this board. And ſo recommending this ſervice "to your beſt care and indeavor, and praying "you to return unto us notes of the names of ſuch "as ſhall contribute, and of the ſums offered by "them." The excuſe for this levy of money was the King's pretended reſolution to recover the Palatinate by arms, after having in vain tried gentle means. It will hereafter appear how this reſolution was executed.

James exacts a benevolence. Annals, p. 68. Coke. Ruſhworth, p. 60.

Ibid.

James's project was to conclude the Prince his ſon's marriage, and receive the dowry of two millions, before he demanded reſtitution of the Palatinate, for fear the Spaniard ſhould pretend that this reſtitution was to be in compenſation of the dowry: after that, he hoped the King of Spain, thro' friendſhip, and in conſideration of their alliance, would ſurrender the Lower Palatinate to his ſon-in-law, and oblige the Emperor and duke of Bavaria to reſtore him the Upper. This was all he intended to do for his daughter and ſon-in-law. That this was his deſign, manifeſtly appears in his inſtructions to lord Digby, before his departure for Spain, wherein he was expreſly ordered, "not to make the affair "of the Palatinate one of the marriage articles." James would however have the public believe, that his chief aim in the Spaniſh match was to procure his ſon-in-law reſtitution of the Palatinate. This doubtleſs was one of thoſe myſteries of ſtate which could not be comprehended by the commons. Perhaps he really hoped ſuch reſtitution would immediately follow upon the marriage: but this hope was founded on a very weak baſis. Very ſeemingly, it was Gondomar who inſpired him with this chimerical expectation.

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His project.

However this be, James, being abſolutely fixed on this ſcheme, ſent Digby embaſſador-extraordinary to Spain, to conclude the marriage-treaty, jointly with ſir Walter Aſton, who had been ſome time at the court of Philip IV (2). The articles concerning religion were already ſettled, but the reſt were not to be talked of, 'till the Pope's diſpenſation was obtained, for fear of laboring to no purpoſe. This was one of the Spaniſh court's artifices to prolong the affair, and have time to complete conquering the Palatinate, while the diſpenſation was expected, which, in all appearance, his Catholic Majeſty might either haſten or delay, juſt as himſelf pleaſed. Mean while, the hope of a ſpeedy concluſion of this marriage, the two millions dowry, and reſtitution of the Palatinate ſo fettered James's hands that he durſt not move even a finger to offend the Spaniard, for fear of defeating ſo noble a project. Thus, whenever he talked of ingaging in a war to recover the Palatinate, it was always with this reſtriction, if he could not obtain it by fair means, becauſe he thought himſelf ſure of ſucceſs in his negociations. It is therefore certain that, when he demanded money of the parliament, or exacted a benevolence on the people, it was not with deſign to prepare for war, tho' that was the pretext, ſince a breach with the houſe of Auſtria was inconſiſtent with his project.

Digby ſent to Spain. Rym. Fœd. Vol. XVII. p. 300. Cabala. Wilſon, p. 749. Ruſhworth, p. 56, 60. Annals.

When Digby (who was this year created earl of Briſtol) ſet out for Spain, James cauſed Gage to ſet out for Rome, to ſollicit the diſpatch of the diſpenſation, without which his new embaſſador could not proceed at Madrid. But to render Gage's inſtances more effectual, it was requiſite his Holineſs ſhould be acquainted, that King James was no proſecutor of Catholics: not but that he had already given very convincing proofs; however he thought he ſhould, on this occaſion, give a ſtill ſtronger one, by releaſing all the impriſoned recuſants (3). This was done publicly and openly, by writs under the great-ſeal to the juſtices of aſſize, with a letter from the lord-keeper Williams, exhorting them

Created earl of Briſtol. Wilſon. Ruſhworth.

Gage ſent to Rome to forward the diſpenſation. Wilſon, p. 750.

The impriſoned recuſants releaſed. Ruſhworth, p. 62.

(1) At Bruſſels they painted him with his pockets hanging out, and not one penny in them; and his purſe turned upſide down. In Antwerp they painted the Queen of Bohemia like a poor Iriſh mantler, with her hair hanging about her ears, her child at her back, and King James carrying the cradle after her; and every one of theſe pictures had ſeveral mottos expreſſing their malice. Coke, Vol. I. p. 126.

(2) Lord Digby carried letters from King James and Prince Charles, to the King of Spain, and one from the King to Baltazar Zuniga, which ſee in Ruſhworth, Vol. I. p. 57, &c. Digby, on his arrival to Spain, was ſtrangely neglected by the Spaniſh court. See Wilſon, p. 749, 750.

(3) Gondomar uſed to boaſt, that four thouſand recuſants had been releaſed thro' his interceſſion. Wilſon, p. 750.

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punctually to obey the King's orders. These writs, contrary to law, to the commons remonstrance, and to James's own answer to their petition, occasioned many severe censures upon this Prince's procedure. As this affair made a noise among the people, the lord-keeper was ordered to vindicate his Majesty by a public writing. The said vindication is introduced with this noble comparison: "As the sun in "the firmament appears to us no bigger than a "platter, and the stars but as so many nails in the "pummel of a saddle, because of the inlargement "and disproportion between our eye and the object: "so is there such unmeasurable distance between "the deep resolution of a Prince, and the shallow "apprehensions of common and ordinary people, "that as they will ever be judging and censuring, "so they must needs be obnoxious to error and "mistaking." Then he gives two reasons, both very false, of this conduct. The first; that as his Majesty was now solliciting very zealously for some ease to all the Protestants in Europe, it would be unreasonable to execute, at the same time, the laws against the Roman Catholics. The second; that the English Jesuits had published a book, to excite the French King to execute, in his kingdom, against the Hugonots the same laws as those inacted in England against the Papists. But, added the bishop, "to conclude, from the favor done to the English "Papists, that the King favors the Romish re-"ligion, is a composition of folly and malice, "little deserved by a gracious Prince, who, by "word, writing, exercise of religion, and acts of "parliament hath demonstrated himself so resolved "a Protestant.

The lord-keeper's vindication of the King. p. 63. Annals, p. 69.

I observed that, about the close of last year, the Emperor sent to England count Schwartzemburg, to treat of the Palatinate affair. This embassador, being pompously received at London, as testifying his Imperial Majesty's regard for the King, could produce no powers when he was to discourse of business. It was the archduchess Isabella whom the Emperor had impowered to conclude the truce which King James required: wherefore there was a necessity of going to negociate at Brussels with her said Highness and the agents of some Protestant Princes. King James chose for this imploy sir Richard Weston, possibly, because he thought his religion would advance the negociation. But, to gain the Infanta's favor, he likewise made use of another means. He gave leave to lord Vaux, a Papist, to raise two thousand men (1) in England, to serve the Infanta against the United Provinces, and the Protestant Princes their allies. By such means as these did James hope to succeed in his negociations. We shall see presently the event; but it will be necessary first to mention what passed in Germany, during the year 1622.

Issue of count Schwartzemburg's embassy. Du Chesne.

Weston sent to Brussels. Rushworth, p. 56.

Vaux is permited to raise men to serve the Infanta against the states. Du Chesne.

The King of Bohemia, plainly perceiving his royal father-in-law used very ineffectual methods to restore him to his dominions, believed it advisable to try some other expedient. He was still master of Manheim, Heidelberg and Frankendal, and count Mansfeldt, tho' withdrawn into Alsatia, had it still in his power to re-enter the Lower Palatinate. In order to improve this latter remedy, he agreed with Prince Christian of Brunswic, administrator of the bishoprick of Halberstadt, who had accompanied him to the Hague, to raise forces in Westphalia, and join Mansfeldt. At the same time, he made a like agreement with the Prince of Baden-Durlach, who promised also to levy troops for the same purpose. Seemingly, the Hollanders supplied monies for these levies, on account of the advantage they should reap from this powerful diversion. These two Princes kept promise with his Bohemian Majesty, and each headed ten or twelve thousand men. The difficulty was how to enter the Lower Palatinate, where the Spaniards where very powerful. However, the matter not appearing quite impossible, the Prince of Brunswic took the field in Westphalia, and seized some places in the county of Marc. This drew upon him a detachment of the Spanish army from the Netherlands, under conduct of count Henry de Bergh, who was joined by the count of Anhalt with another detachment of the Bavarian army, commanded by count Tilly in the Palatinate. By this means, Prince Christian saw himself detained some time in Westphalia: but at length count Bergh being recalled, he was at liberty to advance. On the other hand, it was not easy for the Prince of Baden to enter the Palatinate, all its avenues being secured by count Tilly and Gonsalez de Cordoua.

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Affairs of Bohemia. Hist. Reb. Boh. Coke. Wilson.

Mean while, the King of Bohemia departing privately from the Hague, on board a small vessel, and landing at Calais, traversed France and safely arrived at Mansfeldt's army, already advanced to Germersheim. Here they impatiently expected the approach of the two armies coming to their assistance. It would be needless to give a particular account of the march of these two armies, and the obstacles they met with from the Spaniards and Bavarians. It will suffice to say, the Prince of Baden was defeated the sixth of May: that afterwards the King of Bohemia and Mansfeldt marching to Prince Christian, met count Tilly, who put them to rout, and forced them to retire to Manheim. This battle was fought the twelfth of June. Eight days after, Tilly also attacked Prince Christian, who was advanced to the borders of the Palatinate, and tho' he gained over him some advantage, could not however prevent his passing to Manheim with good part of his forces.

Some time after, the Spaniards and Bavarians were so strongly recruited, that their army consisted of more than fifty thousand men, with which they almost surrounded their enemies, who lay incamped between Manheim and Heidelberg. Wherefore the King of Bohemia, despairing ever to recover what he had lost, returned to Holland. After his departure, the Prince of Brunswic and count Mansfeldt resolved to join Prince Maurice in the Netherlands, and march thro' Lorrain. As they were obliged to take a compass, Gonsalez de Cordoua, parting from Tilly, marched and expected them in Brabant, to obstruct their passage. The two armies meeting between Namur and Brussels, fought with equal success; but the Prince of Brunswic lost one of his arms by a cannot shot. After the battle, Mansfeldt pursued his march towards Holland.

During this interim count Tilly, having no enemy to oppose him in the Lower Palatinate, carried Heidelberg by storm (2), took Manheim by a long blocade, and then besieged Frankendal (3).

Heidelberg and Manheim taken, and Frankendal besieged.

While his Bohemian Majesty was in the Palatinate, conferences were held at Brussels, to procure a truce for that unhappy country, answerably to the King of England's desire, tho' he was not impowered by the King his son-in-law, for whom, at this juncture, a truce was not convenient. Immediately in this negociation occurred two difficulties

Negociations at Brussels. Du Chesne. Hist. Reb. Boh. Rushworth.

(1) Wilson, p. 753, says 4000.

(2) The famous library there was carried to Rome, and deposited in the Vatican. Welwood, p. 27.

(3) Sir Horatio Vere was the English commander in Manheim, sir Gerard Herbert governor of Heidelberg castle, and major Burroughs of Frankendal. Herbert was slain, after breaking three pikes with his own hand, in repulsing the enemies from the assault. Wilson, p. 757.

which

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which ſerved to prolong it. The firſt was, the Engliſh embaſſador had not ſufficient powers from the King of Bohemia and his allies: James had doubtleſs imagined that, ſince this truce was negociating on his account, it ſufficed to treat with him; but the Spaniards gave to underſtand, they could treat only with the principal parties: they muſt therefore neceſſarily ſend to the Palatinate for full powers from the King of Bohemia, who was not in haſte to diſpatch them while he had any hope of ſucceeding in his enterpriſe; but at laſt ſending theſe powers when he ſaw his affairs declining, another difficulty of the ſame nature occurred at Bruſſels. The archdutcheſs had no other power than the Emperor's bare letter, deſiring her to conſult with the Engliſh embaſſador concerning a truce for the Lower Palatinate (1). From that time the King of Bohemia's affairs daily growing worſe, the archdutcheſs and count Schwartzemburg prolonged the affair on diverſe pretenſes, 'till Heidelberg was taken, and Manheim cloſely blocaded. Then James wrote to the King of Spain, deſiring him to order that the Palatinate affairs might remain in their preſent ſtate, 'till the truce was concluded and the blocade of Manheim raiſed. Philip feigned to have for him this condeſcenſion; but before his letter to the archdutcheſs was received, Manheim was taken: nay, it hindered not count Tilly from beſieging Frankendal, which he would have alſo taken without ſcruple, had not the overflowing of diverſe rivers forced him to remove. Thus was James amuſed with vain hopes, while the conqueſt of the Palatinate was completing. He at length perceived it, but at the ſame time was told, the Prince his ſon's marriage was ſo near a concluſion that he could not think of hazarding a miſcarriage in that affair, by inſiſting too ſtrenuouſly on reſtitution of the elector's dominions. This may be clearly ſeen in his letters to the earl of Briſtol, his embaſſador in Spain, wherefrom I ſhall here give ſome extracts.

King James amuſed.

Sept. 16.

Novem. 4.

He deceives himſelf.

Sept. 9, 1622.

Right truſty, and well-beloved,

His letters to the earl of Briſtol. Wilſon. Ruſhworth, p. 68.

"YOUR diſpatch of the ninth of Auguſt gave us ſo much contentment, and ſo great hopes of ſatisfaction in all thoſe buſineſſes, which you have there to treat with that King, as we could not expect any farther difficulties; notwithſtanding, by that which has come to our hands immediately after, as well by George Gage from Rome, as by our embaſſador, ſir Richard Weſton, at Bruſſels, and our miniſters in the Palatinate; we find that neither the diſpenſation is granted for the match, nor the treaty of ceſſation ſo near a concluſion as we conceived it would have been, now that the auxiliaries, and all other obſtacles are removed. But on the contrary ſide, that new delays and excuſes are invented, our gariſons in the Palatinate in the mean time blocked up, Heidelberg itſelf actually beſieged.----.

"Therefore our pleaſure is, that you ſhall immediately, and with as much ſpeed as you may, crave audience of that King, and repreſent unto him the merit which we may juſtly challenge unto our ſelf, for our ſincere proceedings, with the Emperor and him, in all the courſe of this buſineſs, notwithſtanding the many invitations and temptations which we have had to ingage our ſelf on our ſon-in-law's part. That we have had, both from the Emperor and him, hopes given us from time to time of extraordinary reſpect, howſoever our ſon-in-law had deſerved, which we have attended and expected even to the very laſt, with much patience, and in deſpight (as it were) of all the oppoſition that hath been made to ſhake our reſolution in that behalf. If now, when all impediments are removed, and that the way is ſo prepared that as the Emperor may give an end unto the war, and make ſome preſent demonſtration of his reſpects towards us, in leaving us the honor of holding thoſe poor places, which yet remain, quietly and peaceably, until the general accommodation, the ſame ſhall nevertheleſs be violently taken from us, what can we look for, when the whole ſhall be in his hands and poſſeſſion? who amuſing us with a treaty of ceſſation, and protracting it induſtriouſly (as we have reaſon to believe) doth in the mean time ſeize himſelf of the whole country; which being done, our embaſſador ſhall return with ſcorn, and we remain with diſhonor.

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"I ſhall not need to furniſh you with arguments for the unfolding and laying open this unfriendly dealing more plainly unto them; your own reaſon and obſervation will find enough out of the diſpatches, whereof copies are ſent unto you; as namely, the withdrawing the Spaniſh forces, and leaving the buſineſs wholly in the hands of the Emperor and duke of Bavaria; the ſtile of the Infanta, in anſwering our embaſſador with recriminations, which was not her manner heretofore; the ſlight and frivolous anſwer given by marquis Bedmar unto our embaſſador, when he acquainted him with the ſiege of Heidelberg; the quarrellous occaſion taken by the Emperor for calling the diet at Ratiſbon, contrary to his own promiſe, which, in his diſpatch to us, he confeſſeth to have broken, as you will ſee by the copy: all which, and many more, which your own judgment (in the peruſal of the diſpatches) will ſuggeſt unto you, do miniſter unto us cauſe ſufficient of jealouſy on the Emperor's part, as you ſhall plainly tell that King; altho' we will not do him that wrong as to miſtruſt that he gives the leaſt conſent to it. In this confidence, with much earneſtneſs, we ſhall ſtill ſollicit him, that for the affection he beareth us, and the deſire which we ſuppoſe he hath that there may continue for ever a perfect amity betwixt us and the whole houſe of Auſtria, he will not ceaſe to do all good offices herein; leting him know directly, that in theſe terms we cannot ſtand with the Emperor; but that if Heidelberg be won, or the ſiege continue, or the ceſſation be long unneceſſarily delayed, we muſt recall our embaſſador from Bruſſels, and treat no more, as we have already given order; hoping, that whatſoever unkindneſs we ſhall conceive againſt the Emperor upon theſe occaſions, it ſhall not be interpreted to reflect in any ſort upon the intire affection that is at this preſent, and as we hope ſhall always continue, betwixt us and the crown of Spain. And therefore, as we have heretofore ſundry times promiſed, in teſtimony of the ſincerity of our proceedings, and of our great deſire to preſerve the amity inviolable between us and the whole houſe of Auſtria, that, in caſe our ſon-in-law would not be governed by us, that then we would not only forſake him, but take part and join our forces with the Emperor againſt him; ſo you may fairly repreſent unto that King, that in like manner we have reaſon to expect the ſame meaſure from him, that (upon the Emperor's averſeneſs to a ceſſation and accommodation) he will likewiſe actually aſſiſt us for the re-

(1) Weſton obtained only letters of intreaty, from the Infanta to the Emperor's generals, to proceed no farther. Ruſhworth, p. 66.

cover

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" covery of the Palatinate and electoral dignity, " unto our ſon-in-law, as it hath been oftentimes " intimated from Spain (1).

" To conclude, we ſhall not need to ſay any " more unto you touching this point, but to let " you ſee that our meaning is to carry all things " fair with that King, and not to give him any " cauſe of diſtruſt or jealouſy, if you perceive that " they intend to go really and roundly on with the " match."

Notwithſtanding all this, Heidelberg and Manheim were taken by the Emperor's forces, and Frankendal beſieged.

Wilſon. p. 756.

In another letter to the ſame embaſſador, dated October 3, King James ſaid, " That while he was " amuſed with treaties at Madrid and Bruſſels, " Heidelberg had been taken by force, the Engliſh " gariſons put to the ſword, and Manheim be- " ſieged: that the Infanta (having an abſolute com- " miſſion to conclude a ceſſation and ſuſpenſion of " arms) when all objections were anſwered, did not " only delay the concluſion of the treaty, but " refuſe to lay her command upon the Emperor's " generals to abſtain from the ſiege of his gariſons " during the treaty, upon a pretext of want of au- " thority. And therefore, for avoiding farther " diſhonor, he had been forced to recall both his " embaſſadors, as alſo lord Chicheſter, whom he " intended to have ſent unto the Emperor to the " diet at Ratiſbon." After which he added:

" Seeing therefore that, merely out of our extra- " ordinary reſpect to the King of Spain, and the " firm confidence we ever put in the hopes and pro- " miſes which he did give us (deſiring nothing " more than for his cauſe principally to avoid all " occaſions that might put us in ill underſtanding " with any of the houſe of Auſtria) we have hither- " to proceeded with a ſtedfaſt patience: truſting to " the treaties, and neglecting all other means, which " probably might have ſecured the remainder of " our childrens inheritance, and by this confidence " and ſecurity of ours, are now expoſed to diſho- " nor and reproach. You ſhall tell that King, that " ſeeing all thoſe indeavors and good offices which " he hath uſed towards the Emperor in this buſi- " neſs, on the behalf of our ſon-in-law, have not " ſorted to any other iſſue, than to a plain abuſe " both of his truſt and ours; we hope and deſire, " that he will faithfully promiſe and undertake " upon his honor (confirming the ſame alſo under " his hand and ſeal) either that the town and caſtle " of Heidelberg ſhall, within threeſcore and ten " days after your audience and demand made, be " rendered into our hands, with all things thereto " belonging; and the like for Manheim and Fran- " kendal, if both or either of them ſhall be taken " by the enemy while thoſe things are in treaty: as " alſo that there ſhall be, within the ſaid term of " ſeventy days, a ceſſation and ſuſpenſion of arms in " the Palatinate for the future, upon the ſeveral ar- " ticles and conditions laſt propounded by our em- " baſſador ſir Richard Weſton; and that the gene- " ral treaty ſhall be ſet on foot again: or elſe, in " caſe all theſe particulars be not yielded unto, " and performed by the Emperor, that the King " of Spain do join his forces with ours: or if ſo be " his forces be otherwiſe imployed, yet that at the " laſt he will permit us a free and friendly paſſage " thro' his territories and dominions, for ſuch forces " as we ſhall ſend and imploy in Germany for his " ſervice. Of all which, if you receive not from " the King of Spain (within ten days at the far- " theſt after your audience) a direct aſſurance un- " der his hand and ſeal without delay, that then " you take your leave, and return to our preſenſe, " without farther ſtay; otherwiſe to proceed in the " negociation for the marriage of our ſon, accord- " ing to the inſtructions we have given you.

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This letter evidently ſhews King James's being convinced of his having hitherto been only amuſed: nevertheleſs he next day wrote thus to the earl of Briſtol; " Tho' you have order to come away " without farther delay, in caſe you receive not " ſatisfaction to your demands from the King of " Spain; yet we would not have you inſtantly " come away upon it but advertiſe us firſt, leting " us know privately (if you find ſuch cauſe) that " there is no good to be done, nor ſatisfaction, as " you judge, intended us (tho' publicly and out- " wardly you give out to the contrary) that we may " make uſe thereof with our people in parliament, " as we ſhall hold beſt for our ſervice."

Wilſon, P. 757.

All this manifeſts how much James was miſtaken in expecting to adjuſt his ſon-in-law's affairs by the method he had purſued, and how he had been impoſed on in his ſeveral negociations, and whereof he was very ſenſible: and yet all the vengeance he took was to recall his embaſſador from Bruſſels. It is true, he ſeemed determined on being revenged by arms: but he would have the King of Spain join with him, to oblige the Emperor and duke of Bavaria to reſtore a country which he had himſelf delivered to them; at leaſt, he expected that his Catholic Majeſty ſhould grant him a paſſage thro' his territories; all projects as chimerical as that of recovering the Palatinate by fair means and ſollicitations alone. In fine, it is from theſe letters very obvious, that James made the reſtitution of the Palatinate and concluſion of the marriage two diſtinct affairs, and did not conſider the laſt as dependent of the other. Indeed, tho' there was manifeſtly a colluſion between the Emperor, Philip IV, and the Infanta, James ordered his embaſſador to do nothing offenſive to the King of Spain, for fear of prejudicing the marriage, which he was always made to regard as on the very point of accompliſhing.

James's wrong meaſures.

At length, after a tedious expectation, Gage was ſent back from Rome, where he had been ſolliciting the diſpenſation, with nineteen articles, to each of which the Pope had put a poſtil, after the manner practiſed in the capitulations of places. According to appearances, the ſenſe of the three material articles, which were agreed on, was expatiated, and therefrom the nineteen following ones were formed by common conſent.

The marriage articles, with the Pope's anſwers. Du Cheſne. p. 1160.

I. That the Pope's diſpenſation ſhall be firſt obtained at the ſole inſtance of his Catholic Majeſty.

" Note. The two parties are agreed on this " point.

II. That the marriage ſhall be celebrated in Spain according to the rites practiſed in the church of Rome; and afterwards in England, with ſuch ceremonies as ſhall tend moſt to the King of Great Britain's advantage; yet ſo, as that nothing be done contrary to the religion profeſſed by the moſt excellent Infanta. But as to this point, they ſhall agree about the ceremonies to be performed in both kingdoms.

" Note. The marriage ought to be celebrated " but once in Spain, and if any ceremony is to be " performed in England, notice muſt be previouſly " given, and this ceremony be agreed on.

III. That the moſt gracious Infanta ſhall have free exerciſe of the Roman Catholic religion.

" Note. This article is granted.

IV. That all the domeſtics and ſervants belonging to the moſt gracious Infanta, ſhall be appointed

(2) It was count Gondomar who intimated it to him, but without a poſitive promiſe, and yet James regarded it as a ſound ingagement. Rapin.

by

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by his Catholic Majeſty, ſo as the King of England ſhall not have the liberty of nominating any one.

Note. " Granted.

V. That the moſt gracious Infanta ſhall have an oratory, where divine ſervice ſhall be celebrated in ſuch manner as ſhe ſhall appoint.

Note. " This article is granted.

VI. That this oratory ſhall be in her palace, and there maſſes to be celebrated at the Infanta's pleaſure.

Note. " A church ſhall be builded in London, " beſide that in the palace, and divine ſervice ſhall " be celebrated in each, and the word of God " preached, and the ſacraments adminiſtered.

VII. That all the officers and domeſtics belonging to the Infanta, of what degree ſoever, as alſo her ſervants and family, may be freely and publicly Catholics; which is ſo to be underſtood, as that each of them in particular ſhall be obliged to profeſs the Roman Catholic religion.

Note. " The men and women ſervants of the " moſt ſerene Infanta, their children and poſterity, " with their whole families, what office ſoever " they bear, ſhall have the free exerciſe of the " Catholic religion.

VIII. That the exerciſe of the Roman Catholic religion ſhall be in form following: the moſt gracious Infanta ſhall have in her palace a chapel ſo ſpacious that her ſervants and family may enter and ſtay therein; in which there ſhall be a public and ordinary door for them, and another inward door by which the Infanta may have a paſſage into the chapel, where ſhe and others may be preſent at divine offices.

Note. " All the ſervants muſt conform to this.

IX. That the chapel may be beautified with decent ornaments, and other things neceſſary for divine ſervice, according the cuſtom of the holy Roman church; and that it ſhall be lawful for the ſervants and others to go to the ſaid chapel at all hours.

Note. " Granted.

X. That the keeper and guardians of the chapel ſhall be appointed by the lady Infanta, and they ſhall take care no body may enter into it to do any indecent thing.

Note, " The keeper and guardians of the chapel " and church ſhall be Spaniards.

XI. That to ſerve in the chapel, there ſhall be a convenient number of Prieſts, as to the Infanta ſhall ſeem fit: and if any of them be natives of Great Britain, they ſhall not be admited to ſerve, without her conſent firſt obtained.

Note. " His Holineſs wills and means that this " be a true church.

XII. That among the Prieſts, there ſhall be one ſuperior miniſter or rector, with authority to decide caſes of religion and conſcience.

Note. " His Holineſs will have this ſuperior to " be a biſhop.

XIII. That this ſuperior miniſter may exerciſe eccleſiaſtical juriſdiction upon all who ſhall offend in the Infanta's family: and moreover, the lady Infanta ſhall have power to turn them out of her ſervice whenſoever it ſhall ſeem expedient to her.

Note. " He muſt be a biſhop.

XIV. That it may be lawful for the lady Infanta to procure from Rome indulgences and jubilees, and all graces, as ſhall ſeem expedient to her.

Note. " This article is granted.

XV. That the ſervants and family of the lady Infanta ſhall take the oath of allegiance to the King of Great Britain; provided there be no clauſe therein contrary to their conſciences and the Roman Catholic religion, and that the form of the oath be firſt approved.

Note. " The men and women ſervants ſhall be " Spaniards.

XVI. That the laws made againſt the Roman Catholic religion in England, ſhall not extend to the ſervants of the moſt gracious Infanta; but they ſhall be exempt from the ſaid laws, and the penalties annexed, and of this a declaration ſhall be made.

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Note. " The laws already made, or to be made, " in England concerning religion ſhall not extend " to the ſervants, who ſhall be exempted from them " as well as from the penalties, &c. and for this " reaſon the eccleſiaſtics ſhall not be liable to any " but their eccleſiaſtical laws.

XVII. That the children of the moſt illuſtrious Prince, and the moſt gracious Infanta, ſhall not be conſtrained in point of conſcience, and in that caſe, the laws made againſt Catholics in England ſhall not extend to them; and tho' any of them be Catholics they ſhall not loſe the right of ſucceſſion to the kingdom and dominions of Great Britain.

Note. " This article is granted by his Holineſs.

XVIII. That the nurſes which ſhall give ſuck to the children of the lady Infanta, ſhall be choſen by her, and accounted part of her family.

Note. " The nurſes ſhall be Catholics, choſen " by the moſt ſerene Infanta, and reckoned among " her domeſtics.

XIX. That the rector or ſuperior miniſter, and other eccleſiaſtical and religious perſons of the lady Infanta's family, ſhall wear their uſual veſtments and habits.

Note. " Granted.

At the end of theſe articles, which were long debated and canvaſſed by the congregation " de propagandâ fide," thoſe fathers ſubjoined their opinion in the following terms.

" As to the terms offered by the moſt ſerene " King of England, it ſeems to us they are de- " ſigned only to ſecure the moſt ſerene Infanta's " religion. But to the end his Holineſs may grant " the diſpenſation, there are other things neceſſary " to the privilege, increaſe, and welfare of the " Roman Catholic religion. Theſe things are to " be propoſed by the moſt ſerene King, that his " Holineſs may conſider whether, upon ſuch affairs, " he can grant the diſpenſation." Du Cheſne's Hiſt. of England.

It is eaſy to ſee that his Sanctity's poſtils tended not only to promote Popery, but alſo to procraſtinate the affair, purſuant to the Spaniſh court's intentions. Beſide its not being expected that James would agree to the contents of thoſe notes, another expedient was ready prepared to obſtruct concluding the marriage; I mean, obliging his ſaid Majeſty to make offers for the advancement of Catholiciſm, wherewith the Pope, if he pleaſed, might never be ſatisfied. Thus, after a ſix years expectation, James was no farther advanced than when the affair was firſt ſet on foot, except that he was now ready diſpoſed to grant whatever his Holineſs did or might demand: and in effect this was in a manner the very courſe he took. He found now of what conſequence was the firſt article which he had been made to ſign, that the diſpenſation ſhould be firſt procured by the King of Spain's ſollicitation; for by this means his ſaid Catholic Majeſty could advance, or intirely break off the negociation, as he pleaſed, by cauſing the Pope to delay or refuſe the diſpenſation. It is certain, as was obſerved, the Spaniſh court's intent at firſt was only to make uſe of the project of this marriage to allure James into their ſnare, leſt he ſhould join the German Proteſtants, and afterwards, for fear he ſhould powerfully aſſiſt the King of Bohemia. Remark on this ſubject. Wilſon. P. 755.

When Gage returned from Rome with the above-inſerted articles, King James found himſelf terribly imbaraſſed. The Palatinate was almoſt loſt: the Bruſſels negociation made no progreſs, and he could not but perceive he was impoſed on by the Emperor and King of Spain: ſo that he ſaw no James's imbaraſs. Wilſon. Annals.

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other way to procure the elector's reſtoration but Prince Charles's marriage with the Infanta. It is true, England was ſufficiently powerful to have greatly haraſſed the houſe of Auſtria; but a parliament muſt have been called, of which James could not bear even the thoughts. On the other hand, his Holineſs annexed to the marriage ſuch terms as James could not grant, without giving his domeſtic enemies occaſion to repreſent him as a Prince regardleſs of the Proteſtant intereſt, to which imputation he was already but too obnoxious. In this perplexity, rather than break with Spain, and ſo loſe the deſired dowry of two millions, with all hope of recovering the Palatinate, he choſe to be expoſed to his ſubjects reproaches, which he however ſeemed not much to regard. He therefore drew up a memorial which he ſigned with his own hand, containing his offers in favor of the Catholic religion, and ſent it to the earl of Briſtol, with the letter dated September 9, whereof I have already given ſome extracts. The ſaid letter's concluſion, which I purpoſely reſerved for this occaſion, becauſe the marriage is here mentioned, runs thus, viz.

His letter to the earl of Briſtol, with a memorial containing his offers. Wilſon. p. 755. Ruſhworth, p. 68.

" Nevertheleſs we muſt tell you, that we have " no great cauſe to be well pleaſed with the dili- " gences uſed on that part, when we obſerve that, " after ſo long expectance of the diſpenſation, upon " which the whole buſineſs (as they will have it) " depends, there is nothing yet returned but queries " and objections. Yet becauſe we will not give " over our patience a while longer, until we under- " ſtand more certainly what the effect thereof is " like to be, wherein we require you to be very " wary and watchful, conſidering how our honor " is therein ingaged; we have thought fit to let " you know, how far we are pleaſed to inlarge our " ſelf concerning thoſe points demanded by the " Pope, and ſet down by way of poſtil unto the " articles agreed upon betwixt Spain and us, as " you ſhall ſee by the power which Gage brought " us from Rome, whereof we have ſent you a " copy, and our reſolutions thereupon, ſigned with " our own hand, for your warrant and inſtruction. " And farther than that, ſince we cannot go with- " out much prejudice, inconveniency and diſhonor " to our ſelf and our ſon, we hope and expect the " King of Spain will bring it inſtantly to an iſſue, " without farther delay, which you are to preſs " with all diligence and earneſtneſs, that you may " preſently know their final reſolution, and what " we may expect thereupon. But if any reſpite of " time be earneſtly demanded, and that you per- " ceive it not poſſible for them to reſolve until an " anſwer come from Rome, we then think it fit " that you give them two months time after your " audience, that we may underſtand that King's " final reſolution before Chriſtmaſs next, at the " fartheſt."

He finally reſolves to conclude the marriage. p. 69.

Tho' James affirmed, he could not proceed any farther, yet means were found to perſuade him to a greater compliance, as will appear in the ſequel.

Hitherto the Spaniſh court had fed King James's hopes concerning the marriage, purely to amuſe him. But ſince, by the articles and offers ſigned with his own hand, they plainly ſaw he was reſolved to conclude at any rate, their opinion was, that they ought not to miſs ſuch a fair opportunity to reſtore the Catholic religion in England, which, very ſeemingly, might by means of this match be accompliſhed. So Philip, ſuddenly altering his mind, appeared as eager to conclude, as he had before ſeemed unwilling (1). From that time, viz. from the cloſe of 1622, the marriage was really determined on at the court of Madrid: the only buſineſs being to extort from King James ſuch terms as ſhould lead to what was projected. The Catholic Monarch's whole procedure, from the time I am ſpeaking of, evidently ſhews he was inclined to the marriage, in caſe he could obtain what he promiſed himſelf for the advancement of Popery in England, and which James's impatience gave him room to expect: but it is no leſs certain that, before then, he was utterly averſe to it. This manifeſtly appears in King Philip IV's letter to count Olivarez, and from that miniſter's anſwer. The letters here follow: viz.

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The King of Spain's letter to count Olivarez.

Nov. 5. 1622.

" THE King my father declared at his death, Wilſon, " that his intent was never to marry my p. 71. " ſiſter, the Infanta Dona Maria, with the Prince " of Wales, which your uncle Don Baltazar under- " ſtood, and ſo treated this match ever with in- " tention to delay it: notwithſtanding, it is now " ſo far advanced that, conſidering all the In- " fanta's averſeneſs thereto, it is time to take ſome " meaſures to divert the treaty, which I would have " you find out, and I will make it good, whatſo- " ever it be. But in all other things, procure the " ſatisfaction of the King of Great Britain (who " has deſerved much) and it ſhall content me, ſo it " be not in the match."

Olivarez's anſwer to the King. Novem. 8. Annals, p. 71. Ruſhworth, p. 71.

Count Olivarez, in his anſwer agreed, that the late King never intended to conclude this marriage, but only to amuſe the King of England, by reaſon of the ſituation of affairs in the Palatinate and Netherlands. He ſaid moreover, the Infanta was determined to retire to a convent, immediately on her being preſſed on that ſubject.

After that, he repreſented to his Majeſty, " That the King of England found himſelf equally " ingaged in two affairs at that time, viz. the " marriage, and reſtitution of the Palatinate. Sup- " poſing then (added Olivarez) that the marriage " be made, we muſt come to the other affair, and " then your Majeſty will find yourſelf ingaged " with the King of England in a war againſt the " Emperor, and the Catholic league: a thing " which to hear will offend your ears; or if you " declare yourſelf for the Emperor, then you will " find yourſelf ingaged in a war againſt the King " of England, and your ſiſter married with his " ſon. If your Majeſty ſhould ſhew yourſelf neutral, " what a great ſcandal will it be for Spain to ſtand " neuter in a buſineſs wherein religion is ſo much " concerned?

" On the other hand (ſaid the count) ſuppoſing " we could ſatisfy the King of England, by having " the Palatinate reſtored to his ſon-in-law, yet we " muſt conſider whether it is in our power to have " it reſtored; ſince the duke of Bavaria is poſſeſſed " of all thoſe dominions, and the Emperor, who " has promiſed to transfer to him the Upper Pala- " tinate, with the electoral dignity, is now in the " diet, where that tranſlation is to be made. " Beſide, the Emperor has given us to underſtand, " how difficult it would be to wreſt the Palatinate " out of the duke of Bavaria's hands, ſince it " appears by the memorial, which was yeſterday " preſented to your Majeſty by the Emperor's em- " baſſador, that the duke of Bavaria alone can " maintain more troops than all the reſt of the allies " joined together.

Upon theſe difficulties, Olivarez, in the ſame letter propoſed, " to ſet on foot two other marriages;

(1) The earl of Briſtol wrote to King James, that if the Spaniſh court intended not the match, they were falſer than all the devils in hell, for deeper oaths and proteſtations of ſincerity could not be made. Ruſhworth, p. 69.

" namely,

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"namely, between the Emperor's eldeſt daughter "and the Prince of Wales, and between the Prince "Palatine's ſon and the Emperor's ſecond daughter; "by which means the buſineſs (ſaid he) may be "accommodated, and afterwards, I would reduce "the Prince elector to the obedience of the church, "by breeding his ſons in the Emperor's court "with Catholic doctrine."

If it be conſidered, that his Catholic Majeſty's letter bears date the fifth of November, and that probably the anſwer was made within few days, it will be eaſy to comprehend that, 'till then, the Spaniard never intended to conclude the marriage. But preſently after, as I have obſerved, a different reſolution was taken at the court of Madrid.

An' 1623. Truce for fifteen months concluded at London. Du Cheſne's Hiſt. of Engl. Rym. Fœd. Vol. XVII. p. 461, 473, 479.

The late change of ſcheme in the Spaniſh court procured the earl of Briſtol a letter from Philip IV, to the Infanta Iſabella, requeſting her to raiſe the ſiege of Frankendal, and renew at London the conferences for a truce, which were broken off at Bruſſels. This requeſt was a real order which the Infanta obeyed, and the negociation for a truce commenced at London, where it ended the twenty-ſeventh of March 1623. The ſole point was, by means of this truce, to prevent Frankendal, the only place in the Palatinate gariſoned by Engliſh, from falling into the Emperor's hands. But on the other ſide, his Imperial Majeſty had reaſon to fear, if James remained maſter of this place, he would make uſe of it to carry war into the Palatinate, and the more, as he had ſometimes threatened to have at laſt recourſe to arms. To adjuſt the different intereſts of the Emperor and King of England, this rare expedient was deviſed. Frankendal was to be delivered to the Infanta Iſabella, and a truce made for fifteen or eighteen months, after which, the Infanta was to reſtore that place to the Engliſh: but withal, the Elector was to break his alliance with the Prince of Brunſwic and count Mansfeldt.

Welwood. Coke.

The council of England's overſight in this treaty.

This treaty affords no grand idea of the capacity of King James and his council. Not only was Frankendal delivered to the Infanta, as if ſhe had been a third perſon intirely diſintereſted, tho' ſhe had ſhewn the contrary in this very treaty; but the elector was alſo deprived of all hope of re-entering his country. Moreover, the Emperor and duke of Bavaria were at liberty either to diſmiſs their troops, or to aſſiſt his Catholic Majeſty in the Netherlands, ſince there was no farther danger of a war in the Palatinate. But what advantage accrued to James by this treaty? Indeed, he hindered the Emperor from taking Frankendal, but at the ſame time, the place was delivered to Spain. On the other hand, the truce, which would have been for his advantage, had he kept Frankendal, turned to his prejudice, ſince it deprived him of the power to carry war into the Palatinate in favor of his ſon-in-law. It is true, on ſuppoſition of the Infanta's ſincerity, he was to have again that place when the truce was expired: but this was a very doubtful ſuppoſition, ſince the Infanta was intirely guided by the directions of the courts of Vienna and Madrid.

The duke of Bavaria made elector. Jan. 1623. Wilſon, p. 761, &c. Ruſhworth, p. 74.

Before this truce was concluded at London, the Emperor going to the diet of Ratiſbon, inveſted the duke of Bavaria with the electoral dignity, and the Upper Palatinate, notwithſtanding the oppoſition of diverſe Princes who were poſſeſſed of hereditary dominions, and to whom ſuch a precedent gave juſt occaſion of apprehenſion. Such was the effect of King James's three years negociations, in favor of his ſon-in-law, who was finally diſpoiled of all his dominions and dignities: but the Spaniſh match was to recover all. We muſt now ſee the ſucceſs of that tedious negociation, the only remarkable event of the year 1623.

Sequel of the marriage negociation.

What ſolely obſtructed the marriage, were the articles concerning religion. The earl of Briſtol had been diſputing the ground inch by inch, ever ſince his arrival in Spain, and Philip IV was not thereat diſpleaſed, becauſe it gave him opportunity to gain time. In Auguſt 1622, the Spaniard demanded certain articles in favor of the Engliſh Catholics, to which the embaſſador made no other reply than that, he would therewith acquaint the King his maſter. At the ſame time, his Holineſs put his poſtils or notes to the articles agreed on. Hence it is eaſy to perceive, that the Roman and Spaniſh courts acted in concert, both tending to a like purpoſe. King James received, about the ſame time, the Pope's poſtils, and the court of Madrid's demands in behalf of the Engliſh Papiſts. Theſe latter, thro' ceremony, he kept ſome months without giving any anſwer, but at length ſigned all, the fifth of January, 1623; and having made the Prince ſign them alſo, ſent the ſame articles to the earl of Briſtol, who received them the twenty-fifth of the ſame month. I believe the full and intire reſolution of the Spaniſh court to conclude the marriage may be fixed to this time. From the year 1616, to November 1622, that court's ſole intent was to amuſe King James. From thence, to the twenty-fifth of January, 1623, they ſeem to have reſolved on the marriage, provided certain advantages could be obtained for the Romiſh religion. In fine, after the articles ſigned by King James and Prince Charles had ſecured him what they wiſhed for, their reſolution was fixed. Theſe three periods of time are to be carefully obſerved and diſtinguiſhed, for want of which moſt hiſtorians are very obſcure in their recital of this affair.

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James agrees to whatever his Holineſs requires for the Catholics. Ruſhworth, p. 281.

The Spaniard, being pretty well ſatisfied with the articles ſent from England, which were abundantly more advantageous to Papiſts than thoſe agreed on with the earl of Briſtol, demanded time to ſend them to Rome, and obtain the Holy Father's diſpenſation. It was thought, the diſpenſation might come in March or April at fartheſt, and it was agreed, the nuptials ſhould be ſolemniſed four days after its arrival: that the Infanta ſhould ſet out within twenty days after celebration of the eſpouſals, and while the diſpenſation was waiting for, the other articles, which were termed temporal, to diſtinguiſh them from thoſe concerning religion, ſhould be adjuſted. Anſwerably to this ſtipulation, the earl of Briſtol and ſir Walter Aſton, jointly with the Spaniſh miniſters, prepared theſe articles by the begining of March, to the mutual ſatisfaction of both parties. The twenty-ſecond of March, counts Olivarez and Gondomar repaired to the Engliſh embaſſadors, and ſhewed them a writing with his Catholic Majeſty's ſignature affixed, whereby he approved of the temporal articles, and ordered them to conclude the buſineſs. Theſe articles concerned only the portion and dowry, without any mention of the Palatinate. Beſide King James's having injoined the earl of Briſtol in his inſtructions, not to make reſtitution of the Palatinate one of the marriage-articles, this injunction was reiterated in his ſaid Majeſty's letter to him, the thirtieth of December 1622, that is, two or three months before. Moreover, at this very inſtant, the truce and ſequeſtration of Frankendal were negociating at London.

A time for ſolemniſing the marriage is fixed.

Defenſe of the earl of Briſtol in Ruſhworth, p. 281, 290.

The temporal articles ſettled; Ibid. p. 282.

without any mention of the Palatinate.

The marriage affair being in this ſituation, and moſt ſeemingly near a concluſion, the end of April was to be expected with patience, to ſee whether any new difficulty would occur, for thus far all matters ſeemed to be ſettled to King James's ſatisfaction. But the face of this affair was ſuddenly changed by a very odd and moſt extraordinary adventure. Buckingham put it into Prince Charles's head, that it behoved him perſonally to fetch home from Spain his miſtreſs the Infanta. He told him, "the more uncommon ſuch a gallantry was among "Princes,

Prince Charles reſolves on going to Spain. Wilſon, p. 763. Clarendon. Vol. I. p. 11. Coke.

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"Princes, the more it would redound to his honor: "the Infanta herſelf would be charmed with it: "his preſenſe would immediately put an end to "all formalities, and remove whatever difficulties "might yet occur: as after the marriage, there "was an affair of moment to be negociated, namely, "reſtitution of the Palatinate, an interceſſor like "him would do more in three days than em- "baſſadors could do in as many months." In a word, he ſo artfully repreſented this project, that the Prince, tranſported with the thoughts of ſuch a magnanimous adventure, never reſted 'till he had accompliſhed it. The difficulty was to obtain his Majeſty's conſent. His Highneſs aſked it before Buckingham, and expreſſed ſo earneſt a deſire to make the journey, that James granted his requeſt without much heſitation, and put off 'till next day

Ibid. p. 13. to conſider of means to effect it: but having more ſeriouſly reflected on this affair, his mind was quite changed on the morrow, when Prince Charles and Buckingham came to him. He repreſented to them, how fruitleſs ſuch a journey would be in the preſent ſituation of the marriage-affair, and the inconveniences wherewith it might be attended: but, inſtead of anſwering his reaſons, Buckingham rudely told him, he had given his word, and if he broke

p. 13—15. James conſents. ibid. Wilſon. it ſhould be never more credited. In lord Clarendon's hiſtory may be ſeen at large this converſation, which ended with King James's permiſſion, extorted by the Prince and Buckingham, for this unaccountable, raſh, and moſt perilous journey. It was reſolved, that Buckingham ſhould accompany his royal Highneſs, with only two others, viz. ſir Francis Cottington, who had been King James's agent in Spain, and returned thence in September, and Endymion Porter, gentleman of the Prince's bed-chamber, and who had been brought up at Madrid: that they ſhould go poſt thro' France, and the whole be a ſecret, that they might be at a diſtance before their departure was known. This reſolution taken, the Prince and Buckingham deſired only two days to prepare.

The motives of this journey are variouſly related, according to the intereſt and prejudices of the ſeveral

Weldon, p. 143. writers. Some ſay, the court of England, ſtill doubting the Spaniſh court's ſincerity, thought proper, the Prince and Buckingham ſhould be ocularly ſatisfied, in order to know what could be depended on. But ſuppoſing this doubt, was it not ſtrangely imprudent to put the King's only ſon into the hands of a Prince whoſe ſincerity was believed juſtly ſuſpected? the King, Prince and favorite muſt have been all three void of underſtanding to act ſo very erroneouſly. This therefore ſeems not at all probable.

Vol. I. p. 11. Lord Clarendon ſays, Buckingham, thro' envy that the earl of Briſtol ſhould have the ſole management of ſuch a momentous affair, had a mind to have the glory of giving the finiſhing ſtroke: but he ſhould have thought of it ſooner, ſince all was now concluded in Spain, at or about the time of the Prince's departure for Madrid: ſo the marquis could not acquire much honor; beſide the event ſhewed this was not his motive, ſince, inſtead of promoting, he ſolely occaſioned all inſuing difficulties, and finally the breach of this affair.

Ruſhworth, p. 262. Others pretend, Buckingham's aim was inſenſibly to induce the Prince to change his religion, by expoſing him to all the temptations which of courſe he would meet with at the court of Madrid. Of this he was afterwards accuſed before the parliament, by the earl of Briſtol, who ſaid, the project was formed, ſeveral months before his royal Highneſs's departure, between Buckingham and Gondomar, by means of Endymion Porter, who had been ſent to Spain for that purpoſe: but the proofs whereon the earl of Briſtol grounded his accuſation, were at moſt but preſumptions; and as he was a profeſſed enemy to Buckingham, I am not ſure whether we may venture to rely on his teſtimony.

But whatever were the favorite's real motives with reſpect to this journey, it cannot well be denied, that it was a ſign of great levity in the Prince, and of no leſs weakneſs and imprudence in his Majeſty. The match affair was in ſuch a ſituation, that it was wholly needleſs to ſollicit a-freſh the Spaniſh court, where all was agreed. Two months patience would have ſhewn King James whether he could depend thereon, without expoſing his only ſon and heir apparent to ſuch imminent danger, by ſuffering him to execute a romantic project whence not the leaſt advantage could accrue. But James's condeſcenſion for the Prince and Buckingham prevailed over all theſe conſiderations. They ſet out poſt the ſeventeenth * of February, and went to Paris, where they ventured to appear at court, and be preſent at a ball, where, tho' diſguiſed, they were in ſome danger of being diſcovered. However, they arrived ſafely at Madrid the ſeventh † of March, and alighted at the earl of Briſtol's, who was not a little ſurpriſed at ſight of his Highneſs (1). I ſhall not ſtay to deſcribe the magnificent reception Prince Charles met with at the court of Spain, when he made himſelf known; contenting myſelf with only ſaying that they ſhewed him all the reſpect due to his birth, and uſed all poſſible careſſes to teſtify their ſatisfaction at his gallantry to the Infanta, and his candor in thus confiding in his Catholic Majeſty's generoſity. The only point wherein great ceremony was uſed, was his not being ſuffered to viſit the Infanta privately: the Spaniſh cuſtoms admit not ſuch familiarity, and the more becauſe the diſpenſation not being yet come he could not, in ſtrictneſs, be conſidered as the Infanta's future conſort.

No ſooner was Prince Charles known in Spain, but all the Spaniards believed his journey thither was purpoſely to change his religion before he eſpouſed the Infanta; no one imagining there could be any other motive: nay, count Gondomar very ſeriouſly deſired the earl of Briſtol, not to oppoſe ſo pious a deſign; and if Briſtol is to be credited, the count intimated to him, that the marquis of Buckingham was not againſt it (2). The earl of Briſtol, comprehending that, if the court of Spain had any ſuch hope, it would be apt to retard the marriage, ſpake of it to his Highneſs, and conjured him to impart the ſecret to him, if there was really any ſuch matter in agitation. But Charles firmly denied it, and expoſtulated with the embaſſador, ſomewhat warmly, for having of him ſuch bad ſentiments. Briſtol thereupon beſeeched his Highneſs, neither to do nor ſay any thing whatever might feed the Spaniſh court's hopes on that ſubject, for fear of obſtructing the marriage. Nevertheleſs he was attacked ſeveral times, one while by eccleſiaſtics, who took all occaſions to diſpute with him about

* 27 N. S. The Prince ſets out with Buckingham. Wilſon. Ruſhworth. Annals.

† 17 N. S. He is well received in Spain. Wilſon, p. 764, &c.

But not ſuffered to ſee the Infanta in private. Annals, p. 75. Cabala.

Weldon, p. 765. Ruſhworth, p. 78.

p. 291.

(1) The Prince and Buckingham put on falſe beards, to cover their ſmooth faces, and travelled under the borrowed names of Jack and Tom Smith. The mayor of Dover ſtoped them, thinking they were going to France to fight; ſo that Buckingham was forced to diſcover himſelf; pretending he was going to viſit the fleet, as admiral. The ſame day they imbarked, they landed at Boulogne, and thence rode poſt to Paris. At Paris, they both wore large buſhy perukes which ſhadowed their faces. Here the Prince ſaw, at a maſking dance, Princeſs Henrietta Maria, whom he afterwards married. Wilſon, p. 763. They narrowly eſcaped being ſeized in France. Ruſhworth, Vol. I. p. 75. Weldon, p. 144.

(2) Count Olivarez, ſpeaking to the Prince about this, in his firſt viſit, the Prince replied, that he came not thither for religion, but for a wife. Ruſhworth, Vol. I. p. 78.

religion,

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religion, another while by courtiers, who repreſented to him how powerful England would grow, if ſhe would return to the Pope's obedience. He even received a long epiſtle from Gregory XV, exhorting him to come into the boſom of the church, and imitate his glorious anceſtors, who had done ſo great things for the defenſe of religion. The Prince anſwered this letter the twentieth of June: but becauſe the two printed copies of this anſwer are very different, it will not be amiſs to inſert them both.

Prince Charles to Pope Gregory XV.

Moſt Holy Father,

Prince Charles's anſwer to the Pope. Wilſon, p. 767.

"I Received the diſpatch from your Holineſs with great content, and with that reſpect which the piety and care wherewith your Holineſs writes doth require. It was an unſpeakable pleaſure to me to read the generous exploits of the Kings my predeceſſors, to whoſe memory poſterity hath not given thoſe praiſes and elogies of honor that were due to them. I do believe that your Holineſs hath ſet their example before my eyes, to the end that I might imitate them in all my actions; for in truth they have often expoſed their eſtates and lives for the exaltation of the holy chair. And the courage with which they have aſſaulted the enemies of the croſs of Jeſus Chriſt hath not been leſs than the care and thought which I have, to the end that the peace and intelligence, which hath hitherto been wanting in Chriſtendom, might be bound with a bond of true concord: for like as the common enemy of peace watcheth always to put hatred and diſſenſion between Chriſtian Princes, ſo I believe that the glory of God requireth that we ſhould indeavor to unite them. And I do not eſteem it a greater honor to be deſcended from ſo great Princes, than to imitate them in the zeal of their piety: in which it helps me very much to have known the mind and will of our thrice honored lord and father, and the holy intentions of his Catholic Majeſty, to give a happy concurrence to ſo laudable a deſign: for it grieves him extremely to ſee the great evil that grows from the diviſion of Chriſtian Princes, which the wiſdom of your Holineſs foreſaw, when it judged the marriage, which you pleaſed to deſign between the Infanta of Spain and myſelf, to be neceſſary to procure ſo great a good: for it is very certain, that I ſhall never be ſo extremely affectionate to any thing in the world, as to indeavor alliance with a Prince who hath the ſame apprehenſions of the true religion with myſelf. Therefore I intreat your Holineſs to believe, that I have been always far from incouraging novelties, or to be a partiſan of any faction againſt the Catholic, Apoſtolic, Roman religion: but, on the contrary, I have ſought all occaſions to take away the ſuſpicion which might reſt upon me; and that I will imploy myſelf for the time to come to have but one religion, and one faith, ſeeing that we all believe in one Jeſus Chriſt: having reſolved in myſelf to ſpare nothing I may have in the world, and to ſuffer all manner of diſcommodities, even to the hazarding my eſtate and life, for a thing ſo pleaſing unto God. It reſteth only, that I thank your Holineſs for the permiſſion which you have been pleaſed to afford me, and that I may pray God to give you a bleſſed health here, and his glory, after ſo much travel which your Holineſs taketh within his Church.

Madrid, June 20, 1623. CHARLES STUART.

The other copy of the ſame letter, is as follows.

Prince Charles to Pope Gregory XV.

James I. An' 1623.

Moſt Holy Father,

Annals, p. 77. Ruſhworth, p. 82.

"WE have received your letter with no leſs thankfulneſs and reſpect than is due to the ſingular good will and godly affection wherewith we know it was written. It was moſt acceptable unto us, that the never-enough renowned examples of our anceſtors were propoſed to us by your Holineſs for our inſpection and imitation; who, tho' they often hazarded their lives and fortunes to propagate the Chriſtian faith, yet did they never more chearfully diſplay the banners of the croſs of Chriſt againſt his moſt bitter enemies, than we will indeavor to the utmoſt, that the peace and union, which ſo long triumphed, may be reduced into the Chriſtian world, after a kind of elimination or exile. For ſince the malice of the father of diſcords hath ſowed ſuch unhappy diviſions among thoſe who profeſs the Chriſtian religion, we account this moſt neceſſary, thereby to promote with better ſucceſs the glory of God, and Chriſt our Saviour; nor ſhall we eſteem it leſs honor to tread in their footſteps, and to have been their rivals and imitators in holy undertakings, than to have been deſcended of them. And we are very much incouraged to this as well by the known inclination of our lord and father, as his ardent deſire to lend a helping hand to ſo pious a work, as by the anguiſh which gnaws his royal breaſt, when he conſiders what cruel deſtructions, what deplorable calamities ariſe out of the diſſenſions of Chriſtian Princes. Your Holineſs's conjecture of our deſire to contract an alliance and marriage with a Catholic family and Princeſs, is agreeable both to your wiſdom and charity; for we would never deſire ſo vehemently to be joined in a ſtrict and indiſſoluble bond with any mortal whatſoever, whoſe religion we hated. Therefore your Holineſs may be aſſured, that we are, and always will be of that moderation, as to abſtain from ſuch actions which may teſtify our hatred againſt the Roman Catholic religion; we will rather imbrace all occaſions whereby, thro' a gentle and fair procedure, all ſiniſter ſuſpicions may be taken away; that as we all confeſs one individual Trinity, and one Chriſt crucified, we may unanimouſly grow up into one faith. Which that we may compaſs, we little value all labor and watchings, yea, the very hazard of our lives. It remains that we render thanks to your Holineſs for your letter, which we eſteem as a ſingular preſent, and wiſh your Holineſs all proſperity and eternal happineſs.

Dated at Madrid, 20 Junii, 1623 *.

* As no original appears, we may juſtly doubt the genuineſs of both theſe pretended tranſlations.

It muſt be obſerved of theſe two letters, which vary not a little, that, as they appeared not 'till after the civil wars broke out, it is equally probable that one of the parties qualified, while the other agravated, the expreſſions: wherefore it is needleſs to make thereon any reflection.

The Pope adds new conditions to the diſpenſation.

Mean while, ſince Prince Charles's arrival in Spain, the marriage affair ſomewhat changed countenance. The diſpenſation arrived about ſix weeks after, viz. in the begining of May: but his Holineſs had annexed certain conditions, without which it was to be of no validity. Very ſeemingly, if his ſaid Highneſs had not been in Spain, the diſpenſation would have come ſooner, and without any reſtriction: but it is not very ſurpriſing, that the Pontif, knowing Prince Charles was in Spain, ſhould deſire to make advantage of that imprudence. He ſent therefore the diſpenſation, but it was to be delivered only on theſe terms; that the Infanta ſhould have a church in London:

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that the children by this marriage ſhould be left to their mother's care 'till they were ten years old: that the nurſes ſhould be Catholics, and appointed by the mother: that the King of England ſhould give ſecurity for performance of the articles agreed on touching religion.

Wilſon. p. 768.

Article about education of the children agreed on. Wilſon, p. 757.

The article which concerned educating the children had been debated in November, and the Pope and King of Spain had inſiſted, that the children ſhould remain 'till marriageable under their mother's tuition. King James at firſt offered ſeven years, and the courts of Rome and Spain deſcended as low as twelve: then James allowed nine, and his Holineſs ten. At laſt, the earl of Briſtol received his maſter's order, not to diſpute for a year more or leſs.

Philip ingages for K. James. Du Cheſne. p. 1164.

On the arrival of Prince Charles and Buckingham at Madrid, themſelves managed the marriage affair, excluſive of the earl of Briſtol. Some debate paſſed upon the articles annexed to the Pope's diſpenſation. The Prince of Wales ſaid, he had no power to make the leaſt addition to the articles ſigned by the King his father, and the Spaniſh miniſters maintained, that his Catholic Majeſty could not reject the conditions whereon his Holineſs had granted the diſpenſation: that it lay in the Pope's breaſt to grant his favors on what terms he pleaſed, and that the diſpenſation was void without theſe conditions. It was at length judged requiſite to conſult the King of England by letter, and withal to aſk him, what ſecurity he would give for performance of the articles. James made no ſcruple about either the time of the childrens education, or the nurſes, becauſe thoſe matters were already agreed. As to the ſecurity, he replied, he could give no other than his own and the Prince's royal words and oaths, confirmed by his council of ſtate, and exemplified under the great ſeal of England. All this not ſatisfying the Pope's nuncio, who pretended to have particular orders upon that point, the King of Spain offered to become ſecurity himſelf: but it was firſt to be determined by a commitee of eccleſiaſtics, that Philip might lawfully ſwear for the King of England. Some believe this to be a deviſe, to render his Catholic Majeſty guarantee of the articles granted to the Papiſts. This difficulty being removed, Prince Charles diſpatched Cottington to England with the articles concerning religion, newly drawn, anſwering his Sanctity's meaning, together with certain other ſecret articles which were not ſo ſoon to be publiſhed.

Wilſon, p. 768. Ruſhworth, p. 84. Annals.

Wilſon. p. 768.

Cottington carries to Engiand the articles ſigned by K. Philip.

Nothing ſtipulated concerning a dowry or the Palatinate. Wilſon, p. 773.

It muſt be remarked, that hitherto there was no other writing about the Infanta's dowry than a rough draught, approved indeed by the King of Spain in a forementioned letter directed to his miniſters, but which remained in the hands of Olivarez. Much leſs had there been any care taken about reſtitution of the Palatine, James being unwilling to make this one of the marriage articles, for fear it ſhould be reckoned in lieu of the two millions, promiſed him for the Infanta's dowry: but he was very willing to receive the Palatinate from his Catholic Majeſty's bounty, when the marriage ſhould be accompliſhed: this was at leaſt his ſcheme, and doubtleſs, while the court of Spain ſought only to amuſe him, he was made to expect reſtitution of the Palatinate, tho' without any written ingagement. James however relied on this verbal promiſe, as if it had been a treaty ſigned with the Spaniard's own hand (1).

King James debates in council about tolerating Papiſts Wilſon.

Cottington being come to England with the articles, both public and private, it was rumored, that the Pope and King of Spain demanded a toleration for the Engliſh Papiſts. King James himſelf occaſioned this rumor, by aſking his council, whether it would be convenient to grant ſuch a toleration? Whereupon Abbot, archbiſhop of Canterbury, who had withdrawn to his own houſe ever ſince that fatal accident of killing the park-keeper, and came no more to the council, deemed it his duty to write his Majeſty the following letter.

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May it pleaſe your Majeſty,

Archbiſhop Abbot's letter to King James againſt toleration of Popery. Wilſon. p. 768. Coke. Ruſhworth, p. 85.

"I Have been too long ſilent, and I am afraid by my ſilence I have neglected the duty of the place it hath pleaſed God to call me unto, and your Majeſty to place me in. But now I humbly crave leave I may diſcharge my conſcience towards God, and my duty to your Majeſty; and therefore I beſeech you freely to give me leave to deliver myſelf, and then let your Majeſty do with me what you pleaſe. Your Majeſty hath propounded a toleration of religion: I beſeech you take it into your conſideration what your act is, what the conſequence may be. By your act, you labor to ſet up the moſt damnable and heretical doctrine of the church of Rome, the whore of Babylon: how hateful it will be to God, and grievous to your good ſubjects, the profeſſors of the Goſpel, that your Majeſty, who hath often diſputed, and learnedly written againſt thoſe hereſies, ſhould now ſhew yourſelf a patron of thoſe wicked doctrines, which your pen hath told the world, and your conſcience tells your ſelf, are ſuperſtitious, idolatrous, and deteſtable. And hereunto I add what you have done in ſending the Prince into Spain, without conſent of your council, the privity and approbation of your people: and altho' you have a charge and intereſt in the Prince, as ſon of your fleſh; yet have the people a greater, as ſon of the kingdom, upon whom, next after your Majeſty, are their eyes fixed, and welfare depends; and ſo tenderly is his going apprehended, as (believe it) however his return may be ſafe, yet the drawers of him into this action, ſo dangerous to himſelf, ſo deſperate to the kingdom, will not paſs away unqueſtioned, unpuniſhed. Beſide, this toleration which you indeavor to ſet up by your proclamation, cannot be done without a parliament, unleſs your Majeſty will let your ſubjects ſee that you will take unto yourſelf ability to throw down the laws of your land at your pleaſure. What dread conſequence theſe things may draw afterwards, I beſeech your Majeſty to conſider; and above all, leſt by this toleration, and diſcountenancing the true profeſſion of the Goſpel, wherewith God hath bleſſed us, and this kingdom hath ſo long flouriſhed under it, your Majeſty do not draw upon this kingdom in general, and your ſelf in particular, God's heavy wrath and indignation.

"Thus, in diſcharge of my duty towards God, to your Majeſty, and the place of my calling, I have taken humble leave to deliver my conſcience. Now, Sir, do what you pleaſe with me.

King James ſigns the articles ſent from Spain. Wilſon.

It appears by this letter that it was not without ground this archbiſhop paſſed for a Puritan, at leaſt, according to the then notions at court, where all were conſidered as Puritans who refuſed aſcribing to his Majeſty a power unlimited. Accordingly the prelate's counſels were not regarded.

James detained not Cottington long in England. As it was not now time to diſpute, and he was required to ſign the articles as brought by Cottington,

(1) See King James's inſtructions to the earl of Briſtol, and the earl's defenſe, in Ruſhworth, and the Annals.

without

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without any alterations, he choſe to do it rather than hazard a breach of the marriage, when the Prince his ſon was in the Spaniard's power: he therefore ſigned, and ſolemnly ſwore to them. As theſe articles were new drawn, explained and increaſed to twenty three, beſide four ſecret ones, my readers will not perhaps be diſpleaſed to view them here in their new form, and ſee withal to what lengths King James carried his compliance.

Articles ſworn by the King. Wilſon. Annals of James I. p. 78. Ruſhworth, p. 86.

I. That the marriage be made by diſpenſation of the Pope, but that to be procured by the indeavor of the King of Spain.

II. That the marriage be once only celebrated in Spain, and ratified in England, in form following: In the morning, after the moſt gracious Infanta hath ended her devotions in the chapel, ſhe, and the moſt excellent Prince Charles, ſhall meet in the King's chapel, or in ſome other room of the palace, where it ſhall ſeem moſt expedient; and there ſhall be read all the procurations, by virtue whereof the marriage was celebrated in Spain; and as well the moſt excellent Prince, as the moſt excellent Infanta, ſhall ratify the ſaid marriage celebrated in Spain, with all ſolemnity neceſſary for ſuch an act: ſo as no ceremony or other thing intervene, which ſhall be contrary to the Roman Catholic Apoſtolic religion.

III. That the moſt gracious Infanta ſhall take with her ſuch ſervants and family as are convenient for her ſervice; which family, and all perſons to her belonging, ſhall be choſen and nominated by the Catholic King: ſo as he nominate no ſervant who is vaſſal to the King of Great Britain, without his will and conſent.

IV. That as well the moſt gracious Infanta, as all her ſervants and family, ſhall have free uſe and exerciſe of the Roman Catholic religion, in manner and form as is beneath capitulated.

V. That ſhe ſhall have an oratory and decent chapel in her palace, where, at the pleaſure of the moſt gracious Infanta, maſſes may be celebrated; and in like manner ſhe ſhall have, in London, or whereſoever ſhe ſhall make her abode, a public and capacious church near her palace, wherein all duties may be ſolemnly celebrated, and all other things neceſſary for the public preaching of God's word, the celebration and adminiſtration of all the ſacraments of the Catholic Roman church, and for burial of the dead, and baptizing of children: that the ſaid oratory, chapel and church ſhall be adorned with ſuch decency, as ſhall ſeem convenient to the moſt gracious Infanta.

VI. That the men-ſervants and maid-ſervants of the moſt gracious Infanta, and their ſervants, children, deſcendants, and all their families, of what ſort ſoever, ſerving her Highneſs, may be freely and publicly Catholics.

VII. That the moſt gracious Infanta, her ſervants and family, may live as Catholics in form following: that the moſt gracious Infanta ſhall have, in her palace, her oratory and chapel, room ſo ſpacious that her ſaid ſervants and family may enter and ſtay therein; in which there ſhall be a public and ordinary door for them, and another inward door, by which the Infanta may have a paſſage into the ſaid chapel, where ſhe and others, as aboveſaid, may be preſent at divine offices.

VIII. That the chapel, church and oratory may be beautified with decent ornaments of altars, and other things neceſſary for divine ſervice, which is to be celebrated in them, according to the cuſtom of the holy Roman church; and that it ſhall be lawful for the ſaid ſervants, and others, to go to the ſaid chapel and church at all hours, as to them ſhall ſeem expedient.

IX. That the care and cuſtody of the ſaid chapel and church ſhall be commited to ſuch as the lady Infanta ſhall appoint, to whom it ſhall be lawful to appoint keepers, that no body may enter into them to do any indecent thing. James I. An' 1623.

X. That to the adminiſtration of the ſacraments, and to ſerve in the chapel and church aforeſaid, there ſhall be twenty-four prieſts and aſſiſtants, who ſhall ſerve weekly or monthly, as to the Infanta ſhall ſeem fit; and the election of them ſhall belong to the lady Infanta, and the Catholic King, provided that they be none of the vaſſals of the King of Great Britain; and if they be, his will and conſent is to be firſt obtained.

XI. That there be one ſuperior miniſter, or biſhop, with neceſſary authority upon all occaſions which ſhall happen belonging to religion; and for want of a biſhop, that his vicar may have his authority and juriſdiction.

XII. That this biſhop, or ſuperior miniſter, may correct and chaſtiſe all Roman Catholics who ſhall offend, and ſhall exerciſe upon them all juriſdiction eccleſiaſtical: and moreover alſo, the lady Infanta ſhall have power to put them out of her ſervice, whenſoever it ſhall ſeem expedient to her.

XIII. That it may be lawful for the lady Infanta and her ſervants to procure, from Rome, diſpenſations, indulgences, jubilees, and all graces, as ſhall ſeem fit to their religion and conſciences, and to get and make uſe of any manner of Catholic books whatſoever.

XIV. That the ſervants and family of the lady Infanta, who ſhall come into England, ſhall take the oath of allegiance to the King of Great Britain: provided, that there be no clauſe therein which ſhall be contrary to their conſciences, and the Roman Catholic religion; and if they happen to be vaſſals to the King of Great Britain, they ſhall take the ſame oath the Spaniards do.

XV. That the laws which are, or ſhall be in England, againſt religion, ſhall not take hold of the ſaid ſervants; and only the aforeſaid ſuperior eccleſiaſtical Catholic may proceed againſt eccleſiaſtical perſons, as hath been accuſtomed by Catholics: and if a ſecular judge ſhall apprehend any eccleſiaſtical perſon for any offenſe, he ſhall forthwith cauſe him to be delivered to the aforeſaid ſuperior eccleſiaſtic, who ſhall proceed againſt him according to the canon law.

XVI. That the laws made againſt Catholics in England, or in any other kingdom of the King of Great Britain, ſhall not extend to the children of this marriage; and tho' they be Catholics, they ſhall not loſe the right of ſucceſſion to the kingdom and dominions of Great Britain.

XVII. That the nurſes who ſhall give ſuck to the children of the lady Infanta (whether they be of the kingdom of Great Britain, or of any other nation whatſoever) ſhall be choſen by the lady Infanta, as ſhe pleaſeth, aud ſhall be accounted of her family, and injoy the privileges thereof.

XVIII. That the biſhop, eccleſiaſtical and religious perſons of the lady Infanta's family, ſhall wear the veſtments and habit of their digniry, profeſſion and religion, after the cuſtom of Rome.

XIX. For ſecurity that the ſaid matrimony be not diſſolved for any cauſe whatſoever, the King and Prince are equally to paſs the word and honor of a King; and moreover, that they will perform whatſoever ſhall be propounded by the Catholic King for farther confirmation, if it may be done decently and fitly.

XX. That the ſons and daughters which ſhall be born of this marriage ſhall be brought up in company of the moſt excellent Infanta, at the leaſt until the age of ten years, and ſhall freely injoy the right of ſucceſſion to the kingdoms, as aforeſaid.

XXI. That whenſoever any place of either man-ſervant or maid-ſervant, which the lady Infanta ſhall

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ſhall bring with her (nominated by the Catholic King her brother) ſhall happen to be void, whether by death, or by other cauſe or accident, all the ſaid ſervants of her family are to be ſupplied by the Catholic King, as aforeſaid.

XXII. For ſecurity that whatſoever is capitulated may be fulfiled, the King of Great Britain and Prince Charles are to be bound by oath; and all the King's council ſhall confirm the ſaid treaty under their hands: moreover, the ſaid King and Prince are to give their faiths, in the word of a King, to indeavor, if poſſible, that whatſoever is capitulated may be eſtabliſhed by parliament.

XXIII. That, conformably to this treaty, all theſe things propoſed are to be allowed and approved of by the Pope, that he may give apoſtolical benediction, and a diſpenſation neceſſary to effect the marriage.

Difficulty concerning the Pope's title.

King James ratified theſe articles in the uſual form, and ſwore to obſerve them, before the two Spaniſh embaſſadors and twenty (1) privy-counſellors, who alſo ſigned the treaty. When James came to take the oath, he had ſome diſpute with the embaſſadors. He would not ſtile the Pope Holy Father, or his Holineſs, ſaying, he had written againſt this title, and it was unreaſonable to make him retract. But the embaſſadors inſiſting thereon, his Majeſty at length yielded, not thinking he ought, for ſuch a trifle, retard a treaty which had now been ſeven whole years in agitation.

James yields. Du Cheſne. Coke. Wilſon. Ruſhworth, p. 90. Annals.

After publicly taking this oath, he withdrew into his cloſet, where, in preſenſe of the ſame embaſſadors, and ſome privy-counſellors, he ratified and ſwore to theſe four ſecret articles.

Private articles. Wilſon, p. 769. Annals of James I. p. 79. Ruſhworth, p. 89.

I. That particular laws made againſt Roman Catholics, under which other vaſſals of our realms are not comprehended, and to whoſe obſervation all generally are not obliged; as likewiſe general laws, under which all are equally comprized, if ſo be they are ſuch as are repugnant to the Romiſh religion, ſhall not at any time hereafter, by any means or chance whatſoever, directly or indirectly, be commanded to be put in execution againſt the ſaid Roman Catholics; and we will cauſe that our council ſhall take the ſame oath, as far as it pertains to them, and belongs to the execution, which by the hands of them, and their miniſters is to be exerciſed.

II. That no other laws ſhall hereafter be made anew againſt the ſaid Roman Catholics, but that there ſhall be a perpetual toleration of the Roman Catholic religion, within private houſes, throughout all our realms and dominions, which we will have to be underſtood as well of our kingdoms of Scotland and Ireland, as in England; which ſhall be granted to them in manner and form as is capitulated, decreed and granted in the article of this treaty concerning the marriage.

III. That neither by us, nor any other interpoſed perſon whatſoever, directly or indirectly, privately or publicly, will we treat (or attempt) any thing with the moſt renowned lady Infanta, Donna Maria, which ſhall be repugnant to the Roman Catholic religion; neither will we by any means perſuade her, that ſhe ſhould ever renounce or relinquiſh the ſame in ſubſtance or form, or that ſhe ſhould do any thing repugnant or contrary to thoſe things which are contained in the treaty of matrimony.

IV. That we and the Prince of Wales will interpoſe our authority, and will do as much as in us ſhall lie, that the parliament ſhall approve, confirm, and ratify all and ſingular articles in favor of the Roman Catholics, capitulated between the moſt renowned Kings by reaſon of this marriage: and that the ſaid parliament ſhall revoke and abrogate particular laws made againſt the ſaid Roman Catholics, to whoſe obſervance alſo the reſt of our ſubjects and vaſſals are not obliged; as likewiſe the general laws under which all are equally comprehended, to wit, as to the Roman Catholics, if they be ſuch as is aforeſaid, which are repugnant to the Roman Catholic religion: and that hereafter, we will not conſent that the ſaid parliament ſhould ever, at any time, inact or write any other new laws againſt the Roman Catholics (2).

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Theſe are the four articles which ſerved for a ground-work to the Pontif's diſpenſation: for as the congregation "de propagandâ fide" urged; "The other articles are only to ſecure the Infanta's "religion: but there muſt be ſomething more for "the Catholics in general before the diſpenſation "can be granted." Nalſon and others pretend, theſe four ſecret articles are fictitious, groundleſs, and even improbable: but beſide that they follow very naturally from what was demanded by the "de propagandâ fide" congregation, and are manifeſtly alluded to in the archbiſhop's letter to King James, we ſhall immediately examine a paper which leaves no room to doubt James's having ingaged to perform the contents of thoſe ſaid four articles.

It is pretended that all theſe articles, as well public as private, ſigned by the King and privy-council, with the great ſeal annexed, being brought to Spain, the Prince of Wales made the following additions: but in reality, I find not ſo ſtrong proofs of theſe additions, as of the foregoing articles. This depends on the degree of credit which the reader is willing to allow the firſt publiſhers.

Articles ſworn to by the Prince of Wales. Wilſon, p. 247. Du Cheſne. Annals, p. 80. Ruſhworth, p. 89.

"Moreover, I Charles, Prince of Wales, ingage "my ſelf (and promiſe, that the moſt illuſtrious "King of Great Britain, my moſt honored lord "and father, ſhall do the ſame, both by word "and writing) That all thoſe things which are "contained in the foregoing articles, and concern "as well the ſuſpenſion as the abrogation of all "laws made againſt the Roman Catholics, ſhall "within three years infallibly take effect, and "ſooner if it be poſſible, which we will have to "lie upon our conſcience and royal honor: that I "will intercede with the moſt illuſtrious King of "Great Britain, my father, that the ten years of "educating the children, which ſhall be born of "this marriage, with the moſt illuſtrious lady Infanta their mother, accorded in the twenty third "article (which term the Pope of Rome deſires to "have prorogued to twelve years) may be "lengthened to the ſaid term: and I promiſe freely and of my own accord, and ſwear, that if it "ſo happen, that the intire power of diſpoſing this "matter be devolved to me, I will alſo grant and "approve the ſaid term. Farthermore, I Prince "of Wales oblige my ſelf, upon my faith to the "Catholic King, that, as often as the moſt illuſtrious lady Infanta ſhall require I ſhould give "ear to divines, or others whom her Highneſs "ſhall be pleaſed to imploy in matter of the Roman Catholic religion, I will hearken to them "willingly without all difficulty, and laying aſide "all excuſe. And for farther caution, in point of "of the free exerciſe of the Catholic religion, and "ſuſpenſion of the law above-named, I Charles, "Prince of Wales, promiſe and take upon me, in "the word of a King, that the things above "promiſed and treated concerning thoſe matters, "ſhall take effect, and be put in execution, as well

(1) Nineteen only are named in Wilſon, p. 769.
(2) The author of the Annals ſays, theſe four articles muſt be taken intirely upon Ruſhworth's credit, p. 80. Rapin.

in

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" in the kingdoms of Scotland and Ireland, as of " England."

Such were the products of Prince Charles's and Buckingham's journey to Spain; a journey not only needleſs, but even pernicious, as may eaſily be ſeen by all the additions made to thoſe former articles ſettled by the earl of Briſtol. King James was ſo over-joyed at his having brought to a period this grand matrimonial affair, that " he defied all the " devils in hell to break it." As a grateful acknowledgment for his favorite's important ſervices, he ſent over a patent creating him duke of Buckingham. There was no other duke at that time in England.

Wilſon, p. 769.

Buckingham created a duke. Rym. Fœd. Vol. XVII. 495. Coke.

King James's compliance in all he had ſigned and ratified went ſuch great lengths that the Spaniards could ſcarce believe it ſincere. Some of them who were no ſtrangers to the Engliſh conſtitution, maintained, it was not in James's power to perform his promiſes, or, in caſe he attempted it, a rebellion would be the infallible conſequence. This occaſioned his Catholic Majeſty's ordering the Junto to take this matter into conſideration. The reſult of their deliberations was, that it was not proper to ſend the Infanta to England before next ſpring, that in this interval the performance of thoſe articles granted to the Catholics, and their effect, might be aſcertained. Hereupon the Spaniſh embaſſadors in England had orders to requeſt his Britannic Majeſty to begin executing his ingagements in favor of the Catholics. This demand imbaraſſed him. What he had promiſed was ſecret, and not to be performed 'till after the marriage, and he was preſſed to make it public by the execution while Prince Charles was yet in Spain. This was a ſort of menace that the marriage ſhould not be ſolemniſed before he had given public marks of his ſincerity. He knew, a proclamation tolerating Popery might be attended with ill conſequences; that theſe conſequences might break off the match, and the Prince his ſon would be in danger of being detained by the Spaniard. To free himſelf from this perplexity, he reſolved to give the embaſſadors ſome ſatisfaction, by delivering into their hands a declaration of his council, containing his intention concerning this affair. In all appearance, the embaſſadors were prevailed on to agree its performance ſhould be defered, by reaſon of the accidents it might produce. The declaration ran thus: viz.

Difficulty in Spain.

The court of Spain deſire to have the ſecret articles executed. Ruſhworth, p. 93.

Saliſbury, Aug. 7, 1623.

A DECLARATION touching the pardons, ſuſpenſions and diſpenſations of the Roman Catholics.

Declaration in behalf of Papiſts. Ruſhworth, p. 288. Annals of Charles I. p. 143. Du Cheſne's p. 1168.

" FOR the ſatisfaction of their excellencies, " marquis Ynojoſa and Don Carlos Colona, " lords embaſſadors for the King of Spain; and to " the end it may appear that his Majeſty of Great " Britain will preſently and really put in execution " the grace promiſed and intended to the Roman " Catholics his Majeſty's ſubjects, and of his own " grace more than he is tied to by the articles of " the treaty of marriage (1).

" We do declare in his Majeſty's name, that " his Majeſty's will and pleaſure is, that a legal " and authentical pardon ſhall be paſſed under the " great ſeal, wherein ſhall be freely pardoned all " thoſe penalties, forfeitures and ſeizures, indict- " ments, convictments and incumbrances whatſo- " ever, whereunto the Roman Catholics are liable, " or have been proceeded againſt, or might be, as " well prieſts as others, for matters of conſcience " only, and to which the reſt of his Majeſty's ſub- " jects are not liable. And to the end his Ma- " jeſty may make himſelf clearly underſtood, where " it ſhall happen that any of thoſe forfeitures and " pecuniary mulcts have been given away under " his Majeſty's great ſeal; his Majeſty will not " hide that it is not in his power ſo to make void " thoſe letters patent, except they be voidable by " law; and then his Majeſty is well pleaſed that " all Roman Catholics may in thoſe caſes plead in " law, if they find it good, and ſhall have equal " and legal trial. And his Majeſty is likewiſe " pleaſed, that his general pardon ſhall remain in " being five years, to the end all who will may in " that time take it out; and his Majeſty will give " order for the comfort of the poorer ſort, that " the pardon ſhall not be coſtly, but ſuch like " courſe ſhall be taken as was in a like occaſion " at his Majeſty's coming into England; and that " it ſhall be lawful to put as many as can be poſſi- " ble into one pardon.

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" And we do farther declare, that his Majeſty's " will and pleaſure is, to the end the Roman Ca- " tholics, his Majeſty's ſubjects, may have a preſent " and a free fruition of as much as is intended " them by the articles of treaty of marriage, to " cauſe a preſent ſuſpenſion, under his Majeſty's " ſeal, of all thoſe penal laws, charges and for- " feitures whereunto the Roman Catholic ſubjects " of his Majeſty have heretofore been ſubject, and " to which the reſt of his Majeſty's ſubjects have " not been liable; and in the ſame grant, and un- " der the ſame ſeal, to give a diſpenſation and to- " leration to all the Roman Catholics his Majeſty's " ſubjects, as well prieſts as temporal perſons and " others, of and from all the penalties, forfeitures, " troubles and incumbrances which they have been " or may be ſubject to, by reaſon of any ſtatute " or law whatſoever, to the obſervation whereof " the reſt of his Majeſty's ſubjects are not bound. " We do likewiſe declare, that his Majeſty hath " promiſed his royal word, that the execution ſhall " be no ways burdenſome or penal to the Roman " Catholics, but that for the manner of privileging " and freeing them from that, he muſt confer with " biſhops and advocates, into which he will pre- " ſently enter and expedite by all means.

" And we do farther declare; that his Majeſty's " intention is, preſently to purſue his former direc- " tions (which had been before executed if their ex- " cellencies had ſo thought good) to put under his " ſeal ſeverally the ſaid pardon, ſuſpenſion and " diſpenſation; and that his Majeſty's attorney and " learned council ſhall have refered to them the " charge to pen them with all thoſe effectual words, " clauſes, expreſſions and reſervations which may " preſently give fruition to the Roman Catholics " his Majeſty's ſubjects, and make them inviolable " in the fruition of all that is intended and pro- " miſed by his Majeſty in the articles of marriage, " and his Majeſty's farther grace.

" And we do declare, that his Majeſty's far- " ther will and pleaſure is, for the better ſatisfac- " tion and diſcharge of the care and indeavor of " their excellencies the embaſſadors, that it ſhall " be lawful for them to aſſign a diſcrete perſon to " entertain ſuch ſufficient lawyers as ſhall be " thought fit to take care to the ſtrength, validity " and ſecurity of the ſaid grants: and his Majeſty's " attorney ſhall have charge to receive and admit " the ſaid lawyers to the ſight and judgment of the " ſaid draughts, and in any doubts to give them " ſatisfaction, or to uſe ſuch legal, neceſſary and

(1) The treaty of twenty three articles contained no grant at all in favor of the Catholics in general. Conſequently this muſt relate to the ſecret articles of the ſame treaty. Rapin.

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" pertinent words and phraſes as he, the ſaid law-
" yer, ſhall propound for the ſecurity of the Ro-
" man Catholics, and ſure making of the ſaid
" grants."

" And we do farther declare, that his Majeſty's
" pleaſure is to make a diſpatch into Ireland unto
" his deputy there, by the hands of the lord trea-
" ſurer and ſecretary of ſtate, ſir George Calvert,
" for the preſent confirmation and ſealing the things
" concerning the Roman Catholics, anſwerably to
" the articles of treaty, his royal promiſe and pro-
" ceedings here: and for Scotland, that his Ma-
" jeſty, according to the conſtitution of his affairs
" there, and regard to the public good, and peace
" of that kingdom, and as ſoon as poſſible, will
" do all ſhall be convenient for the accompliſhment
" of his promiſe in grace and favor of the Roman
" Catholics his ſubjects, conformably to the arti-
" cles of treaty of marriage."

Ruſhworth, p. 290.

This declaration, ſigned by ſecretary Conway and ſuch privy-counſellors as were moſt in his Majeſty's confidence, was in all appearance remited to Spain, as a pledge of James's intention to perform his ingagements. At Madrid it was the earl of Briſtol found means to have either the original itſelf, or a copy, which he produced before the parliament in 1626, as a manifeſtation of what Buckingham had negociated in Spain without his privity. It is evident; firſt, That this declaration ſuppoſes the above-inſerted ſecret articles; ſecondly, That the earl of Briſtol would not have ventured to produce it in parliament, had he not been able to prove it no forgery.

Death of Gregory XV. which renders void the diſpenſation. Wilſon. Annals.

While all this paſſed in England, news came to Madrid of Gregory XV's death, which was a freſh obſtacle to the concluſion of the marriage. When Cottington arrived from England with the ratification of the articles, the nuncio refuſed delivering the diſpenſation, alledging that the nuptial ceremonial not being yet ſolemniſed, the defunct Pope's diſpenſation was of no force, and therefore it was requiſite to wait the election of a new Pontif, who might grant a valid diſpenſation. By this accident the Prince of Wales found himſelf detained in Spain 'till a new Pope was choſen: Nevertheleſs, the twenty ninth of Auguſt was appointed for celebrating the matrimonials, in a ſuppoſition, that by then there would be a Pope and a new diſpenſation.

Prince Charles forced to ſtay for a new diſpenſation. Wilſon.

Mean while, reſtitution of the Palatinate was not talked of, or if mentioned, it was only by way of converſation, without any poſitive demand on the King of Spain, or his miniſters: I have already ſhewn the reaſon. As to temporal articles, they were in the ſame ſtate as when Prince Charles came to Madrid, and nothing ſigned on either ſide; ſo that if the diſpenſation arrived before the twenty ninth of Auguſt, the marriage muſt have been either defered, or ſolemniſed before theſe articles were ſettled.

Project to perſuade the Prince to turn Papiſt. Ruſhworth, p. 262.

But the court of Spain was intent on a project of greater moment; I mean, uſing indeavors to perſuade the Prince of Wales to turn Papiſt: nor is their hope of ſucceeding much to be wondered at, conſidering what had paſſed. Beſide, if we may credit the earl of Briſtol, in the impeachment he brought before the parliament againſt Buckingham, that duke gave the Spaniards too much room to expect this pretended converſion: nor are we to ſeek any other reaſon for delaying the diſpenſation. Urban VIII, who was elected the ſixth of Auguſt, would not have failed diſpatching it, had he not waited for this happy event, which he indeavored to expedite by his letters to the Prince and duke of Buckingham. This finally occaſioned the intire breaking off this marriage, after ſo many tedious procraſtinations.

Urban VIII, choſen Pope, denies to grant the diſpenſation. Annals.

I have very carefully ſearched after the real cauſe of this breach, but could never meet with any thing ſatisfactory. All agree, it was the duke of Buckingham who firſt inſpired Prince Charles, and afterwards his Majeſty, with the thought; but it is difficult to gueſs his motive, and what induced him to break his firſt meaſures, and purſue a contrary courſe, ſo obſcurely is this point explained by the hiſtorians. Some ſay, the duke rendered himſelf contemptible and odious to the court of Spain, by affecting to follow the French faſhions, in almoſt every thing oppoſite to the Spaniſh: that, for this reaſon, ſeeing the Infanta and Spaniards would have great power at the court of England, he imagined they might at length do him ſome ill turn, and therefore reſolved to break off the match. Others ſay that count Olivarez, King Philip IV's favorite, reminding Buckingham of his promiſe that Prince Charles ſhould turn Catholic, that duke gave him the lie to his face, and thence-forwards ſought means to quit the Spaniſh court, for fear of the count's revenge. Some affirm that the Queen of Bohemia, perceiving there was no likelihood of recovering the Palatinate by this marriage, and having much more reaſon to expect great advantages from a rupture between England and Spain, ſent Buckingham a truſty meſſenger, with certain offers, in caſe he would procure a breach. This is not improbable, and the Hollanders, to whom ſuch union between Spain and England muſt needs have been prejudicial, might well be concerned in the project. In fine, Buckingham's greateſt favorers pretend, that this duke, having ſounded the King of Spain's intentions as to reſtoring the Palatinate, found there was nothing to be expected, and therefore reſolved to break off a match deſigned not for any other purpoſe: it is at leaſt certain that the King, Prince and duke made uſe of this pretenſe to juſtify the rupture.

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Probable cauſes of breaking off the marriage-treaty.

Ruſhworth, p. 102. Clarendon, p. 29.

Wilſon, p. 774. Annals.

Du Cheſne. p. 1162. Wilſon, p. 773. Ruſhworth, p. 102.

However this be, Buckingham being ſo determined ſoon prevailed on Prince Charles, over whom he had now a very great aſcendant. In the execution of this deſign, two difficulties were to be ſurmounted. The firſt was, to obtain King James's conſent. The ſecond to get Prince Charles out of Spain. Buckingham muſt have been thoro'ly ſatisfied of his power over the King, to hope he could at once incline him to deſiſt from a project which for ſeven whole years he had ſo conſtantly purſued, at the very time all was concluded, and nothing wanting but the matrimonial ceremonies. He however deſpaired not of ſucceeding, and therefore gave him notice; That he had at laſt diſcovered the King of Spain's inſincerity: that not only he had no inclination to cauſe the Palatinate to be reſtored, but alſo was far from having the leaſt thought of accompliſhing the marriage, and the Prince was in danger of being detained in Spain all his life. To ſupport what Buckingham urged, Prince Charles alſo wrote to the King, his father, telling him, " He muſt now look upon his ſiſter " and her children, never thinking more of him, " and forgeting he ever had ſuch a ſon." King James fell, or rather threw himſelf into this ſnare, without the leaſt reflection, and wrote inſtantly to Buckingham, to bring away the Prince at all events; ſending likewiſe at the ſame time ſome ſhips to San Andero, in Biſcay, to take them on board.

Prince Charles determines on departing Spain.

He gets the King's conſent. Ruſhworth, p. 103. Coke.

Weldon. p. 148. Coke, p. 135.

The firſt difficulty being overcome, means were to be deviſed to quit Spain, and not give the court any ſuſpicion, which could not be effected without wounding the Prince's honor and conſcience. Happily for them, Urban VIII had not yet ſent the diſpenſation, nor even fixed any time for it: ſo Buckingham notified to his Catholic Majeſty the order he had received to bring back the Prince to England, his return being abſolutely neceſſary to remove

Means uſed by Prince Charles to leave Madrid, without giving ſuſpicion. Ruſhworth, p. 103.

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remove the nation's jealouſy of his ſo-long ſtay in Spain: adding, his departure would cauſe no conſiderable alteration, ſince he would leave in the hands of any perſon his Majeſty ſhould pleaſe to nominate a proxy to eſpouſe the Infanta in his name, as ſoon as the diſpenſation ſhould arrive. The Catholic Monarch was ſomewhat ſurpriſed at the Prince's deſign: nevertheleſs, as he deſired not the Infanta his ſiſter ſhould go before ſpring, he imagined that, after the eſpouſals, it would be eaſier to detain her, than if the Prince of Wales was actually in Spain, and therefore he the more willingly conſented to his Highneſs's departure (1).

He leaves a proxy to celebrate the marriage. Ruſhworth, p. 103. Wilſon. Annals.

The only point therefore was to be aſſured of the celebration of the marriage, and King Philip himſelf deſired to be the Prince's proxy, jointly with Don Duarte, Infante of Portugal. The proxy was drawn by his Catholic Majeſty's ſecretary, and the Prince of Wales ſigning it, in preſenſe of ſundry witneſſes, left it in the earl of Briſtol's hands, with orders to deliver it to King Philip ten days after receit of the diſpenſation. This done, Buckingham departed firſt, under color of preparing for Prince Charles's reception on board the Engliſh fleet at San Andero. The court ſaw him go without the leaſt reluctance, or rather with a ſatisfaction equal to his impatience to be in a place of ſecurity. After his departure, all imaginable honors were done to his royal Highneſs. King Philip perſonally conducted him to the Eſcurial, where he received and feaſted him as a Prince who ſhould very ſuddenly be his brother-in-law. I ſhall not here enter on a detail of the courteſies that Prince received. It will ſuffice to ſay, that on the very day of his departure, he ſolemnly ſwore again to the marriage articles and then left with Briſtol the proxy, whereof a ſtate-ſecretary made an authentic act, ſigned by diverſe witneſſes.

Buckingham ſets out firſt. Wilſon, p. 774.

Mendoza's Relat. p. 7, &c.

Ruſhworth, p. 281. Prince Charles ſwears to the articles again.

Prince Charles took leave and ſet out, loaded with honors, careſſes, preſents, and attended by ſeveral of the court grandees who waited on him to his ſhips. No ſooner was he there, but he diſpatched to the earl of Briſtol Mr. Edward Clarke, one of Buckingham's retinue, with poſitive orders not to deliver the proxy 'till ſecurity was given him that the Infanta, after the eſpouſals, would not betake herſelf to a cloiſter, and to ſend him notice, before delivery of the proxy, what ſecurity was offered, that he might himſelf be a judge whether it was proper to accept it. This was Prince Charles's firſt artifice to gain time, apprehenſive leſt the diſpenſation would come, and the marriage be ſolemniſed before the King his father was determined to break it. The earl of Briſtol, not yet perceiving the intent of the order he had received, feared, if he ſhould ſtay to the laſt, it might obſtruct accompliſhing the marriage: wherefore he thought proper to take care, before the diſpenſation ſhould arrive, to know what ſecurity the court of Spain would give concerning the Prince's ſcruple. He received as ſatisfactory a reply as he could wiſh, which he conveyed to the King and Prince by a letter.

He departs.

His orders to the earl of Briſtol. Wilſon, p. 776. Defenſe of the earl of Briſtol, in Ruſhworth, p. 297. Coke.

The Prince and duke arrived on the fifth of October at Portſmouth, and thence poſted to Royſton, where the King was. It ſeems they durſt not immediately diſcover to his Majeſty their deſign of breaking off the match, but thought fit to take ſome precautions, to render it leſs ſurpriſing. What induces me to be of this ſentiment is that, the earl of Briſtol's letter coming ſoon after, King James wrote to him, the eighth of October, that he was ſatisfied with the ſecurity offered by the court of Spain. The Prince, who probably had not yet prepared all his batteries, concealing his deſign, wrote alſo to the earl of Briſtol theſe words, which were doubtleſs to be peruſed by the King his father.

He arrives in England. Wilſon. Ruſhworth. Howes.

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He defers acquainting the King with his deſigns. Ruſhworth, p. 297.

"Your letter to the King and me, concerning "that doubt I made after I came from St. Lau- "rence (2), hath ſo ſatisfied us both, that we "think it fit no longer to ſtick upon it, but leave "it to your diſcretion to take what ſecurity you "ſhall think fiting.

Ibid.

Prince Charles was however in danger of the diſpenſation's arriving at Madrid, before the earl of Briſtol ſhould have received a poſitive order not to deliver the proxy, ſince in that caſe he would have been obliged to execute what was injoined him by the Prince himſelf, at his leaving the Eſcurial: but this riſk was to be run; there being no avoiding it, before the King was determined to a breach. It is true, himſelf and Buckingham had now begun to inſtil into James's mind doubts with regard to reſtoring the Palatinate. On this account, his ſaid Majeſty, in his letter October 8, told the earl of Briſtol, that he hoped to receive, before Chriſtmaſs, the agreeable news both of his ſon's marriage, and ſon-in-law's reſtoration (3). Tho' this was no expreſs order to demand the Palatinate before the eſpouſals, nevertheleſs the earl of Briſtol thought proper to take ſome care of a buſineſs ſo much neglected during the Prince's ſtay in Spain, and even ſince the marriage-articles were ſettled. He mentioned it therefore to Olivarez, and made him ingage that the proxy ſhould not be demanded, 'till a written promiſe was put into his hands that the Palatinate ſhould be reſtored. Of this he informed King James, in a letter of the twenty-third of November, wherein he told him, he hoped by Chriſtmaſs he ſhould congratulate the Prince his ſon, and the Princeſs his daughter, the one upon his marriage, the other upon the end of her ſufferings.

James's letter to the earl of Briſtol about the Palatinate. Ruſhworth, p. 105, 298. Annals. Coke. Wilſon.

The court of Madrid promiſes reſtitution of the Palatinate. Ruſhworth, p. 299.

It muſt be obſerved that the Prince of Wales, before he left Spain, had imployed artifice to gain time, knowing he could not break off the marriage without his father's conſent. He had cauſed it to be inſerted in the proxy, that it ſhould remain in full force only 'till Chriſtmaſs. He hoped the diſpenſation would not arrive before that time, or if it came but a few days before, the proxy would be uſeleſs: and in effect, as Briſtol was not to deliver it 'till ten days after the diſpenſation reached Madrid, if the tenth day was after Chriſtmaſs-day, the proxy would be of no force, by virtue of the inſerted clauſe. But this precaution was not ſufficient, becauſe the diſpenſation might happen to be at Madrid above ten days before Chriſtmaſs. This finally obliged the Prince and duke to diſcover their ſecrets to his Majeſty. Whether James yielded to their reaſons, or thro' exceſſive condeſcenſion for his ſon and favorite would not vex them by a denial, he wrote to the earl of Briſtol, the thirteenth of November, expreſly ordering him, not to deliver

Artifice of Prince Charles. Wilſon, p. 776. Ruſhworth, p. 106.

James prevailed on by the Prince and Buckingham.

He orders the earl of Briſtol not to deliver the proxy. Wilſon, p. 776. Ruſhworth, p. 111.

(1) It has been wondered at, why the King of Spain ſhould be ſo willing to let the Prince go, when he might have kept him, and made of him what advantage he pleaſed. But this point is cleared by the remark with which Spanhemius ſums up what relates to the Spaniſh affair, "That never Prince was more obliged to a ſiſter, than King Charles I. was to the Queen of "Bohemia; ſince it was only the conſideration of her and her children, who were then the next heirs after him to the crown of "England, that prevailed with the court of Spain to permit him to ſee England again." Welwood, p. 28.

(2) Meaning the noble palace and monaſtery of San Lorenzo, otherwiſe El Eſcurial, near twenty miles from Madrid.

(3) King James commanded the earl of Briſtol, to procure inſtantly, from the King of Spain, a punctual anſwer; and, before he delivered the powers, or moved the contract, to obtain from that King, either by a public act, or by anſwer under his hand and ſeal, a direct ingagement for reſtitution of the Palatinate, and the electoral dignity. See Ruſhworth, p. 106, 107

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the proxy 'till after Chriſtmaſs: that is, when it was no longer valid. Moreover he injoined him not to diſcover this order to the court of Spain 'till the very laſt. This letter was ſent to the earl by three (1) ſeveral meſſengers, two by land and one by ſea, for fear of accidents. It came in a critical time, for the diſpenſation arrived at Madrid the begining of December, new ſtile (2), and his Majeſty's letter the thirteenth of November old ſtile. On receit of the diſpenſation, King Philip immediately ordered all requiſites towards celebrating the eſpouſals to be prepared (3): but the ten days being expired, and the marriage ſolemnities expected, the earl of Briſtol notified to him his royal Maſter's orders, not to deliver the proxy 'till after Chriſtmaſs. He readily comprehended his Britannic Majeſty's drift, ſince the proxy would then be invalid. That very day, he ſent the earl of Briſtol orders to demand no more audience, and gave command, that the Infanta ſhould be no longer ſtiled Princeſs of Wales, as ſhe had been ever ſince the arrival of the diſpenſation, and cauſed to ceaſe all the connubial preparations. Mean while, to caſt the whole blame on the King of England, he ſent the earl of Briſtol, on the eighth of January 1624, a written promiſe, ſigned with his own hand, whereby he ingaged to cauſe the Palatinate to be reſtored to the elector Palatine. This the earl of Briſtol, in the ſucceeding reign, affirmed before the parliament in his defenſe.

Du Cheſne. Wilſon, p. 777.

Ruſhworth, p. 298.

Scarce one of the Engliſh hiſtorians ſcruples affirming, that the want of this reſtitution occaſioned the breaking off the match, and the earl of Briſtol having demanded it of his Catholic Majeſty, as a condition without which the marriage could not be accompliſhed, Philip coldly replied; "The Pala- "tinate was none of his to give, and the Emperor "might be applied to." But this is directly contrary to the earl of Briſtol's own account, who doubtleſs knew more of this affair than any other. Lord Clarendon indeed takes care not to ſpeak like the reſt: he contents himſelf with aſcribing the breach to ſome ſecret deſign of Buckingham.

Wilſon, p. 776.

Ruſhworth, p. 296, &c. Clarendon.

Thus ended the Spaniſh match buſineſs, which had found King James ſeven whole years conſtant imployment. During all which time, he moſt earneſtly ſollicited its concluſion, and to ſucceed, ſcrupled not ſacrificing the intereſts of his ſon-in-law; his own reputation; the religion he profeſſed; the good of his people, and the laws of his realm: but when it was at length juſt on the point of accompliſhing, he ſuddenly brake it off, for reaſons never yet thoro'ly penetrated. It can only be aſcribed to his weakneſs for his favorite. Lord Clarendon ſays poſitively, the King was compeled to it by the duke of Buckingham, "who, in breaking the "marriage, reſumed the ſame impetuoſity he had "indulged to himſelf in the debate of the journey "into Spain." He adds, "the King plainly "found the Prince and duke were reſolved upon a "breach, with or without his approbation, and "that he never forgave the duke what he had done, "but retained as ſharp a memory of it as his nature "could contain." It is to be preſumed, the earl of Clarendon was well acquainted with this affair, and the more, as he is not the ſole writer who intimates that King James had neither the power nor the courage to withſtand the Prince and duke, who were ſtrictly united ſince their Spaniſh journey.

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An' 1624. Annals, p. 86. Clarendon, p. 18. Ruſhworth, p. 113. Coke, p. 140.

Mean time, for fear the earl of Briſtol ſhould, by ſome means, renew a treaty broken with ſo little reaſon, they had him recalled. King James conſented to his return with more readineſs as he ſaw not in his court any perſon able to give good counſel how to free himſelf from the ſlavery he was under, except the earl of Briſtol, who never gave way to Buckingham's arrogance. This had drawn on him the favorite's enmity to ſuch a degree, that ever after he was continually expoſed to his perſecutions, and the indignation of Prince Charles, who liſtening to Buckingham's ſuggeſtions ſpared no indeavors to work his ruin, even when he had aſcended the throne, tho' without being able to ſucceed.

Since the Prince's and duke's return, King James no longer ruled; all his affairs were managed by them, and he only executed their counſels. He ſaw not about him any he could truſt. All his officers, all his courtiers were the duke's creatures, and the more attached to him, as they ſaw him in ſuch firm union with his royal Highneſs. In this ſituation, James had no other remedy than to ſurrender himſelf intirely to them, and do whatever they pleaſed; whether he feared their preſumption would augment by reſiſtance, or waited for ſome favorable opportunity to throw off their yoke. Not only the breach of the marriage had been reſolved between them, but alſo a war with Spain; nor durſt he contradict them, notwithſtanding his irradicable antipathy to hoſtilities. Their firſt project was, to demand for this war a benevolence of every ſubject: nay, they made the King ſign orders to levy it: Baker ſays, in his chronicle, he himſelf paid fifty pounds on this occaſion. But on a ſudden, by advice of the Prince and Buckingham, James deſiſted from this ſcheme, and reſolved to call a parliament. That was indeed the propereſt method to authoriſe his breaking off the treaty with Spain, and to procure money, which he wanted extremely.

Ruſhworth, p. 107. Clarendon, p. 20.

Every true Engliſhman had conſtantly conſidered the Spaniſh match as highly prejudicial to he kingdom. Ir was known in general, that the King, in favor of this marriage, had made large conceſſions with reſpect to religion, tho' the particulars, and eſpecially the ſecret articles, were known to very few. But the King's complaiſance towards Papiſts ſufficiently ſhewed the court of Spain had greatly prevailed with him in that reſpect. The duke of Buckingham, not being ignorant of the peoples averſion to this marriage, the breach whereof was not yet very public, doubted not gaining their affection, by procuring a parliament to be called, and declaring himſelf to be author of this felicitous rupture ſo paſſionately deſired by all good Engliſhmen. To compaſs theſe his views, he made himſelf popular, and affected to careſs both Church and State-Puritans: nay, he conſulted one of the leading Puritans * how the King might ſeize the dean and chapter Lands. Nothing could be properer to win the peoples love, moſt of the eccleſiaſtics having rendered themſelves odious, by their zeal in maintaining the prerogative royal (4). So,

Ruſhworth, p. 107.

Hacket, p. 203. Coke, p. 139.

* Dr. John Preſton.

(1) Wilſon ſays four, Killigrew, Greſly, Wood, and Davies, p. 776.

(2) In a letter from ſir Walter Aſton to the duke of Buckingham, it is ſaid, that the diſpenſation came to Madrid, November 12. Cabala, p. 3.

(3) The King of Spain had ſent into England, Don Mendoza de Alcorcana, to congratulate the Prince's ſafe return, and from thence he had inſtructions to go and make known to all Princes and Potentates, allies to Spain, how near the marriage was. When the diſpenſation came, bonfires were made throughout all Spain, the 19th of December was fixed for the wedding-day, preſents were provided for our King and Prince, the Infanta's family was ſettled, and the begining of March appointed for her coming over into England, &c. Wilſon, p. 776.

(4) The duke of Buckingham propoſed alſo ſelling the remainder of the crown-lands; but this project was ſtrenuouſly oppoſed by the lord keeper Williams, and accordingly laid aſide. Hacket, p. 202.

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the juncture being very favorable, Buckingham got his Majeſty to call a parliament, notwithſtanding his reſolution never to ſummon another: nay, ſuch was his power over the King, that he made him ſpeak to the parliament in terms utterly repugnant to his principles, maxims and ſentiments.

King James calls a parliament.

Project of a match between the Prince and Henrietta Maria of France. Annals, p. 87. Ruſhworth, p. 114.

Mean while, the Prince and duke had in view another project. This was to match his Highneſs with Henrietta Maria, his Gallic Majeſty's ſiſter; whereto James readily conſented. He was ſo prepoſſeſſed with the opinion of his own grandure, that he could not once think of marrying his ſon to any but a Priuceſs royally born, and King Henry IV's third daughter was the only undiſpoſed of Princeſs ſo qualified then in Europe. Very ſeemingly, the Queen of Bohemia's meſſenger to Buckingham, when in Spain, made him the firſt overture of this match, and that duke thereupon reſolved to break off the marriage Prince Charles was on the point of concluding with the Infanta. Howſoever this may have been, James approving the project, Henry Rich lord Kenſington, was on ſome pretext ſent over to France, in order to ſound the court concerning this marriage: and, before his departure, he was created earl of Holland. I ſhall ſpeak preſently of the ſucceſs of this negociation; but muſt firſt take a view of what paſſed in the parliament, which met the 19th of February. The King made a ſpeech to both houſes ſo different from thoſe to the two preceding parliaments, that ſuch oppoſite expreſſions can ſcarcely be believed to come from the ſame Prince's mouth, was it not notorious what a ſtrange aſcendant Buckingham had over him, and how neceſſary it was to the favorite's deſigns that his Majeſty ſhould ſo expreſs himſelf. As this ſpeech is not ſo long as the others, our readers will poſſibly be glad to ſee it.

Coke, p. 147.

Rym. Fœd. Vol. XVII. 532, &c.

My lords and gentlemen.

James ſpeech in parliament. Annals of James I. p. 87. Wilſon. Ruſhworth, p. 115.

"I Have aſſembled you at this time, to impart to you a ſecret, and matter of as great importance as can be to my ſtate, and the ſtate of my cbildren; wherein I crave your beſt and ſafeſt advice and counſel, according as the writ whereby you were aſſembled, imports, 'That the King would adviſe with you in matters concerning his eſtate and dignity.' And as I have indeavored, by this and the like ways, to procure and cheriſh the love of my people towards me, ſo I do hope, and my hope is exceeded by faith: for I fully now believe, that never any King was more beloved of his people; whom as you, my lords and gentlemen, do here repreſent, ſo would I have you truly to repreſent all their loves to me; that in you, as in a true mirror or glaſs, I may perfectly behold it, and not as in a falſe glaſs which repreſents it not at all, or otherwiſe than it is indeed. Give me your free and faithful counſels in the matter I propoſe, of which you have often heard; the match of my ſon: wherein, as you may know, I have expended much time with great coſt in long treaties, deſiring always therein (and not without reaſon hoping to have effected my deſires) the advancement of my ſtate and children, and the general peace of Chriſtendom, wherein I have always conſtantly labored, depending upon fair hopes and promiſes. At the earneſt inſtance of my ſon, I was contented (altho' it was of a moſt extraordinary nature) to ſend him to proſecute his deſires in Spain; and for his more ſafety, ſent Buckingham (in whom I ever repoſed moſt truſt of my perſon) with him, with this command, 'continually to be preſent with him, and never to leave him, 'till he had returned again ſafely unto me.' Which he performed, tho' not with that effect in the buſineſs which I expected, yet not altogether without profit; for it taught me this point of wiſdom, 'Qui verſatur in generalibus,' is eaſily deceived, and that generality brings nothing to good iſſue; but that before any matter can be fully finiſhed, it muſt be brought to particulars: for when, as I thought, the affair had been, before their going, produced to a narrow point, relying upon their general propoſitions, I found, when they came there, the matter proved to be ſo raw, as if it had never been treated of; the generals giving them eaſy ways to invade, and affording them means to avoid the effecting any thing (1).

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"The particulars which paſſed in the treaty, I mean not now to diſcover to you, the time being too ſhort. I refer you to Charles and Buckingham, and the ſecretaries reports, who ſhall relate to you all the particulars. And after that, 'Super totam materiam,' I deſire your beſt aſſiſtance to adviſe me what is beſt and fiteſt for me to do, for the good of the commonwealth, and the advancement of religion, and the good of my ſon, and my grandchildren of the Palatinate. And of our eſtate, I know you cannot but be ſenſible, conſidering that your welfare conſiſts in ours, and you ſhall be ſure to have your ſhare in what miſery ſhall befal us: and therefore I need to urge no other argument to you in this behalf, in offering me your wiſeſt and ſureſt counſel and fartherance. And I aſſure you in the faith of a Chriſtian King, that it is 'res integra,' preſented unto you, and that I ſtand not bound, nor either way ingaged, but remain free to follow what ſhall be beſt adviſed.

"To plant is not ſufficient, unleſs, like good gardeners, you pluck up the weeds which will choak your labors: and the greateſt weeds among you are jealouſies; root them out. For my actions, I dare avow them before God; but jealouſies are of a ſtrange depth. I am the huſband and you the wife, and it is ſubject to the wife to be jealous of her huſband: let this be far from you. I can truly ſay, and will avouch it before the ſeat of God and angels, that never King governed with a purer, ſincerer and more uncorrupt heart, than I have done, far from all will and meaning of the leaſt error or imperfection of my reign.

"It hath been talked of my remiſſneſs in maintenance of religion, and ſuſpicion of a toleration: but, as God ſhall judge me, I never thought nor meaned, not ever in word expreſſed any thing which favored of it (2). It is true, that at times, for reaſons beſt known to my ſelf, I did not ſo fully put thoſe laws in execution, but did wink and connive at ſome things which might have hindered more weighty affairs; but I never, in all my treaties, ever agreed to any thing to the overthrow and diſagreeing of thoſe laws, but had in all a chief preſervation of that truth which I had ever profeſſed; and as, in that reſpect, I have a charitable conceit of you, I would have you have the like of me alſo, in which I did not tranſgreſs: for it is a good horſeman's part not always to uſe his ſpurs, and

(1) All this can relate only to the Palatinate; for the treaty of marriage was really concluded before the Prince's voyage to Spain. Rapin.

(2) The archbiſhop's letter to the King, and the council's declaration to the Spaniſh embaſſadors, not to mention the marriage articles, public and private, evidently ſhew the contrary. But the King had this hole to creep out at here, that he conſidered what he had done, and what he intended to do for the Catholics, only as a ſuſpenſion of the peualties, and not as a real toleration. Rapin.

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" keep ſtrait the reins, but ſometime to uſe the " ſpurs, and ſuffer the reins more remiſs; ſo it is " the part of a wiſe King, and my age and expe- " rience in government have informed me, ſome " time to quicken the laws with ſtreight executions, " and at other times, upon juſt occaſions, to be " more remiſs. And I would alſo remove from " your thoughts all jealouſies, that I might or ever " did queſtion or infringe on any of your lawful " liberties or privileges; but I proteſt, before God, " I ever intended you ſhould injoy the fulneſs of " all thoſe which former times give good warrant " and teſtimony of, which, if need be, I will in- " large and amplify.

" Therefore I would have you, as I have in this " place heretofore told you, as St. Paul did Timo- " thy, avoid genealogies and curious queſtions, and " nice querks and jerks of law, and idle innova- " tions; and if you miniſter me no juſt occaſion, " I never yet was, nor ever ſhall be curious or " captious to quarrel with you: but I deſire you " to avoid all doubts and hinderances, and to " compoſe your ſelves ſpeedily and quietly to this " weighty affair I have propoſed; for that I have " found already delays have proved dangerous, and " have bred diſtraction of this buſineſs; and I " would not have you by other occaſions to ne- " glect or protract it. God is my judge, I ſpeak " it as a Chriſtian King, never any way-faring " man, who was in the deſarts of Arabia, and in " danger of death for want of water to quench " his thirſt, more deſired water, than I thirſt and " deſire the good and comfortable ſucceſs of this " parliament, and bleſſing of your councils, that " the good iſſue of this may expiate and acquit the " fruitleſs iſſue of the former. And I pray God, " your counſels may advance Religion, and the " public weal, and the good of me and my chil- " dern ".

Cenſures on his ſpeech. Coke.

This ſpeech, like the reſt made by King James to his parliament, was liable to many cenſures not a little reflecting on his ſincerity. It could not be conceived, that he really believed himſelf better beloved by his people than any of his predeceſſors, ſince no King ever had ſuch frequent quarrels with his parliament, which certainly is no very proper method to win the peoples affection. Thoſe who were acquainted with the ſtate of affairs, thought it very ſtrange his Majeſty ſhould tell the parliament that, at the Prince's arrival in Spain, the affair was ſo raw as if it had been never treated of, ſince he had already ſigned the matrimonial articles, and, as to the Palatinate, he would not have it mentioned before the marriage was accompliſhed. The ſame perſons could not forbear wondering, he ſhould call God to witneſs, he never ſo much as thought or intended to grant the Papiſts a toleration, ſince it was one of the ſecret articles of the marriage, and ſince, without being informed of any ſuch article, it was eaſy to perceive that with this view alone Philip gave his ſiſter to the Prince of Wales. Laſtly, ſome malicious perſons obſerved, that when the King ſaid, he never intended to invade the peoples liberties, they might very juſtly apply to him the ſimile, which himſelf had uſed on another occaſion, of him who took a man's purſe, aſſuring him, he had no deſign to rob him.

Buckingham explains the pretended reaſons for breaking off the match. Febr. 24.

Some days after James had delivered his ſpeech, the two houſes determining on a conference, to examine the affair recommended by his Majeſty, the Prince and Buckingham repaired thither and informed them of all particulars. Prince Charles having ſpoken a few words, the duke of Buckingham began and made a long harangue, which he divided into ſix heads, under color of giving matters clearer explication, but in reality to confound them, and conceal the reciprocal coherence of the particulars he was to relate. Under the firſt head, he ſet forth the motives of his royal Highneſs's journey to Spain. In the ſecond, he ſpake of the marriage treaty apart by itſelf. In the third, he joined together the two affairs of the marriage and Palatinate. In the fourth, he declared the reaſons of his Highneſs's return. In the fifth, he informed the parliament of his Majeſty's ſubſequent proceedings in the marriage and Palatinate affairs ſince Prince Charles return. In the ſixth and laſt, he ſtated the queſtion, wherein both houſes were to offer his Majeſty their advice. While he was ſpeaking, he turned, at the end of every point, to the Prince, aſking him, whether what he was ſaying was not true? to which the Prince failed not anſwering: " Yes, it is true ", or to the like purport. The drift of this whole oration was to make appear; that his Majeſty had been unadviſely ingaged in the marriage treaty, by the falſe hopes given him by the earl of Briſtol: that the court of Spain never intended this alliance, much leſs to reſtore the Palatinate, tho' the earl of Briſtol aſſured the contrary: that the Prince had been ill treated in Spain, and much preſſed to turn Papiſt: finally; he intimated, that none was blamable but the earl of Briſtol, who had abuſed his Majeſty's confidence. Nothing is eaſier than to accuſe one who is abſent. It is only concealing what makes for him, giving a ſiniſter turn his moſt innocent actions, agravating the faults he may have commited, and loading him with crimes whereof he is not guilty. This is preciſely what Buckingham did with regard to the earl of Briſtol, and this with the Prince's approbation and aſſiſtance: all which is ſo true that, two years after, Charles being on the throne, and having himſelf accuſed the earl of high treaſon, Briſtol, in his defenſe to the parliament, gave a narrative of the Spaniſh negociation quite different from Buckingham's. He proved what he ſaid by unexceptionable papers, and defied the duke to anſwer them. He not only affirmed, that Buckingham's whole report was falſe, but alſo impeached him in form, and gave in to the upper houſe his impeachment, which remained unanſwered. This is ſufficient to maniſeſt the falſeneſs of Buckingham's narrative: ſo I think it needleſs to expatiate farther upon this ſubject.

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Rym. Fœd. Vol. XVII. 556. &c. Ruſhworth, p. 119. Annals. p. 89, &c.

Weldon, p. 163.

Remark on this ſpeech.

Ruſhworth, p. 249,—302.

Ib. p. 246.

However, the duke of Buckingham's ſpeech was received with applauſe, for ſeveral reaſons. Firſt, he had made a party in the two houſes. Secondly, he had prevented the marriage from being concluded in Spain; which was counted a piece of moſt agreeable ſervice, both by parliament and people. Thirdly, he had brought home the Prince, contrary to all expectation, and thereby baniſhed thoſe juſt apprehenſions the Engliſh had conceived. Finally, as Buckingham's narrative being atteſted by the Prince himſelf, it could not be imagined fictitious. Conſidering the public's ignorance of the ſecret circumſtances of this negociation, it is no wonder the parliament ſhould credit what was told them by the King, Prince and favorite: but afterwards, when all was unveiled, people were of a quite different ſentiment.

The parliament applaud Buckingham. Wilſon. p. 779. Ruſhworth. p. 126. Annals. p. 93.

The Spaniſh embaſſador, being informed of what paſſed at the conference between the two houſes, demanded audience of his Majeſty, and loudly complained, that Buckingham had reflected on the Catholic Monarch's honor (1): adding, if any of his maſter's ſubjects had ſpoken thus of the King of Eng-

The Spaniſh embaſſador complains of Buckingham. Annals. p. 93.

(1) And demanded his head for ſatisfaction. Ruſhworth. Vol. I. p. 126.

land,

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land, it would have coſt him his head. Seemingly, his ſaid excellency hath been miſ-informed, ſince the duke had not uſed any offenſive expreſſions againſt his Catholic Majeſty: he had only inſinuated, that King Philip had never any other intention than to amuſe the King and Prince. As Buckingham was now the parliament's favorite, as well as the King's and Prince's, both houſes openly took his part, and addreſſed his Majeſty, declaring, the duke had ſaid nothing which could give offenſe to the King of Spain, and thanking him for his faithful relation atteſted by his royal Highneſs. James was ſo delighted with this addreſs, that he went and thanked the two houſes in a ſpeech, wherein he forgot not to trumpet forth the praiſes of his favorite. He ſaid, he could not doubt the veracity of his report, becauſe he made the very ſame to himſelf at his return from Spain. But King James muſt have been wilfully blind not to ſee the falſity of his ſaid grace's relation, or been moſt unaccountably over-awed by that favorite, if he was made to atteſt before the parliament what he knew to be ungenuine.

The parliament ſides with James. Ruſhworth, p. 126.

Ibid. p. 127.

It highly pleaſed the parliament to find his Majeſty diſpoſed to break off the Spaniſh match, not knowing, or feigning not to know it was really broken by the affront put upon the Catholic Monarch; but King James having affirmed, it was yet "Res "integra," the two houſes could not uſe other language: ſo, forgeting all former occaſions of diſcontent, and applying themſelves wholly to the affair propoſed by his Majeſty, they jointly preſented a petition, adviſing him to diſcontinue the treaty on foot with Spain, as well for reſtitution of the Palatinate, as for the marriage. They grounded their advice upon four principal reaſons: the firſt was, that, when the treaty commenced, the Spaniards inſiſted only upon liberty of conſcience to the Infanta and her family, with the free exerciſe of their religion: but that afterwards, taking advantage of the Prince's being in their power, they importuned a general toleration, contrary to the uſage of other Catholic Princes in the like treaties: that beſide, the Popiſh faction had ſo increaſed, during the negociation, that there was no way to ſuppreſs them as long as the treaty ſubſiſted.

The parliament adviſes him to break the Spaniſh match. Wilſon. p. 780. Annals p. 94. Ruſhworth, p. 128.

The ſecond reaſon was, that while this treaty continued, the Proteſtant party in Germany was oppreſſed, and the Palatinate invaded: that the Spaniards had impoſed on his Majeſty, and offered indignity to his royal Highneſs, by importuning him to change his religion, contrary to the law of hoſpitality and privilege of Princes.

The third was grounded on the Spaniards inſincerity, as well in the former overture of marriage for the late Prince Henry, as in this; on the affrontive propoſal made his Majeſty, of Prince Charles's becoming a Papiſt; and on the deceit uſed in the treaty of Bruſſels, whoſe ſole end was the reduction of Heidelberg.

Laſtly, the parliament added as a fourth reaſon; tranſlating the electorate to the duke of Bavaria; the King of Spain's letter to count Olivarez, with that miniſter's anſwer; whereby it was evidently manifeſt the Spaniards never intended to accompliſh the marriage; the ſhift deviſed by a Junto of theologians, to ſend home Prince Charles without the Infanta.

All theſe reaſons were ſo many indirect reproaches to King James, for ſuffering himſelf to be ſo long amuſed. But that Monarch, feigning not to perceive it, went to the houſe and made a ſpeech, to ſhew he could not break off the treaties without knowing how to maintain the war which would unavoidably follow, ſince the Palatinate was to be recovered by arms. He declared therefore, if they thought proper to ingage in a war with Spain, he would readily conſent the ſupply to be granted ſhould be managed by commiſſioners of the parliament's nomination: moreover, he promiſed the two houſes, he would not make a peace without their advice. He concluded with ſaying: "I am ſo deſirous to forget all rents in former par- "liaments, that it ſhall not be my default, if I am "not in love with parliaments, and call them "often, and deſire to end my life in that inter- "courſe between me and my people, for the "making of good laws, reforming of ſuch abuſes "as I cannot be well informed of but in par- "liament, and maintaining the good government "of the commonwealth".

King James conſents to the breach, and demands aid. Ruſhworth, p. 129. Annals, p. 94.

How different is this ſpeech from thoſe which James made to the former parliaments! But this King's own ſentiments are not ſo viſible in theſe expreſſions as is the policy of Buckingham, who, after breaking the Prince's marriage, had a mind to puſh his point, and proclaim war with Spain. To ſucceed, a parliament muſt be called, and to gain their affection, the King muſt talk after this manner.

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Some days after, the commons addreſſed his Majeſty, offering to grant him three intire ſubſidies, and three fifteenths, on his public declaration for diſſolving the marriage and Palatinate treaties: but they took him at his word, as to his offer that the money ſhould be diſpoſed of by commiſſioners of their own nomination. James thanked them for their affectionate expreſſions, and told them, he was reſolved for the future ſolely to confide in his parliament: after which, he diſpatched a meſſenger to the court of Spain, with his ultimate determination to break off the treaty: but hearing of a ſharp petition againſt Popiſh recuſants, preparing in parliament in order to preſent it him, he himſelf wrote to ſecretary Conway in theſe very terms.

The commons offer him money. Wilſon, p. 782. Ruſhworth, p. 135. Annals, p. 97.

Wilſon, p. 780.

He has notice of a ſtinging petition againſt the recuſants.

"I Doubt not but you heard what a ſtinging pe- "tition againſt the Papiſts the lower-houſe have "ſent to the higher-houſe this day, that they may "jointly preſent it unto me. You know my firm "reſolution, not to make this a war of religion; "and ſeeing I would be loth to be cony-catched "by my people, I pray you ſtay the poſt which "is going to Spain, 'till I meet with my ſon, who "will be here to morrow morning: do it upon "pretext of ſome more letters ye are to ſend by "him; and if he ſhould be gone, haſten after him "to ſtay him upon ſome ſuch pretext; and let none "living know of this, as you love me. And before "two in the afternoon, to morrow, you ſhall without "fail hear from me. Farewell".

Seemingly, James ſurmiſed that, in this addreſs, the houſes would have demanded things he had no deſign to grant; and therefore, for fear of being forced to diſſolve the parliament, he would not haſten a breach with Spain: but afterwards, being told the petition (1) contained nothing of what he dreaded, he ſuffered the meſſenger to depart. The people no ſooner knew a rupture with Spain was reſolved, but the whole city of London was illuminated, which ſufficiently denoted a general diſlike of the Spaniſh match, and the danger whereto religion had been expoſed. It was not yet known, that another no leſs dangerous marriage was already negociating in France.

The people expreſs great joy at breaking the match. Coke.

(1) The ſtinging petition, which was framed by the commons, and ſent to the lords, was afterwards reduced to another form, and preſented to the King. This which follows here ſeems to be an extract of the firſt before it was reduced, the other being reduced to two petitions. See Wilſon, p. 784.

The

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Petition of both houſes to the King. Ruſhworth, p. 141. Wilſon. Annals of James I. p. 100.

The petition, preſented to his Majeſty by both houſes, contained the ſeven ſubſequent articles:

" I. That all Jeſuits and ſeminary prieſts may " be commanded forthwith to depart the realm, " and not to return hither again, on peril of the " ſevereſt penalty of the laws now in force againſt " them.

" II. That his Majeſty would be pleaſed to give " charge to all juſtices of the peace, that they take " from Popiſh recuſants all ſuch armor, gun- " powder and amunition of any kind, as are found " in their poſſeſſion.

" III. That all Popiſh recuſants be commanded " forthwith to retire themſelves from or about " London, to their ſeveral dwelings, or places by " the laws appointed, and there to remain confined " within five miles of their habitations: and for " that purpoſe to diſcharge all by-paſſed licenſes " granted them; and that they preſume not any " time thereafter to enter London, or come within " ten miles of London, or to the King's or Prince's " court whereſoever.

" IV. That his Majeſty would forbid and re- " ſtrain the great reſort of his own ſubjects for the " hearing maſs, to the houſes of foreign em- " baſſadors.

" V. That his Majeſty would be pleaſed to diſ- " charge Popiſh recuſants from thoſe places of " truſt, by which they have that power in the " country where they live as is not fit to be put " into the hands of perſons ſo affected.

" VI. That his Majeſty would be pleaſed gene- " rally to put the laws in due execution againſt " Popiſh recuſants; and that all his judges, juſtices, " &c. may be commanded to do their duty therein.

" VII. That ſeeing they were happily delivered " from that danger which the treaties with Spain " would certainly have drawn upon England, his " Majeſty would be pleaſed to ingage his royal " word, that, upon no occaſion of marriage or " treaty, or other requeſt in that behalf from any " foreign Prince or ſtates whatſoever, he will take " off or ſlacken due execution of the laws againſt " Popiſh recuſants (1)."

To which petition his Majeſty returned this anſwer.

My lords and gentlemen of both houſes,

The King's anſwer. Ruſhworth, p. 143. Wilſon. Annals of James I. p. 101.

" I Cannot but commend your zeal in offering " this petition to me: yet, on the other ſide, I " cannot but hold my ſelf unfortunate, that I " ſhould be thought to need a ſpur to do that " which my conſcience and duty bind me unto. " What religion I am of, my books do declare, " my profeſſion and behavior do ſhew; and I hope " in God I ſhall never live to be thought otherwiſe; " ſurely I ſhall never deſerve it; and for my part, " I wiſh it may be written in marble, and remain " to poſterity as a mark upon me, when I ſhall " ſwerve from my religion; for he who doth diſ- " ſemble with God, is not to be truſted with men.

" My lords, for my part, I proteſt before God, " that my heart hath bled when I have heard of " the increaſe of Popery: God is my judge, it " hath been ſuch a great grief to me, that it hath " been as thorns in my eyes, and pricks in my " ſides; and ſo far have I been, and ſhall be from " turning another way. And, my lords and gen- " tlemen, you ſhall be my confeſſors, that one " way or other it hath been my deſire to hinder " the growth of Popery; and I could not be an " honeſt man if I ſhould have done otherwiſe. " And this I may ſay farther, that if I be not a " martyr, I am ſure I am a confeſſor; and in ſome " ſenſe I may be called a martyr, as, in the ſcrip- " ture, Iſaac was perſecuted by Iſhmael, by mock- " ing words: for never King ſuffered more ill " tongues than I have done, and I am ſure for no " cauſe; yet I have been far from perſecution; " for I have ever thought that no way more in- " creaſed any religion than perſecution, according " to that ſaying, 'Sanguis martyrum eſt ſemen " eccleſiæ.'

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" Now, my lords and gentlemen, for your pe- " tition, I will not only grant the ſubſtance of what " you crave, but add ſomewhat more of my own; " for the two treaties being already annulled (as I " have declared them to be) it neceſſarily follow- " eth of it ſelf that which you deſire, and there- " fore it needs no more; but that I do declare by " proclamation (which I am ready to do) that all " jeſuits and prieſts do depart by a day; but it can- " not be as you deſire by our proclamation, to be " out of all my dominions; for a proclamation " here extendeth but to this kingdom.

" This I will do and more; I will command " all my judges when they go their circuits to keep " the ſame courſes, for puting all the laws in exe- " cution againſt recuſants, as they were wont to do " before theſe treaties, for the laws are ſtill in " force, and were never diſpenſed with by me: " God is my judge, they were never ſo intended " by me, but as I told you in the begining of the " parliament, you muſt give me leave, as a good " horſeman, ſometimes to uſe the reins, and not " always to uſe the ſpurs: ſo now there needs no- " thing but my declaration for diſarming them; " that is ready done by the laws, and ſhall be " done as you deſired: and more, I will take or- " der for the ſhameful diſorder of the reſorting of " my ſubjects to all foreign embaſſadors; for this " I will adviſe with my council how it may be beſt " reformed. It is true, that the houſes of embaſſa- " dors are privileged places; and tho' they cannot " take them out of their houſes, yet the lord mayor " and Mr. recorder of London, may take ſome of " them as they come from thence, and make them " examples. Another point I will add concerning " the education of their children, of which I have " had a principal care, as the lord of Canterbury " and the biſhop of Wincheſter, and other lords of " my council can bear me witneſs, with whom I " have adviſed about this buſineſs; for, in good " faith, it is a ſhame their children ſhould be bred " here as if they were at Rome: ſo I do grant not " only your deſire, but more. I am ſorry I was " not the firſt mover of it to you, but had you not " done it I would have done it my ſelf.

" Now for the ſecond part of your petition, you " have here given me the beſt advice in the world; " for it is againſt the rule of a wiſdom, that a " King ſhould ſuffer any of his ſubjects to tranſgreſs " the laws, by the interceſſion of other Princes; " and therefore aſſure your ſelves, that (by the " grace of God) I will be careful that no ſuch " conditions be foiſted in upon any other treaty " whatſoever; for it is fit my ſubjects ſhould ſtand " and fall to their own laws."

What a bleſſed harmony is here between the King and his parliament! Nothing can be more affable, more obliging than this anſwer, and the free and eaſy manner wherewith he came into the two houſes meaſures. To render complete their happineſs, nothing was wanting but the perform-

(1) This Petition, after it was reduced to another form, and ſo preſented to his Majeſty, conſiſted only of two articles, which were much the ſame with the three firſt and the laſt of theſe.

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ance of his Majeſty's promiſes, which how carefully he obſerved will appear immediately.

The parliament preſents his Majeſty a liſt of the Papiſts in poſts. Wilſon, p. 785.

James had artfully avoided anſwering the two main articles of the petition, viz. the third and fifth, wherein the parliament required, that all Papiſts ſhould be removed from London and the court, and diſcharged from all places of truſt. Had he acquieſced to theſe two demands his court would have intirely changed countenance. Buckingham's mother, who by her ſon's means diſpoſed of all imploys, muſt have been removed. His ducheſs would likewiſe have been of this number, as well as one of the ſtate-ſecretaries, with many others who had conſiderable charges at court, and in the country (1). His Majeſty's ſilence on this head, occaſioned the parliament to draw a liſt of fifty ſeven Popiſh lords and knights, who were in public offices, and preſent it to the King: but it appears not that he took much notice of it. As it nearly concerned the duke of Buckingham, very probably, he hindered James from giving the parliament any ſatisfaction in this point, and the houſes did not much inſiſt upon it, that they might not too openly offend a perſon of ſuch great credit with both King and Prince.

The Spaniſh embaſſador privately informs againſt Buckingham. Coke, p. 154. Ruſhworth, p. 144.

But tho' no Engliſhman durſt attack the favorite directly, a foreigner however undertook to ruin him with his Majeſty. This was marquis Ynojoſa, the Spaniſh embaſſador, who deing inraged at Buckingham's unworthy manner of breaking off the marriage, burned with deſire to revenge the inſult offered his royal maſter and the Infanta. One day, as King James was very ſlenderly attended, he took opportunity to deliver him a paper, with a wink that he ſhould conceal it. The King put it in his pocket, and withdrew alone to his cloſet to read it. He was exceſſively ſurpriſed at finding herein the ſubſequent particulars.

Coke, p. 154. Ruſhworth, p. 144. Hacket, p. 195. Cabala, p. 300.

" I. That he was kept from all faithful ſervants, " who would inform him, by the miniſters of the " Prince and duke, and was a priſoner as much as " King John of France in England, or King Francis " at Madrid, and could not be ſpoken with but " before ſuch as watched him.

" II. That there was a ſtrong and violent machination in hand, which had turned the Prince, " a moſt obedient ſon, to a courſe quite contrary " to his Majeſty's intentions.

" III. That the ſcheme was formed laſt ſummer " at Madrid, but was lately reſolved on in England, to reſtrain his Majeſty from exerciſing the " government of his kingdom; and that the Prince " and duke had deſigned ſuch commiſſioners, under themſelves, as ſhould intend great affairs, " and the public good.

" IV. That this ſhould be effected by commencing a war, and keeping ſome companies on " foot in this land, whereby to conſtrain his Majeſty to yield to any thing, chiefly being " brought into ſtraits for want of monies to pay " the ſoldiers.

" V. That the Prince and duke's incloſing his " Majeſty from the ſaid embaſſadors, and others " of his own loyal people, that they might not " come near him in private, did argue in them a " fear and diſtruſt of a good conſcience.

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" VI. That the duke's emiſſaries had brought " his Majeſty into contempt with the potent men " of this realm, traducing him for ſlothful and unactive, for addiction to inglorious peace, while " the inheritance of his daughter and her children " is in the hands of his foes; and this appeared by " a letter which the duke had writ into Holland, " and they had intercepted.

" VII. That his Majeſty's honor, nay his " crown and ſafety, did depend upon a ſudden diſſolution of the parliament.

" VIII. They loaded the duke with ſundry miſdemeanors in Spain, and his violent oppoſition " to the match.

" IX. That Buckingham had divulged the King's " ſecrets, and the cloſe deſigns between his Majeſty " and their maſter King Philip, concerning the " ſtates of Holland and their provinces, and labored to put his Majeſty out of the Hollanders " good opinion.

" X. That the duke was guilty of moſt corrupt dealing with the embaſſadors of diverſe " Princes.

" XI. That all theſe matters were carried on " in parliament with head-ſtrong violence, all proceeding from the duke, who courted only thoſe " who were of turbulent humors.

" XII. That ſuch bitterneſs and ignominies " were vented in parliament againſt the King of " Spain, as were againſt all good manners and honor of the Engliſh nation.

" XIII. That the Puritans (of whom the duke " was head) did wiſh they could bring it about, " that the ſucceſſion of the kingdom might come " to the Prince Palatine and his children, in right " of lady Elizabeth."

James ſtrongly ſuſpects the Prince and duke.

In a poſtſcript, the paper requeſted, that marquis Ynojoſa's ſecretary might be brought to his Majeſty, when the Prince and duke were in the houſe of peers, to ſatisfy ſuch doubts as his Majeſty might raiſe.

Buckingham on the point of being diſcarded. Hacket. Wilſon. Coke. Weldon, p. 153, 154.

King James diſcourſed with the ſecretary, and had likewiſe a private conference with Padre Maeſtro, a Spaniſh Jeſuit. It is not known what theſe men told him (2); but the King was, after theſe converſations, obſerved to grow extremely ſad, and his temper to be quite changed. He affected, in ſpeaking to the Prince and duke, to uſe broken and myſterious expreſſions, which ſhewed ſomething lay heavy upon his mind (3). At length James, one day, as he was taking coach for Windſor, ordered the duke (4), on ſome ſlight pretenſe, to ſtay behind. Buckingham thereupon, no longer doubting his diſgrace, beſought him for God's ſake, to tell him what was laid to his charge. The King only anſwered, he was the unhappieſt man alive, to be forſaken of thoſe who were moſt dear to him (5), and, taking with him the Prince his ſon, left Buckingham at London. The duke overwhelmed with grief, retired home, deeming himſelf irrecoverably ruined: but, by the advice of the lord-keeper Williams, he went inſtantly to Windſor,

(1) This obſervation is grounded upon our author's miſtake, in imagining the petition, containing the ſeven articles, was preſented to the King; whereas it was new modeled, and the IIId and Vth articles, &c. omited. So it is no wonder King James ſhould not take notice of them in his ſpeech. The petition, as it was preſented to his Majeſty, is to be ſeen in Wilſon, p. 784.

(2) Weldon ſays, Maeſtro had learned, under confeſſion, that the King was by Buckingham, or his procurement, to be killed, but whether by poiſon, piſtol, or dagger, he could not tell, p. 153. Whereupont he King ſaid to Buckingham at the next interview, Ah! Steiny, Steiny, wilt thou kill me? The duke, aſtoniſhed at this expreſſion, indeavored with the ſtrongeſt proteſtations to juſtify his integrity, which the King readily believed. Wilſon, p. 783.

(3) The King required of them particular proofs; but all their anſwers conſiſted in arguments againſt declaring the names of the conſpirators; whereupon the King's privy-council, and others of the principal men of the nation were examined upon oath; but nothing was diſcovered. Ruſhworth, Vol. I. p. 144.

(4) As he was puting his foot in the coach, which drew tears from him. See Hacket, p. 196.

(5) This the King uttered with tears in his eyes, which was received in the ſame manner by the Prince and duke. Idem, p. 197.

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He gets off. Hacket. Coke.

where he found means to remove the King's ſuſpicion: at leaſt James feigned to be cured of them. But the earl of Clarendon, in his hiſtory, confirms what is by others aſſerted, viz. that the duke had intirely loſt his Majeſty's favor. Mean while, James was naturally ſo timorous, that, inſtead of freeing himſelf from a favorite whom he might eaſily have diſcarded, he gave himſelf up more and more to him, ſo apprehenſive was he of his union with the Prince. He impatiently waited for the earl of Briſtol's arrival, to uſe his advice: but means were found to prevent him from declaring his mind, or even ſpeaking to him.

The Prince and duke cauſe the treaſurer to be condemned in ſpite of the King. Wilſon, p. 78. Clarendon. Weldon, p. 142, 166. Howes. Coke.

Before the parliament broke up, James received from the Prince and duke a freſh mortification. While they were in Spain, Lionel Cranfield, lord-treaſurer, lately created earl of Middleſex, having the reſolution ſometimes to refuſe them the exorbitant ſums they demanded, they reſolved to ruin him at their return. To effect this, they imployed their credit with the parliament, and cauſed him to be by their creatures accuſed of miſmanagement in the diſcharge of his office. James, knowing this came from them, deſired them, for God's ſake, to uſe their intereſt with the two houſes to drop the impeachment: but they remained immovably inflexible to all his Majeſty's intreaties. So the lord treaſurer was condemned in a fine of fifty thouſand pounds, and declared incapable of ever ſiting in the houſe of peers. All the hiſtorians agree he deſerved not a treatment ſo rigorous. But the duke, who had raiſed him from the duſt, was willing to ſhew he was powerful enough to reduce him to his primitive ſtate, by way of example to all who ſhould dare to reſiſt him. After this it muſt not be thought ſtrange if James, when he ſpake to this parliament, appeared ſo different from what he was with reſpect to the two former: not that he had changed his ſentiments and maxims, but durſt not do any thing without direction from Prince Charles and Buckingham, who had formed projects wherein they ſtood in need of a parliament. Lord Clarendon affirms, the King was extremely ſurpriſed, in the begining of this parliament, when he was informed of the contents of the duke of Buckingham's report, concerning the marriage treaty: "a narration (ſays "that illuſtrious hiſtorian) which, for the moſt "part, the King himſelf knew to be untrue." However, as has been obſerved, he had the weakneſs to atteſt the truth of it, and to affirm the duke to have made to himſelf a like narrative. There cannot be a clearer evidence of his ſubjection to the Prince and favorite.

Weldon.

James awed by the Prince and duke.

Vol. I.

Obliged to diſgrace the earl of Briſtol. Clarendon. Wilſon.

Here follows likewiſe another remarkable proof of King James's weakneſs or timidity. He ſaw no remedy but in ſuch counſels as he hoped for from the earl of Briſtol, whoſe return he impatiently expected: nevertheleſs that nobleman was no ſooner arrived in England, but his Majeſty was forced, by expreſs orders ſent him at Dover, to forbid his approaching the court, but that he ſhould remain at his own houſe 'till he had anſwered certain queſtions which ſhould be put to him by ſome of the council.

May 29.

The parliament being ſoon after prorogued, Briſtol wrote frequently to his Majeſty, intreating that he might be examined. James wiſhed it; but it was not the intereſt of either Prince Charles or Buckingham, who ſtill found freſh excuſes to defer ſuch examination. Briſtol was however, after much ſollicitation, at length examined, and returned ſuch anſwers that his examiners could not help declaring his conduct was irreproachable: but this could not procure his liberty, or admitance into his Majeſty's preſenſe. Buckingham ſent him notice, that he was much miſtaken if he imagined his anſwers were ſatisfactory to the King, Prince, or to himſelf: but his only way to come into favor again, was to make the confeſſion he had ſent him. This Briſtol refuſed; and the King told Buckingham, it was horrible tyranny to make an innocent perſon confeſs faults whereof he was not guilty. Notwithſtanding all this, it was not in his power to ſpeak with the earl, becauſe the Prince and duke thought it not convenient.

The earl of Briſtol's defenſe. Ruſhworth, p. 257, &c.

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The parliament being prorogued, it was neceſſary to think of the war. The aids granted his Majeſty were really conſiderable. It was computed that, with this money, he might ſend into the Palatinate twenty five thouſand men, conducted by ſome Engliſh general: but the court had already taken other meaſures. Six thouſand only were ſent into Holland, to ſerve in the ſtates army, under command of the Prince of Orange, and other troops were levied for count Mansfeldt, who was, during winter, to open himſelf a paſſage into the Palatinate.

James ſends ſix thouſand men into Holland. Wilſon, p. 787. Ruſhworth, p. 151. Annals, p. 103.

Mean while, the earl of Holland, who had been diſpatched into France, having notified, that Lewis XIII was inclined to liſten to the overture of a marriage between the Prince of Wales and Princeſs Henrietta Maria, his ſiſter, King James appointed the earl of Carliſle to negociate the affair, jointly with his ſaid excellency. The two embaſſadors repairing to Compiegne, where the Gallic court was then reſident, commiſſioners were nominated to treat with them, of whom marquis Vieuville, ſuper-intendent of the finances, was chief. The conferences commenced a few days after prorogation of the parliament, when James, purſuant to his ingagement, was puting in execution the laws againſt Popiſh recuſants, particularly againſt friers and prieſts, of whom ſome were actually impriſoned.

Treaty of the Prince's marriage with Henrietta of France. Rym. Fœd. Vol. XVII. p. 600. Wilſon, p. 786. Du Cheſne. Coke.

James executes the laws againſt recuſants. Rym. Fœd. Vol. XVII. 598.

This ſeverity raiſed loud clamors among the Catholics, who, but a few months before, expected a very different treatment. They could not forbear complaining, that, whereas the negociation of the Spaniſh match had procured them great eaſe, this with France ſeemed on the contrary to ſerve only to redouble their miſeries. Several wrote to France in that ſtrain, intimating they had nothing to truſt to but the piety, zeal and protection of King Lewis. Among others, a certain Scotiſh Cordelier wrote upon this ſubject to Hugo, archbiſhop of Ambrun, who had been general of the Franciſcan order, and to whom he was known. The archbiſhop ſhewed King Lewis the letter, and agravated the ſufferings of the Engliſh Catholics, who expected relief only from his mediation. The Gallic Monarch had already done his utmoſt to pacify the Papiſts of England, aſſuring them, by De Tilliers, his embaſſador at London, that they ſhould not be abſent from his memory. But their reiterated complaints obliged him finally to take ſome ſteps in their favor, and the rather, as he was apprehenſive they might, ſome how or other, impede the Roman Pontif's diſpenſation, which would ſoon be wanted. He therefore determined on diſpatching over to James a ſecret agent, to intercede for the Catholics, and choſe for that purpoſe the archbiſhop of Ambrun, who repaired to London in diſguiſe, and paſſed for a counſellor of the parliament of Grenoble. At his arrival he waited on Buckingham, who ſeemed very much inclined to countenance his negociation. The counteſs of Buckingham, the duke's mother, the earl of Rutland, and ſome other Catholics did the archbiſhop great ſervices, and acquainted him with diverſe particulars neceſſary to be known, in order to ſucceed in his deſigns. James being informed that the ſaid prelate deſired a private audience, ſent for him to Royſton, where he then lay confined to his bed with the gout. The archbiſhop's firſt conference with his Majeſty was followed by the releaſe of ſeveral Popiſh recuſants, impriſoned ſince the parliament's petition. Moreover, James gave the

Lewis ſends the archbiſhop of Ambrun to James; Deageant's Mem.

who receives him graciouſly.

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the archbiſhop leave to adminiſter confirmation, in the French embaſſador's houſe, to all who ſhould apply for it. This was done in ſo public a manner, that not only the houſe but the very ſtreet was crouded. If this prelate's own narrative may be credited, he confirmed upwards of ten thouſand perſons, which to me ſeems exagerated. However this be, the number muſt have been great, ſince the magiſtrates of London complained of it to the King, who owned it was done with his leave: and yet he had very lately told the parliament, it was a ſhame to ſuffer ſuch crouds of Papiſts at embaſſadors houſes.

Conferences between King James and the archbiſhop of Ambrun. Deageant's Mem. Welwood. Notes on Wilſon, p. 786.

Thenceforwards James had ſeveral conferences with this prelate, and one day, as he was expreſſing his earneſt deſire to live in ſtrict union with his Gallic Majeſty, the archbiſhop took occaſion to tell him, that one of the beſt means to effect it, was to grant a full toleration to the Catholics. James hereupon, ſqueezing his hand, ſpake theſe words: "I perceive you are the man ſent me from God, "to whom I may freely open my mind." Adding, "He had always a good opinion of the Catholic "religion, and for it had often been in danger of "aſſaſſination during his minority: he intended to "grant a full toleration to the Catholics; and in "order to ſucceed, deſigned to cauſe an aſſembly "of divines, as well foreign as Engliſh, to be "held, and therein to be decided, that it was "neceſſary to grant univerſal liberty of conſcience: "and he had already caſt his eyes on the Engliſh "divines to be ſent thither: if the aſſembly could "not be held at Dover, he would agree it ſhould "be at Boulogne, as ſoon as his ſon's marriage "ſecured him the aſſiſtance of France: he judged it "requiſite that the archbiſhop ſhould now return to "France, under color of waiting on the Princeſs, and "he would ſend him two letters under his own hand, "one for the Pope, the other for the King of France, "wherein his project ſhould be more fully explained: "he would alſo give him a memorial on the ſame "ſubject, that being armed with theſe two papers, "he might go and negociate at Rome with the "Pope, for whom he had a very great reſpect, "being obliged to him for a copy of verſes he "had formerly made upon the Queen his mother, "and the houſe of Stuart." At the ſame time he ſhewed thoſe verſes to the archbiſhop, and then ſaid, "If he returned from Rome with his Sanctity's "approbation concerning the aſſembly, it ſhould "be immediately held, and he did not queſtion, "it would be very advantageous to the Catholic "religion. In the mean time, he intended to ne-"gociate with the Proteſtant Princes of Germany, "and indeavor to gain ſome of the chief Puritan "lords in England and Scotland."

Deageant's Mem.

On ſuppoſition of the truth of this extract from the archbiſhop of Ambrun's narrative, at the end of Deageant's memoirs, all can thence be infered is, that James had formed a chimerical project of a mutual toleration throughout Chriſtendom, and thought himſelf qualified to effect it, with the aſſiſtance of France. But Deageant ſays ſomething more. He affirms, James to have written a letter to the Pope, and ſent it by a certain Engliſh gentleman, a Papiſt. In this letter, according to that author, "He owns the Pope for Chriſt's vicar "upon earth, and head of the church univerſal. "He aſſures him, he intends to declare himſelf a "Catholic, as ſoon as he has provided againſt "ſome inconveniences which he foreſees his declara-"tion may cauſe. He promiſes that no diſtur-"bance ſhall be given to ſuch prieſts, &c. as are "ſent into England by his Holineſs or the King "of France, except they are Jeſuits. He more-"over deſires the Pope not to think of having re-"ſtored to the church the abby-lands granted or "ſold to the principal families in the kingdom, "for fear of ruining the whole project. He ſays "farther, nothing hinders him from openly pro-"feſſing the Catholic religion, but his hopes of "gaining firſt his brother-in-law, the King of "Denmark, whom he had, on ſome pretext in-"vited over to England: and when they two ſhall "be cloſely united in the ſame deſign, he does not "doubt but they ſhall prevail upon moſt of the "other Proteſtant Princes."

King James's ingagement, according to Deageant.

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Deageant affirms, that none knew of this letter but Buckingham and the bearer: however he does not ſay how he himſelf came to know the contents. To ſpeak the truth, I can ſcarcely believe that James really intended to declare himſelf a Catholic: or, if he did intend it, would write ſuch a letter to the Pope, in his preſent circumſtances. In ſhort, I think it very unlikely this letter ſhould fall into Deageant's hands: ſo, I ſuſpect this author's relation is only what had been communicated to him by ſome Engliſh Papiſts, on whoſe teſtimony it is a queſtion whether we may venture to rely.

Remark on this ſubject.

The archbiſhop of Ambrun's narrative carries with it much more probability: firſt, becauſe that prelate relates only what he had himſelf from the King's own mouth: ſecondly, becauſe he ſays nothing but what is agreeable to that Prince's conduct thro' the whole courſe of his life. His religious notions were very particular, and not imbraced by the Proteſtants. He believed, that difference of opinion, with reſpect to the doctrines of tranſubſtantiation, invocation of Saints, and the other tenets which diſtinguiſhed the two religions, and were by him conſidered as ſchool-queſtions, was not ſufficient to juſtify a ſchiſm. Conſequently the Roman and Proteſtant churches were one and the ſame church; whence he infered, it was incumbent on all Chriſtians mutually to ſupport each other, and live like brethren. It followed equally from this principle, that Proteſtants ought not to perſecute or moleſt the Catholics, nor Catholics the Proteſtants. He himſelf moſt punctually obſerved this rule, but without any juſt foundation that the Catholic Princes would follow the ſame maxim: ſo the ſcheme of univerſal toleration, which he pretended to eſtabliſh among all Chriſtians, was properly but a chimera, ſince he had not ſufficient authority to make all the world come into his meaſures. Mean while, as his maxims obliged him to look upon Catholics with a different eye from thoſe of other Proteſtants, it is no wonder that he paſſed with the Proteſtants, nay even with the Papiſts, for a Prince well-affected to the Catholic religion: and indeed, ſo far was he from having any averſion to that religion, that he conſidered the church of Rome as the mother-church, whence the Proteſtant church drew its origin, and doubtleſs, had it been in his power to unite them, he would have given to the firſt all the advantages by leaving every one free to believe what he pleaſed in points of doctrine. A ſingle article only imbaraſſed him; and that was the exorbitant power aſcribed to the Pope, and that damnable maxim of the legality of murdering Kings on account of religion. To be delivered from this perplexity, he ſtrove to deceive himſelf, by imagining a very ſmall number of Catholics only were prepoſſeſſed in favor of the Roman Pontif's unbounded authority, and that the King-killing principle was peculiar to the Jeſuits. On the other hand, Puritaniſm in the Reformed religion was to him ſo hateful that, ſeemingly, had it been in his power, he would have excluded all Puritans from that general toleration he was willing to allow all other Chriſtians. This Prince had the misfortune always to direct himſelf by general maxims, without reflecting that ſuch maxims could not be adapted to all caſes. His notions in religion were

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were of a like nature with his ſentiments concerning royalty, the general principles whereof he applied to the government of England, contrary to that kingdom's particular conſtitution.

Treaty of Prince Charles's marriage carried on in France.

While the archbiſhop of Ambrun was in England, the marriage treaty was carrying on in France, between the Engliſh embaſſadors and French commiſſioners. The Engliſh at firſt propoſed a continuation of the treaty formerly ſet on foot for Prince Henry's marriage with Princeſs Chriſtine, who eſpouſed the duke of Savoy: but this motion was rejected by the French commiſſioners: firſt, becauſe that negociation was properly but juſt hinted: ſecondly, becauſe France would not be contented with leſs than was offered by the King of England for the Prince of Wales's marriage with
Coke, p. 169. the Spaniſh Infanta. So the French commiſſioners demanded, in their turn, that thoſe articles touching religion granted to Spain would ſerve for foundation to the preſent treaty. The embaſſadors expected this demand, and by their private inſtructions knew how to proceed, but pretended, they could not grant what was demanded, without freſh orders. They therefore diſpatched away a courier to London; but the Gallic court knew it was not upon that account: ſo, they were preſſed the more earneſtly, to declare what they would grant concerning religion. At length, after ſome ſollicitation, they offered the articles agreed on with Spain, four only excepted, viz. Liberty of conſcience to Papiſts: A church in London: Educating the children by the Queen 'till ten years old: A biſhop with eccleſiaſtical authority over her royal Highneſs's houſhold. Theſe four articles were very warmly debated, and at length, the embaſſadors yielded the two latter: but for the other two, they ſaid abſolutely, that they could not grant them, by reaſon of his Majeſty's ſolemn promiſe to the parliament. This reaſon appeared to the French commiſſioners ſo forcible, that they deemed it fruitleſs any longer to inſiſt on thoſe two articles. The portion was ſettled without much difficulty. His Gallic Majeſty offered eight hundred thouſand crowns, on condition the Prince aſſigned a jointure of ſixty thouſand crowns annually; which offer, with the condition, was accepted: ſo, in all appearance, this affair was to be terminated very ſpeedily; but two particulars retarded its concluſion.

Firſt, his Holineſs approved not this alliance, becauſe, hearing that the Engliſh embaſſadors had propoſed a league to the King of France, he was apprehenſive its deſign might be to diſpoſſeſs the duke of Bavaria of the Palatinate and electoral dignity; which occaſioned his, at firſt, indeavoring to diſſuade Lewis XIII from giving his ſiſter to a heretical Prince: but finding Lewis did not much regard his arguments, he declared he would not grant a diſpenſation except the marriage was made on the ſame terms as were granted to Spain; whereupon King Lewis determined on ſending father Berulle, general of the oratory prieſts, to ſollicit
Coke, p. 171. the diſpenſation. His inſtructions, ſigned the thirty-firſt of July, imported among other particulars; "That, by the articles agreed on, the Princeſs, "as well as all her domeſtics, were very ſecure as "to religion: ſhe had a biſhop with twenty-eight "prieſts or monks; and a chapel in every place "where ſhe ſhall reſide: ſhe was to educate her "children 'till the age of thirteen years, whereas "in the Spaniſh articles, the time was fixed to ten "years. In fine, ſhe was well inſtructed and very "firm in the faith; and inſtead of having any "thing to fear for her, it was to be hoped, conſidering how well inclined the King of England "was to be a Catholic, ſhe would convert him as "well as the Prince her ſpouſe, after the example "of Bertha of France, who made a convert of "King Ethelbert."

Marquis Vieuville's diſgrace, which now occurred, was the other cauſe of delaying this affair, and ſtayed father Berulle, who was about to depart. Cardinal Richelieu, who was commiſſioned to treat with the Engliſh embaſſadors, in the diſgraced ſuperintendant's ſtead, pretended that Vieuville had acted without orders, or at leaſt without the approbation of King and council. James, having notice of this new obſtacle, believed the French court uſed this pretext to break off the treaty, and made loud complaints to marquis D'Effiat, who was lately arrived at his court in De Tillier's room: but cardinal Richelieu was far from breaking off a negociation ſo advantageous to France, on diverſe accounts. So, contenting himſelf with ſomewhat diſgracing Vieuville by this accuſation, he renewed the treaty.

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Life of cardinal Richelieu, p. 14.

The late change in King Lewis's miniſtry inſpired his Sanctity's nuncio with freſh hopes. He repreſented to the cardinal, that his own and the Roman Pontif's honor obliged him not to abate any thing of the Spaniſh articles, and that, aſſuredly, the diſpenſation would not be granted on any other conditions. His eminence replied, that the King of England and Prince of Wales had complied with whatever they really intended to grant his Catholic Majeſty, tho' not with what was extorted from them while Prince Charles was as a priſoner at Madrid, and what was not in their power. Moreover, he intimated to him, that there was no abſolute occaſion for a diſpenſation, and tho' deſired, it was not ſo much thro' neceſſity as reſpect for his Holineſs's perſon. So, father Berulle departed with his inſtructions, ſpite of the nuncio's oppoſition.

Had the Gallic court ſhewed leſs reſolution, this affair would never have been accompliſhed. The Pope's behavior on this occaſion evidently manifeſted, he only wanted a pretext to refuſe the diſpenſation, or at leaſt, to delay it as long as poſſible. He retarded the buſineſs by laying it before a congregation, where freſh difficulties were continually ſtarted. They were not ſatisfied that the King of England and Prince of Wales ſhould ſwear to the articles, they would have alſo the King of France to be guarantee, like the King of Spain; and Lewis was at length forced to promiſe it. They inſiſted particularly on demanding a public church in London for the Catholics, tho' they were told, it was not in the King of England's power to perform the ſaid article, if granted. In a word, there was no delay, no artifice, but what was by the Holy Father put in practiſe to gain time, 'till at laſt the French embaſſador had orders to declare, if the diſpenſation was much longer defered, the affair might be tranſacted without it. This menace giving the Pontif apprehenſion that he might very unſeaſonably expoſe his authority, he promiſed the diſpenſation, after a tedious ſollicitation, which would have been of longer continuance had prolonging it been the Gallic court's intereſt: but cardinal Richelieu was apprehenſive leſt a farther delay would bring with it alterations which might occaſion a breach of the marriage, as happened in Spain; ſo the treaty was ſigned, at Paris, the tenth of November. It contained thirty public with three ſecret articles, wherein much the ſame advantages were ſtipulated for the Catholics as in thoſe of Madrid. The articles of this treaty were,

Articles of the marriage. Du Cheſne. p. 1182. Rym. Fœd. Vol. XVII. p. 673, &c.

I. His moſt Chriſtian Majeſty, to diſcharge what his dignity and piety oblige him to, and that he may treat of this marriage with a ſafe conſcience, undertakes to procure the Pope's diſpenſation, within two months, at fartheſt.

II. The articles and conditions of the marriage being ſigned, the King of Great Britain ſhall appoint ſuch perſons of quality as he ſhall think proper, to eſpouſe Madame, in the Prince his ſon's name,

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name, according to the uſual form in the Roman Catholic Apoſtolic church.

III. The nuptials ſhall be celebrated in France, after the manner obſerved in the marriage of the late King with Queen Margaret, and in that of the ducheſs of Bar.

IV. After celebration of the marriage, Madame ſhall be conducted, at his moſt Chriſtian Majeſty's charge, as far as Calais, where ſhe ſhall be delivered to the perſon commiſſioned by the King of Great Britain to receive her.

V. From Calais to England, her expenſes ſhall be borne by the King of Great Britain, and all things ſhall be done, on both ſides, as is ſutable to a Princeſs of the royal family of France, joined in marriage to the heir of Great Britain.

VI. The marriage being celebrated in France, and Madame arrived in England, a day ſhall be fixed, on which the King of Great Britain, the Prince his ſon, and Madame his conſort, being in ſome convenient apartment of the palace, dreſſed in their royal robes, the contract and authentic inſtrument of the nuptial celebration ſhall be publicly read, together with the procurations, by virtue whereof the marriage was celebrated. Which done, the ſaid contract ſhall be ratified anew by his Britannic Majeſty and the Prince his ſon, in preſenſe of ſuch as the moſt Chriſtian King ſhall commiſſion to that end, and of the lords of Great Britain who ſhall be preſent on this occaſion, without the intervention of any church ceremony.

VII. The free exerciſe of the Roman Catholic Apoſtolic religion ſhall be granted to Madame, as likewiſe to all the children which ſhall be born of this marriage.

VIII. To that end, Madame ſhall have a chapel in all the royal palaces, and in every place of the King of Great Britain's dominions, where ſhe ſhall be, or reſide.

IX. The ſaid chapel ſhall be beautified with decent ornaments, and the care and cuſtody thereof ſhall be commited to ſuch as Madame ſhall appoint. The preaching of God's word, and the adminiſtration of the ſacraments ſhall be intirely free, and the maſs, with all other parts of divine ſervice, ſhall be celebrated according to the cuſtom of the holy Roman church, with all jubilees and indulgences which Madame ſhall procure from Rome. There ſhall be alſo a church-yard allowed in the city of London, where, according to the cuſtom of the Roman church, ſhall be buried ſuch of Madame's attendants as ſhall happen to die, which ſhall be done in a decent manner. The ſaid church-yard ſhall be incloſed, that it may not be profaned.

X. Madame ſhall have for her almoner a biſhop, who ſhall have all neceſſary authority and juriſdiction in matters relating to religion, and ſhall have power to proceed according to the canons againſt ſuch as ſhall be under his charge. And in caſe the civil court ſhall lay hold on any of the ſaid eccleſiaſtics, for ſome ſtate-crime, and information be made againſt him, he ſhall be ſent to the ſaid biſhop, with the informations and proceedings, and the ſaid biſhop, after degrading him, ſhall put him again into the hands of the ſecular court. For any other crimes the civil court ſhall ſend back the ſaid eccleſiaſtic to the biſhop, who ſhall proceed againſt him according to the canons: and in caſe of abſenſe or ſickneſs, the biſhop's vicar ſhall have the ſame authority.

XI. Madame ſhall have in her houſe twenty eight prieſts or eccleſiaſtics, almoners and chaplains included, to ſerve in her chapel, and if there are any regulars, they ſhall wear the habit of their order.

XII. The King and Prince ſhall oblige themſelves, by oath, not to attempt, by any means whatever, to perſuade Madame to change her religion, or to ingage in any thing repugnant thereto.

XIII. Madame's houſhold ſhall be ſettled with as much dignity, and conſiſt of as many officers as any Princeſs of Wales ever had, and in the ſame manner as was agreed on for the marriage of the moſt ſerene Prince with the Infanta of Spain.

XIV. All the domeſtics Madame ſhall bring into England ſhall be French Catholics, choſen by the moſt Chriſtian King, and in the room of thoſe who ſhall die, ſhe ſhall take other French Catholics, with the conſent however of the King of Great Britain.

XV. Madame's domeſtics ſhall take the following oath to the King, Prince and Madame.

"I promiſe and ſwear to be faithful to the King "of Great Britain, to the moſt ſerene Prince "Charles, and to Madame Henrietta Maria, "daughter of France, and to keep truly and in- "violably this my promiſe. And if I know of "any thing to be attempted againſt the perſons of "the ſaid King, Prince and Madame, or againſt "the ſtate, or public good of the ſaid King's "realms, I will diſcover the ſame to the ſaid King, "Prince and Madame, or to thoſe who ſhall have "charge thereof."

XVI. Madame's portion ſhall be eight hundred thouſand French crowns, one half to be paid, in London, by his moſt Chriſtian Majeſty on the day before the eſpouſals, and the other half within a year after the firſt payment.

XVII. If the Prince dies before Madame, without iſſue, the whole portion ſhall be reſtored to Madame, to be diſpoſed of as ſhe pleaſes, whether ſhe ſtays in England, or returns to France, in which latter caſe, it ſhall be in her option to bring the money with her.

XVIII. But in caſe of children, only two thirds of the portion ſhall be reſtored, the other third remaining for the children, whether Madame returns to France, or ſtays in England: but in this caſe, ſhe ſhall be paid the intereſt at five per cent.

XIX. The children which ſhall be born of this marriage, ſhall be brought up by Madame their mother, 'till the age of thirteen years.

XX. The children ſhall inherit alſo the two thirds reſtored to their mother, unleſs ſhe marries again: and then, the children of the ſecond bed ſhall have equal ſhare with thoſe of the firſt.

XXI. If Madame dies firſt without children, his moſt Chriſtian Majeſty grants that, in ſuch caſe, only half of the portion ſhall be paid back to him; but if there are children, the whole ſhall go to them.

XXII. Madame's jointure ſhall be ſixty thouſand French crowns, which ſhall be aſſigned her by the King of Great Britain.

XXIII. The King of Great Britain ſhall preſent Madame, on account of the marriage, with fifty thouſand crowns worth of jewels and diamonds, which ſhall be Madame's own property, as well as thoſe ſhe has now, or which ſhall be given her hereafter.

XXIV. The King of Great Britain ſhall be obliged to maintain Madame and her houſhold; and in caſe ſhe becomes a widow, ſhe ſhall injoy her portion and jointure, with all other things to her granted.

XXV. In caſe the Prince dies firſt without iſſue, Madame ſhall freely injoy, whereſoever ſhe pleaſes to reſide, her jointure which ſhall be aſſigned her in lands, caſtles, or houſes, whereof one ſhall be fit for her to reſide in, and furniſhed ſutably to a Princeſs of her quality.

XXVI. Madame ſhall have the free diſpoſal of the offices and benefices of the ſaid lands, part of which ſhall have the title of duchy or earldom.

XXVII. Madame ſhall be at liberty, whether ſhe have children or not, to return to France with her houſhold-goods, jewels, diamonds and portion,

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as ſpecified in the articles above. And in this caſe, the King of England ſhall be obliged to conduct her at his charge to Calais, in a manner ſutable to her quality.

XXVIII. Madame ſhall renounce all paternal, maternal and collateral inheritance, as to the lands of the royal domain ſubject to reverſion, by apenage, or otherwiſe.

XXIX. The marriage-contract ſhall be inroled in the court of the parliament at Paris, ratified by the parliament of England, and regiſtered in the uſual courts: and the ſaid King and Prince ſhall promiſe not to act contrary to any clauſe or condition of the ſame.

XXX. Moreover, it is agreed, that he of the two Kings who ſhall refuſe to accompliſh the preſent treaty, ſhall be obliged to pay the other the ſum of four hundred thouſand crowns, as a penalty for the ſaid refuſal.

Private or ſecret articles.

Ruſhworth, p. 169.

1. That the Catholics, as well eccleſiaſtics as temporal, impriſoned ſince the laſt proclamation, which followed the breach with Spain, ſhould all be ſet at liberty.

2. That the Engliſh Catholics ſhould be no more ſearched after, nor moleſted for their relgion.

3. That the goods of the Catholics, as well eccleſiaſtical as temporal, which were ſeized ſince the fore-mentioned proclamation, ſhould be reſtored to them.

Ib. p. 152.

In this, as well as the Madrid treaty, we ſee the French and Spaniſh court's unwearied ſedulity for the Catholic religion's intereſt, and King James's, the Prince's and duke of Buckingham's ſmall zeal for the Proteſtant. The XIXth article, touching the childrens education, was of moſt fatal conſequence to England: it wanted very little of proving the utter deſtruction of both church and ſtate.

Should it be aſked, what mighty advantages his Britannic Majeſty found in this marriage, to purchaſe it with ſuch hard terms to the religion profeſſed by himſelf, and almoſt the whole kingdom, in my opinion, two only can be aſſigned. The firſt was, to give the Prince his ſon a wife royally deſcended, deeming any other Princeſs beneath him. The ſecond was, the portion of eight hundred thouſand crowns, which might excite his avidity. As to what detriment might accrue to the Proteſtant religion from this treaty, it little concerned him, for he never had much at heart the intereſts of that religion (1).

Recuſants no longer proſecuted.

The treaty being ſigned at Paris, M. Lomenie, ſecretary of ſtate, arrived at London, to ſee it ſworn to by the King and Prince. Immediately after, all proſecutions againſt Papiſts ceaſed, and his Majeſty promiſed all the priſoners ſhould, on conſummation of the marriage, be releaſed.

Contempt of the King and conncil.

On the earl of Carliſle's departure for France, to haſten the marriage-treaty, he had orders for propoſing to that court a league againſt the houſe of Auſtria. This was the Prince's and Buckingham's grand aim. There was then, between the Kings of France and Spain, a conteſt concerning the Valtoline, which made the court of England imagine Lewis would readily liſten to ſuch a propoſal: and indeed he did ſo; but it was purely to intimidate his Holineſs and the Spaniard, and not with deſign to conclude the league. The duke of Bavaria had in the French court certain friends who procured his being abundantly more regarded than the elector Palatine, a Prince expulſed his dominions, and a refugee in Holland: ſo Lewis's miniſters told the Engliſh embaſſadors, that the league and marriage were two diſtinct affairs which could not be treated of together, but on concluſion of the marriage the league ſhould be negociated. By this anſwer they held the Engliſh in hope, and the Spaniards in fear. On the other hand, count Mansfeldt ſtayed at or near Paris, and the Spaniards knew he confered very frequently with Lewis's miniſters.

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The King ſends Manſfeldt with an army to the Palatinate. Wilſon, p. 788, 789. Ruſhworth, p. 152, 153. Annals. Howes.

Some time after Mansfeldt paſſed over to England, where he was received with extraordinary careſſes, and lodged by the Prince in his palace at St. James's. There, after ſome conferences, he agreed with the King, Prince Charles and Buckingham, that he ſhould have twelve thouſand men, to carry the war into the Lower Palatinate. This project being formed, James preſſed the court of France touching the league: but his propoſal was, on ſundry pretexts artfully evaded, tho' not peremptorily denied. He was therefore obliged, to content himſelf, 'till the league ſhould be concluded, with demanding of King Lewis a paſſage thro' his dominions for Mansfeldt's army. His ſaid Gallic Majeſty, in terms general or ambiguous, made him hope not only his granting a paſſage, but likewiſe his reinforcing this army with a body of his own troops. The event manifeſted that his meaning was, this ſhould be after concluding the league, whereas the Engliſh took it for a poſitive promiſe, whether the league was or was not concluded. Purſuant to this ſcheme, the forces to be commanded by Mansfeldt were levied in England.

He demands Frankendal of the Infanta. Sept. 30. Ruſhworth, p. 151. and {paſſage for a gariſon thro' the Empire;

While this army was making ready for the expedition, James got preſented to the Infanta Iſabella a memorial, demanding the city of Frankendal, which ſhe held in ſequeſtration, and, by the treaty of London, was to keep only 'till the truce expired, viz. the twenty ſixth of October. In the ſame memorial, he alſo demanded a free paſſage for the gariſon he was ſending to Frankendal, not only thro' the Infanta's and his Catholic Majeſty's territories, but likewiſe thro' thoſe of their friends and allies. The Infanta replied; ſhe would order the governor of Frankendal to ſurrender the place on the day appointed, to ſuch as ſhould produce a power from the King of England: that ſhe would grant a paſſage thro' her own and the King of Spain's dominions, to the fifteen hundred foot and two hundred horſe, which, according to the treaty of London, were to take poſſeſſion of Frankendal, and, in general, would punctually execute the treaty: but as to his Majeſty's farther demand, to procure him a paſſage for his troops thro' the Imperial ſtates, ſhe declared, it was not in her power, neither was ſhe obliged to it. Thus the court of England experimentally found their error, in not inſerting, in the treaty of London, what they were afterwards forced to demand, and what the Infanta might juſtly refuſe. It is very true, in withdrawing the Engliſh gariſon from Frankendal James met not with any obſtacle; but he could not expect the like facility in their return thither. Some have reported that, on the fifteenth of October, the governor of Frankendal marched out thence with his gariſon; but, not finding without the gates of that city any to take poſſeſſion for the King of England, re-entered immediately.

which latter demand the Infanta cannot grant.

This was not the only error of the Engliſh court, then the moſt impolitic in Europe. The twelve thouſand men whom Mansfeldt was to conduct into the Palatinate, were imbarked in December, in extreme cold weather, without the leaſt doubt of their paſſage thro' France. Nevertheleſs, when

(1) No! Why then ſhould he write ſo much and ſo zealouſly in its behalf? Sure our author never peruſed this learned Prince's works; particularly that elaborate piece ſhewing from the Revelations the Pope to be Antichriſt.

this

A GENEALOGICAL TABLE OF THE POSTERITY OF

We have in this Genealogical Table, as in ye foregoing, taken care 1. To place on ye same horizontal Line, all ye Princes & Princesses equally distant from ye same common Stock, viz. from William ye Conqueror, Thus James ye 1st. being on ye 18 Line, & the 24th King, his Descendants are placed on ye following Lines, in proportion as they are more or less removed. ——

2. We have carefully distinguished the different Branches — that are formed by the Posterity of James ye 1st. So that the — Fathers and Mothers are placed in the Line above their Children, as nigh in the middle as possible ——

3. As the Males are, in the Order of Succession, preferred to the Female, we have placed the Males before their Sisters tho' ye last were older, that ye Reader might more easily — discern what Pretension each of them may have to ye Crown of England. But having this we have placed both Males & Females, according to the time of their Birth. ——

4. That this Table might not be carried to an excessive — length on both Sides, we have in some places been obliged to put the Children of the same Father and Mother one above another, especially between Lines 23. & 24.

5. We have set down in small Characters, under each Prince, the name of his Wife, and under each Princess ye name of her Husband, together with the time of their Birth & Death, as far as was necessary. ——

18 — 24 **JAMES I.** K. of England. Ann of Denmark. d. 1625.

19 — 25 **CHARLES I.** K. of England. Henrietta of France. d. 1649.

26 **CHARLES II.** K. of Eng: Catherine of Portugal. d. 1685.

27 **JAMES II.** K. of Eng: 1 Ann Hyde Dss. in 1688, d. in 1701. 2 Mary Be of Modena. d. in 1701.

Henry D. of Gloucester d. 1660.

Mary William II. P. of Orange. d. 1660.

Elizabeth d. 1650.

Ann, d. 1640.

Henrietta Philip D. of Orleans d. 1670.

Charles Lewis Elector Palatine. Charlotta of Hesse. d. 1680.

Rupert d. 1682.

Ma... d. ...

20 — 28 **MARY** 2. of Eng: William III. d. 1694.

29 **ANN** 2. of Eng: George P. of Denmark. d. 1714.

Louisa born in France in 1692, d. 1712.

WILLIAM III. K. of England. Mary Daughter of James II. d. 1702.

Louisa M. Charles II. K. of Spain. d. 1689.

Anna Maria born 1669. Victor Amadeus II D. of Savoy.

Charles Elector Palatine. d. 1685.

Elizabeth Charlotta Philip D. of Orleans. d. 1723.

Louisa Maria Charles Theodor P. of Salm. d. 1679.

21 — William D. of Gloucester. d. 1700.

Victor Am. born 1690. d. 1715.

Charles Em. P. of Piedmont born 1701. 1 Ann Christ. Louisa de Sulzbach. 2 Polixena of Hesse Rhynfels.

Maria Adel Lewis Dauphin. D. of burg. d. 1712.

Maria Lou. Gab. born 1688 Philip V. K. of Spain. d. 1724.

Philip D. of Orleans Regent Marie Francoise ngaurat Daugh. of Lewis XIV. d. 1724.

Elizabeth Charl. born 1676. Leopold D. of Lorrain.

Lewis Otho P. of Salm born 1674. Alberana of Nassau Kad.

Louisa born 1674. Eleonor Chr. born 1678. N. D. of Urvel.

Lewis A... D. of Bourb... Louisa Fran... Natural Daug... of Lewis XIV. d. 1719.

22 — Victor Amadeus Theo. D. of Savoy born 1703.

Lewis XV. K. of France born 1710.

Lewis I. K. of Spain born 1707. Louisa Mar. of Orleans d. 1734.

Ferdinand born 1713

Lewis. D. of Orleans born 1703. Augusta Maria Jane de Bade

Mari Charles D. of Berry d. 1719. Louisa Adel. born 1698. Abbess of Shelles. Charlotte born 1700. Fran. P. of Modena. Louisa Maria born 1709. Lewis I. K. of Spain. Philippina Elis. born 1714. Eliz. P. Charores born 1716.

Louisa Leopold d. 1733

Francis P. Heredi: tary of Lorrain born 1708. Charles born 1712.

Elizabeth born 1711 Charlotte born 1714

Dorothea born 1703 Leopold C. of Salm Kochstraten. Elis. Alex. Claude Lamoral P. of Ligne born 1704. Christiana An. born 1707.

Fr. Lewis D. of Bourbon born 1692 Mary Ann of Conty.

Hen. Charles E. of Charolois born 1700. Lewis E. of Clermont born 1701.

Maria G... born 16... a nun

Louisa... born 16...

Louisa... born 16...

Mary A... born 16...

N.... of Fermandou... born 170...

Theresa A... born 170...

23 — 24 — 25 — 26 — 27 — 28 — 29 — 30 — 31 — 32 — 33 — 34

Abbreviations

K. stands for King
Q. ..... Queen
P. ..... Prince
D. ..... Duke
d. ..... died

C. Bowen Sculp.

OF JAMES I. KING OF ENGLAND.

A SHORT TABLE

which shews at one view how the Branches are formed, and contains likewise the Names of the several Houses descended from King JAMES the I.

- James I.
  - Charles I
    - Charles II
    - James II — Mary, Ann
    - Mary — William III
    - Henrietta — Anna Maria — Charles Em. — Savoy; Maria Adel. — France; Maria Lou. — Spain
  - Elizabeth
    - Charles Lewis — Elizabeth Ch. — Philip — Orleans; Elizabeth — Lorrain
    - Edward
      - Louisa Maria — Lewis Otho — Salm; Eleonor Chr. — Ursel
      - Ann — Lewis — Bourbon; Maria Ther. — Conty; Anna Louisa — Maine
      - Benedicta — Charlotte Fel. — Modena; Wilhelmina Am — Imperial
    - Sophia — George I — George Aug. — Hannover; Dorothea Soph — Prussia
    - Sophia — Frederick Will. — Prussia

18

Elizabeth
Frederick V. Elector Palatine K. of Bohemia
d. 1662.

19

Maurice *d. 1654.* — Edward *Ann of Mantua d. 1663.* — Philip *d. 1650.* — Gustavus *d. 1641* — Elizabeth *Abbess of Hern'orden d. 1681.* — Louisa Hollandina *Abbess of Maubuisson d. 1709.* — Henrietta Maria *Segismond Ragotzky P. of Transilvania d. 1652.* — Sophia *Ernest Augustus Elect.r of Hannover d. 1723.*

20

Louisa Maria *Theodore of Palm d. 1679.* — Ann *Henry Julius P. of Londe d.* — Benedicta Henrietta *John Frederick D. of Hannover. born 1652.*

30

GEORGE I. *K. of England born 1660. d. 1727. Sophia Doro:. of Zell.* — Frederick *d. 1690.* Charles *d. 1674.* Christian *d. 1703* — Maximilian *born 1666* Earnest *D. of York born 1674 d. 1728.* — Sophia Charlotta *Frederick I. K. of Prussia d. 1705.*

31

Lewis III. *D. of Bourbon* Louisa Francoise *natural Daughter of Lewis XIV. d. 1719.* — Maria Therese *born 1666* Franc. Lewis *P.r of Conty.* — Ann Louisa B. *born 1676.* Lewis Aug. *D. of Maine* — Mary Ann *born 1678* Lewis Joseph *D. of Vendome* — Charlotte Fel *Reginald D. of Modena d. 1710.* — Wilhelmina Amel. *born 1673. Joseph Emperor* — *GEORGE II.* *K. of England born 1683.* *Wilhelmina Charlotta of Anspach born 1683.* — Sophia Dorothea *D. of Prussia born 1687.* — Frederic William *K. of Prussia born 1688*

99

Maria Gab. *born 1690 a nun* — Louisa Elis. *born 1693* — Louisa Ann *born 1695.* — Mary Ann *born 1697.* — N.... *of Vermandois born 1704.* — Theresa Alex. *born 1705.*

Lewis *P.r of Conty born 1695.* — Arm Maria *born 1689.* Lewis Alen. *D. of Bourbon* — Louisa Adel. *born 1696.*

Lewis Aug. *P.r of Dombes born 1700.*

Lewis *C. de la Marche born 1717.* N. *C. of Alais born 1719.*

Louisa Adel. *born 1696.*

Char. Francis. *P.r Here: ditary of Modena born 1698. Charlotte of Orleans.*

John Frid. *born 1700.*

Benedicta *born 1697.*

Maria Amel. *born*

Jos. Frederick *P.r of Wales born 1707.* Will: Aug: *born 1721*

Ann *born 1709.* Amelia *born 1711.* Eliz: Car: *born 1713.* Maria *born 1723.* Louisa *born 1724.*

Frederick *P.r Royal born 1712.*

Augustus *born 1709.*

Will: Fred *born 1709.* Frederica Louisa *born 1714.* Philippina Char. *born 1716.* Dorothea Sophia *born 1719.* Louisa Ulrica *born 1720.* Charlotta Amelia *born 1723.*

Will: 33

24

To be placed at y.e end of K. James's Reign

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James I. An' 1624.

this army came before Calais, the French would not ſuffer them to land. Abundance of time paſſed in the diverſe goings and comings between Calais and the court, and all to no purpoſe: the King of France conſtantly aſſerted, he had never poſitively promiſed to grant theſe troops a paſſage. The Engliſh authors term this a real breach of faith. I know not whether they are in the right, and whether the court of England is not rather to be blamed, for not taking better meaſures, and ſecuring a paſſage thro' France before the army's imbarcation. However this be, the army ſuffering greatly on board the ſhips, where the ſoldiers lay very cloſely ſtowed, Mansfeldt was forced to ſail for Zealand, where he met with like difficulties. The Zealanders ſaid, they had not proviſions for ſuch a number of troops, having had no notice of their coming. Much time was imployed in negociating. Meſſengers were ſent to the Hague, and afterwards to London. Mean while, the peſtilence raging among the ſoldiers, more than two thirds periſhed before they were ſuffered to land. Moſt of thoſe who eſcaped, either deſerted, or liſted among the ſix thouſand Engliſh then in the ſtates ſervice. Thus, by the court's wrong meaſures, this army became uſeleſs, and the money all loſt which was expended in levying it.

An' 1625. Difficulties about the diſpenſation.

It was February, 1625, before the arrival of Pope Urban's promiſed diſpenſation. When it came to Paris, two new conditions, not mentioned in the treaty, were, not without ſurpriſe, found inſerted, viz. 1. That the domeſtics of the children, born of this marriage, ſhould be Catholics. 2. That the Princeſs ſhould appoint them; and his Holineſs abſolutely required the King of England, and the Prince his ſon, to ſwear to theſe two articles, otherwiſe the diſpenſation was invalid. King Lewis was very angry with father Berulle for accepting ſuch a diſpenſation: but his ſaid paternity was ſo far from thinking it a fault, that he himſelf, as is ſaid, inſinuated to the Pontif, that it would be proper to annex theſe two articles, as having been forgot in the treaty. The Gallic court was therefore under a freſh concern, fearing King James would reject theſe new conditions: but nothing was farther from his thoughts than breaking for ſuch a trifle. He accepted them without being much importuned, and only refuſed taking a ſecond oath, ſaying his word was ſufficient: but without ſuch oath, the diſpenſation was not valid. To ſatisfy therefore his Sanctity, the King of France and the Princeſs his ſiſter were forced to write to him, that they would warrant due performance of the two laſt articles. Notwithſtanding this, a new diſpenſation was to be ſollicited, which was ſome months in coming, and in this interval died King James, without having the pleaſure of ſeeing the marriage conſummated.

A new diſpenſation demanded.

Death of K. James. Wilſon, p. 790. * At Theobalds.

About mid-March, he was ſeized with a tertian ague, of which he had ſome fits. But tho', generally ſpeaking, ſuch agues are not dangerous in the ſpring, this brought him to his grave. He died * the twenty-ſeventh of March, in the fifty-ninth year of his age, after a twenty-two years reign in England.

Suſpicions againſt Buckingham. Wilſon. Weldon, p. 171. Coke, p. 175, 176.

His death, happening as I may ſay ſuddenly and unexpectedly, cauſed many ſuſpicions, which fell on the duke of Buckingham. As one of his Majeſty's fits was going off, the duke cauſed certain plaſters to be applied to his ſide and wriſts, and gave him twice with his own hands a medicine to drink, in abſenſe of the phyſicians: nay, he would have given it a third time, but could not perſuade him to take it. The King, finding himſelf much worſe, ſent for his phyſicians, who ſaid poſitively, they would not preſcribe if the plaſters were not immediately removed: however, the King died within a few days. Buckingham was afterwards impeached by the commons, not directly for poiſoning the King, but for daring to apply remedies without the advice of his phyſicians (1).

James I. An' 1625.

King James left only a ſon and a daughter. His daughter was married to a Prince who had loſt his dominions, and was fled for refuge to Reenen, in the province of Utrecht, where he held his little court in no ſmall indigence. King James, who was ſo liberal, is accuſed of having but ſparingly contributed to the maintenance of this diſconſolate family: but I am not certain there is any ground for this accuſation. Charles, Prince of Wales, who ſucceeded his father, was ſtill more unfortunate than his ſiſter. Wilſon. Coke. Weldon. Annals. Sanderſon.

James I, as I have elſewhere obſerved, has had for hiſtorians men very much prepoſſeſſed in his favor, or extremely prejudiced againſt him. This naturally followed from the diviſions to which he himſelf had given birth. Some repreſent him as a perfect pattern of a good King: others blacken his reputation as much as poſſible, by agravating his failings. The reaſon of this diverſity proceeds from the hiſtory of his reign being penned at the time when the animoſity of the two parties was at the height, whence both have happened to leave in their writings evident marks of their paſſion. Therefore the character of this Prince muſt not be formed either upon the praiſes of the one, or the invectives of the other, but on his manner of governing, on his ſpeeches and actions. This might be done by recollecting the principal circumſtances of his reign: but to ſave my readers that trouble, I ſhall briefly relate what is ſaid on both ſides, of which they may judge at diſcretion.

The principal ingredients in King James's panegyric is the conſtant peace he cauſed his ſubjects to injoy. This cannot be ſaid to be the effect of chance, ſince it clearly appears to have been his ſole, or at leaſt chief aim in his adminiſtration. Nothing, ſay his friends, is more noble or more worthy a great King than ſuch a deſign. But this deſign loſes all its merit, if the Prince is diſcovered by his conduct, to preſerve peace only thro' timidity, ſupine indolence, and exceſſive love of eaſe and repoſe, and King James's whole deportment evidences his having acted by theſe motives, tho' he colored it with the pretenſe of affection for his people.

If ſome take care to extol his knowledge in philoſophy, divinity, hiſtory and polite literature, others affirm it was but real pedantry, and that from all his acquired knowledge he learned to talk moſt impertinently on every ſubject, inſtead of framing ſolid and ſure rules for the government of his dominions. Bacon. Coke, p. 176.

His munificence, which ſome extol, is by others exclaimed againſt as prodigality. Theſe pretend, he made donatives without meaſure and diſcretion, without any regard to his own wants, or the merits of thoſe on whom he laviſhed his beneficence. Coke, p. 180.

A like contrariety occurs between King James's hiſtorians, with regard to his capacity. Some ſtile him, for his wiſdom, "The Solomon of his times." Williams. Coke, p. 176.

(1) Wilſon ſays, one of Buckingham's chief motives was thought to be his fear the King would ſet up Briſtol, his deadly enemy, againſt him, to pull him down. And if what Burnet ſays be true, he had reaſon likewiſe to fear the King's old favorite Somerſet. He ſays, the King being reſolved to bring the earl of Somerſet into favor again, met him at night in the gardens at Theobalds: two bed-chamber-men were only in the ſecret: the King imbraced him tenderly, and with many tears: the earl of Somerſet believed the ſecret was not well kept, for ſoon after, the King was taken ill with an ague, and died at Theobalds. Burnet (p. 17.) ſays, he had this from ſome who were told it by the earl himſelf. Dr. Craig, the King's phyſician, was diſgraced, for ſaying, he believed the King was poiſoned.

Others

James I. An' 1625.

Others labor to diſplay all his errors, particularly in the two ſole momentous affairs of his reign, wherein he come off very indifferently; I mean, the Prince his ſon's marriage, and his ſon-in-law's election to the crown of Bohemia.

Some extol him for maintaining the prerogative royal in its full luſter, ſpite of the efforts of thoſe who were continually attacking it. Others pretend that he had conceived very erroneous ideas of the Engliſh conſtitution, and, by aiming to carry the regal authority too high, and inſtilling the ſame principles into his ſucceſſor, was the original cauſe of his family's ruin.

Echard. Weldon, p. 179. 186. Coke, p. 71.

Concerning his morals, writers are no leſs divided. Some deſcribe him as a moſt wiſe and virtuous Prince; while others ſpeak of him as a Prince of a diſſolute life, given to drinking, and ſwearing in common converſation, eſpecially when in a paſſion. He is likewiſe reproached for diſſolving the earl of Eſſex's marriage; pardoning the earl and counteſs of Somerſet; for the death of ſir Walter Ralegh, and for confidently calling God to witneſs, in full parliament, that he never had any thoughts of granting the Papiſts a toleration, which he could affirm only by means of ſome mental reſervation.

Burnet, p. 17.

Coke. Burnet.

In fine, while ſome praiſe his moderation and equity to the Catholics, others pretend to demonſtrate he was cordially a Papiſt, and only profeſſed the Proteſtant religion thro' dread of what might inſue if he openly declared for Popery. If ſome urge, in proof of his being a good Proteſtant, that he made conſtant profeſſion of the eſtabliſhed religion, perſevered in it to his death, and when expiring injoined the Prince his ſon to protect the church and clergy; others anſwer, this is far from a demonſtration. They pretend, the point is not to know what he would appear to be, but what he was in reality, and that his actions belied his outward profeſſion: that the ſame thing had happened to him in Scotland, where 'till the age of thirty-ſix years he had profeſſed a perſuaſion which he mortally hated, as plainly appeared afterwards: that, when he came to England, he bare-facedly declared himſelf protector of the Papiſts; took their part on all occaſions; promoted them to honors, dignities, public offices; that in his reign the laws againſt them were never duly executed, of which he boaſted to the Catholic Princes in his apology concerning the oath of allegiance: that in all his ſpeeches, whether in parliament or the ſtar-chamber, his conſtant aim was to move his ſubjects to conſent to a full toleration for the Catholics; but not finding the parliament inclined as he wiſhed, he granted, by his ſole authority, a toleration in effect, by hindering the execution of the laws, and diſcharging the condemned recuſants from fines, and other penalties: that in his conventions with Spain and France, he poſitively promiſed to cauſe no more laws to be inacted againſt the Papiſts, and thoſe already in force not to be executed: that, on all occaſions, he affected to make appear he found nothing amiſs in the Romiſh religion except the Pope's exorbitant power over Princes: that by ſtiling the Pontif, Holy Father, his Holineſs, and by conſenting his ſon's children ſhould be educated in the Roman creed 'till the age of thirteen years, he plainly diſcovered he ſhould not be ſorry for their continuance in that belief. Finally, his ingagements with the archbiſhop of Ambrun is a recent and manifeſt proof of his being truly a Papiſt. To this the others reply, it is not poſſible to conceive that, if King James had been in his heart a Papiſt, he would have imployed a very conſiderable part of his time in writing brooks againſt the Popiſh creed, and combating the arguments of Bellarmine and Du Perron.

James I. An' 1625.

Having related what is urged for and againſt King James, as to his religion, I ſhall take the liberty to offer my own ſentiment or conjecture, which is, that this Prince was truly neither a good Proteſtant nor Catholic. One can ſcarce but acknowledge that he had never much at heart the intereſt of the Proteſtant religion, as on the other hand, it cannot be denied, he made thereof public and conſtant profeſſion, even to his lateſt gaſp. This induces me to imagine he had formed a ſcheme of religion different from that of others, according to which he counted of no moment what the Proteſtants and Catholics looked on as eſſential. The difference between the two religions, with regard to tenets, was not what moſt affected him. He ſeemingly believed every religion to be good, provided it taught obedience to Sovereigns, and preſerved the hierarchy, which he conſidered as the capital point. It is therefore no wonder, that, agreeably to this ſcheme, he ſhould refuſe entering into the Engliſh Proteſtants meaſures to hinder the growth of Popery in England, or not ſcruple to continue in the religion he profeſſed, ſince, according to his notions, the two religions were equally good, provided the Pope's deſpotic power was aboliſhed. I ſcarce doubt that, in his conferences with the archbiſhop of Ambrun, he had in view the chimerical project of reconciling the two religions, without troubling himſelf about the tenets which divided them, and which, in one of his ſpeeches, he termed ſcholaſtic queſtions. But, very probably, if he could have executed this project according to his ideas, all the advantage would have been on the ſide of Catholiciſm. This, in my opinion, is the only way to excuſe his condeſcenſion to the Papiſts, and his zeal to protect them: otherwiſe, I perceive not how his behavior, with reſpect to religion, can well be accounted for. This may alſo ſerve to diſcover the reaſon of his rejecting, with ſo much animoſity, the doctrines of the Puritans, whoſe principles he believed directly oppoſite to the project he had framed.

But whatever may be alledged for or againſt King James's perſon, it is certain England was never in a leſs flouriſhing condition than during his reign, and the Engliſh ſaw themſelves expoſed to the inſults and railleries of other nations, while the whole blame was univerſally caſt on the King. In France, in his time was made the following epigram, which clearly manifeſts how he was eſteemed among his neighbors (1):

Tandis qu' Elizabeth fut Roy,
L'Anglois fut d'Eſpagne l'effroy.
Maintenant, deviſe et caquette,
Regi par la Reine Jaquette.

[Thus facetiouſly Engliſhed (2).

" While Elſabeth was England's King,
" The dreadful name thro' Spain did ring.
" How alter'd is the caſe,——'Ad ſa' me!
" Theſe jugling days of gude Queen Jamie!]

(1) As to this King's perſon (ſays Welwood, p. 17.) tho' his father and mother were eſteemed the handſomeſt couple of the age they lived in, yet he was himſelf but homely, nor in any of his features was to be found the leaſt reſemblance of the beautiful Mary Stuart, or lord Darnly.

(2) See Phœnix Britannicus, Vol. I. p. 324.

END of the EIGHTEENTH BOOK.

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Place before this Reign.

NON ERIPIENDA

CHARLES THE FIRST, KING OF ENGLAND, SCOTLAND, FRANCE AND IRELAND, &c.

DIEU ET MON DROIT

Ant. Van. Dike Equis pinx.

R. Sheppard Sculp.

BOOK XIX.

Containing the firſt Fifteen Years of the Reign of CHARLES I.

CHARLES I. Twenty-fifth King of ENGLAND ſince the CONQUEST.

CHARLES I AN' 1625.

Ruſhworth, Vol. I. p. 166.

CHARLES I, ſon and ſucceſſor of James I, was tinctured from his infancy with thoſe very principles touching ſovereign authority, and prerogative royal, which the deceaſed King had, during his life, ſo improved. He had the ſame favorite; the ſame council; the ſame miniſters; and all the imploys and charges, as well at court as throughout the whole realm, remained poſſeſſed by the duke of Buckingham's creatures: ſo nothing was changed except the King's perſon. Charles's journey to Spain had ſo indeared to him this duke, that King James's affection for that favorite was nothing, as I may ſay, in compariſon of the new King's. It was believed, and not without foundation, that had James ſurvived he would have diſcarded Buckingham, with whom he was, on diverſe accounts, not a little diſpleaſed. 1. Becauſe of the Spaniſh journey, whereof he was the ſole adviſer, and which had expoſed his Majeſty to the cenſure of all Europe. 2. On account of breaking off the Spaniſh match without any juſt reaſon. 3. For this duke's ingaging him, as it were againſt his will, to a rupture with Spain. 4. For cauſing, by the Prince's credit and his intereſt with the parliament, the lord-treaſurer Middleſex to be condemned, in ſpite of the King himſelf, who did his utmoſt to ſave him, and even ſued to the Prince and duke for his pardon, without being able to obtain it. Thus James died very opportunely for the favorite, who, probably to ſupport himſelf, muſt have ſet the Prince at variance with his father, which might have had terrible conſequences. This raiſed againſt Buckingham violent ſuſpicions, which were ſtill farther corroborated by his preſuming to apply a plaſter to the King's ſide, and giving him, with his own hand, a potion to drink, without the advice of his phyſicians. Indeed, the duke could not be directly charged with accelerating the death of his royal benefactor by the remedies he gave him; but when the time and circumſtances of this unexpected death, cauſed by a tertian ague, not uſually very dangerous in the ſpring, were conſidered, jointly with the perplexities from which it delivered this favorite, and the advantages it procured him, it was difficult not to ſuſpect him: and yet, on the other hand, when the new King was ſeen ſtrongly perſevering in his affection for the duke, it could not be imagined he doubted his innocence in that reſpect. Howſoever this be, the duke of Buckingham was the ſon's favorite, as he had been the father's; nay, with ſtill greater power and credit than he had under the preceding reign.

Buckingham the new King's favorite. Id. p. 165, 167. Annals.

Reaſons of King James's diſpleaſure againſt Buckingham. Clarendon, Vol. I. p. 20.

The duke ſuſpected of King James's death.

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Charles's projects concerning arbitrary power and the Palatinate.

Charles I, at his acceſſion to the throne, formed two projects equally difficult to be executed. The firſt was, to wreſt from the Emperor and duke of Bavaria both the Palatinates, which had been taken from his brother-in-law the elector Palatine. The ſecond, to carry the regal authority abundantly higher than had been done by the King his father, or any of his predeceſſors. Theſe two ſchemes, which ſeparately would, in all appearance, meet with great obſtacles, became, when united, in a manner impracticable. Charles however was of opinion, that they mutually ſupported each other: that, under color of the Palatinate war, he ſhould put the parliament on a foot not to refuſe him any thing: that, in time, he ſhould have both houſes at command, and, after rendering himſelf independent, diſpoſe as he pleaſed of the kingdom's treaſures in executing the deſigns he had formed in favor of the King of Bohemia. As Charles's ſaid two projects are the ſubject of his firſt fifteen years, after acceding to the crown, to which period I at preſent confine my ſelf, it will be requiſite thoroughly to explain them, that the ſequel may with more facility be comprehended.

Concerning the Palatinate.

As to the firſt, I mean that of wreſting from the Emperor and duke of Bavaria the two Palatinates, I think it needleſs to repeat what, in the reign of James I, has been advanced on that topic. It will ſuffice to remind the reader, that it was by the intrigues of Prince Charles and Buckingham, and thro' that duke's miſrepreſentation of what was tranſacted in Spain, that the parliament was induced to counſel King James to break the treaties, which were in effect broken already, and promiſe to ſupport that war which this breach would ſeemingly produce: this was the Prince's and duke's real aim in diſguiſing the truth. Afterwards the Prince, when King, miſſed no opportunity to take advantage of the parliament's haſty counſel and ingagement, as if the parliament had really been ſole authors of this breach, and original cauſe of the war for recovering the Palatinate. Of theſe artifices King James was the firſt victim. He was made to break a treaty which he had been laboring ſeven years, and to loſe the portion he had reaſon to expect for his ſon's marriage with the Infanta. He was ingaged, againſt his will and inclination, in a war with the houſe of Auſtria (1); and, what he deemed the greateſt of all misfortunes, conſtrained to have recouſe to a

(1) King James, on his death-bed, exhorted his ſon the Prince to take ſpecial care of the elector Palatine's children, and to indeavor reſtoring them to the eſtate and dignities of their father. Ruſhworth, Vol. I. p. 153.

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parliament; he who was ſo diſſatisfied with the two former ones that, to all appearance, he would never have called another, had it not been for this rupture. The ſecond victim was the duke of Buckingham. No ſooner was the truth known but he became the object of public hatred, tho', before his intrigues were diſcovered, he had been conſidered as a guardian-angel, for breaking the intended match. Finally, Prince Charles, aſcending the throne, reſolved to ſupport that war wherein the parliament had unadviſedly ingaged: but becauſe he found not in the houſe of commons ſuch a readineſs to aſſiſt him as he expected, he, ſolely on that account, diſſolved ſeveral parliaments. This bred in the minds of his ſubjects jealouſy and diſcontent, which being inflamed by other cauſes, finally brought on him the greateſt calamity can poſſibly befal a Sovereign. Hitherto the Prince's and duke's real motive in breaking the treaty with Spain is unknown. It is not conceived how, after loſing the Palatinate, they could imagine it eaſier to recover that country from the Emperor and duke of Bavaria, by force of arms, than by managing the King of Spain's friendſhip, by means of the marriage already concluded: but the uſe Prince Charles, now become King, deſigned to make of this war, adviſed by the parliament, can be no ſecret; viz. to accuſtom the houſe of commons, under pretext of the urgent neceſſity of this war, to ſupply him in a few days with the money he demanded, without deliberating on any other buſineſs. This will manifeſtly appear in the ſequel: but before I deſcend to the particulars of this ſecond project, it is requiſite ſome remarks on this ſubject be premiſed.

The ſecond project, concerning arbitrary power.

I have, in the reign of James I, evidenced, that this firſt Monarch of Great Britain labored, as long as his monarchy laſted, that is, while he was King of England, to extend the prerogative royal. This was not only in ſome points, and on certain occaſions, but by general principles, which being once admited would, by neceſſary conſequences, cloath the Sovereign with unlimited authority. Whatever had been ſaid by the moſt furious ſticklers for abſolute power in Sovereigns, he readily applied to the Kings of England, without ever examining, whether the power of a King admited of degrees, according to the ſeveral ſtates, or the conſtitution of the government whereof he was ſupreme: and yet this was the point in queſtion. Otherwiſe, it from his principles followed, that the regal power was the ſame every where, and a King of Poland, for inſtance, ought to be as abſolute as a King of Perſia. This was in effect what he always ſuppoſed in the affair of Bohemia, and what prevented him from eſpouſing his ſon-in-law's quarrel. So long as he was ſatisfied with inſinuating ſuch maxims, by certain expreſſions in his public ſpeeches, the people, and even the parliament, took not thereof any great notice: but when he was for reducing to practiſe the various conſequences which naturally might thence be drawn, he met with ſtrong oppoſition, which obliged him to diſſolve ſundry parliaments, becauſe they were not ſo tractable and prone to imbibe his inſtructions as he wiſhed and expected. This oppoſition put him out of humor: nay, he began to expreſs himſelf in plainer terms, and aſſert, that parliaments owed their very exiſtence only to the royal conceſſion, and that this conceſſion might be revoked when they became unworthy of it, juſt as a charter granted to a corporation, on certain expreſs conditions, might be taken away, if theſe conditions were not complied with. But the parliament would never admit any ſuch principle. It was readily agreed, that the King had power to call, prorogue, and diſſolve the parliament: nay, that he might forbear ſummoning it for ſome time: but that England might, or ought to be governed without parliaments, whenſoever the King thought proper, is what could not be allowed him, much leſs that he could diſpenſe with, or act contrary to the laws. Nevertheleſs, to this height would James I have carried his prerogative; a term equivocal, wherein his meaning was abſolute power, or ſomething very near it. But the Engliſh, generally ſpeaking, underſtood by that word, only a power in the Sovereign's perſon to command or act in matters not repugnant to the laws, or for which the law had not provided, and certain acts of grace and favor, which the King might exerciſe with regard to ſome private perſons, provided theſe acts were not very prejudicial to the reſt of his ſubjects. Thisc onſtantly occaſioned all the differences between James I, and his parliaments. It could not be preciſely ſpecified wherein conſiſted the King's prerogative and the peoples privileges, theſe points having never been expreſly determined. Such of the Engliſh Kings as had paſſed for the wiſeſt and moſt prudent, avoided as rocks thoſe kinds of diſputes, which can only breed hatred and animoſity between King and people. On the other hand, former parliaments choſe rather to ſee the prerogative royal ſometimes ſtretched beyond its due limits, than debate ſuch difficult points, which, in caſe of obſtinacy on both ſides, muſt have been decided by the ſword, there being no higher tribunal to which either could appeal. Beſide, ſince Richard II, whoſe attempt coſt him his crown and life, there had not been any King who had aimed at carrying the prerogative royal ſo far as to claim a power of acting directly contrary to the laws. If any of them, on ſome occaſions, offered to paſs the juſt boundaries, the parliaments, for one of the three ſubſequent reaſons, were not under any concern. 1. Becauſe it was in matters of ſmall importance. 2. Becauſe, repoſing intire confidence in their Sovereign, they believed he would not make any ill uſe of their indulgence. 3. Becauſe they ſaw the King's aim and motive were advantageous, or at leaſt not very prejudicial to the nation.

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But no ſooner had James I aſcended the throne of England, but queſtions concerning the royal prerogative became frequent and abſolutely neceſſary. This Monarch was perpetually ſtriving to eſtabliſh principles whoſe conſequences had no leſs tendency than to ſubvert the government's whole conſtitution. I ſhall re-touch on ſome which have already appeared in the hiſtory of this reign, but which it is the more neceſſary to repeat here, as King Charles trod exactly in his father's ſteps, and as one cannot have a too clear idea of thoſe matters, they being the principal theme of this reign.

From the principle, that the parliament owed its exiſtence to conceſſions of the Kings, and that theſe conceſſions might be revoked, it naturally followed, that the King might govern without a parliament, and conſequently tax his people as he judged requiſite for the government's ſupport. From the principle, that the King was above the laws, it neceſſarily followed, that there was no ſecurity for the ſubjects, and their honor, fortunes, liberty and life itſelf were at the Sovereign's diſpoſal. From the principle, that the parliament had no right to interfere in any affairs wherein his Majeſty aſked not their advice, it could not but be infered, that the King was to be ſuffered to do whatever he pleaſed, even what was highly to the nation's detriment. From the principle, that to complain of the adminiſtration was want of reſpect to his Majeſty, it followed of courſe, that the parliament could take no grievances into conſideration, nor make any complaints, ſince grievances are generally acts of injuſtice commited by the King, or his miniſters. From the principle, that the parliament had at moſt

but

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but a right of repreſenting grievances to his Majeſty, after which the redreſs was ſilently to be expected from himſelf, it followed, that the King might vex and moleſt his ſubjects juſt as he pleaſed, without being obliged to redreſs their ſufferings any farther than he thought proper. From the principle, that to diſpute the extent of his Majeſty's prerogative was wounding him in the moſt ſenſible part, the conſequence muſt have been; that the prerogative was without bounds, or that it could be limited only by the King's wiſdom and bounty. All theſe principles, as it is eaſy to perceive, tended only to eſtabliſh a deſpotic power. Had his ſaid Majeſty been ſatisfied with granting occaſionally ſome favor founded on any of theſe principles, it might have been looked on as a matter of no conſequence: but he was ſeen, on all occaſions, laboring to inſtil theſe principles into the minds of his ſubjects, and to eſtabliſh them upon inſtances, picked up here and there, of the conduct of his predeceſſors. He himſelf was, by his actions, ſeen to draw from thence the moſt extenſive conſequences; fill the kingdom with monopolies; compel his ſubjects to lend or give him money; diſſolve parliaments for not allowing his principles; impriſon ſuch members as ventured to ſpeak freely, and even openly to declare that he would call no more parliaments. Thus was there no medium: his pretenſions were either to be complied with, or oppoſed with bare-faced violence.

King James had the happineſs to die before this diviſion was carried any higher. Breaking off the Spaniſh match produced a reconciliation between him and his parliament. He perceived he could not proceed without parliaments, and the people judged that, while his Majeſty was ingaged in a war with the houſe of Auſtria, he would be conſtrained to ſhew a regard to the nation's liberties and parliament's privileges. Thus both ſides ſeemed inclinable to be reconciled, and to forget all occaſions of complaint.

James being dead, Charles I, his ſon and ſucceſſor, who by his leſſons had improved wonderfully, aſcended the throne, plentifully poſſeſſed with theſe principles: but being young, and his paſſions ſtrong, he could put no conſtraint upon himſelf, nor think of managing the parliament's affection. He ſoon diſcovered by what maxims he intended to proceed in the government of his dominions. He not only refuſed correcting the abuſes introduced during his father's reign, but even added diverſe new ones ſtill leſs tolerable. He affected giving his ſubjects to underſtand not only that their grievances touched him not, but that to petition a redreſs was offenſive. In a word, he very plainly intimated, both in his ſpeeches and conduct, that he looked on parliaments as no other than aſſemblies ſolely deſigned to ſupply him with money, and in caſe of refuſal, he could proceed without their aſſiſtance. Accordingly, he diſſolved diverſe parliaments, becauſe they were not prompt enough to grant the ſums he demanded; offered violence to ſeveral members; and extorted from his ſubjects what money he wanted, by forced loans, or taxes impoſed by his own authority: nor ought this to ſeem ſtrange, ſince, beſide the leſſons taught him by his father, he had the ſame favorite, the ſame miniſters, and the ſame council.

All this I purpoſe to ſet forth clearly and diſtinctly: nor will I do it by reaſonings and conſequences, but by unconteſted facts; by authentic vouchers of what I ſhall advance, and finally by this King's own conduct, which the moſt zealous of his partiſans have no otherwiſe gone about to vindicate than by a certain affected ſilence, or at leaſt by very ſuperficially gliding over the firſt fifteen years of his reign. My ſole view in thus entering on theſe particulars, which are of a large extent, is that a reader may be the better inabled to comprehend the real cauſes of that war wherewith the realm was afterwards afflicted.

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James's funeral.

Soon as the deceaſed King's obſequies were ſolemniſed (1), Charles ſpeedily ſent eight thouſand men to Plymouth (2), to be imbarked for an expedition to Spain. As his exchequer was very low, the charge of coat and conduct was ordered to be diſburſed by the country, and the country to be reimburſed at a more convenient ſeaſon. This was done after the precedent of former times, tho' the cuſtom had been long diſuſed. Theſe troops having commited great diſorders in their march, the King granted a commiſſion for martial law to puniſh the offenders. This was looked on as an innovation which took from the uſual judges the cogniſance of crimes commited by the ſoldiery, and yet, in general, it was not much regarded.

Troops ſent to Plymouth at the counties charge. Ruſhworth, p. 168. Annals.

A commiſſion for matial law.

The King's marriage. Ruſhworth, p. 169, 170. May.

The King's marriage, having been concluded in his father's life-time, was celebrated at Paris with great magnificence, on a theater erected before Notre-Dame church, the duke of Chevreuſe performing the office of proxy for the King of England. Preſently after, the duke of Buckingham was ſent into France to conduct over the Queen to her royal conſort. She arrived, June 12, at Dover, where the King met her next morning, and that evening the marriage was conſummated at Canterbury. The ſixteenth of that month, their Majeſties made their entry into London, and the parliament met two days after. King Charles made the following ſpeech to both houſes on opening this his firſt parliament.

Firſt parliament. June 18.

My Lords and Gentlemen;

The King's ſpeech to his parliament. Ruſhworth, p. 171.

" I Thank God, that the buſineſs to be treated on at this time is of ſuch a nature, that it needs no eloquence to ſet it forth; for I am neither able to do it, neither doth it ſtand with my nature to ſpend much time in words. It is no new buſineſs, being already happily begun by my father of bleſſed memory, who is with God; therefore it needeth no narrative: I hope in God you will go on to maintain it, as freely as you adviſed my father to do it. It is true, he may ſeem to ſome to have been ſlack to begin ſo juſt and ſo glorious a work; but it was his wiſdom which made him loth to begin a work, until he might find a means to maintain it. But after he ſaw how much he was abuſed in the confidence he had with other ſtates, and was confirmed by your advice to run the courſe we are in, with your ingagement to maintain it, I need not preſs to prove how willingly he took your advice; for the preparations which are made are better able to declare it, than I to ſpeak it. The aſſiſtance of thoſe in Germany, the fleet which is ready for action, with the reſt of the preparations, wherein I have only followed my father, do ſufficiently prove that he entered into this action.

" My lords and gentlemen; I hope you do re-

(1) He was removed on April 23, from Theobalds to London, and buried May 7, in Henry VII's chapel. His ſon and ſucceſſor walked as chief mourner, being ſupported by the earls of Arundel and Pembroke. Sandf. p. 560. Ruſhworth, Vol. I. p. 167.

(2) Not Portſmouth as in the French. There were twelve thouſand raiſed in all. Two thouſand were ſent to Holland. Idem. p. 168.

" member,

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" member, that you were pleaſed to imploy me to " adviſe my father to break off thoſe two treaties " which were on foot; ſo that I cannot ſay, I " came hither a free uningaged man. It is true, " I came into this buſineſs willingly and freely, " like a young man, and of conſequence raſhly; " but it was by your intereſt, your ingagement: " ſo that, tho' it were done like a young man, " yet I cannot repent me of it; and I think none " can blame me for it, knowing the love and " fidelity you have borne to your King, having " myſelf likewiſe ſome little experience of your " affections. I pray you remember, that this " being my firſt action, and begun by your advice " and intreaty, what a great diſhonor it were to " you and me if this action, ſo begun, ſhould fail " for that aſſiſtance you are able to give me. Yet " knowing the conſtancy of your love both to me " and this buſineſs, I needed not to have ſaid this, " but only to ſhew what care and ſenſe I have of " your honors and mine own. I muſt intreat you " likewiſe to conſider of the times we are in, how " that I muſt adventure your lives (1) (which I " ſhould be loth to do) ſhould I continue you here " long; and you muſt venture the buſineſs, if you " be ſlow in your reſolutions. Wherefore I hope " you will take ſuch grave counſel, as you will " expedite what you have in hand to do: which " will do me and your ſelves an infinite deal of " honor; you, in ſhewing your love to me; and " me, that I may perfect that work which my " father hath ſo happily begun.

" Laſt of all, becauſe ſome malicious men may, " and as I hear have given out, that I am not ſo " true a keeper and maintainer of the true religion " which I profeſs; I aſſure you, that I may with " St. Paul ſay, that I have been trained up at " Gamaliel's feet: and altho' I ſhall never be ſo " arrogant as to aſſume unto myſelf the reſt, I " ſhall ſo far ſhew the end of it, that all the " world may ſee, that none hath been, nor ever " ſhall be more deſirous to maintain the religion " I profeſs, than I ſhall be.

" Now, becauſe I am unfit for much ſpeaking, I " mean to bring up the faſhion of my predeceſſors, " to have my lord-keeper ſpeak for me in moſt " things: therefore I have commanded him to " ſpeak ſomething unto you at this time, which is " more for formality, than any great matter he " hath to ſay unto you."

Ruſhworth, p. 172. Hacket. Part 2. p. 9.

Then the lord-keeper Williams (2) declared, " That the King's main reaſon of calling the par- " liament, beſide the beholding his ſubjects faces, " was to mind them of the great ingagements for " recovering the Palatinate, impoſed on his Ma- " jeſty by the late King his father, and by them- " ſelves, who broke off the two treaties with Spain. " Alſo to let them underſtand, that the ſucceeding " treaties and alliances; the armies ſent to the " Netherlands; repairing the forts, and fortifying " Ireland, do all meet in one center, the Pala- " tinate; and that the ſubſidies granted in the laſt " parliament are herein already expended, whereof " the account is ready, together with as much " more of the King's own revenue." His lordſhip farther commended three circumſtances:

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" Firſt, the time; all Europe being at this day " at the pool of Betheſda, the firſt ſtiring of the " waters muſt be laid hold on. Wherefore his " Majeſty deſires them to beſtow this meeting " on him; or rather on their actions; and the " next ſhall be theirs, as ſoon and as long as they " pleaſe for domeſtic buſineſs.

" Secondly, ſupply; if ſubſidies be thought too " long and backward, his Majeſty deſires to hear, " and not to propound the way.

" Thirdly, the iſſue of action; which being the " firſt, doth highly concern his Majeſty's honor " and reputation, for which he relies upon their " loves, with the greateſt confidence that ever " King had in his ſubjects; witneſs his royal poſy, " Amor Civium Regis Munimentum:" and he " doubts not, but as ſoon as he ſhall be known in " Europe to be their King, ſo ſoon ſhall they be " known to be a loving and loyal nation to " him."

The parliament petition Charles againſt Popiſh recuſants. His general anſwer. Ruſhworth, p. 173.

Tho' Charles in his ſpeech aſſerted, that no Prince was ever more deſirous to maintain the religion he profeſſed, the parliament ſeems not to have been fully convinced of it, ſince both houſes joined very early in petitioning him againſt recuſants. His Majeſty returned a moſt gracious anſwer, ſaying, he was exceedingly glad to ſee their zeal for religion, and was ready to concur with them in whatever they ſhould propoſe on that head. He however defered replying to each particular article of the petition, 'till he had examined it.

Montague cited to account for a book of his. Ruſhworth. Ibid. Annals, p. 109. Coke, p. 199.

Mr. Richard Montague, a divine, had lately got printed a book bearing title, " An Appeal to " Cæſar," wherein were ſeveral propoſitions tending to the diſturbance of church and ſtate (3). It was complained of to the commons, who citing the author to appear before them, and examining him, thought fit to refer him to the archbiſhop of Canterbury. That prelate, who was looked on with no good eye at court, becauſe he was ſuſpected of being a friend to the Puritans, contented himſelf with exhorting him to write no more upon ſuch topics. The commons procedure diſpleaſed his Majeſty; for Montague, being one of his chaplains, he pretended the bringing him to their bar was incroaching on his prerogative. He expreſſed his diſpleaſure with the commons, and took occaſion to bring this cauſe before the council. It was generally ſuſpected that, as Montague's book contained Arminian doctrines, Laud, biſhop of St. David's (4) the King's moſt intimate counſellor for religious affairs, had done this to ſtop the proſecution. Laud was by many conſidered as head and protector of the Arminians, who were now very numerous in England. He had inſinuated himſelf into Buckingham's favor, and by that means into the King's, who readily followed his counſels in all matters concerning religion.

Charles brings the cauſe before the council. Ruſhworth, p. 174.

Laud reckoned the head of the Arminians. Coke.

The commons grant two ſubſidies. Ruſhworth, p. 174.

The diſguſt Charles expreſſed againſt the commons, hindered not that houſe from granting him two ſubſidies. His Majeſty accepted them graciouſly,

(1) By reaſon of the plague. Rapin.

(2) Our author, after Ruſhworth and Franklin, ſays it was the lord-keeper Coventry, but Williams was not diſplaced 'till October 25. See Hacket, part 2. p. 9, 27. Philips, p. 106, 182.

(3) Here our author is ſomewhat miſtaken.——Montague (in 21 Jac.) publiſhed a book, which he called, " A new Gag for " an old Gooſe," being in anſwer to a Popiſh book, intitled, " A Gag for the new Goſpel;" and for this book he was queſtioned by the parliament, and commited to the archbiſhop, who diſmiſſed him with an admonition. Afterwards the biſhops of the Arminian party conſulting the propagation of the five articles condemned at the ſynod of Dort, concluded, that Montague ſhould publiſh his " Appeal to Cæſar," at firſt atteſted by their joint authorities, which they afterwards withdrew by ſubtilty. However, the book was printed and dedicated to King Charles. The houſe appointed a commitee to examine the errors therein, and thanked the archbiſhop for his admonition formerly to the author, and voted his books to be contrary to the articles eſtabliſhed by the parliament, and took bond for his appearance. Ruſhworth, Vol. I. p. 173.

(4) Not of Bath and Wells (as our author miſtakes) 'till ſome time after.

but

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but withal intimated this ſupply to be far ſhort of what was neceſſary for the war (1) to which his father was adviſed by the parliament. The act for two ſubſidies was no ſooner paſſed than Charles adjourned the parliament to Oxford, there to re-aſſemble, Auguſt the firſt, next inſuing, on account of the peſtilence then raging at London.

Six ſhips lent the French King to ſerve againſt Rochel. Ibid. Annals, p. 109. Coke, p. 190, &c.

King James, a little before his deceaſe, had ingaged to lend the King of France five or ſix ſhips, to ſerve againſt the Genoeſes; at leaſt on that pretext they were borrowed: but afterwards, Lewis XIII, wanting theſe ſhips for the ſiege of Rochel, did by Buckingham's means prevail with King Charles, that he might imploy them where he pleaſed, and accordingly they were ſent to Diepe, under command of vice-admiral Pennington (2). The commanders of this ſquadron, finding they were to go againſt Rochel, weighed anchor and returned to England. Pennington, having thereof informed the duke of Buckingham, received expreſs orders, confirmed by another from the King, that he ſhould repair to Diepe with the ſhips, and deliver them to the French, which accordingly was executed: but the mariners all deſerted, abſolutely refuſing to ſerve againſt Rochel.

Complaints againſt Buckingham; Auguſt 1. Ruſhworth, p. 176.

This buſineſs made much noiſe at Oxford, where the parliament was re-aſſembled. Buckingham's ill conduct in this and other reſpects was loudly exclaimed againſt in the houſe of commons. It was ſaid, the money granted by parliament to the late King had been miſapplied, and put to uſes very different from thoſe for which it was deſigned. That the ſeas were ſo ill guarded, that the corſairs had done great damage to the Engliſh merchants. That Popery and Arminianiſm were countenanced by a ſtrong party in England. Neile biſhop of Wincheſter, and Laud biſhop of St. David's, were generally looked on as heads and protectors of the Arminians (3), nay, as favorers of Popery, by reaſon of their rigid and paſſionate zeal for all the ceremonies of the church of England, even for ſuch as ſeemed the leaſt neceſſary. This zeal appeared to many as myſterious as uncommon, and cauſed them to ſuſpect, that the two prelates, under color of maintaining religion, had formed a project to reſtore Popery. They could not be perſuaded that men ſhould have ſuch a ſtrong attachment to things in themſelves of ſo little moment, without ſome concealed views. Wherefore Montague was ſummoned a ſecond time before the houſe of commons, and ſeverely reprimanded.

and biſhops Neile and Laud.

Montague cenſured.

The King ſends for the two houſes.

Mean while Charles, finding the parliament had imployed the firſt three or four days of their ſeſſion in diſcourſing of grievances, without any mention of the money he expected for ſupporting the war, ſent for both houſes, and in Chriſt-Church hall made them this ſpeech.

My lords, and you of the commons,

The King's ſpeech to both houſes. Auguſt 4. Ruſhworth, p. 177. Annals, p. 110.

"WE all remember that, from your deſires and advice, my father, now with God, brake off thoſe two treaties with Spain which were then in hand. Well you then foreſaw, that, as well for regaining my diſpoſſeſſed brother's inheritance, as home defenſe, a war was likely to ſucceed; and that as your counſels had led my father into it, ſo your aſſiſtance in a parliamentary way to purſue it ſhould not be wanting. That aid you gave him by advice, was for ſuccor of his allies, the guarding of Ireland, and the home parts, ſupply of munition, preparing and ſeting forth his navy. A council you thought of, and appointed for the war, and treaſurers for iſſuing the monies: and to begin this work of your advice, you gave three ſubſidies, and as many fifteenths, which with ſpeed were levied, and by direction of that council of war (in which the preparation of this navy was not the leaſt) diſburſed.

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"It pleaſed God, at the entrance of this preparation (by your advice begun) to call my father to his mercy, whereby I entered as well to the care of your deſign, as his crown. I did not then, as Princes do of cuſtom and formality, re-aſſemble you, but that, by your farther advice and aid, I might be able to proceed in that which, by your counſels, my father was ingaged in. Your love to me, and forwardneſs to farther thoſe affairs, you expreſſed by a grant of two ſubſidies yet ungathered, altho' I muſt aſſure you, by my ſelf and others upon credit taken up, and aforehand diſburſed, and as far ſhort, as yet to ſet forth that navy now preparing; as I have lately the eſtimate from thoſe of care, and who are ſtill imployed about it, whoſe particular of all expenſes about the preparation ſhall be given you, when you pleaſe to take an account of it."

The ſecretaries ſpeeches. Ruſhworth, p. 178. * Lord Conway and ſir John Cook.

His Majeſty having done ſpeaking, the ſecretaries of ſtate * made ſpeeches, the deſign whereof, like that of the King's, was to demonſtrate the abſolute neceſſity the commons were under, to grant his Majeſty a large ſum for the war wherein he was ingaged. They forgot not to repeat, that the war was commenced by his late Majeſty, purely thro' the advice of both houſes of parliament; for this was what Charles conſidered as a reaſon unanſwerable. But the parliament being now better informed how the King and duke procured that advice from the former parliament theſe two ſpeeches produced no great effect. The commons being returned to their houſe, proceeded to examine grievances, and in this examination diverſe complaints were exhibited againſt the duke of Buckingham. It was alſo complained; that Popery was not only tolerated, but even countenanced, contrary to the King's expreſs promiſe: that pardons were granted to recuſants, ſigned by lord Conway, ſecretary of ſtate, who pretended to be authoriſed by his Majeſty, and that theſe pardons obſtructed the courſe of juſtice and execution of the laws. Charles hereupon thought himſelf obliged to return poſitive anſwers to the petition preſented to him at London by the two houſes, to which he had hitherto only anſwered in general. It is abſolutely neceſſary to inſert here the petition, with King Charles's replications to each article, that readers may the better judge how this King's promiſes were afterwards executed.

The commons complainss about religion. Id. p. 173.

Id. p. 180. Annals.

Petition againſt recuſants; with his Majeſty's anſwer to each article.

Petition of both houſes againſt Popiſh recuſants. Ruſhworth, p. 181.

Moſt gracious Sovereign,

"IT being infallibly true, that nothing can more eſtabliſh the throne, and aſſure the peace and proſperity of the people, than the unity and ſincerity of religion; we your moſt humble and loyal ſubjects, the lords ſpiritual and temporal, and commons of this preſent parliament aſſembled, hold our ſelves bound in conſcience and duty to repreſent the ſame to your ſacred Majeſty, together with the dangerous

(1) The charge of which, by computation, amounted yearly to 700,000 l. Ruſhworth, V. I. p. 174.

(2) The Vantguard, a large ſhip of the navy royal, with ſeven other merchant-ſhips of great burden and ſtrength. Ibid. Coke, p. 190.

(3) M. Rapin (as do moſt writers puritanically inclined) confounds two things, which have no manner of relation to each other, viz. Arminianiſm and High-Church Principles.

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" conſequences of the increaſe of Popery in this " land, and what we conceive to be the principal " cauſes thereof, and what may be the remedies.

The dangers appear in theſe particulars.

" I. In their deſperate ends, being, both the " ſubverſion of church and ſtate, and the reſtleſs- " neſs of their ſpirits to attain theſe ends; the doc- " trine of their teachers and leaders, perſuading " them that therein they do God good ſervice.

" II. Their evident and ſtrict dependency upon " ſuch foreign Princes, as no way affect the good " of your Majeſty and this ſtate.

" III. The opening a way of popularity to the " ambition of any who ſhall adventure to make " himſelf head of ſo great a party.

The principal cauſes of the increaſe of Papiſts.

" I. The want of due execution of the laws a- " gainſt jeſuits, ſeminary-prieſts, and Popiſh re- " cuſants; occaſioned partly by the connivency of " the ſtate, partly by defects in the laws them- " ſelves, and partly by the manifold abuſes of offi- " cers.

" II. The interpoſing of foreign Princes by their " embaſſadors and agents in their favor.

" III. Their great concourſe to the city, and " frequent conferences and conventicles there.

" IV. The open and uſual reſort to the houſes " and chapels of foreign embaſſadors.

" V. The education of their children in ſemina- " ries, and houſes of their religion in foreign parts, " which of late have been greatly multiplied and " inlarged for the entertainment of the Engliſh.

" VI. That, in ſome places of your realm, your " people be not ſufficiently inſtructed in the know- " ledge of true religion.

" VII. The licencious printing and diſperſing of " Popiſh and ſeditious books.

" VIII. The imployment of men ill-affected in " religion in places of government, who do, ſhall, " or may countenance the Popiſh party.

The remedies againſt this outrageous and dangerous diſeaſe we conceive to be theſe inſuing:

" I. That the youth of this realm be carefully " educated by able and religious ſchool-maſters, " and they to be injoined to catechiſe and inſtruct " their ſcholars in the grounds and principles of " true religion. And whereas, by many com- " plaints from diverſe parts of the kingdom, it doth " plainly appear, that ſundry Popiſh ſcholars, diſ- " ſembling their religion, have craftily creeped in, " and obtained the places of teaching in diverſe " counties, and thereby infected and perverted " their ſcholars, and ſo fited them to be tranſported " to the Popiſh ſeminaries beyond the ſeas; that " therefore there be great care in chuſing and admit- " ing ſchool-maſters, and that the ordinaries make " diligent inquiries of their demeanors, and pro- " ceed to the removing ſuch as ſhall be faulty, or " juſtly ſuſpected.

His Majeſty's anſwer.

This is allowed of; and for the better perform- ance of what is deſired, letters ſhall be written to the two archbiſhops, and from them letters go to all the ordinaries of their ſeveral provinces to ſee this done; the ſeveral ordinaries to give account of their doings herein to the archbiſhops reſpectively, and they to give account to his Majeſty of their proceedings herein.

" II. That the ancient diſcipline of the univerſi- " ties be reſtored, being the famous nurſeries of li- " terature and virtue.

Anſwer. This is approved by his Majeſty, and the chancellor of each univerſity ſhall be required to cauſe the due execution of it.

" III. That ſpecial care be taken to inlarge the " word of God, throughout all the parts of your " Majeſty's dominions, as being the moſt power- " ful means for planting true religion, and rooting " out the contrary: to which end, among othe: " things, let it pleaſe your Majeſty to adviſe your " biſhops, by fatherly intreaty and tender uſage, " to reduce to the peaceable and orderly ſervice of " the church, ſuch able miniſters as have been for- " merly ſilenced that there may be a profitable " uſe of their miniſtry in theſe needful and dange- " rous times; and that non-reſidency, pluralities " and commendams may be moderated. Where " we cannot forbear moſt humbly to thank your " Majeſty for diminiſhing the number of your own " chaplains; not doubting of the like princely care " for the well-beſtowing the reſt of your benefices, " both to the comfort of the people, and the in- " couragement of the univerſities; being full of " grave and able miniſters unfurniſhed of livings.

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Anſwer. This his Majeſty likes well, ſo as it be applied to ſuch miniſters as are peaceable, orderly and conformable to the church-government. For pluralities and non-reſidencies, they are now ſo mo- derated, that the archbiſhops affirm, there be now no diſpenſations for pluralities granted; nor no man now is allowed above two benefices, and theſe not above thirty miles diſtant: and for avoiding non- reſidence, the canon in that caſe provided ſhall be duly put in execution. For commendams, they ſhall be ſparingly granted, only in ſuch caſe where the exility and ſmalneſs of the biſhoprick requireth. Alſo his Majeſty will cauſe that the benefices belong- ing to him ſhall be well beſtowed. And for the better propagating religion, his Majeſty recom- mendeth to the houſe of parliament, that care may be taken and proviſion made, that every pariſh ſhall allow a competent maintenance for an able mini- ſter; and that the owners of parſonages impropriate would allow to the vicars, curates and miniſters, in villages and places belonging to their parſonage, ſufficient ſtipend and allowance for preaching mi- niſters.

" IV. That there may be ſtrict proviſion againſt " tranſporting Engliſh children to the ſeminaries " beyond the ſeas, and for the recalling them who " are already there placed, and for the puniſhment " of ſuch your ſubjects as are maintainers of thoſe " ſeminaries, or of the ſcholars; conſidering that, " beſide the ſeducing your people, great ſums of " money are yearly expended upon them, to the " impoveriſhing this kingdom.

Anſwer. The law in this caſe ſhall be put in exe- cution: and farther, there ſhall be letters written to the lord-treaſurer, and alſo to the lord-admiral, that all the ports of this realm, and the creeks and members thereof be ſtrictly kept, and ſtrait ſearches made to this end: a proclamation ſhall be, to recall both the children of noblemen, and the children of any other men, and they to return by a day; alſo maintainers of ſeminaries or ſcholars there ſhall be puniſhed according to law.

" V. That no Popiſh recuſant be permited to " come within the court, unleſs your Majeſty be " pleaſed to call him upon ſpecial occaſion, agree- " ably to the ſtatute of 3 Jac. And whereas " your Majeſty, for the preventing apparent miſ- " chiefs both to your Majeſty and the ſtate, hath " in your princely wiſdom taken order that none " of your natural-born ſubjects, not profeſſing the " true religion as by law eſtabliſhed, be admited " into the ſervice of your royal conſort the Queen. " We give your Majeſty moſt humble thanks, and " deſire that your order herein may be obſerved.

Anſwer. If his Majeſty ſhall find, or be inform- ed of any concourſe of recuſants to the court, the law ſhall be ſtrictly followed: and his Majeſty is pleaſed that, by proclamation, the Britiſh and Iriſh ſubjects ſhall be put in the ſame caſe. And as his Majeſty hath provided in his treaty with France, ſo

his

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his purpoſe is to keep it, that none of his ſubjects ſhall be admited into his ſervice, or into the ſervice of his royal conſort the Queen, who are Popiſh recuſants.

" VI. That all the laws now ſtanding in force " againſt Jeſuits, ſeminary prieſts and others, " having taken orders by authority derived from " the See of Rome, be put in due execution. " And, to the intent they may not pretend to be " ſurpriſed, that a ſpeedy and certain day be pre- " fixed, by your Majeſty's proclamation, for their " departure out of this realm, and all other your " dominions, and not to return upon the ſevereſt " penalties of the laws now in force againſt them; " and that all your Majeſty's ſubjects may be " thereby admoniſhed not to receive, comfort, " entertain, or conceal any of them, upon the " penalties which may be lawfully inflicted: and " that all ſuch Papiſts, Jeſuits and recuſants, who " are and ſhall be impriſoned for recuſancy, or " any other cauſe, may be ſo ſtrictly reſtrained as " that none ſhall have conference with them, there- " by to avoid the contagion of their corrupt re- " ligion: and that no man who ſhall be ſuſpected " of Popery, be ſuffered to be a keeper of any " of his Majeſty's priſons.

Anſwer. The laws in this caſe ſhall be put in execution, and a proclamation ſhall be to the effect deſired; and ſuch reſtraint ſhall be made as is deſired, and no man who is juſtly ſuſpected of Popery, ſhall be ſuffered to be a keeper of any of his Majeſty's priſons.

" VII. That your Majeſty be pleaſed to take " ſuch order as to your princely wiſdom ſhall be " expedient, that no natural born ſubject, or ſtrange " biſhops, nor any other by authority from the " See of Rome, confer any eccleſiaſtical orders, " to exerciſe any eccleſiaſtical function whatſoever, " toward or upon your Majeſty's natural ſubjects " within your dominions.

Anſwer. This is fit to be ordered according as is provided, and it ſhall be ſo publiſhed by proclamation.

" VIII. That your Majeſty's learned council " may receive order and commandment, to conſider " of all former grants of recuſants lands, that ſuch " of them may be avoided as are made to the " recuſants uſe or intereſt, out of which the recuſant " receiveth any benefit, which are either void, or " voidable by the law.

Anſwer. The King will give order to his learned council to conſider of the grants, and will do according as is deſired.

" IX. That your Majeſty will be likewiſe pleaſed " ſtrictly to command all your judges and miniſters " of juſtice, eccleſiaſtical and temporal, to ſee the " laws of this realm againſt Popiſh recuſants to be " duly executed; and namely, that the cenſure of " excommunication be declared and certified againſt " them; and that they be not abſolved upon " public ſatisfaction by yielding to conformity.

Anſwer. His Majeſty leaves the laws to their courſe, and will order, in the point of excommunication, as is deſired.

" X. That your Majeſty will be pleaſed to re- " move, from places of authority and government, " all ſuch perſons as are either Popiſh recuſants, or, " according to direction of former acts of ſtate, " to be juſtly ſuſpected.

Anſwer. This his Majeſty thinks fit, and will give order for it.

" XI. That preſent order be taken for diſarming " all Popiſh recuſants, legally convicted, or juſtly " ſuſpected, according to the laws in that behalf, " and the orders taken by his late Majeſty's privy- " council upon reaſons of ſtate.

Anſwer. The laws and acts in this caſe ſhall be followed and put in due execution.

" XII. That your Majeſty be alſo pleaſed, in re- " ſpect to the great reſort of recuſants to and about " London, to command forthwith, upon pain of " your indignation and ſevere execution of the " laws, that they retire themſelves to their ſeveral " countries, there to remain confined within five " miles of their places.

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Anſwer. For this the laws in force ſhall be forthwith executed.

" XIII. And whereas your Majeſty hath ſtrictly " commanded and taken order, that none of the " natural born ſubjects repair to the hearing maſſes, " or other ſuperſtitious ſervice at the chapels, or " houſes of foreign embaſſadors, or in any other places " whatſoever; we give your Majeſty moſt humble " thanks, and deſire that your order and com- " mandment therein may be continued and ob- " ſerved, and that the offenders herein may be " puniſhed according to the laws.

Anſwer. The King gives aſſent thereto, and will ſee that obſerved which herein hath been commanded by him.

" XIV. That all ſuch inſolencies as any who are " Popiſhly affected have lately commited, or ſhall " hereafter commit, to the diſhonor of our religion, " or to the wrong of the true profeſſors thereof, " be exemplarily puniſhed.

Anſwer. This ſhall be done as is deſired.

" XV. That the ſtatute of 1. Eliz. for the " payment of twelve pence every Sunday, by ſuch " as ſhall be abſent from divine ſervice in the " church, without a lawful excuſe, may be put in " due execution, the rather, for that the penalty " by law is given to the poor, and therefore not to " be diſpenſed withal.

Anſwer. It is fit that this ſtatute be executed, and the penalties ſhall not be diſpenſed withal.

" XVI. Laſtly, that your Majeſty would be " pleaſed to extend your princely care alſo over " the kingdom of Ireland, that the like courſes " may be there taken for the reſtoring and eſtabliſh- " ing true religion.

Anſwer. His Majeſty's cares are, and ſhall be extended over the kingdom of Ireland; and he will do all a religious King ſhould do for the reſtoring and eſtabliſhing true religion there.

" And thus (moſt gracious Sovereign) according " to our duty and zeal to God and religion, to " your Majeſty and your ſafety, to the church and " commonwealth, and their peace and proſperity, " we have made a faithful declaration of the preſent " eſtate, the cauſes and remedies of this increaſing " diſeaſe of Popery; humbly offering the ſame to " your princely care and wiſdom. The anſwer of " your Majeſty's father, our late Sovereign of " famous memory, upon the like petition, did give " us great comfort of reformation; but your Ma- " jeſty's moſt gracious promiſes made, in that kind, " do give us confidence and aſſurance of the con- " tinual performance thereof. In which comfort " and confidence repoſing ourſelves, we moſt " humbly pray for your Majeſty's long continuance " in all princely felicity."

The King's promiſes ill executed.

The gracious anſwers of his Majeſty to the ſeveral articles of the petition of both houſes, wanted only performance of the promiſes. But, if it may be judged by the continual complaints of the parliaments throughout this whole reign, concerning theſe ſame articles, whereon this Prince ſeems to have given intire ſatisfaction, it will readily appear that King Charles's promiſes were no better performed than his father's. Charles expected, that his anſwers to the petition would gain him the affection of the commons. But theſe anſwers, gracious and poſitive as they were, ſufficed not to ingage them to do what he deſired, that is, to lay aſide all other buſineſs, and think only of furniſhing him with money.

Occaſion of Charles's complaint againſt the commons.

He

CHARLES I. An' 1625.

He was ingaged in a war, to which he pretended the parliament had induced his late Majeſty, whence he infered it to be a ſignal piece of injuſtice not to inable him to ſupport it; and that very ſpeedily. This was, in one ſenſe, certainly true. The parliament adviſed King James to break off the treaties with Spain, and promiſed to aſſiſt him in caſe the breach ſhould occaſion a war, of which there was a probability. But, on the other ſide, it was now no longer a ſecret in England, that the former parliament was moved to give King James ſuch counſel merely thro' Buckingham's report; a report falſe in every particular, tho' atteſted by his late Majeſty and the then Prince of Wales. So the parliament's advice being gronnded on a bad foundation, and, as I may ſay, extorted by a mere fetch, the preſent parliament deemed not themſelves bound to any very punctual performance of a promiſe which the court had obtained rather by artifice than by fairly ſtating the caſe. Nevertheleſs this promiſe ſtill ſubſiſted; and if the commons had gone about to convince the public that they were not obliged to keep it, they could not have done it without grievouſly affronting the King, by ſuch diſcovery of the artifices he had uſed to procure it. This extremity they were willing to avoid: and therefore, leaving the promiſe to ſubſiſt without any diſobliging reflection on the King, their aim was to excuſe themſelves from granting him freſh ſupplies for a war raſhly undertaken, and without any likelihood of ſucceſs: at leaſt, if they ſhould be conſtrained to ſupply more money, rather than enter into a diſcuſſion of cauſes which had ingaged the kingdom in this war, they intended Charles ſhould in ſome meaſure purchaſe them with the redreſs of grievances under which the nation lay groaning. Wherefore, inſtead of the money-bill, as his Majeſty wiſhed, they began with examining and even inquiring after the public's grievances, and the ſtate of religion (1). In this examination, Buckingham and Charles's other miniſters were not ſpared.

Reaſons for the commons.

Ruſhworth, p. 119. Aug. 9. 10. Clarendon.

Charles determines on diſſolving the parliament.

Charles, perceiving how matters were carrying on in the houſe of commons, was highly offended. Firſt, as by their flowneſs they broke all his meaſures for the preſent campain. Secondly; he deemed it a manifeſt affront and contempt of his perſon, to preſume openly to attack his favorite and miniſters, or rather himſelf under their name. So, perceiving no likelihood of a ſpeedy ſupply, which was the ſole end of calling this parliament, he was determined to diſſolve it. The commons having thereof ſome notice, haſtily drew up the ſubſequent declaration, in order to throw the blame of this diſſolution on the King, for fear he ſhould himſelf lay it on them, under color of their not being over and above prompt to perform their promiſe.

The commons draw up a declaration.

The commons declaration.

Ruſhworth, p. 190.

"WE the knights, citizens and burgeſſes of "the commons houſe of parliament, being "the repreſentative body of the whole commons of "this realm, abundantly comforted in his Ma- "jeſty's gracious anſwer touching religion, and "his meſſage for the care of our health, do "ſolemnly proteſt and vow before God and the "world, with one heart and voice, that we are all "reſolved, and do hereby declare, that we will "ever continue moſt loyal and obedient ſubjects to "our moſt gracious ſovereign lord King Charles; "and that we will be ready, in convenient time, to "and in a parliamentary way, freely and dutifully "to do our utmoſt indeavors to diſcover and re- "form the abuſes and grievances of the realms and "ſtate, and in like ſort to afford all neceſſary ſup- "ply to his moſt excellent Majeſty, upon his preſent, and all other his juſt occaſions and deſigns; "moſt humbly beſeeching our ſaid dear and dread "Sovereign, in his princely wiſdom and goodneſs, "to reſt aſſured of the true and hearty affections "of his poor commons, and to eſteem the ſame "to be (as we conceive it is indeed) the greateſt "worldly reputation and ſecurity a juſt King can "have; and to account all ſuch as ſlanderers of "the peoples affections, and enemies to the com- "monwealth, who ſhall dare to ſay the contrary."

CHARLES I. An' 1625.

It manifeſtly appears in this declaration, that the commons aim was to intimate to the people, that they deſigned not to refuſe money to his Majeſty for his juſt occaſions: but believed to have a right to demand firſt the redreſs of grievances, as a condition, tho' they avoided uſing that term. This is the method conſtantly obſerved by parliaments on like occaſions, and which is ſo neceſſary that, otherwiſe, they would never be ſure of procuring the people any ſatisfaction with reſpect to their grievances: for, grievances being properly acts of injuſtice, and breaches of the laws commited by the King or his miniſters, the deſire of obtaining money from the parliament is commonly the court's ſole inducement to deſiſt from oppreſſing the people. Of this the Hiſtory of England produces many examples. But James and Charles, the firſt of thoſe names, took a courſe quite different from that of their predeceſſors. They choſe rather to diſſolve parliaments than to give them ſatisfaction by redreſſing their ſubjects grievances. This gave occaſion to aſcribe to them a formal deſign to free themſelves from the yoke of parliaments, or confine them to furniſhing the Sovereign with money, and taxing the ſubjects. They could not comprehend that what flowed from the royal authority ſhould be deemed a grievance. On this only account was this firſt parliament diſſolved, the twelfth of Auguſt, not having ſat, to do buſineſs, more than three weeks, both at Weſtminſter and Oxford. His Majeſty pretended to diſſolve it, becauſe the plague drew near the place where it was aſſembled; but the true reaſon was, becauſe he found not in this parliament a compliance and diſpoſition anſwering his deſigns.

Parliament diſſolved. Jour. Parl. Ruſhworth, p. 191.

The parliament's diſſolution prevented not Charles's purſuing his deſign of continuing or rather commencing the war with Spain: for notwithſtanding his late Majeſty had taken ſome meaſures tending to a war, there had not however been any action ſince breaking off the treaty. The ſending count Mansfeldt to the Netherlands, in order to march into the Palatinate, was in a manner what alone could be conſidered as a ſort of declaration againſt Spain, tho' the project had miſcarried. Charles therefore, reſolving to imbark in this war, whereof he was the principal author and promoter, ſent the duke of Buckingham and earl of Holland to the Hague, to negociate a league with the United Provinces. Mean while, a navy was equiping in England, to act againſt the Spaniards: but as he wanted money, he found no ſpeedier or better method to raiſe it, than by borrowing of perſons able to lend, to whom he directed letters under his privy-ſeal, requiring, by way of loan, ſuch ſums as each was taxed at. This was the firſt effect of the parliament's diſſolution. Theſe forced loans, practiſed by ſome Kings of England, have ever been conſidered as great grievances, and tending to render parliaments uſeleſs. It will hereafter appear, that the next parliament ſuffered them not to paſs uncomplained of. However, to molify the peoples minds, and induce them to lend their money more

Negociation at the Hague for a league againſt Spain.

ibid. Annals.

The King fits out a fleet. Extorteth loans. Ruſhworth, p. 192.

Idem, p. 191. Rym. Fœd. Vol. XVIII. p. 20, 179

(1) They reſolved, that religion ſhould have the firſt place in their debates; next the kingdom's ſafety; and then ſupplies. Ruſhworth, Vol. I. p. 180,

freely,

freely, a proclamation was publiſhed, to call home all ſuch children as were now educating in foreign countries, as well as all the Engliſh, Scots and Iriſh, in the Auſtrian ſervice. On the other hand, the privy-council iſſued warrants for diſarming recuſar's (1). I know not if theſe warrants were ſtrictly executed: but it is however certain, that afterwards the houſe of commons frequently required that Papiſts ſhould be diſarmed.

Recuſants diſarmed.

Fleet ſent againſt Spain; Annals. Howes. Coke. p. 207, 208. Rym. Fœd Vol. XVIII. p. 181, &c.

The naval force deſigned againſt Spain was not ready to ſail 'till the begining of October, under command of Edward Cecil (2), lately created viſcount Wimbleton, who had for vice-admiral the earl of Eſſex. This fleet conſiſted of eighty ſail, on board which were ten regiments. The intent of this expedition was to wait in ſome convenient ſtation for the Spaniſh plate-fleet which was expected from Weſt-India in November. As the admiral had time enough, he might have attacked a great number of traders in Cadiz bay; but the difficulty of that enterpriſe, or ſome other motive, occaſioned his neglecting this advantage. He was contented with landing ſir John Burroughs with a few troops, who, meeting no oppoſition, only pillaged certain villages, and abuſed themſelves with wine more to their own than to their enemies detriment: whereupon they were forced to a precipitate re-imbarcation. Soon after, a contagious diſtemper raging among his troops, the admiral returned, with his whole fleet, to England in November, King Charles not reaping any benefit from this armament, which had been to him very expenſive. This ill ſucceſs greatly prejudiced the King, as well as Buckingham, who was looked on as the contriver and director of all the court-projects.

which returns without having done ought worth notice. Coke.

A new parliament. Ruſhworth, p. 198. Coke, p. 216.

Charles finding himſelf monileſs, and conſequently unable to continue the war, finally determined on ſummoning a new parliament: but to avoid the inconvenience of ſeeing in the lower houſe ſuch members as had moſt oppoſed him, and clamored againſt Buckingham in the late parliament, the court deviſed this expedient. All theſe perſons were named for ſheriffs, and conſequently could not be elected repreſentatives in parliament. Sir Edward Coke was of this number: nevertheleſs he and ſome others were choſen, prefering the ſervice they owed their country in parliament to that which they could render it as ſheriffs. The parliament was therefore ſummoned to meet on the ſixth of February 1625-6, and on the ſecond, being Candlemas-day, King Charles was crowned by archbiſhop Abbot; William Laud, biſhop of Bath and Wells, his Majeſty's favorite prelate, officiating as dean of Weſtminſter, in the room of biſhop Williams, who, thro' the King's diſfavor, was ſequeſtered from this ſervice (3).

Injunction concerning knighthood. Ruſhworth, p. 199. Annals.

Before the coronation, Charles by proclamation injoined all ſuch as were poſſeſſed of forty pounds per annum, or upwards, and were not knights, to receive knighthood at his hands. This was conſidered as a new grievance, whereof farther mention will be made hereafter. It ſuffices to ſay at preſent, that when this cuſtom was firſt authoriſed by act of parliament, with regard to ſuch as had annually twenty pounds in land, twenty pounds were then equivalent to three hundred at the time of which I am now ſpeaking. But King Charles fancied it was doing his ſubjects a favor to include ſuch only in his order as had forty pounds of yearly revenue.

The King's coronation. Ruſhworth, p. 200. Annals.

The coronation was performed with the uſual ceremonies. But when all was over, his Majeſty being ſeated on the throne ready to receive the peers homages, Laud, approaching him, read a very extraordinary paſſage, of which there appeared no inſtance in former coronations. The writing contained theſe words, viz.

"Stand and hold faſt, from henceforth, the place "to which you have been heir by the ſucceſſion of "your forefathers, being now delivered to you by "the authority of Almighty God, and by the "hands of us, and all the biſhops and ſervants of "God: and as you ſee the clergy to come nearer "to the altar than others, ſo remember that (in all "places convenient) you give them greater honor, "that the mediator of God and man may eſtabliſh "you in the kingly throne to be a mediator betwixt the clergy and the laity; and that you may "reign for ever with Jeſus Chriſt, the King of "Kings, and Lord of Lords."

The parliament being aſſembled on the ſixth of February, the lord-keeper Williams, in his Majeſty's name, thus harangued the two houſes,

My lords, and you the knights, citizens, and burgeſſes of the houſe of commons.

Ruſhworth, p. 201. The lord-keeper's ſpeech, p. 202.

"YOU are here aſſembled by his Majeſty's "writs and royal authority to hold a new "parliament, the general, ancient and powerful "council of this renowned kingdom; whereof if "we conſider aright, and think of that incom-"parable diſtance between the ſupreme height and "majeſty of a mighty Monarch, and the ſub-"miſſive awe and lowlineſs of a loyal ſubject, we "cannot but receive exceeding comfort and con-"tentment in the frame and conſtitution of this "higheſt court; wherein not only the prelates, "nobles and grandees, but the commons of all "degrees have their part, and wherein that high "Majeſty doth deſcend to admit, or rather to "invite the humbleſt of his ſubjects to conference "and council with him, of the great, weighty "and difficult affairs of the King and kingdom; a "benefit and favor whereof we cannot be too ſen-"ſible and thankful; for ſure I am, that all good "hearts would be both ſenſible and ſorrowful, if "we did want it; and therefore it behoveth all "with united hearts and minds, free from di-"ſtraction and diverſion, to fix their thoughts upon "counſels and conſultations worthy of ſuch an "aſſembly; remembering, that in it is preſented "the majeſty and greatneſs, the authority and "power, the wiſdom and knowledge of this great "and famous nation; and it behoveth us to "magnify and bleſs God, who hath put the power "of aſſembling parliaments in the hands of him, "the virtue of whoſe perſon doth ſtrive with the "greatneſs of his princely lineage and deſcent, "whether he ſhould be accounted 'major' or "melior,' a greater King, or a better Man; and "of whom you have had ſo much trial and ex-"perience, that he doth as affectionately love, as "he doth exactly know and underſtand the true "uſe of parliaments; witneſs his daily and un-"wearied acceſs to this houſe, before his acceſs to "the crown; his gracious readineſs to all con-"ferences of importance; his frequent and effectual "interceſſion to his bleſſed father of never-dying "memory, for the good of the kingdom, with "ſo happy ſucceſs, that both this and future gene-

(1) The biſhops were likewiſe commanded to proceed againſt Papiſts by excommunication, and other cenſures. Ruſhworth, Vol. I. p. 198. (2) The earl of Exeter's third ſon.

(3) Biſhop Laud had the chief hand in compiling the form of the coronation, and officiated as dean of Weſtminſter, but did not crown the King, as M. Rapin ſays by miſtake. The abbots of Weſtminſter, it ſeems, had formerly, and afterwards the deans, a conſiderable ſhare in the ſolemnities of the coronation. They had the cuſtody of the old regalia, i. e. the crown, ſword, ſcepter, ſpurs, &c. of King Edward the Confeſſor. Laud finding an old crucifix among the regalia, took care to place it upon the altar. Heylin's life of Laud, p. 144. See his trial.

Charles I An' 1625.

" rations ſhall feel it, and have cauſe to rejoice at " the ſucceſs of his Majeſty's interceſſion. And " when the royal diadem deſcended upon himſelf, " preſently, in the midſt of his tears and ſighs " for the departure of his moſt dear and royal " father, in the very firſt conſultation with his " privy council, was reſolved to meet his people " in parliament: and no ſooner did the heavy hand " of that deſtroying angel forbear thoſe deadly " ſtrokes, which for ſome time did make this " place inacceſſible (1), but his Majeſty preſently " reſolved to recal it, and hath now brought you " together, and in a happy time I truſt, to treat " and conſult, with uniform deſires and united " affections, of thoſe things which concern the " general good.

" And now being thus aſſembled, his Majeſty " hath commanded me to let you know, that his " love and affection to the public moved him to " call this parliament; and looking into the danger, " and the ſpreading of that late mortality, and " weighing the multitude of his Majeſty's preſſing " occaſions, and urging affairs of ſtate, both at " home and abroad, much importing the ſafety " and ſtate of this kingdom; the ſame affection " which moved him to call it, doth forbid him to " prolong the ſiting of this parliament: and there- " fore his Majeſty, reſolving to confine this meeting " to a ſhort time, hath confined me to a ſhort " errand; and that is, that as a thing moſt agree- " able to the Kingly office, to the example of the " beſt times, and to the frame of modern affairs, " his Majeſty hath called you together to conſult " and to adviſe of provident and good laws, pro- " fitable for the public, and fiting for the preſent " times and actions; for upon ſuch depends the " aſſurance of religion, and of juſtice, which are " the ſureſt pillars and butteresſes of good govern- " ment in a kingdom: for his Majeſty doth con- " ſider, that the royal throne, on which God, out " of his mercy to us, hath ſet him, is the fountain " of all juſtice, and that good laws are the ſtreams " and quits by which the benefit and uſe of this " fountain is diſperſed to his people; and it is his " Majeſty's care and ſtudy that his people may ſee, " with comfort and joy of heart, that this fountain " is not dry, but they and their poſterity may reſt " aſſured and confident in his time, to receive as " ample benefit from this fountain, by his Majeſty's " mercy and juſtice, as ever ſubjects did in the time " of the moſt eminent Princes among his noble pro- " genitors; wherein as his Majeſty ſhews himſelf " moſt ſenſible of the good of the public, ſo were it " an injury to this great and honorable aſſembly, " if it ſhould be but doubted, that they ſhould not " be as ſenſible of any thing which may add to " his Majeſty's honor; which cannot but receive " a high degree of love and affection, if his Ma- " jeſty, ſucceeding ſo many religious, wiſe and re- " nowned Princes, ſhould begin his reign with " ſome additions unto thoſe good laws which their " happy and glorious times have afforded. And " this his Majeſty hath cauſed me to deſire, at this " time eſpecially above others; for his Majeſty " having, at his royal coronation, lately ſolemniſed " the ſacred rights of that bleſſed marriage between " his people and him; and therein, by a moſt " holy oath, vowed the protection of the laws, and " maintenance of peace, both to church and people, " no time could be fit for his Majeſty to adviſe and " conſult at large with his people, as at this preſent " time, wherein ſo lately his Majeſty hath vowed " protection to his people, and they have proteſted " their allegiance and ſervice to him.

" This is the ſum of that charge which I have " received from his Majeſty to deliver unto you; " wherein you ſee his Majeſty's intent to the public: " and therefore his deſire is that, according to that " conveniency of time which his affairs may afford, " you may apply yourſelves to diſpatch the buſineſs " of this parliament."

Charles I An' 1625.

Tho' it appeared not in this ſpeech, that Charles deſigned aſking a ſupply of the commons, nevertheleſs, as was afterwards ſeen, that was the real motive of his convening a parliament. But the commons deemed not themſelves obliged to gueſs his Majeſty's intention, or prevent his demand: ſo, after chuſing a ſpeaker, their firſt care was to thank the King for his gracious anſwer to the petition againſt recuſants, preſented him at Oxford. Then they imployed ſome days in examining national grievances, among which were reckoned, the miſcarriage of the late fleet, evil counſellors about his Majeſty, and the miſ-imploying thoſe three ſubſidies, and three fifteenths, granted the deceaſed King for recovering the Palatinate. To examine the grievances with more order and perſpicuity, commitees were appointed, one for ſecret affairs, another for grievances, and a third for religion. This latter, whereof Mr. Pym was chairman, re-called in queſtion Montague's books (2), intitled, " An Anſwer to the late Gagg of Pro- " teſtants; An Appeal to Cæſar, and A Treatiſe of " the Invocation of Saints," and brought in his report of the falſe, erroneous, Papiſtical and Arminion opinions found therein, repugnant to the church of England's articles. For inſtance, " That " the church of Rome hath ever remained firm " upon the ſame foundation of ſacraments and " doctrines inſtituted by God. That the contro- " verted points are of a leſſer and inferior nature, " of which a man may be ignorant without any " danger of his ſoul. That images may be uſed for " inſtruction of the ignorant, and excitation of " devotion. That men juſtified may fall away " and depart from the ſtate of grace;" with other Arminian tenets.

Charles thanked for his anſwer to the petition againſt recuſants. Ruſhworth, p. 207. Annals.

The commons examine grievances.

Commitees appointed.

Montague's book called in queſtion. Ruſhworth, p. 209. Annals. Coke, p. 217.

Charles, finding the commons intent on the examination of religious matters, ordered his attorney-general to acquaint the judges*, that it was his pleaſure they ſhould proceed rigorouſly againſt Popiſh recuſants. This he had promiſed, ſix months before, in his anſwer to the former parliament's petition: but, in all appearance, this article had been neglected by the court, or by thoſe who were commiſſioned to execute the orders. It is certain that, during this reign, orders of that nature were never executed with much punctuality.

K. Charles's letter to the judges to proceed againſt recuſants. Ruſhworth, p. 212.

* Of the circuits.

His Majeſty had demanded a ſupply of money to carry on the war; but the commons were in no haſte to grant it. On the contrary, they ſtill proceeded in the examination of grievances, and, among others, of certain repriſals ſomewhat too precipitately made upon France, to the Engliſh merchants (3) exceſſive detriment. The council of war, appointed by parliament to manage the three ſubſidies granted King James, were likewiſe obliged to render account of their procedure.

The commons neglect all buſineſs but national grievances. Id. p. 213. Annals.

(1) Meaning the plague, whereof died, this year, in London and the out pariſhes, 35,417 perſons. Whitelock, p. 3.

(2) We have here rectified our author's miſtakes in the titles, &c.

(3) Report was made to the houſe, that the reaſon why our merchants ſhips and goods were ſeized in France, was, becauſe ſir John Bagg, vice-admiral for Cornwall, and others, had ſeized the goods of the French in our ports, particularly a ſhip named S. Pierre of Havre de Grace, by Buckingham's order, after the King and council had ordered the ſhip to be reſtored upon a juſt claim. That twenty-three bags of ſilver, and eight of gold, were by ſir Francis Steward delivered to the duke, who ſaid, he would juſtify ſtaying the ſhip by order from the King. Ruſhworth, Vol. I. p. 213.

King

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The lords follicit them in vain.

King Charles, bearing this delay moſt impatiently, preſſed the commons to conſider of ſupplying what he wanted. The peers alſo uſed ſome efforts to that purpoſe, in a conference they deſired on this occaſion; but all in vain. On the contrary, they heard the commitee's report concerning public grievances, wherein they had always in view the duke of Buckingham, and even cauſed him to be informed of the articles whereon the complaints againſt him were grounded. Hereupon Charles ſent a letter to the ſpeaker, with a meſſage to the houſe, by ſir Richard Weſton.

His Majeſty's letter to the ſpeaker. Ruſhworth, p. 214. Annals. p. 115.

Truſty and well-beloved,

"HAving aſſembled the parliament early in the begining of the year, for the more timely help and advice of our people in our great and important affairs; and having of late, not only by meſſage, but alſo of ourſelf, put our houſe of commons in mind of our preſſing occaſions, and of the preſent eſtate of Chriſtendom, wherein they have equal intereſt with us, as well in reſpect of their own former ingagements, as of the common cauſe: we ſhall not need to tell them with what care and patience we have, in the midſt of our neceſſities, attended their reſolutions; but becauſe their unſeaſonable ſlowneſs may produce at home as ill effects as a denial, and hazard the whole eſtate of things abroad; we have thought fit, by you the ſpeaker, to let them know that, without more loſs of time, we look for a full and perfect anſwer of what they will give for our ſupply, according to our expectation, and their promiſes; wherein, as we preſs for nothing beyond the preſent ſtate and condition of our ſubjects, ſo we accept no leſs than is proportionable to the greatneſs and goodneſs of the cauſe: neither do we preſs them to a preſent reſolution in this, with a purpoſe to precipitate their counſel, much leſs to enter upon their privileges, but to ſhew that it is unfit to depend any longer upon uncertainties, whereby the whole weight of the affairs of Chriſtendom may break in upon us on the ſudden, to our diſhonor, and the ſhame of this nation. And for the buſineſs at home, we command you to promiſe them in our name, that after they have ſatisfied us in this our reaſonable demand, we ſhall not only continue them together at this time, ſo long as the ſeaſon will permit, but call them ſhortly again to perfect thoſe neceſſary buſineſſes which ſhall be now left undone; and now we ſhall willingly apply fit and ſeaſonable remedies to ſuch juſt grievances as they ſhall preſent unto us in a dutiful and mannerly way, without throwing an ill odour upon our preſent government, or upon the government of our late bleſſed father. And if there be yet who deſire to find fault, we ſhall think him the wiſeſt reprehender of paſſed errors who, without reflecting backward, can give us counſel how to ſettle the preſent eſtate of things, and to provide for the future ſafety and honor of the kingdom."

The meſſage brought at the ſame time and delivered to the houſe by Weſton, contained five articles to be provided for; viz.

Heads of the expenſe to be provided for. Ruſhworth, p. 215.

"1. That his Majeſty's fleet being returned, and the victuals expended, the men muſt of neceſſity be diſcharged, and their wages paid, or elſe mutiny will aſſuredly follow, which may be many ways dangerous at this time.

"2. That his Majeſty hath made ready about forty ſhips, to be ſet forth on a ſecond voyage, to hinder the enemy, which want only victuals and ſome men, which, without preſent ſupply of money, cannot be ſet forth and kept together.

"3. That the army which is appointed in every coaſt, muſt preſently be diſbanded, if they be not preſently ſupplied with victuals and clothes. CHARLES I AN' 1625.

"4. That if the companies of Ireland, lately ſent thither, be not provided for, inſtead of defending that country, they will prove the authors of rebellion.

"5. That the ſeaſon of providing healthful victuals will be over, if this month be neglected.

"And therefore his Majeſty commandeth me to tell you, that he deſired to know, without farther delay of time, what ſupply you will give him for theſe his preſent occaſions, that he may accordingly frame his courſe and counſel."

The commons diſguſted; and why.

The commons were not very well pleaſed with the letter or meſſage, wherein were ſeveral particulars which they could not approve. 1. The manner of demanding the ſupply, which ſhewed it to be not ſo much a free-gift on their part, as an obligation. 2. The King ſet them a time, by ordering it to be done without delay, and before all other buſineſs whatever. 3. He would not accept of leſs than what was neceſſary, and this could relate only to the five articles of expenſe, which was properly ſpecifying to them the ſum they were to give. 4. The King demanded money with extraordinary and unprecedented haughtineſs. 5. He grounded his demands on King James's promiſe to the laſt parliament; a promiſe fraudulently obtained by the duke of Buckingham's miſ-report. 6. The war, for which ſo much money was to be given, had been raſhly undertaken, at a time when there was no proſpect of ſucceſs, and the King and duke of Buckingham were known to be the authors of it, tho' his Majeſty perpetually inſiſted on the parliament's advice to his father. Had it been undertaken at the begining of the quarrel between his Bohemian Majeſty and the Emperor, or even before loſing the Palatinate, when there was room to hope for aſſiſtance from the Proteſtant Princes, it might have been expected to be crowned with ſucceſs: but it commenced at a juncture when all the Princes of Germany were either ſubdued by, or united with the Emperor, at a juncture when there remained not a ſingle place which might afford the Engliſh any entrance into the Palatinate, or which they could poſſibly approach. How then could it be expected to wreſt the two Palatinates from the Emperor and duke of Bavaria? The whole therefore was reduced to attacking the Spaniard. Upon what account? It was either to oblige him to imploy his intereſt for reſtitution of the Palatinate, in which caſe a war was needleſs, ſince he had promiſed his mediation, and even ingaged to render it effectual before breaking off the marriage; or elſe, to conſtrain him to imploy his arms in wreſting the Palatinates from the two Princes in poſſeſſion: a project which appeared extravagant, and would have drained England of men and money to no purpoſe. Beſide, the late expedition of the fleet was no great incouragement to proſecute this undertaking. 7. Finally, tho' the commons cared not openly to enter into all theſe diſcuſſions, they were however willing to ſhew the King they meaned not to be amuſed with a promiſe extorted by mere artifice, and, if they granted him money, would reap at leaſt the advantage of procuring redreſs of the national grievances: but Charles took care to ſhut the door againſt them, by defering the redreſs of grievances to another time. As they perceived, and the King himſelf intimited to them, that the deſired ſupply would not be the laſt, they could not be ſure but, in the next ſeſſion of parliament, his Majeſty would again expect the money-bill to paſs before grievances, and ſo there would be no end. Theſe were the true cauſes of the commons tardineſs, and their being ſo luke-warm for the King's affairs, tho' they would not openly declare then, for fear of ingaging

in

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in debates offenſive to his Majeſty. Nevertheleſs they were willing to intimate them to him, and, very likely, he perceived them well enough, tho' it was thought proper on both ſides to conceal them from the public. For this reaſon, the commons determined on replying to the King's meſſage, and that their anſwer ſhould abound with reſpect, ſubmiſſion, expreſſions of their zeal for his ſervice, and even promiſes of aiding him in his wants, tho' in a general manner. But withal, they artfully intimated to him, that redreſs of grievances ought to precede the ſupply they intended to grant him. Their anſwer was in theſe terms: viz.

Their anſwer to his Majeſty. Ruſhworth, p. 210.

Moſt gracious Sovereign,

"YOUR Majeſty's dutiful and loyal ſubjects, "the commons now aſſembled in parliament, "in all humility, preſent unto your royal wiſdom "this their loyal anſwer to the meſſage, which "your Majeſty was pleaſed, by the chancellor of "your exchequer, to ſend unto them, deſiring to "know, without any farther defering of time, what "ſupply they would give to your Majeſty for your "preſent and extraordinary occaſions, that you "might accordingly frame your courſes and coun-"ſels. Firſt of all, they moſt humbly beſeech "your Majeſty, to know and reſt aſſured, that no "King was ever dearer to his people than your "Majeſty; no people more zealous to maintain "and advance the honor and greatneſs of their "King than they; which, as upon all occaſions "they ſhall be ready to expreſs, ſo eſpecially for "the ſupport of that cauſe wherein your Majeſty, "and your allies, are now juſtly ingaged. And "becauſe they cannot doubt but your Majeſty, in "your great wiſdom, even out of juſtice, and ac-"cording to the example of your moſt famous "predeceſſors, will be pleaſed graciouſly to accept "the faithful and neceſſary information and advice "of your parliament, which can have no end but "the ſervice of your Majeſty, and ſafety of your "realm, in diſcovering the cauſes, and propoſing "the remedies of theſe great evils, which have oc-"caſioned your Majeſty's wants, and your peoples "grief.

"They therefore, in confidence and full aſſu-"rance of redreſs therein, do with one conſent "propoſe (tho' in former time ſuch courſe hath "been unuſed) that they really intend to aſſiſt and "ſupply your Majeſty in ſuch a war, and in ſo "ample a meaſure, as may make you ſafe at home, "and feared abroad; for the diſpatch whereof "they will uſe ſuch diligence as your Majeſty's "preſſing and preſent occaſions ſhall require."

Charles perfectly well comprehended the houſe's drift in ſending him this anſwer: but he had not the ſame reaſons as the commons to be reſerved in his expreſſions. It was rather his intereſt to ſpeak freely, for fear, by diſſembling his principles and pretenſions, he ſhould incourage that houſe to attack the duke of Buckingham, who was deemed the original author of all the grievances. His Majeſty therefore wrote to the ſpeaker this ſecond letter.

The King's reply. Ruſhworth, p. 216.

Mr. Speaker,

"THE anſwer of the commons delivered by "you, I like well of, and do take it for a "full and ſatisfactory anſwer, and I thank them "for it; and I hope you will, with all expedition, "take a courſe for performance thereof, the which "will turn to your own good as well as mine; but "for your clauſe therein of preſenting grievances, "I take that but for a parentheſis in your ſpeech, "and not a condition; and yet for anſwer to that "part, I will tell you, I will be as willing to hear "your grievances as my predeceſſors have been, "ſo that you will apply yourſelves to redreſs grie-"vances, and not to inquire after grievances. I "muſt let you know, that I will not allow any of "my ſervants to be queſtioned among you, much "leſs ſuch as are of eminent place, and near unto "me. The old queſtion was, 'What ſhall be "done to the man whom the King will honor?' "But now it hath been the labor of ſome, to ſeek "what may be done againſt him whom the King "thinks fit to honor. I ſee you ſpecially aim at "the duke of Buckingham; I wonder what hath "ſo altered your affections towards him. I do "well remember, that in the laſt parliament, in "my father's time, when he was the inſtrument "to break the treaties, all of you (and yet I can-"not ſay all, for I know ſome of you are changed, "but yet the houſe of commons is always the ſame) "did ſo much honor and reſpect him, that all the "honor confered on him was too little; and what "he hath done ſince to alter and change your "minds, I wot not; but can aſſure you, he hath "not meddled, or done any thing concerning the "public or commonwealth, but by ſpecial direc-"tions and appointment, and as my ſervant; and "is ſo far from gaining or improving his eſtate "thereby, that I verily think he hath rather im-"paired the fame. I would you would haſten for "my ſupply, or elſe it will be worſe for yourſelves; "for if any ill happen, I think I ſhall be the laſt "ſhall feel it."

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This letter hindered not the commons from proceeding in the examination of Buckingham's conduct, it being reſolved to impeach him in form. The queſtion was moved by a member, named Dr. Turner *, "Whether common fame be a good "ground of proceeding for the houſe?" This queſtion was decided in the affirmative, after conſulting ſome lawyers, whereat his Majeſty was highly offended, and ſhewed his diſpleaſure to the commons, demanding withal, that Turner might be puniſhed for moving ſuch a queſtion. But this meſſage ſignified very little, and the houſe ſtill continuing to proceed againſt Buckingham, it was the members general opinion that, in granting money to his Majeſty, redreſſing the public grievances was not to be neglected.

Buckingham's conduct examined in the houſe. Id. p. 117.

*A phyſician. Turner's queſtion approved.

The King demands juſtice of Turner.

Mean while, to take from Charles that pretext wherewith all theſe delays might furniſh him, the commons unanimouſly voted him three ſubſidies and three fifteenths, to which, a month after, was added a fourth ſubſidy. They moreover fixed payment of the firſt to the laſt day of June †. Nothing is a clearer evidence of the deſign I aſcribed to the commons; viz. that, in granting the King money, they intended their liberality ſhould be repaid with a redreſs of grievances. By this expedient they ſhewed the public, how ready they were to aſſiſt their Sovereign in his neceſſities; but withal reſerved to themſelves the liberty of paſſing this vote into an act (without which it was of no uſe to the King) when they ſhould judge it proper. Now, according to their intention, this act was not to paſs 'till they had ſatisfaction concerning grievances. Thus was Charles deprived of the pretenſe to complain of their delays, tho' indeed what they did for him could not be to his advantage only on ſuppoſition he would regard their deſires. His Majeſty was hereby ſtrangely imbaraſſed. He plainly perceived the commons drift, and was the more offended, as all their proceedings were leveled at Buckingham, or rather at the King himſelf, who had publicly declared that duke had only followed his orders, without being able to prevail for his not being moleſted. As he found they acted with too little reſpect for his royal perſon, he was reſolved to let them know how much he was diſpleaſed with their proceedings, doubtleſs to frighten them into a different courſe. He ſent therefore for both houſes

The commons vote a ſupply. Ruſhworth, p. 221. Annals, p. 116.

† And laſt of October.

Their intent.

Charles offended at their proceedings.

to

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to Whitehall, where he ſpake to them in theſe terms:

My lords and gentlemen,

An' 1626. The King's ſpeech. March 29. Ruſhworth, p. 221.

" I Have called you hither to day, I mean both " houſes of parliament; but it is for ſeveral " and diſtinct reaſons: my lords, you of the upper " houſe, to give you thanks for the care of the " ſtate of the kingdom now; and not only for the " care of your own proceedings, but inticing your " fellow-houſe of the commons to take that into " their conſideration. Therefore (my lords) I " muſt not only give you thanks, but I muſt alſo " avow, that if this parliament do not redound to " the good of this kingdom (which I pray God it " may) it is not your faults. And you, gentlemen " of the houſe of commons, I am ſorry that I may " not juſtly give the ſame thanks to you; but that " I muſt tell you, that I am come here to ſhew " you your errors, and, as I may call it unparlia- " mentary proceedings in this parliament. But I " do not deſpair, becauſe you ſhall ſee your faults " ſo clearly by the lord-keeper, that you may ſo " amend your proceeding, that this parliament " ſhall end comfortably and happily, tho' at the " begining it hath had ſome rubs."

Then the lord-keeper, by the King's command, reſſumed the diſcourſe.

My lords, and you the knights, citizens, and burgeſſes of the houſe of commons.

The lord-keeper's ſpeech.

" YOU are here aſſembled by his Majeſty's " commandment, to receive a declaration of " his royal pleaſure; which altho' it be intended " only to the houſe of commons, yet his Majeſty " hath thought mete, the matter being of great " weight and importance, it ſhould be delivered " in the preſenſe of both houſes, and both houſes " make one geaeral council: and his Majeſty is " willing, that the lords ſhould be witneſſes of the " honor and juſtice of his reſolutions. And there- " fore the errand which, by his Majeſty's direction, " I muſt deliver hath relation to the houſe of com- " mons. I muſt addreſs my ſelf therefore to you, " Mr. ſpeaker, and the reſt of that houſe.

" And firſt, his Majeſty would have you to un- " derſtand, That there was never any King more " loving to his people, or better affectioned to the " right uſe of parliaments, than his Majeſty hath " approved himſelf to be, not only by his long pa- " tience ſince the ſiting down of this parliament, " but by thoſe mild and calm directions which " from time to time that houſe hath received by " meſſage and letter, and from his royal mouth; " when the irregular humors of ſome particular " perſons wrought diverſions and diſtractions there, " to the diſturbance of thoſe great and weighty af- " fairs, which the neceſſity of the times, the honor " and ſafety of the King and kingdom called upon. " And therefore his Majeſty doth aſſure you, that " when theſe great affairs are ſettled, and that his " Majeſty hath received ſatisfaction of his reaſon- " able demands, he will, as a juſt King, hear and " anſwer your juſt grievances, which in a dutiful " way ſhall be preſented unto him; and this his " Majeſty doth avow.

" Next his Majeſty would have you know of a " ſurety, that as never any King was more loving " to his people, nor better affectioned to the right " uſe of parliaments, ſo never King more jealous " of his honor, nor more ſenſible of the neglect and " contempt of his royal rights, which his Majeſty " will by no means ſuffer to be violated by any " pretended color of parliamentary liberty; where- " in his Majeſty doth not forget, that the parlia- " ment is his council, and therefore ought to have " the liberty of a council; but his Majeſty under- " ſtands the difference between counſeling and con- " troling, between liberty and the abuſe of liberty.

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" This being ſet down in general, his Majeſty " hath commanded me to relate ſome particular " paſſages and proceedings, whereat he finds him- " ſelf agrieved.

" Firſt, Whereas a ſeditious ſpeech was uttered " among you by Mr. Coke, the houſe did not, " as they ought to do, cenſure and correct him. " And when his Majeſty underſtanding it, did, by " a meſſage by Mr. chancellor of the exchequer, " delivered to the houſe, require juſtice of you, his " Majeſty hath ſince found nothing but protract- " ing and delays. This his Majeſty holds not a- " greeable to the wiſdom and the duty which he " expected from the houſe of commons.

" Secondly, Whereas doctor Turner, in a ſtrange " unparliamentary way, without any ground of " knowledge in himſelf, or offering any particular " proof of the houſe, did take upon him to adviſe " the houſe to inquire upon ſundry articles againſt " the duke of Buckingham, as he pretended, but " in truth to wound the honor and government of " his Majeſty, and of his renowned father; and " his Majeſty, firſt by a meſſage, and after by his " own royal mouth, did declare, That ſuch courſe " of inquiry was an example which by no way he " could ſuffer, tho' it were againſt his meaneſt ſer- " vant, much leſs againſt one ſo near him; and " that his Majeſty did much wonder at the fooliſh " inſolency of any man who can think, that his " Majeſty ſhould be drawn out of any end to offer " ſuch a ſacrifice, ſo unworthy of a King, or a " good maſter; yet for all this, you have been ſo " far from correcting the inſolency of Turner, that " ever ſince that time your commitees have walked " in the ſteps of Turner, and proceeded in an un- " parliamentary inquiſition, runing upon generals, " and repeating that whereof you have made fame " the ground-work. Here his Majeſty hath cauſe " to be exceeding ſenſible, that upon every parti- " cular he finds the honor of his father ſtained and " blemiſhed, and his own no leſs; and withal you " have manifeſted a great forwardneſs, rather to " pluck out of his boſom thoſe who are near about " him, and whom his Majeſty hath cauſe to affect, " than to truſt his Majeſty with the future reforma- " tion of thoſe things which you ſeem to aim at: " and yet you cannot deny but his Majeſty hath " wrought a greater reformation in matters of re- " ligion, execution of the laws, and concerning " things of great importance, than the ſhortneſs of " his reign (in which he hath been hindered, partly " thro' ſickneſs and the diſtraction of things, which " we could have wiſhed had been otherwiſe) could " produce.

" Concerning the duke of Buckingham, his Ma- " jeſty hath commanded me to tell you, That " himſelf doth better know than any man living, " the ſincerity of the duke's proceedings; with what " cautions of weight and diſcretion he hath been " guided in his public imployments from his Ma- " jeſty and his bleſſed father; what enemies he hath " procured at home and abroad; what peril of his " perſon, and hazard of his eſtate, he ran into, " for the ſervice of his Majeſty, and his ever- " bleſſed father; and how forward he hath been in " the ſervice of this houſe, many times ſince his " return from Spain. And therefore his Majeſty " cannot believe, that the aim is at the duke of " Buckingham, but findeth that theſe proceedings " do greatly wound the honor of himſelf, and of " his father. It is therefore his Majeſty's expreſs " and final commandment, that you yield obedi- " ence unto thoſe directions which you have for- " merly received, and ceaſe this unparliamentary in- " quiſition, and commit unto his Majeſty's care,

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" and wiſdom, and juſtice the future reformation of
" theſe things which you ſuppoſe to be otherwiſe
" than they ſhould be: and his Majeſty is reſolved
" that, before the end of this ſeſſion, he will ſet
" ſuch a courſe, both for the amending any thing
" that may be found amiſs, and for the ſettling of
" his own eſtate, as he doubteth not but will give
" you ample ſatisfaction and comfort.

" Next to this, his Majeſty takes notice that you
" have ſuffered the greateſt council of ſtate to be
" cenſured and traduced in the houſe, by men whoſe
" years and education cannot attain to that depth:
" that foreign buſineſſes have been entertained in
" the houſe, to the hinderance and diſadvantage of
" his Majeſty's negociations: that the ſame year,
" yea, the firſt day of his Majeſty's inauguration,
" you ſuffered his council, government and ſer-
" vants to be paralleled with the times of moſt ex-
" ception: that your commitees have preſumed to
" examine the letters of ſecretaries of ſtate, nay, his
" own; and ſent a general warrant to his ſignet-
" office, and commanded his officers, not only to
" produce and ſhew the records, but their books
" and private notes, which they made for his Ma-
" jeſty's ſervice. This his Majeſty holds as unſuf-
" ferable, and it was in former times unuſual.

" Next I am to ſpeak concerning your ſupply of
" three ſubſidies, and three fifteenths, which you
" have agreed to tender to his Majeſty. You have
" been made acquainted with the greatneſs of his
" affairs, both at home and abroad, with the
" ſtrong preparation of the enemy; with the im-
" portance of upholding his allies; ſtrengthening
" and ſecuring both England and Ireland; beſide
" the incountering and annoying the enemy by a
" powerful fleet at ſea, and the charge of all this
" having been calculated unto you, you have pro-
" feſſed unto his Majeſty, by the mouth of your
" ſpeaker, your carefulneſs to ſupport the cauſe
" wherein his Majeſty and his allies are juſtly in-
" gaged; your unanimous conſent, and real inten-
" tion to ſupply his Majeſty in ſuch a meaſure as
" ſhould make him ſafe at home, and feared
" abroad; and that in the diſpatch hereof, you will
" uſe ſuch diligence as his Majeſty's preſſing and
" preſent occaſions did require.

" And now his Majeſty having erected a pro-
" ceeding ſutable to this ingagement, he doth
" obſerve that, in two days, only of twelve, this
" buſineſs was thought of, and not begun 'till his
" Majeſty by a meſſage put you in mind of it,
" while your inquiſition againſt his Majeſty's di-
" rection proceeded day by day.

" And for the meaſure of this ſupply, his Ma-
" jeſty findeth it ſo far from making himſelf ſafe
" at home, and feared abroad; as contrariwiſe it
" expoſeth him both to danger and diſeſteem, for
" his Majeſty cannot expect, without better help,
" but that his allies muſt preſently diſband, and
" leave him alone to bear the fury of a provoked
" and powerful enemy; ſo as both he and you ſhall
" be unſafe at home, and aſhamed and deſpiſed
" abroad. And for the manner of the ſupply, it
" is in itſelf very diſhonorable and full of diſtruſt;
" for altho' you have avoided the literal word of a
" condition, wherein his Majeſty himſelf did warn
" you, when he told you of your parentheſis; yet
" you have put to it the effect of a condition, ſince
" the bill is not come into your houſe 'till your
" grievances be both prefered and anſwered. No
" ſuch thing was in that expreſſion and ingagement
" delivered by your ſpeaker, for which his Ma-
" jeſty holdeth, that you have receded both in mat-
" ter and manner, to his great diſadvantage and
" diſhonor. And therefore his Majeſty comman-
" deth, that you go together and, by Saturday next,
" return your final anſwer, what farther ſupply you
" will add to this you have already agreed on, and
" that to be without condition, either directly or
" indirectly, for the ſupply of theſe great and im-
" portant affairs of his Majeſty; which, for the rea-
" ſons formerly made known unto you, can indure
" no longer delay; and if you ſhall not, by that
" time, reſolve on a more ample ſupply, his Ma-
" jeſty cannot expect a ſupply this way, nor pro-
" miſe you to ſit longer together; otherwiſe, if
" you do it, his Majeſty is well content that you
" ſhould ſit ſo long as the ſeaſon of the year will
" permit; and doth aſſure you, that the preſent
" addition to your ſupply, to ſet forward the
" work, ſhall be no hinderance to your ſpeedy ac-
" ceſs again.

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" His Majeſty hath commanded me to add this,
" that therein he doth expect your chearful obe-
" dience, which will put a happy iſſue to this meet-
" ing, and will inable his Majeſty not only to a
" defenſive war, but to imploy his ſubjects in fo-
" reign actions, whereby will be added to them
" both experience, ſafety and honor.

" Laſt of all, his Majeſty hath commanded me,
" in explanation of the gracious goodneſs of his
" royal intention, to ſay unto you, that he doth
" well know, that there are among you many wiſe
" and well-tempered men, well affected to the pub-
" lic, and to his Majeſty's ſervice; and that thoſe
" who are willingly faulty are not many: and for
" the reſt his Majeſty doubteth not but, after his
" gracious admonition, they will, in due time, ob-
" ſerve and follow the better ſort; which if they
" ſhall do, his Majeſty is moſt ready to forget what-
" ſoever is paſſed.

This harangue ended, his Majeſty ſaid:

" I muſt withal put you in mind a little of times
" paſſed. You may remember, that in the time
" of my bleſſed father, you did with your coun-
" ſel and perſuaſion perſuade both my father and
" me to break off the treaties: I confeſs I was
" your inſtrument, for two reaſons; one was, the
" fitneſs of the time; the other was, becauſe I was
" ſeconded by ſo great and worthy a body as the
" whole body of parliament: then there was no
" body in ſo great favor with you as this man,
" whom you ſeem now to touch; but indeed my
" father's government and mine. Now that you
" have all things according to your wiſhes, and
" that I am ſo far ingaged, that you think there
" is no retreat; now you begin to ſet the dice, and
" make your own game: but I pray you be not
" deceived, it is not a parliamentary way, nor is it
" a way to deal with a King.

" Mr. Coke told you, 'It was better to be
" eaten up by a foreign enemy, than to be de-
" ſtroyed at home. Indeed I think it more honor
" for a King to be invaded, and almoſt deſtroyed
" by a foreign enemy, than to be deſpiſed by his
" own ſubjects.

" Remember, that parliaments are altogether
" in my power for their calling, ſiting, and diſſo-
" lution; therefore as I find the fruits of them
" good or evil, they are to continue, or not to be:
" and remember, that if in this time, inſtead of
" amending your errors, by delay you perſiſt in
" your errors, you make them greater and irre-
" concilable: whereas, on the other ſide, if you
" do go on chearfully to mend them, and look to
" the diſtreſſed ſtate of Chriſtendom, and the af-
" fairs of the kingdom, as it lieth now by this
" great ingagement; you will do your ſelves honor,
" you ſhall incourage me to go on with parliaments,
" and, I hope, all Chriſtendom ſhall feel the good
" of it."

The King's and keeper's ſpeeches were ſo plain, that they could not be miſunderſtood. His Majeſty's aim in general was to intimate to the parliament,

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ment, they were only his council, whoſe advice he might follow or reject, and he could either not aſſemble this council, or govern without it. The commons inſtantly turned the houſe into a grand commitee, ordering the doors to be locked, and no member to depart 'till the houſe came to a reſolution concerning theſe ſpeeches. Charles, having thereof notice, and perceiving this could not but retard his affairs, ordered a conference between the two houſes, and commanded the duke of Buckingham to explain his intentions, and give his words a ſenſe ſomewhat leſs offenſive than what they obviouſly bore. Here follows what was ſaid by the duke on that ſubject.

Ruſhworth, p. 225. Annals, p. 118.

Buckingham's ſpeech, wherein he explains the King's. Ruſhworth, p. 225.

" WHereas it is objected by ſome, who wiſh
" good correſpondency betwixt the King
" and people, that to prefix a day to give or to
" break was an unuſal thing, and might expreſs an
" inclination in the King to break: to remove this,
" as his Majeſty was free from ſuch thoughts, he
" hath deſcended to make this explanation.

" That as his Majeſty would not have you con-
" dition with him, directly or indirectly, ſo he
" will not lie to a day for giving farther ſupply;
" but it was the preſſing occaſion of Chriſtendom
" which made him to pitch upon a day.

" His Majeſty hath here a ſervant of the King
" of Denmark, and another from the duke of
" Weymer, and yeſterday received a letter from
" his ſiſter the Queen of Bohemia; who ſignified,
" that the King of Denmark hath ſent an em-
" baſſador, with power to perfect the contract
" which was made at the Hague; ſo it was not
" the King, but time, and the things themſelves
" which preſſed a time.

" Therefore his Majeſty is pleaſed to give longer
" time, hoping you will not give him cauſe to put
" you in mind of it again; ſo that you have a
" greater latitude, if the buſineſs require, to think
" of it.

" I am commanded farther to tell you, that if
" his Majeſty ſhould accept of a leſs ſum than
" will ſuffice, it will deceive your expectations,
" diſappoint his allies, and conſume the treaſure of
" the kingdom: whereas, if you give largely now,
" the buſineſs being at the criſis, it comes ſo
" ſeaſonably, it may give a turn to the affairs of
" Chriſtendom.

" But while we delay and ſuffer the time to paſs,
" others abroad will take advantage of it, as the
" King of Spain hath done, by concluding a peace,
" as it is thought, in Italy, for the Valtoline,
" whereby our work is become the greater, be-
" cauſe there can be no diverſion that way.

" As it was a good rule to fear all things and
" nothing, and to be liberal was ſometimes to be
" thrifty; ſo in this particular, if you give largely,
" you ſhall carry the war to the enemy's door,
" and keep that peace at home which hath been:
" whereas, on the contrary, if you draw the war
" at home, it brings with it nothing but diſturbance
" and fear, all courſes of juſtice ſtoped, and each
" man's revenue leſſened, and nothing which can
" be profitable.

" Another explanation I am commanded to make,
" touching the grievances; wherein his Majeſty
" means no way to interrupt your proceedings,
" but hopes you will proceed in the ancient way of
" your predeceſſors; and not ſo much ſeek faults,
" as the means to redreſs them.

" I am farther commanded to tell you, that his
" Majeſty intends to elect a commitee of both
" houſes, whom he will truſt to take the view of
" his eſtate, the defects of which are not fit for
" the eyes of a multitude; and this commitee will
" be for your eaſe, and may ſatisfy you, without
" caſting any ill odour on his government, or laying
" open any weakneſſes which may bring ſhame
" upon us abroad. That which is propoſed is ſo
" little, that when the payment comes, it will
" bring him to a worſe eſtate than now he is in;
" therefore wiſhes you to inlarge it, but leaves the
" augmentation to your ſelves; but is ſorry, and
" touched in conſcience, that the burden ſhould
" lie on the pooreſt, who want too much already;
" yet he will not preſcribe, but wiſh that you,
" who were the abettors and counſellors of this
" war, would take a greater part of the burden to
" your ſelves; and any man who can find out that
" way, ſhall ſhew himſelf beſt affected, and do
" the beſt ſervice to the King and ſtate."

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The duke having thus harangued for his Majeſty, addreſſed the houſes in his own behalf, taking this occaſion to vindicate his conduct, or rather to extol the ſervices he had done the ſtate. Lord Conway, ſecretary of ſtate, ſpake next, and among other matters pretended to ſhew, that the three ſubſidies and three fifteenths, granted his late Majeſty, had been imployed according to the parliament's intention, becauſe nothing was diſburſed but by the King's expreſs orders; a reaſon which to the commons muſt needs have appeared frivolous (1).

Ruſhworth, p. 227. p. 231.

This explication of his Majeſty's intentions ſeemed ſomewhat to pacify the commons. How highly ſoever they were diſguſted at what the King ſaid concerning parliaments, they thought not proper to cenſure it; whether they dreaded entering on ſo dangerous a diſcuſſion, or expected the lords would take in hand the buſineſs, themſelves being equally intereſted. The commons therefore were ſatisfied with preſenting to the King a remonſtrance, to juſtify their proceedings. This remonſtrance was preceded by an addreſs on the ſame ſubject: but as the addreſs was only abſtracted from the remonſtrance they were preparing, I ſhall paſs it over in ſilence, and inſert only the remonſtrance, which ran thus: viz.

Annals, p. 120.

Moſt Gracious Sovereign,

The commons remonſtrance to his Majeſty. Ruſhworth, p. 243.

" WHereas your Majeſty hath been pleaſed of
" late, at ſundry times and by ſeveral
" means, to impart unto us your royal pleaſure,
" touching ſome paſſages and proceedings in this
" preſent parliament: we do firſt, with unſpeak-
" able joy and comfort, acknowledge your Ma-
" jeſty's grace and favor, in that it hath pleaſed
" you to cauſe it to be delivered unto us by the
" lord-keeper of your great ſeal, in your own
" royal preſenſe, and before both houſes of par-
" liament, that never King was more loving to his
" people, nor better affected to the right uſe of
" parliaments; withal, profeſſing your moſt gra-
" cious reſolution, to hear and redreſs our juſt
" grievances. And with like comfort we acknow-
" ledge your Majeſty's goodneſs ſhining at the
" very entrance of your glorious reign, in com-
" manding due execution of the laws eſtabliſhed to
" preſerve the true religion of Almighty God, in
" whoſe ſervice conſiſteth the happineſs of all
" Kings and kingdoms.

" Yet let it not diſpleaſe your Majeſty, that we
" alſo expreſs ſome ſenſe of juſt grief, intermixed
" with that great joy, to ſee the careful proceedings
" of our ſincere intentions ſo miſrepreſented, as to
" have wrought effects unexpected and, we hope,
" undeſerved.

(1) He ſhewed, that there had been paid, for the four regiments in the Netherlands; for the navy; for the ordnance and forts in England and Ireland; and for the ſervice under count Mansfeldt; in all, 278,497 l. Ruſhworth, Vol I. p. 232.

" Firſt;

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See Whitelock, p. 4.

" First; touching the charge againſt us in the " matter concerning Mr. Coke. We all ſincerely " proteſt, that neither the words mentioned in " your Majeſty's meſſage, nor any other of ſedi- " tious effect were ſpoken by him, as hath been " reſolved by the houſe, without one negative voice.

" Howſoever, in a ſpeech occaſionally uttered, " he let fall ſome few words which might admit " ill conſtruction; whereat the houſe being diſ " pleaſed at the delivery of them, as was expreſſed " by a general and inſtant check, he forthwith ſo " explained himſelf and his intention, that, for the " preſent, we did forbear to take them into con- " ſideration, which ſince we have done: and the " effect thereof had before this appeared, if by " importunate buſineſs of your Majeſty's ſervice " we had not been interrupted.

" The like interruption did alſo befal us in the " caſe of Dr. Turner; wherein the queſtion being " formerly ſtated, a reſolution was ordered to have " been taken that very day on which we received " your Majeſty's command to attend you.

" But for our own proceedings, we humbly be- " ſeech your Majeſty to be truly informed, that " before the overture from Dr. Turner (out of our " great and neceſſary care for your honor, and " welfare of your realm) we had taken into ſerious " conſideration the evils which now afflict your " people, and the cauſes of them, that we might " apply our ſelves unto the fiteſt remedies: in the " purſuit whereof, our commitees (whatſoever they " might have done) have in no particular proceeded " otherwiſe, than either upon ground of knowledge " in themſelves, or proof by examination of " witneſſes, or other evidence. In which courſe of " ſervice for the public good, as we have not " ſwerved from the parliamentary ways of our " predeceſſors, ſo we conceive that the diſcovery, " and reforming of errors, is ſo far from laying " any aſperſion upon the preſent time and govern- " ment, that it is rather a great honor and happineſs " to both, yielding matter to great Princes where- " in to exerciſe and illuſtrate their nobleſt virtues.

" And altho' the grievous complaints of the " merchants from all parts, together with the " common ſervice of the ſubjects well affected to " thoſe who profeſs our religion, gave us occaſion " to debate ſome buſineſſes which were partly " foreign, and had relation to affairs of ſtate; " yet we beſeech your Majeſty to reſt aſſured, it " was exceeding far from our intention, either to " traduce your counſellors, or diſadvantage your " negociations. And tho' ſome examples of great " and potent miniſters of Princes, heretofore " queſtioned in parliament, have been alledged, " yet was it without paralleling your Majeſty's " government or councils, to any times at all, " much leſs to times of exception.

" Touching the letter of your Majeſty's ſecre- " tary, it was firſt alledged by your advocate for " his own juſtification, and after, by direction of " the commitee, produced to make good his alle- " gation.

" And for the ſearch at the ſignet-office, the " copy of a letter being divulged, as in your " Majeſty's name, with pregnant cauſe of ſuſpicion, " both in the body and direction thereof, to be " ſuppoſititious, the commitee, out of deſire to " be cleared therein, did by their order ſend ſome " of themſelves to the ſignet-office, to ſearch " whether there were any records of letters of that " nature, without warrant to the officer for any, " much leſs for a general, ſearch.

" But touching public records, we have not " forborne, as often as our buſineſſes have required, " to make ſearch into them, wherein we have done " nothing unwarranted by the laws of your realm, " and the conſtant uſage of parliaments. And if, " for the eaſe of their labors, any of our com- " mitees have deſired the help of the officers, re- " pertories, or breviats of direction, we conceive " it is no more than any ſubject in his own affairs " might have obtained for ordinary fees,

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" Now concerning your Majeſty's ſervants, and " namely the duke of Buckingham, we humbly " beſeech your Majeſty to be informed by us your " faithful commons, who can have no private end " but your Majeſty's ſervice, and the good of " your country, that it hath been the ancient, " conſtant, and undoubted right and uſage of " parliaments, to queſtion and complain of all " perſons, of what degree ſoever, found grievous to " the common-wealth, in abuſing the power and " truſt commited to them by their Sovereign. A " courſe approved not only by the examples in " your father's days, of famous memory, but by " frequent precedents in the beſt and moſt glorious " reigns of your noble progenitors, appearing both " in records and hiſtories; without which liberty " in parliament, no private man, no ſervant to a " King, perhaps no counſellor, without expoſing " himſelf to the hazard of great enmity and pre- " judice, can be a means to call great officers into " queſtion for their miſdemeanors, but the com- " mon-wealth might languiſh under their preſſures " without redreſs: and whatſoever we ſhall do ac- " cordingly in this parliament, we doubt not but it " ſhall redound to the honor of the crown, and " welfare of your ſubjects.

" Laſtly, we moſt humbly beſeech your Majeſty " graciouſly to conceive that, tho' it hath been the " long cuſtom of parliaments to handle the matter " of ſupply with the laſt of their buſineſſes, yet at " this time, out of extraordinary reſpect to your " perſon, and care of your affairs, we have taken " the ſame into more ſpeedy conſideration, and " moſt happily, on the very day of your Majeſty's " inauguration, with great alacrity and unanimous " conſent, after a ſhort debate, we grew to the " reſolution for a preſent ſupply, well known to " your Majeſty.

" To which, if addition may be made of other " great things for your ſervice, yet in conſultation " among us, we doubt not but it will appear, that " we have not receded from the truth of our firſt " intention, ſo to ſupply you as to make you ſafe " at home, and feared abroad, eſpecially if your " Majeſty ſhall be pleaſed to look upon the way " intended in our promiſe, as well as to the mea- " ſure of the gift agreed.

" With like humility we beſeech your Majeſty, " not to give ear to the officious reports of private " perſons for their own ends, which hath occaſioned " ſo much loſs of time, nor to judge our proceed- " ings while they are in agitation, but to be pleaſed " to expect the iſſue and concluſion of our labors, " which we are confident will manifeſt and juſtify " to your Majeſty the ſincerity and loyalty of our " hearts, who ſhall ever place in a high degree of " happineſs the performing that duty and ſervice " in parliament which may moſt tend to your " Majeſty's honor, and the good of your king- " dom."

The commons intention in this remonſtrance.

By this remonſtrance it is evident that, the commons deemed not Coke's offenſe as a crime meriting ſo rigorous a chaſtiſement as King Charles conceived, eſpecially as his ſaid Majeſty had been miſinformed. Moreover, in ſhewing reſentment againſt Coke, they were apprehenſive of diſcouraging their members, and hindering them from freely ſpeaking their minds, beſide that they ſhould thereby authoriſe the King to make complaints on like pretexts. But, on the other hand, if they declared Coke wholly blameleſs,

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blameleſs, they feared ingaging in a diſcuſſion they were willing to avoid. As for Turner, they could not condemn him, ſince the houſe had approved his motion. So, they only evaded the King's demand, for fear of offending him by a refuſal, preſuming his Majeſty would readily comprehend their meaning. But with regard to the duke of Buckingham, the caſe was different. King Charles having eſtabliſhed for a principle, that the lower houſe had not power to accuſe any of his ſervants without his permiſſion, they could not ſpeak too plainly, by reaſon of the importance of this Prince's pretenſions, which tended to deſpoil the commons of one of their greateſt privileges. As to ſupplies of money, it is ſufficiently obvious that the commons deſigned not their Sovereign ſhould have it in his power to preſcribe them terms, but were reſolved to preſerve the right of granting what they judged requiſite, and when they thought proper: and in reality, it is of ſo great conſequence to the commons not to loſe this right, that ſhould they ſuffer thereon the leaſt incroachment, they would aſſuredly become a mere empty name without authority.

The parliament adjourned. Ruſhworth, p. 246.

Charles, having received this remonſtrance, thought not proper to anſwer it, or at leaſt required time to have it examined. Mean while, he required the commons to adjourn for a week, as the lords had done; and they obeyed.

Charles conſents to the proſecution of his favorite.

Great was his Majeſty's imbaraſs. He wanted money, and the commons had voted him three ſubſidies and three fifteenths, to which they had lately added a fourth ſubſidy: but it was plainly manifeſt that they deſigned not to paſs the bill 'till Buckingham's affair was finiſhed: wherefore Charles, not being able to divert the charge againſt the duke, without at the ſame time ſtoping the ſubſidy-bill, finally conſented that the houſe ſhould proceed in ſcrutiniſing his favorite's conduct; tho' with intention to ſtop it, if the matter was too far puſhed (1).

The commons acquaint Buckingham with their deſign.

A few days after, the commons notified to his grace of Buckingham, that they were paſſing articles of accuſation againſt him, of which he might be informed by the clerk's book; * and that they expected his anſwer, if he pleaſed to ſend any (2).

* And take thereof a copy.

Who is not ſuffered to anſwer. Ruſhworth, p. 247. Annals. p. 122.

Hereupon Buckingham applied to the upper houſe for leave to anſwer: but their lordſhips judged it not convenient to permit him, under color that he would thereby give the commons occaſion to defer the ſubſidy-bill, which they were inſtantly to take into conſideration. But the commons, without regarding this reaſon alledged by their lordſhips, which was ſignified to them by Buckingham, continued their proceedings: nay, they even determined on annexing to the charge a particular article concerning the plaſter and potion applied and given by the duke to King James in his ſickneſs, without advice of the phyſicians. Charles, hearing this, ſent a meſſage to the commons, "That he having conſented "to their proceedings againſt the duke of Buck- "ingham, and hearing there is new matter intend- "ed to be brought againſt him, nevertheleſs "leaves the houſe to their own way to preſent the "buſineſs to him, or to the lords, withal adviſing "them to conſider of the ſeaſon of the year. and "to avoid all loſs of time." He would ſeemingly have been well pleaſed, as he was principally concerned in the article relating to the King his father's death, the commons would have left it to his determination: but they feigned not to underſtand him, and only thanked him for his meſſage.

Articles annexed to the charge againſt Buckingham. Ruſhworth, p. 249.

Charles in vain attempts to evade the commons deſign.

Some interruption was given to the duke of Buckingham's accuſation, and conſequently to the ſubſidy-bill, by a new affair which unexpectedly aroſe, and which it will be neceſſary briefly to touch on, tho' I ſhall not here deſcend to particulars. The earl of Briſtol, who had been embaſſador in Spain for the marriage affair, which he had finally brought near a concluſion, according to King James's deſire, had however the misfortune to diſpleaſe the Prince and duke. As their aim was to prevent that earl's giving the parliament a direct account of what paſſed in Spain, they ſo managed that, at his return, he was confined to his houſe, and afterwards ſent to the Tower. King James was fully ſatisfied of the earl's innocence, but was, during the two laſt years of his life, ſo little maſter of his actions, that he dared not openly protect him: ſo, by the Prince and duke, he was conſtrained on diverſe pretenſes, to keep him in priſon that he might not ſpeak with him. After King James's deceaſe, the earl's caſe became ſo much the worſe, as the new King and favorite, his profeſſed enemies, were no longer obliged to uſe any ceremony. He remained therefore in priſon 'till this ſecond parliament, that is, about two years, without being brought to a trial, or even any charge entered againſt him. At length, knowing how the commons ſtood affected towards Buckingham, he reſolved to imbrace this opportunity, and attempt recovering his liberty. He likewiſe wiſhed to be in a condition to juſtify his conduct, which the duke had aſperſed, in order to caſt on him the whole blame of what had paſſed in the negociation of Prince Charles's marriage with the Spaniſh Infanta. He preſented therefore a petition to the houſe of lords, ſhewing that, being peer of the realm, he had received no ſummons to the parliament, deſiring them to intercede for him, that he might injoy his privilege. Whereupon the lords prayed his Majeſty, to ſend a writ of ſummons as well to the earl of Briſtol as to ſome other peers, whoſe writs were alſo retained; which the King granted. A ſummons was therefore ſent to the earl, but withal, he received a letter from the lord keeper, acquainting him, that his Majeſty would have him forbear his perſonal attendance. Upon this, the earl ſent their lordſhips a ſecond petition, together with the keeper's letter, telling them, it was done thro' the credit of Buckingham, whoſe aim was to prevent him from diſcovering his crimes. Moreover, he beſought the lords to permit him to bring an accuſation againſt his ſaid adverſary, wherein he would demonſtrate how much this duke had abuſed their late and preſent Majeſties, the ſtate and parliament. Charles was ſo highly inſenſed at the earl of Briſtol's boldneſs, that he ſent a meſſage to the lords, declaring, he was determined to exhibit before them a charge of high-treaſon againſt the earl of Briſtol. After this declaration, the lords could not avoid puting the earl into the cuſtody of the black-rod. Some days after, the earl being brought to their lordſhips bar, the attorney-general read the charge againſt him in name of his Majeſty, who had corrected it in ſeveral places with his own hand: nevertheleſs, the lords received alſo the accuſation entered by the earl of Briſtol againſt the duke of Buckingham, and lord Conway ſecretary, of ſtate. His Majeſty's charge againſt the earl was divided into three heads; viz. his offenſes before the Prince's going to Spain; during the Prince's being in Spain; and after the Prince's return. But his lordſhip made ſuch anſwers

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The earl of Briſtol's affair. p. 249,—302. Franklyn's Annals, p. 123. &c.

Ruſhworth, p. 260, 261.

Id. p. 249. &c.

May 1. p. 254, 266.

See p. 249, &c.

(1) At this time, his Majeſty ſent for the biſhops, and fourteen of them repairing to him, he charged them, that in the cauſe of Briſtol and Buckingham, their conſciences being their guides, they ſhould follow only proofs and not rumors. Ruſhworth, Vol. I. p. 247. Annals, p. 122.

(2) He was proxy for no fewer than fourteen lords, which being found of ill conſequence, it was ordered, that for the future no lord ſhould be capable of receiving more than two proxies. See Journ. Procer. and Ruſhw. Vol. I. p. 269.

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to all the articles as covered his accuſers with confuſion. He evidently manifeſted how much the duke of Buckingham had deceived the parliament in his narrative of what was tranſacted in Spain. This reflected on the King himſelf, who had not only atteſted the relation, but perſiſted ſtill to atteſt it for truth: wherefore he thought not proper to proſecute a ſentence againſt the earl. As the charge againſt the earl of Briſtol, his defenſe and his accuſation againſt the duke of Buckingham and lord Conway, relate rather to the reign of King James, than to that of King Charles, I think it unneceſſary here to inſiſt any farther on this affair, which would lead me too far. However, as this is a curious point; as the earl's defenſe contains a very exact account of what paſſed in Spain while the projected marriage was negociating; and as the characters of James I, Charles I, and the duke of Buckingham may be there clearly ſeen, I ſhall, towards the cloſe of this book, inſert ſeveral papers upon this ſubject, which to me ſeem worthy the public's curioſity.

The commons charge againſt Buckingham. May 8. Ruſhworth, p. 202. Annals, p. 150, &c.

Some days after the earl of Briſtol had given his anſwer, and preſented his charge againſt Buckingham and lord Conway, the commons brought up to the lords their declaration and impeachment againſt the duke of Buckingham. It contained thirteen articles, which were explained and agravated by the managers appointed by the commons. It is uſual on ſuch occaſions for the commons to divide the taſk among ſeveral of their members, each of whom prepares to ſpeak to the article aſſigned him (1). Sir Dudley Diggs, who was appointed to explain and ſupport the begining of the charge, read the following preamble:

Their declaration and impeachment againſt the duke of Buckingham. May 8. Ruſhworth, p. 302.

"For the ſpeedy redreſs of great evils and miſ-
"chiefs, and of the chief cauſe of theſe evils and
"miſchiefs which this kingdom of England now
"grievouſly ſuffereth, and of late years hath ſuffer-
"ed, and to the honor and ſafety of our Sovereign
"lord the King, and of his crown and dignity;
"and to the good and welfare of his people, the
"commons in this preſent parliament, by the au-
"thority of our ſaid ſovereign lord the King, aſ-
"ſembled, do, by their bill, ſhew and declare a-
"gainſt George, duke, marquis and earl of Buck-
"ingham, earl of Coventry, viſcount Villers, ba-
"ron of Whaddon, great admiral of his kingdoms
"of England and Ireland, and of the principality
"of Wales, and of the dominions and iſlands of
"the ſame; of the town of Calais, and of the
"marches of the ſame; and of Normandy, Gaſ-
"coigne and Guienne; general-governor of the
"ſeas and ſhips of the ſaid kingdom; lieutenant-
"general-admiral, captain-general and governor
"of his Majeſty's royal fleet and army lately
"ſet forth; maſter of the horſe of our ſovereign
"lord the King; lord warden, chancellor, and
"admiral of the Cinque-ports, and of the members
"thereof; conſtable of Dover caſtle; juſtice in
"Eyre of the foreſts and chaces on this ſide the
"river Trent; conſtable of the caſtle of Windſor;
"gentleman of his Majeſty's bed-chamber; one of
"his Majeſty's moſt honorable privy-council in
"his realms, both in England, Scotland and Ire-
"land, and knight of the moſt honorable order of
"the garter: the miſdemeanors, miſpriſions, of-
"fenſes, crimes, and other matters, compriſed in
"the articles following; and him the ſaid duke do
"accuſe and impeach of the ſaid miſdemeanors,
"miſpriſions, offenſes and crimes."

This preamble being read, Diggs gave a general knowledge of the impeachment, without inſiſting on any particular article: he only reduced the charge to four principal heads. In the firſt, he ſhewed the grievances which ſprung from ſo many offices confered on a ſingle perſon, and pretended it was one of the chief cauſes of the evils which afflicted England, as decay of trade, loſſes at ſea, and that contempt into which the nation was fallen. In the ſecond, he ſpoke in general of honors being ſold or procured by the duke for undeſerving perſons. In the third, he ſaid, as the duke had raiſed all his poor kindred to honors, ſo he had exhauſted and miſ-imployed his Majeſty's lands and revenues. In the fourth, he ſpake of the remedies applied and given to the late King in his laſt ſickneſs; but thoſe he only juſt mentioned, becauſe that article was to be expatiated on by another manager.

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Sir Dudley Diggs explains and agravates the preamble.

As this charge was never decided, I think it needleſs to relate particulars, or give account of what was ſaid by each of the managers on the ſeveral articles. But that the reader may ſee in general what the duke was charged with, I ſhall inſert the ſubſtance of each article.

Abſtract of the articles of impeachment. Ruſhworth, p. 306. Annals, p. 152, &c.

I. He was accuſed of ingroſſing into his hands a great number of offices, ſome whereof could ſcarcely be executed by a ſingle perſon: and of procuring them by ſiniſter means.

II. Of purchaſing the office of high-admiral of the earl of Nottingham *.

III. Of buying the office of lord warden of the Cinque-ports of the late lord Zouch †.

IV. Of having neglected to guard the ſeas and protect the merchants.

V. Of confiſcating a French ſhip, called S. Pierre, of Havre de Grace, valued at forty thouſand pounds, ſterling: of detaining the ſaid ſhip, after his Majeſty's order to reſtore her to the owner, and of taking thence ſeveral things for his own uſe.

VI. Of oppreſſing the Eaſt-India company, by detaining, under falſe pretenſes, their ſhips which were ready to ſail, and of compeling them to give him ten thouſand pounds, that they might not loſe their voyage.

VII, and VIII. Of delivering ſeveral merchant-ſhips and a man of war into the French King's hands, againſt the owner's will, to ſerve at the ſiege of Rochel.

IX. Of conſtraining diverſe perſons to purchaſe titles of honor (2).

X. Of ſelling the office of high-treaſurer ‖ for twenty thouſand pounds, and the office of maſter of the wards and liveries § for ſix thouſand.

XI. Of procuring to his kindred and allies titles of baron, viſcount, earl, without their having done the ſtate any ſervice.

XII. Of imbezzling and ingroſſing the King's money and lands.

XIII. Of applying a plaſter to the late King's ſide in his laſt ſickneſs, and of giving him a potion with his own hand at ſeveral times, in the abſenſe, and without order of the phyſicians.

*For the ſum of 3000 l. and 1000 l. annually.

†For 1000 l. and 500 l. annually.

‖ To Henry Montague, viſcount Mandeville.

§ To ſir Lionel Cranfield.

Theſe articles were expatiated on by the ſeveral managers, and ſir John Elliot was appointed to make the epilogue to the impeachment, wherein he ſummed up what had been ſaid againſt the duke, and ſpake of him in very offenſive terms, but however mentioned not the plaſter or potion.

Sir John Elliot makes the epilogue. Ruſhworth, p. 353.

That, or the very next day, Diggs and Elliot were by the King's command ſent to the Tower: and two days after his Majeſty went to the

Diggs and Elliot ſent to the Tower. Id. p. 356, Annals, p. 176.

houſe

(1) It was managed by eight members, and ſixteen more as aſſiſtants. The eight chief managers were ſir Dudley Diggs, Mr. Herbert, Mr. Selden, Mr. Glanvile, Mr. Pym, Mr. Sherland, Mr. Wandesford, and ſir John Elliot. Ruſhworth, Vol. I. p. 302.

(2) Particularly lord Roberts of Truro, whom he forced to pay ten thouſand pounds for the title of baron. Idem.

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house of lords, and made them the following speech.

My Lords,

Charles's speech to the house of lords. May 11. Rushworth, p. 357.

"THE cause and only cause of my coming to you this day, is to express the sense I have of all your honors; for he who toucheth any of you, toucheth me in a very great measure. I have thought fit to take order for the punishing some insolent speeches lately spoken. I have been too remiss heretofore in punishing such speeches as concern myself; not that I was greedy of their monies, but that Buckingham, thro' his importunity, would not suffer me to take notice of them, lest he might be thought to have set me on, and that he might come the forwarder to his trial. And to approve his innocency touching the matters against him, I myself can be a witness to clear him in every one of them.

"I speak not this to take any thing out of your hands; but to shew the reason why I have not hitherto punished those insolent speeches against myself. And now I hope you will be as tender of my honor, when time shall serve, as I have been sensible of yours.

The intent of this speech.

King Charles's aim in this speech was; First, to persuade the lords, they were all interested in the disrespectful expressions used by the managers against the duke of Buckingham and some others of their house, and that he had commited those two members to the Tower purposely to vindicate their injured honor: but he succeeded not in his design. Secondly, by offering to be a witness for Buckingham, and to clear his innocence in every article of his impeachment, he proposed to the lords a kind of dilemma, whence he imagined they could not extricate themselves; for they were either to declare the duke innocent upon his Majesty's evidence, or, by condemning him, openly reject his testimony, whereto he presumed they would not easily be persuaded: but their lordships, as will hereafter appear, were not to be duped by this artifice.

The commons require Buckingham may be commited.

Charles had no sooner departed the house, but the commons sent their lordships a message, requesting that Buckingham might be taken into safe custody: but the lords durst not commit him for fear of offending his Majesty.

They are very clamorous about the imprisonment of their members. Rushworth, p. 358. Annals, p. 179.

Mean while, the imprisonment of Diggs and Elliot made a terrible impression in the house of commons, who considered it as a gross violation of their privileges. One of the court party *, observing the unusual, and as he termed it, sullen silence of the house, stood up and justified the King saying, "His Majesty conceived that Diggs went "beyond his commission when, speaking of the "plaster and potion given to King James, he "said, 'That he did forbear to speak farther, "thro' regard to the King's honor.' And as for "sir John Elliot, he affected to speak of the duke "with great contempt, and in very injurious terms. "What most displeased the King was, that Elliot, "in speaking of the plaster and potion, used ex"pressions, intimating 'as if there was something "hidden, which it was not proper to reveal,' and, "in so doing, exceeded the commission he had "received from the house."

* Sir Dudley Carleton.

But, unluckily enough, what these two members were charged with contained not a syllable of truth, except the little respect they had shewn for the duke of Buckingham; for Elliot had not mentioned plaster or potion, and Diggs had said nothing like what he was accused of: wherefore, the house of commons taking advantage of these false charges, ordered, that all the members there present should sign the subsequent protestation.

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Protestation of the commons. Rushworth, p. 360.

"I protest, before Almighty God and this "house of parliament, that I never gave consent, "that sir Dudley Diggs should speak these words "he is now charged withal, or any words to that "effect; and I have not affirmed to any that he "did speak such words, or any to that effect."

p. 361. Annals, p. 180.

Beside this, thirty-six lords, who were present at the conference whereat the duke's impeachment was presented, attested under their hands, that they did not hear sir Dudley Diggs utter any such words. It followed therefore from their lordships testimony and the commons protestation, either that his Majesty had been falsely and maliciously informed, or that the charge against Diggs was forged, purely to have opportunity of punishing him for speaking of the duke so disrespectfully.

Declaration of the same house. Rushworth, p. 363.

Elliot's crime was of a like nature; that is, he had spoken discourteously of the duke, tho' he was wrongfully accused of mentioning the plaster in terms injurious to his Majesty. But the commons took care to clear their two members, by publicly declaring, that neither had exceeded his commission. All this redounded not much to the honor of King Charles, who, seeing no way to support what he had done, caused the two imprisoned members to be released. In all appearance, his aim was to intimidate the commons; but he was disappointed.

The two prisoners released.

The lords demand the earl of Arundel's liberty. Ibid. Annals.

Charles's recent condescension towards the lower house drew on him a like affair from the peers. He had sent to the Tower the earl of Arundel for much the same crime as that of Diggs and Elliot; and their lordships had suffered it without complaining: but when they saw the commons had obtained the release of their members, by insisting upon their privileges, they thought proper to lay hold on this occasion to assert also their own rights. They presented therefore to his Majesty a petition, praying him to release the earl of Arundel, according to the tenor of their privileges. Charles perceived how prejudicial to him this petition was, the lords pretending, by means of their privileges, to limit the prerogative royal: for which reason he long resisted before he granted their lordships request. There were several remonstrances from the lords to his Majesty, and several messages from him to their lordships: nay, the peers went so far as to declare it to be expressly a breach of their privileges to imprison any of their members, the parliament siting, without sentence or order of their house (1), and to resolve on not taking into consideration any other business 'till they had satisfaction. Charles was at length, tho' much against his will, obliged to release the prisoner. As, by the custom of England, members of parliament are not privileged from arrests in cases of treason and felony, his Majesty pretended the house of lords ought not to take exception at his having commited one of their members. His reason was, because the prisoner might possibly be guilty of felony or treason, and consequently the house ought to wait 'till his Majesty should please to declare the cause of his imprisonment: but as, under color of this possibility, Charles had sent the earl of Arundel to the Tower, and had not yet declared the cause, their lordships readily comprehended the possibility alledged was only a mere artifice to elude their least disputable immunities. So, the King on one side urged that, as the unseasonable discovery of a treason might happen to be highly detrimental to the state, he could not allow to this pretended privilege of parliament-members all the extent their

Their demand long refused.

Reasons on both sides. Rushworth, p. 365, &c. Annals, p. 181, &c.

(1) Except for treason or felony, or refusing to give security of the peace. Rushworth, Vol. I. p. 365.

lordships

lordſhips required, becauſe there were caſes wherein, for the ſtate's benefit, there was abſolute neceſſity for its being limited. But the lords replied, if, on pretenſe of ſuch caſes, which were very rare, the King could impriſon a peer without conſent of the houſe and declaration of the cauſe, it would follow that, in all ſorts of caſes, he might detain a peer in cuſtody during his pleaſure, and thereby deprive the lords of their privileges. If it be aſked; Why this diſpute was never raiſed in former reigns? This queſtion is eaſily reſolved: for if a King chanced to ſend a peer to the Tower, the parliament ſiting, either the caſe was known, or, if a ſecret, the houſe took no offenſe, becauſe the lords, not having any diffidence of their Sovereign, apprehended not that he would draw it into a precedent to aboliſh their privilege: but it was not the ſame in the reign of Charles I. Beſide its being perfectly well known that the earl of Arundel was ſent to the Tower only for ſpeeking too freely in the houſe (1), this King's principles concerning the peoples privileges was no ſecret; and it was manifeſt that, on only a bare poſſibility, he was ſtriving to eſtabliſh a principle which tended to render utterly uſeleſs the privilege in queſtion: and therefore the lords, being warranted by the commons example, would not let ſlip this opportunity to maintain their privilege.

Buckingham choſen chancellor of the univerſity of Cambridge; Ruſhworth, p. 371. whereat the commons are offended.

Before Buckingham had given in his anſwer to the commons impeachment, the chancellorſhip of Cambridge univerſity becoming vacant by the earl of Suffolk's death, Charles got elected, in the late chancellor's room, the duke his favorite. The houſe of commons were extremely offended at this election, conſidering as a manifeſt contempt that this duke ſhould be choſen while under impeachment, and when one of the articles againſt him was plurality of offices. They moreover urged a ſort of contradiction to be in this choice, ſince the univerſity themſelves, by their repreſentatives in parliament, had conſented to Buckingham's impeachment. But, ſpite of all the commons efforts, Charles openly ſupported the election.

The King ſupports him.

The duke gives in his anſwer. Ruſhworth, p. 375, &c. Annals, p. 187, &c.

Finally, on the eighth of June, the duke put in his anſwer to the lower houſe's impeachment. As I have not given the particulars of the accuſation, it would be needleſs to inſert here the anſwers, which had a neceſſary reference to what was alledged againſt the duke. This affair having never been decided, it is eaſy to judge that, as the accuſation was highly agravated, ſo the anſwers were moſt carefully paliated. The proofs and evidences of the facts produced, for or againſt, would be the only means to inform us of the truth; but the buſineſs was not carried ſo far. It will ſuffice therefore to ſay, that the commons deſiring a copy of the anſwer, his Majeſty, on the morrow, wrote as follows to the ſpeaker.

His Majeſty's letter to the ſpeaker. Ruſhworth, p. 390.

Truſty and Well-beloved, &c.

"OUR houſe of commons cannot forget, how often and how earneſtly we have called upon them for the ſpeeding that aid which they intended us for our great and weighty affairs, concerning the ſafety and honor of us and our kingdoms: and now the time being ſo far paſſed that, unleſs it be preſently concluded, it can neither bring us money nor credit by the time which themſelves have fixed, which is the laſt of this month, and being farther defered would be of little uſe; we being daily advertiſed, from all parts, of the great preparations of the enemy ready to aſſail us: we hold it neceſſary, by theſe our letters, to give them our laſt and final admonition, and to let them know, that we ſhall account all farther delays and excuſes to be expreſs denials. And therefore we will and require you to ſignify unto them, that we do expect they forthwith bring in their bill of ſubſidy, to be paſſed without delay or condition, ſo as it may fully paſs the houſe by the end of next week at fartheſt; which if they do not, it will force us to take other reſolutions. But let them know, if they finiſh this according to our deſire, that we are reſolved to let them ſit together for the diſpatch of their other affairs ſo long as the ſeaſon will permit, and after their receſs, to bring them together again next winter. And if, by their denial or delay, any thing of ill conſequence ſhall fall out, either at home or abroad, we call God and man to witneſs, that we have done our part to prevent it, by calling our people together to adviſe with us, by opening the weight of our occaſions unto them, and by requiring their timely help and aſſiſtance in theſe actions. And we will and command you, that this letter be read publicly in the houſe."

Charles's view in this letter.

This letter, written juſt as the duke of Buckingham's trial was bringing on, very evidently was a mere artifice to prevent proſecution; it not being poſſible that, if the ſubſidy-bill was paſſed by the time which Charles had aſſigned, the duke's affair could by then be diſpatched. It is true, his Majeſty promiſed to let the parliament ſit, "ſo long as the "ſeaſon would permit;" but by that very promiſe he reſerved to himſelf the liberty of proroguing it when he pleaſed, on pretenſe the ſeaſon was too far advanced to ſit any longer, eſpecially as he feigned to preſs the ſubſidy-bill purely thro' apprehenſion of a pretended invaſion, wherewith he ſaid the kingdom was threatened. Buckingham's affair muſt therefore drop of courſe, in order to be revived next ſeſſion, ſince prorogation puts a period to all buſineſs.

The commons not thinking fit to comply with his Majeſty's demands, preſented him a freſh petition againſt Popiſh recuſants. This was to ſhew the public that Charles's anſwer to the Oxford parliament's petition contained only empty words, not followed by any effects. They were likewiſe willing to make appear, that the duke of Buckingham's male-adminiſtration was not the only grievance they would have redreſſed. Here follows the petition.

The commons petition to K. Charles concerning recuſants. Ruſhworth, p. 391. Annals, p. 195.

To the King's moſt excellent Majeſty,

"YOUR Majeſty's moſt obedient and loyal ſubjects the commons, in this preſent parliament aſſembled, do with great comfort remember the many teſtimonies which your Majeſty hath given of your ſincerity and zeal for the true religion eſtabliſhed in this kingdom, and in particular your gracious anſwer to both houſes of parliament at Oxford, upon their petition concerning the cauſes and remedies of the increaſe of Popery; that your Majeſty thought fit, and would give order to remove from all places of authority and government, all ſuch perſons, as are either Popiſh recuſants, or according to direction of former acts of ſtate, juſtly to be ſuſpected; and was then preſented as a great and principal cauſe of that miſchief. But not having received ſo full redreſs herein as may conduce to the peace of this church, and ſafety of this regal ſtate, they hold it their duty, once

(1) It does not appear that the earl of Arundel was commited for any thing ſaid in the houſe, but, as is thought, for his ſon's marrying the duke of Lenox's ſiſter, whom the King deſigned for lord Lorn. The earl of Arundel had five proxies, which were loſt by his impriſonment. Ruſhworth, Vol. I. p. 363, 364.

"more

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" more to reſort to your ſacred Majeſty, humbly " to inform you that, upon examination, they find " the perſons under-written to be either recuſants, " Papiſts, or juſtly ſuſpected according to the for- " mer acts of ſtate, who now do, or, ſince the " ſiting of the parliament, did remain in places of " government, authority and truſt, in your ſeveral " counties of this your realm of England, and do- " minion of Wales.

Then followed a liſt of fifty-nine recuſants, and ſuſpected Papiſts, who were in places of truſt and authority in ſeveral counties *.

* See their names in Ruſhworth, Vol. I. p. 391.

" Wherefore they humbly beſeech your Majeſty, " not to ſuffer your loving ſubjects to continue any " longer diſcouraged, by the apparent ſenſe of that " increaſe, both in number and power, which by " the favor and countenance of ſuch like ill-affect- " ed governors accrueth to the Popiſh party; but " that, according to your own wiſdom, goodneſs " and piety (whereof they reſt aſſured) you will be " graciouſly pleaſed to command that anſwer of " your Majeſty's to be effectually obſerved, and the " parties above-named, and all ſuch others to be " put out of ſuch commiſſions and places of autho- " rity wherein they now are in your Majeſty's " realm of England, contrary to the acts and laws " of ſtates in that behalf."

It was not very much for Charles's honor to be ſo often preſſed to perform what he had ſo poſi- tively promiſed. But it muſt be conſidered it was not eaſy for him to withſtand the ſollicitations and intrigues of the Queen, of the duke of Buckingham whoſe mother was a profeſſed Papiſt, of ſir Richard Weſton his chief counſellor, and lord Conway ſecretary of ſtate, both likewiſe Papiſts, ſince theſe were neareſt his perſon, and held him as we may ſay beſieged.

A few days after the commons reſolved to wait on his Majeſty in a body, and preſent him, by their ſpeaker, a declaration of their conduct, ſerving for anſwer to his letter, and a petition to remove from about him the duke of Buckingham. The audience they had deſired being granted, the ſpeaker, before he preſented the anſwer (1), uttered the ſubſequent harangue.

The ſpeaker's harangue to his Majeſty, on preſenting him the petition and delaration. Ruſhworth, p. 397. Annals, p. 198.

Moſt gracious Sovereign,

" ACcording to that liberty of acceſs, and li- " berty of ſpeech which your Majeſty and " your royal progenitors have ever vouchſafed to " your houſe of commons, your Majeſty's moſt " humble and loyal ſubjects, the commons now " aſſembled in parliament, have been ſuitors for " this acceſs to your royal throne.

" And out of their conſideration of the nature, " and of the weight and importance of the buſi- " neſs, they have thought the attendance of the " whole houſe, with their ſpeaker, not too ſolemn; " and yet they have not thought fit barely to com- " mit thoſe words which expreſs their thoughts, to " the truſt of any man's ſpeech, but are bold to " preſent them in writing to your gracious hands, " that they may not vaniſh, but be more laſting " than the moſt powerful words of a more able " ſpeaker are like to be.

" I have much to read, and ſhall therefore, as " little as I can, weary your Majeſty with long " ſpeeches.

" This parchment contains two things, the one " by way of declaration, to give your Majeſty ac- " count, and humble ſatisfaction of their clear and " ſincere indeavors and intentions in your Majeſty's " ſervice; and the other an humble petition to " your Majeſty for the removal of that great per- " ſon, the duke of Buckingham, from acceſs to " your royal preſenſe.

" For the firſt, they beſeech your moſt excellent " Majeſty to believe, that no earthly thing is ſo " dear and precious to them as that your Majeſty " ſhould retain them in your grace and good opi- " nion; and it is grief to them, beyond my ex- " preſſion, that any miſinformation or miſinterpre- " tation ſhould at any time render their words or " proceedings offenſive to your Majeſty.

" It is not proper for any one to hear the eccho " of a voice who hears not the voice; and if ec- " chos be ſometimes heard to double and redouble, " the eccho of the eccho is ſtill fainter, and ſounds " not louder.

" I need not make the application, words miſ- " reported, tho' by an eccho, or but the eccho of " an eccho, at a third or fourth hand, have oft a " louder ſound than the voice it ſelf, and may ſound " diſloyalty, tho' the voice had nothing undutiful " or illoyal in it.

" Such miſinformations, they fear, have begot " thoſe interruptions and diverſions which have de- " layed the ripening and expediting of thoſe great " counſels, which concern your Majeſty's important " ſervice, and have inforced this declaration.

" I paſs from that to the petition, in which my " purpoſe is not to urge thoſe reaſons, which your " Majeſty may hear expreſſed in their own words in " the language of the people.

" I am only directed to offer to your great wiſ- " dom, and deep judgment, that this petition of " theirs is ſuch as may ſtand with your Majeſty's " honor and juſtice to grant.

" Your Majeſty hath been pleaſed to give many " royal teſtimonies and arguments to the world, " how good and gracious a maſter you are; and " that which the Queen of Sheba onee ſaid to the " wiſeſt King, may without flattery be ſaid to " your Majeſty, 'Happy are thoſe ſervants which " ſtand continually before you.'

" But the relations by which your Majeſty ſtands " in a gracious aſpect towards your people, do far " tranſcend, and are more prevalent and binding " than any relation of a maſter towards a ſervant; " and to hear and ſatisfy the juſt and neceſſary " deſires of your people is more honorable than " any expreſſion of grace to a ſervant.

" To be a maſter to a ſervant is communicable " to many of your ſubjects; to be a King of peo- " ple, is regal and incommunicable to ſubjects.

" Your Majeſty is truly ſtiled with that name " which the greateſt Emperors, tho' they borrow- " ed names and titles from thoſe countries which " they gained by conqueſt, moſt delighted in, Pater " Patriæ; and deſires of children are prefered be- " fore thoſe of ſervants, and the ſervant abideth " not in the houſe for ever, but the ſon abideth " ever.

" The government of a King was truly termed, " by your royal father, a politic marriage betwixt " him and his people: and I may ſafely ſay, there " was never a better union between a married " pair, than is between your Majeſty and your " people."

Having thus harangued, the ſpeaker put into the hands of his Majeſty, the declaration and petition, wherewith he was ſo diſpleaſed that he determined to diſſolve the parliament. The commons having thereof intimation, reſolved to preſent him a re- monſtrance, of which every member was ordered to have a copy. While this remonſtrance was pre- pairng, the lords being by his Majeſty himſelf in- formed of his reſolution, preſented him a petition

Charles determines on diſſolving the parliament.

The lords try in vain to divert him from it. Ruſhworth, P. 398.

(1) Not two papers, according to our author; the contrary appearing in that ſpeech. Tho' the copy of this anſwer, containing a declaration and petition, is not to be found, it was ingroſſed and allowed of, and the ſubſtance was delivered to the ſpeaker, ſir Heneage Finch. Ruſhworth, Vol. I p. 396.

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to divert him from his purpoſe. But he would not liſten to any allegations; and, on the fifteenth of June, by a commiſſion under the great ſeal, had the parliament diſſolved.

The parliament diſſolved. June 15.

None doubted the duke of Buckingham's intereſt being the ſole cauſe of this diſſolution. Of this the commons were ſo thoroughly perſuaded, that they chiefly inſiſted on the great prejudice that dake's credit occaſioned to the kingdom, in the remonſtrance they had prepared, but were hindered from preſenting by the parliament's being diſſolved. It will not however be amiſs to inſert here the ſaid remonſtrance.

The commons remonſtrance; not preſented. Ruſhworth, p. 400. Annals, p. 199.

Moſt gracious Sovereign,

"WE your loyal and faithful ſubjects, the "commons now aſſembled by your Ma- "jeſty's moſt royal authority in this preſent parlia- "ment, having with all dutiful affection, "from the time of our firſt meeting, earneſtly in- "deavored to proceed ſpeedily in thoſe affairs "which might beſt and ſooneſt conduce to our "diſpatch of the intended ſupply for your Ma- "jeſty's great deſigns, to the inlargement of your "ſupport, and to the inabling our ſelves, and them "whom we repreſent, to the full and timely per- "formance of the ſame, have, notwithſtanding, "by reaſon of diverſe informations, interruptions "and other preventions been hitherto retarded in "the proſecution of thoſe affairs, that we now "thought it a neceſſary part of our moſt humble "duties thus to declare both thoſe interruptions "and preventions, with the true original and con- "tinual cauſe of them; as alſo our moſt earneſt "devotion of the parliamentary ſervice of your "moſt excellent Majeſty, and of the careful ſafety "and defenſe of your dominions, crown and dig- "nity: and we therefore moſt humbly beſeech "your moſt excellent Majeſty, to be graciouſly "pleaſed here to caſt your eye on ſome particulars, "which have relation as well to your firſt parlia- "ment as to this; out of which we cannot doubt, "but that your great goodneſs may receive ample "ſatisfaction, touching our moſt loyal and faithful "intentions.

"In the firſt parliament of the firſt year of your "Majeſty's moſt happy reign over us, the com- "mons then aſſembled, after they had chearfully "preſented to your Majeſty, as the firſt fruits of "their affections, two intire ſubſidies, were ex- "ceedingly preſſed, by means of the duke of "Buckingham, and for his own ends, as we con- "ceive, to inlarge that ſupply; which when he "conceived would not be there effected, he pro- "cured, for the ſame ends, from your Majeſty, "an adjournment of the parliament to the city of "Oxford; where the commons, then taking into "juſt conſideratian the great miſchiefs which this "kingdom variouſly hath ſuffered, and that chiefly "by reaſon of the exorbitant power and frequent "miſdoings of the ſaid duke, were entering into a "parliamentary courſe of examination of thoſe "miſchiefs, power and miſdoings. But no ſooner "was there any mention made of his name to this "purpoſe, but that he, fearing leſt his actions "might ſo have been too much laid open to the "view of your moſt excellent Majeſty, and to the "juſt cenſure which might have then followed, "preſently, thro' his miſinformations to your Ma- "jeſty of the intentions of your ſaid commons (as "we have juſt cauſe to believe) procured a diſſo- "lution of the ſaid parliament. And afterwards, "alſo in the ſame year, thro' diverſe miſreports "made to your Majeſty in his behalf, touching "ſome members of the ſaid commons, who had "more particularly drawn his name into juſt que- "ſtion, and juſtly profeſſed themſelves averſe to "his ends there, procured (as we cannot but con- "ceive) the ſaid members to be made ſheriffs of "ſeveral counties for this year which followed, to "the end that they might have all been precluded "from being choſen members of the preſent par- "liament leſt they ſhould again have there que- "ſtioned him; and by the like practiſe alſo (as we "are perſuaded) he procured, ſoon after the ſaid "diſſolution, another member of the ſaid houſe *, "becauſe he had juſtly profeſſed himſelf againſt "his ends, to be ſent as ſecretary of your Ma- "jeſty's laſt fleet, hereby indeed to puniſh him, "by ſuch drawing him from his practiſe of the "law, which was his profeſſion, under color of an "honorable imployment.

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* Lord Glanvile.

"It pleaſed your Majeſty afterwards, in Febru- "ary laſt, to call this preſent parliament, where- "in tho' none of thoſe whom the ſaid duke, had pro- "cured to be made high-ſheriffs have ſat as mem- "bers; yet we, finding in our ſelves the like affec- "tion, firſt to the ſervice of your Majeſty, and "next to the good of the common-wealth, took "into ſerious conſideration ſeveral propoſitions, "how, for the ſafety of your Majeſty's kingdoms "and allies, we might inlarge your ſupports, and "add to the military ſtrength without charge to "the poorer ſort of your ſubjects, and give a larger "ſupply to your Majeſty, for your inſtant and "preſſing occaſions, than hath ever yet but once "been given in parliament. Whereupon, for the "inabling our ſelves and thoſe whom we repreſent, "we conceive it firſt neceſſary to ſearch into the "cauſes of thoſe miſchiefs which this your king- "dom ſuffereth, and diverſe of the grievances "which overburden your ſubjects; without doing "which, we could neither be faithful to your Ma- "jeſty, nor to the country which doth truſt and "imploy us, as your royal father alſo, of bleſſed "memory, admoniſhed the houſe of commons in "the fourth ſeſſion of his firſt parliament. In this "conſideration, we found that the moſt preſſing "and comprehenſive miſchief and grievance which "he ſuffered was fundamentally ſettled in the vaſt "power and enormous actions of the ſaid duke, "being ſuch that, by reaſon of his plurality of "offices, all got by ambition, and ſome for money, "expreſly againſt the laws of your realm; his "breach of truſt in not guarding the ſeas; his "high injuſtice in the admiralty; his extortion; "his delivering over the ſhips of this kingdom into "the hands of a foreign Prince; his procuring the "compulſory buying of honor for his own gain; "his unexampled exhauſting the treaſures and re- "venues of the kingdom; his tranſcendant pre- "ſumption of that unhappy applying phyſic to your "royal father of bleſſed memory, few days before "his death; and ſome other his offenſes carefully "and maturely examined by us, we made a par- "liamentary charge of the ſame matters and of- "fenſes againſt him to the lords, by your Majeſty "aſſembled in parliament, there expecting ſome "remedy by a ſpeedy proceeding againſt him. "But, may it pleaſe your moſt excellent Majeſty, "not only during the time of our examination of "the matters and offenſes of the ſame charge, we "were diverſely interrupted and diverted by meſ- "ſages procured thro' miſinformation from your "Majeſty, which with moſt humble duty and re- "verence we did ever receive; whence it firſt fell "out, that ſo not only much time paſſed among "us, before the ſame charge was perfected; but "alſo within two days next after the ſame charge "was tranſmited by us to the lords, upon untrue "and malicious miſinformations, privately and "againſt the privilege of parliaments, given to "your Majeſty of certain words ſuppoſed to have "been ſpoken by ſir Dudley Diggs and ſir John Elliot,

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" Elliot, knights, two of the members of our " houſe, in their ſervice of tranſmiting the ſaid " charge, both of them having been eſpecially im- " ployed in the chairs of commitees with us, about " the examination of the ſaid matters and offenſes, " they were both by your Majeſty's command " commited to cloſe impriſonment in the Tower " of London, and their lodgings preſently ſearch- " ed, and their papers there found inſtantly taken " away; by reaſon whereof, not only our known " privileges of parliament were infringed, but we " our ſelves who, upon full hope of ſpeedy courſe " of juſtice againſt the ſaid duke, were preparing " with all dutiful affection to proceed to the diſ- " patch of the ſupply, and other ſervices to your " Majeſty, were wholly, as the courſe and privi- " lege of parliament binds us, diverted for diverſe " days to the taking only into conſideration " ſome courſes for the ratifying and preſervation " of the privileges ſo infringed: and we think it " our duties, moſt gracious Sovereign, moſt rightly " to inform hereby your moſt excellent Majeſty, " of the courſe held in the commitment of the " two members. For whereas, by your Majeſty's " warrant to your meſſengers for the arreſting " them, you were pleaſed to command, that they " ſhould repair to their lodgings, and there take " them; your Majeſty's principal ſecretary, lord " Conway, gave the ſaid meſſengers (as they af- " firmed) expreſs command, contrary to the ſaid " warrants, that they ſhould not go to their lodg- " ings, but to the houſe of commons, and there " take them; and if they found them not there, " they ſhould ſtay until they were come into the " houſe, and apprehend them whereſoever elſe " they ſhould find them. Which, beſide that it " is contrary to your Majeſty's command, is an " apparent teſtimony of ſome miſchievous inten- " tion there had againſt the whole houſe of com- " mons, and againſt the ſervice intended to your " Majeſty. All which, with the ſeveral interrup- " tions which preceded it, and the miſinformation " which hath cauſed all of them, we cannot doubt " but that they were wrought and procured by the " duke, to his own behoof, and for his advantage, " eſpecially becauſe the ſaid interruptions have, " thro' miſinformation, come among us only at " ſuch times wherein we have had the matters and " offenſes charged againſt him in agitation; but " your Majeſty, out of your great goodneſs and " juſtice, being afterwards informed truly of our " privilege, and the demerit of the cauſe which " concerned our two members, graciouſly com- " manded their delivery out of the Tower, for " which we render unto your Majeſty moſt humble " thanks; and were then again, by reaſon of our " hopes of the diſpatch of proceedings with the " lords, upon our charge againſt him the ſaid " duke, in a chearful purpoſe to go on with the " matter of ſupply, and other ſervices to your Ma- " jeſty, when again theſe hopes failed in us, by " reaſon of ſome new exorbitancies now lately ſhew- " ed in the exerciſe of his ſo great power and am- " bition; for by ſuch his power and ambition, " notwithſtanding our declaration againſt him for " his ſo great plurality of offices, he alſo procured " to himſelf, by the ſollicitation of his agents, and " of ſuch as depended upon him, the office of " chancellor of the univerſity of Cambridge; " whereas the ſame univerſity, having two burgeſſes " in parliament, did by the ſame burgeſſes, a few " weeks before, conſent with us in the charge " againſt him for his ambition, for procuring ſuch " a plurality of offices; ſuch was his ambition to " ſue for it, ſuch was his power to make them give " it him, contrary to what themſelves had agreed " in parliament with all the commons of England.

" And he procured alſo the ſame office, by the Charles I " ſpecial labors and indeavors (as we are informed) An' 1626. " of a factious party, who adhereth to that dange- " rous innovation of religion, publiſhed in the " ſeditious writings of one Richard Montague, " clerk; of whom it is thence alſo, and hereto- " fore upon other reaſons it had been conceived, " that the ſaid duke is, and long hath been an " abettor and protector,

" Theſe actions of the ſaid duke have thus among " us hindered the ſervice of your Majeſty, by rea- " ſon both of the interruptions which have ſo ne- " ceſſarily accompanied them, and of the preven- " tion of our chearfulneſs, which otherwiſe had " long ſince been moſt effectually ſhewed in us, " that having nothing elſe in our cares, next to " our duty to God, but the loyal ſervice of your " Majeſty, the ſafety of your kingdom, and the " ſubſiſtence of our ſelves, and thoſe whom we re- " preſent, for the continuance of that ſervice and " ſafety which we cannot hope for. And we be- " ſeech your moſt excellent Majeſty, graciouſly to " receive this our humble and free proteſtation, " that we cannot hope for it, ſo long as we thus " ſuffer under the preſſures of the power and ambi- " tion of the ſaid duke, and the diverſe and falſe " informations ſo given to your Majeſty on his " behalf, and for his advantage; eſpecially when " we obſerve alſo, that in ſuch his greatneſs, he " preventeth the giving true information to your " Majeſty, in all things which may any ways re- " flect on his own miſdoings, to ſhew unto your " Majeſty the true ſtate of your ſubjects and king- " doms, otherwiſe than as it may be repreſented " for his own ends. And to that purpoſe alſo hath " he procured ſo many perſons depending on him, " either by alliance or advancement, to places of " eminency near your ſacred perſon. Tho' his " miſinformations of that kind alſo, and power, " we have ſeen, to our great grief, both in the " time of your Majeſty's royal father, of bleſſed " memory, and of your Majeſty, diverſe officers " of the kingdom ſo often by him diſplaced and " altered that, within theſe few years paſſed ſince " the begining of his greatneſs, more ſuch diſpla- " cings and alterations have by his means happen- " ed than in many years before them: neither was " there in the time of your royal father, of bleſſed " memory, any ſuch courſe held, before it was by " the practiſe of the ſaid duke thus introduced. And " ſince that time, diverſe officers of the crown, " not only in this your kingdom of England, but " alſo in Ireland, as they have been made friends " or adverſe to the ſaid duke, have been either ſo " commended, or miſrepreſented by him to his So- " vereign, and by his procurement ſo placed or " diſplaced, that he hath always herein, as much " as in him lay, made his own ends and advan- " tage the meaſure of the good or ill of your Ma- " jeſty's kingdoms.

" But now at length, may it pleaſe your moſt " excellent Majeſty, we have received from the " lords a copy of the ſaid duke's anſwer to our " charge tranſmited againſt him; whereunto we " ſhall preſently in ſuch ſort reply, according to " the laws of parliament, that, unleſs his power " and practiſe again undermine our proceedings, " we do not doubt but we ſhall, upon the ſame, " have judgment againſt him.

" In the times alſo (moſt gracious Sovereign) of " theſe interruptions which came among us, by " reaſon of the procurement of two of our mem- " bers commited, a gracious meſſage was " formerly received from your Majeſty, wherein " you had been pleaſed to let us know, that, if " you had not a timely ſupply, your Majeſty " would betake yourſelf to new counſels; which

we

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" we cannot doubt were intended by your moſt " excellent Majeſty to be ſuch as ſtood with juſtice " and the laws of this realm. But theſe words, " New Counſels,' were remembered in a ſpeech " made among us, by one of your Majeſty's privy " council, and lately a member of us, who in the " ſame ſpeech told us; he had often thought of " thoſe words, 'New Counſels;' that, in his con- " ſideration of them, he remembered, that there " were ſuch kinds of parliaments anciently among " other nations, as are now in England: that in " England he ſaw the country-people live in hap- " pineſs and plenty, but in theſe other nations he " ſaw them poor both in perſons and habit, or to " that effect; which ſtate and condition happened " (as he ſaid) to them, where ſuch 'New Counſels' " were taken as that the uſe of their parliaments " ended.

" This intimation, may it pleaſe your Majeſty, " was ſuch as, alſo, gave juſt cauſe to fear there " were ſome ill miniſters near your Majeſty, who, " in behalf of the ſaid duke, and together with " him, who is ſo ſtrangely powerful, were ſo much " againſt the parliamentary courſe of this king- " dom, as they might perhaps adviſe your moſt " excellent Majeſty ſuch new counſels as theſe " which fell under the memory and conſideration " of that privy-counſellor. And one eſpecial reaſon " among others hath increaſed that fear among us, " for that whereas the ſubſidies of tonage and " poundage, which determined upon the death of " your moſt royal father, our late Sovereign, and " were never payable to any of your Majeſty's an- " ceſtors, but only by a ſpecial act of parliament, " and ought not to be levied without ſuch act; yet " ever ſince the begining of your Majeſty's happy " reign over us, the ſaid ſubſidies have been levied " by ſome of your Majeſty's miniſters, as if they " were ſtill due; altho' alſo one parliament hath " been ſince then begun, and diſſolved by pro- " curement of the ſaid duke, as is before ſhewed, " wherein no act paſſed for the ſame ſubſidies: " which example is ſo much againſt the conſtant " uſe of former times, and the known right and " liberty of your ſubjects, that it is a moſt apparent " effect of ſome new counſels given againſt the " ancient ſettled courſe of government of this your " Majeſty's kingdom, and chiefly againſt the right " of your commons; as if there might be any " ſubſidy, tax, or aid levied upon them without " their conſent in parliament, or contrary to the " ſettled laws of this kingdom. But if any ſuch " do ſo ill an office, as by the miſrepreſentation of " the ſtate, and right of your Majeſty's loyal ſub- " jects, adviſe any ſuch new counſels, as the levying " any aid, tax, or ſubſidy among your people, " contrary to the ſettled laws of your kingdom, " we cannot, moſt gracious Sovereign, but eſteem " them who ſhall ſo adviſe not only as vipers, but " peſts to their King and common-wealth (as all " ſuch were to both houſes of parliament expreſly " ſtiled by your moſt royal father) but alſo capital " enemies, as well to your crown and dignity, as " to the common-wealth. And we ſhall, for our " parts, in parliament ſhew, as occaſion ſhall re- " quire, and be ready to declare their offenſes of " this kind, ſuch as may be rewarded with the " higheſt puniſhment, as your laws inflict on any " offenders.

" Theſe and ſome of theſe things, among many " other (moſt gracious Sovereign) are thoſe which " have ſo much prevented a right underſtanding be- " tween your Majeſty and us, and which have " poſſeſſed the hearts of your people and loyal " commons with unſpeakable ſorrow and grief, " finding apparently all humble and hearty in- " deavors miſinterpreted, hindered and now at " laſt almoſt fruſtrated utterly, by the interpoſition " of the exceſſive and abuſive power of one man; " againſt whom we have juſt cauſe to proteſt, not " only in regard of the particulars wherewith he " hath been charged, which parliamentary way we " are inforced to inſiſt upon as matters which lie " in our notice and proof, but alſo becauſe we ap- " prehend him of ſo unbridled ambition, and ſo " averſe to the good and tranquillity of the church " and ſtate, that we verily believe him to be an " enemy to both. And therefore, unleſs we would " betray our own duties to your Majeſty, and thoſe " from whom we are truſted, we cannot but ex- " preſs our infinite grief, that he ſhould have ſo " great power and intereſt in your princely af- " fections, and under your Majeſty, wholly in a " manner to ingroſs to himſelf the adminiſtration " of your affairs of the kingdom, which by that " means is drawn into a condition moſt miſerable " and hazardous. Charles I An' 1626.

" Give us then leave, moſt dear Sovereign, in " the name of all the commons of this your king- " dom, proſtrate at the feet of your ſacred Ma- " jeſty, moſt humbly to beſeech you, even for the " honor of Almighty God, whoſe religion is " directly undermined by the practiſe of that party " whom this duke ſupports; for your honor, which " will be much advanced in the relieving your " people in this their great and general grievance; " for the honor, ſafety, and welfare of your king- " dom, which by this means is threatened with al- " moſt unavoidable dangers, and for the love which " your Majeſty, as a good and loving father, bears " unto your good people, to whom we profeſs, in " the preſenſe of Almighty God (the ſearcher of " all hearts) you are as highly eſteemed and be- " loved as ever any of your predeceſſors were, " that you would be graciouſly pleaſed to remove " this perſon from acceſs to your ſacred preſenſe, " and that you would not balance this one man " with all theſe things, and with the affairs of the " Chriſtian world, which do all ſuffer, ſo far as " they have relation to this kingdom, chiefly by " his means. For we proteſt to your Majeſty, and " to the whole world, that until this great perſon " be removed from intermedling with the great " affairs of ſtate, we are out of hope of any good " ſucceſs; and do fear that any money we ſhall " or can give will, thro' his miſ-imployment, be " turned rather to the hurt and prejudice of this " your kingdom, than otherwiſe, as by lamentable " experience we have found, in thoſe large ſupplies " we have formerly and lately given.

" But no ſooner ſhall we receive redreſs and re- " lief in this (which of all others, is our moſt in- " ſupportable grievance) but we ſhall forthwith " proceed to accompliſh your Majeſty's own de- " ſire, for ſupply, and likewiſe with all chearful- " neſs apply our ſelves to the perfecting diverſe " other great things, ſuch as we think no one par- " liament in one age can parallel, tending to the " ſtability, wealth, ſtrength and honor of this " your kingdom, and the ſupport of your friends " and allies abroad: and we doubt not but, thro' " God's bleſſing, as you are the beſt, ſo ſhall you " ever be the beſt beloved, and greateſt Monarch " ever ſat on the royal throne of this famous king- " dom."

Having thus ſeen the commons complaints againſt the duke of Buckingham, or rather againſt the King himſelf, who was governed by his ſaid favorite, and had ſeveral times declared, that the duke did nothing without his orders, it is but juſt we ſhould now have alſo a view of his Majeſty's complaints againſt the commons, and the grounds and cauſes of his diſſolving this, and the former parliament. Tho' his declaration, publiſhed on this occaſion, is exorbitantly

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exorbitantly prolix, as well as the foregoing remonſtrance, I believed it neceſſary to inſert the whole, that the reader, by comparing them together, may be able to form a clearer idea of the cauſes and origin of the diviſions between King and parliament thro' the whole courſe of this reign.

The King's declaration, notifying the cauſes of aſſembling and diſſolving the two laſt parliaments.

June 13. Ruſhworth, p. 406. Annals, p. 203.

" THE King's moſt excellent Majeſty, ſince " his happy acceſs to the imperial crown of " this realm, having by his royal authority ſum- " moned and aſſembled two ſeveral parliaments; the " firſt whereof was in Auguſt laſt, by adjournment " held at Oxford, and there diſſolved; and the " other began in February laſt, and continued until " the fifteenth day of this preſent month of June, " and then, to the unſpeakable grief of himſelf, " and (as he believeth) of all his good and well- " affected ſubjects, diſſolved alſo: altho' he well " knoweth that the calling, adjourning, proroguing " and diſſolving parliaments, being his great " council of the kingdom, do peculiarly belong " unto himſelf by an undoubted prerogative inſe- " parably united to his imperial crown; of which, " as of his other royal actions, he is not bound to " give account to any but to God only, whoſe " immediate lieutenant and vicegerent he is in " theſe realms and dominions, by the divine pro- " vidence commited to his charge and government. " Yet foraſmuch as, by the aſſiſtance of the Al- " mighty, his purpoſe is ſo to order himſelf and all " his actions, eſpecially in the great and public " actions of ſtate, concerning the weal of his king- " doms, as may juſtify themſelves, not only to his " own conſcience, and to his own people, but to " the whole world; his Majeſty hath thought it fit " and neceſſary, as the affairs now ſtand both at " home and abroad, to make a true, plain and " clear declaration of the cauſes which moved his " Majeſty to aſſemble, and after inforced him to " diſſolve theſe parliaments, that ſo the mouth of " malice itſelf may be ſtoped, and the doubts and " fears of his own good ſubjects at home, and of " his friends and allies abroad may be ſatisfied, and " the deſerved blame of ſo unhappy accidents may " juſtly light upon the authors thereof.

" When his Majeſty, by the death of his dear " and royal father, of ever bleſſed memory, firſt " came to the crown, he found himſelf ingaged in " a war with a potent enemy; not undertaken " raſhly, nor without juſt and honorable grounds, " but inforced for the neceſſary defenſe of himſelf " and his dominions; for the ſupport of his friends " and allies; for redeeming the ancient honor of " this nation; for recovering the patrimony of his " dear ſiſter, her conſort, and their children, in- " juriouſly, and under color of treaties and friend- " ſhip, taken from them, and for maintenance of " the true religion, and invited thereunto, and in- " couraged therein by the humble advice of both " the houſes of parliament, and by the large pro- " miſes and proteſtations to his late Majeſty, to " give him full and real aſſiſtance in thoſe enter- " priſes, which were of ſo great importance to this " realm, and to the general peace and ſafety of all " his friends and allies; but when his Majeſty " entered into a view of his treaſure, he found how " ill provided he was to proceed effectually with " ſo great an action, unleſs he might be aſſured to " receive ſuch ſupplies from his loving ſubjects, " as might inable him to manage the ſame.

" Hereupon his Majeſty, being willing to tread " in the ſteps of his royal progenitors, for the " making good and wholſome laws; for the better " government of his people; for the right under- " ſtanding their true grievances, and for the " ſupply of monies to be imployed for thoſe public " ſervices, did reſolve to ſummon a parliament " with all the convenient ſpeed he might, and " finding a former parliament already called in the " life of his father, he was deſirous, for the ſpeedier " diſpatch of his weighty affairs, and gaining time, " to have continued the ſame without any alteration " of the members thereof, had he not been adviſed " to the contrary by his judges and council at law, " which he deſired to avoid. But as ſoon as poſſible " he could, he ſummoned a new parliament, which " he did with much confidence and aſſurance of the " love of his people, that thoſe (who had not long " before, with ſome importunity won his father to " break off his former treaties with Spain, and to " effect it had uſed the mediation of his now Ma- " jeſty, being then Prince, and a member of the " parliament, and had promiſed in parliament " their utmoſt aſſiſtance for the inabling his late " Majeſty to undergo the war, which they then " foreſaw might follow) would aſſuredly have " performed it to his now Majeſty, and would " not have ſuffered him, in his firſt enterpriſe of " great expectation, to have run the leaſt hazard " thro' their defaults.

" This parliament (after ſome adjournment, by " reaſon of his Majeſty's unavoidable occaſions in- " terpoſing) being aſſembled on the eighteenth day " of June, it is true, that his commons in parlia- " ment, taking into their due and ſerious conſidera- " tion the manifold occaſions which, at his firſt " entry, did preſs his Majeſty, and his moſt im- " portant affairs which, both at home and abroad, " were then in action, did, with great readineſs " and alacrity, as a pledge of their moſt bounden " duty and thankfulneſs, and as the firſt-fruits of " the moſt dutiful affections of his loving and loyal " ſubjects, devoted to his ſervice, preſent his Ma- " jeſty with the free and chearful gift of two intire " ſubſidies: which their gift, and much more the " freeneſs and heartineſs expreſſed in the giving " thereof, his Majeſty did thankfully and lovingly " accept. But when he had more narrowly entered " into the conſideration of his great affairs, wherein " he was imbarked, and from which he could not, " without much diſhonor and diſadvantage, with- " draw his hand, he found that this ſum of money " was much ſhort of that which of neceſſity muſt " be preſently expended for the ſeting forward thoſe " great actions, which, by advice of his council, " he had undertaken, and were that ſummer to be " purſued. This his Majeſty imparted to his " commons houſe of parliament; but before the " ſame could receive that debate and due conſidera- " tion which was fit, the fearful viſitation of the " plague in and about the cities of London and " Weſtminſter, where the lords and the principal " gentlemen of quality of his whole kingdom were; " for the time of this their ſervice, lodged and " abiding, did ſo much increaſe, that his Majeſty, " without extreme peril to the lives of his good " ſubjects, which were dear unto him, could not " continue the parliament any longer in that " place.

" His Majeſty therefore, on the eleventh day " of July then following, adjourned the parliament " from Weſtminſter, until the firſt day of Auguſt " then following, at the city of Oxford. And his " Highneſs was ſo careful to accommodate his lords " and commons there, that as he made choice of " that place, being then the freeſt of all others " from the danger of that grievous ſickneſs, ſo he " there fited the parliament-men with all things " convenient for their entertainment: and his Ma- " jeſty himſelf, being in his own heart ſincere and " free from all ends upon his people, which the " ſearcher

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" ſearcher of hearts beſt knoweth, little expected
" that any miſ-conſtruction of his actions would
" have been made, as he there found. But when
" the parliament had been a while aſſembled, and
" his Majeſty's affairs opened unto them, and a
" farther ſupply deſired as neceſſity required, he
" found them ſo ſlow, and ſo full of delays and
" diverſions in their reſolutions, that, before any
" thing could be determined, the fearful contagion
" daily increaſed, and was diſperſed into all parts
" of this kingdom, and came home even to their
" doors where they aſſembled. His Majeſty there-
" fore rather prefered the ſafety of his people from
" that preſent and viſible danger, than the providing
" for that which was more remote but no leſs dan-
" gerous to the ſtate of this kingdom, and of the
" affars of that part of Chriſtendom which then
" were and yet are in friendſhip and alliance with
" his Majeſty. And thereupon his Majeſty, not
" being then able to diſcern when it might pleaſe
" God to ſtay his hand of viſitation, nor what
" place might be more ſecure than other, at a time
" convenient for their re-aſſembling, his Majeſty
" diſſolved that parliament.

" That parliament being now ended, his Ma-
" jeſty did not therewith caſt off his royal care of
" his great and important affairs; but, by the
" advice of his privy council, and of his council of
" war, he continued his preparations and former
" reſolutions; and therein not only expended thoſe
" monies, which by the two ſubſidies aforeſaid
" were given unto him for his own private uſe,
" whereof he had too much occaſion, as he found
" the ſtate of his exchequer at his firſt entrance,
" but added much more of his own, as by his
" credit, and the credit of ſome of his ſervants,
" he was able to compaſs the ſame. At laſt, with
" much diſadvantage, by the retarding of pro-
" viſions, and uncertainty of the means, his navy
" was prepared and ſet to ſea, and the deſigns unto
" which they were ſent, and eſpecially directed,
" were ſo probable, and ſo well adviſed, that, had
" they not miſcarried in the execution, his Majeſty
" is well aſſured they would have given good ſatiſ-
" faction, not only to his own people but to all
" the world, that they were not lightly or unad-
" viſedly undertaken and purſued. But it pleaſed
" God, who is the Lord of Hoſts, and unto whoſe
" providence and good pleaſure his Majeſty doth,
" and ſhall ſubmit himſelf, and all his indeavors,
" not to give that ſucceſs which was deſired: and
" yet were thoſe attempts not altogether ſo fruitleſs
" as the envy of the times hath apprehended, the
" enemy receiving thereby no ſmall loſs, nor our
" party no little advantage. And it would much
" avail to farther his Majeſty's great affairs, and
" the peace of Chriſtendom, which ought to be
" the true end of all hoſtility, were theſe firſt be-
" ginings, which are moſt ſubject to miſcarry,
" well ſeconded and purſued, as his Majeſty in-
" tended, and, as in the judgment of all men con-
" verſant in his actions of this nature, were fit not
" to have been neglected.

" Theſe things being thus acted, and God of
" his infinite goodneſs, beyond expectation, aſſuag-
" ing the rage of the peſtilence, and, in a manner,
" on a ſudden reſtoring health and ſafety to the
" cities of London and Weſtminſter, which are
" the fiteſt places for the reſort of his Majeſty, his
" lords and commons, to meet in parliament; his
" Majeſty, in the depth of winter, no ſooner
" deſcried the probability of a ſafe aſſembling of
" his people, and in his princely wiſdom and pro-
" vidence foreſaw that, if the opportunity of ſeaſon
" ſhould be omited, preparations both defenſive
" and offenſive could not be made in ſuch ſort as
" was requiſite for their common ſafety, but he
" adviſed and reſolved on ſummoning a new par-
" liament, where he might freely communicate the
" neceſſities of the ſtate, and the counſel and advice
" of the lords and commons in parliament, who
" were the repreſentative body of the whole king-
" dom, and the great couſel of the realm, might
" proceed in theſe enterpriſes, and be inabled there-
" unto, which concern the common good, ſafety
" and honor both of Prince and people; and ac-
" cordingly, the ſixth of February laſt, a new
" parliament was begun. At the firſt meeting,
" his Majeſty did forbear to preſs them with any
" thing which might have the leaſt appearance of
" his own intereſt, but recommended unto them
" the care of making good laws, which are the
" ordinary ſubject for a parliament.

" His Majeſty, believing that they could not
" have ſuffered many days, much leſs many weeks,
" to have paſſed by before the apprehenſion and
" care of the common ſafety of this kingdom, and
" the true religion profeſſed and maintained therein,
" and of our friends and allies, who muſt proſper
" or ſuffer with us, would have led them to a due
" and timely conſideration of all the means which
" might beſt conduce to thoſe ends; which the
" lords of the higher houſe, by a commitee of that
" houſe, did timely and ſeaſonably conſider of,
" and invited the commons to a conference con-
" cerning that great buſineſs: at which conference,
" there were opened unto them the great occaſions
" which preſſed his Majeſty; which making no
" impreſſion with them, his Majeſty did, firſt by
" meſſage and after by letters, put the houſe of
" commons in mind of that which was moſt neceſ-
" ſary, the defenſe of the kingdom, and due and
" timely preparations for the ſame.

" The commons houſe after this, on the twenty-
" ſeventh of March laſt, with one unanimous con-
" ſent at firſt, agreed to give unto his Majeſty
" three intire ſubſidies, and three fifteenths, for a
" preſent ſupply unto him; and on the twenty-ſixth
" of April after, upon ſecond cogitations, they
" added a fourth ſubſidy, and ordered the days of
" payment for them all, whereof the firſt ſhould
" have been on the laſt day of this preſent June.
" Upon this, the King of Denmark, and other
" Princes and ſtates, being ingaged with his Ma-
" jeſty in this common cauſe, his Majeſty fited
" his occaſions according to the times which were
" appointed for the payment of thoſe ſubſidies and
" fifteenths, and haſted on the lords commitees,
" and his council of war, to perfect their reſolu-
" tions for the ordering and ſettling his deſigns;
" which they accordingly did, and brought them
" to that maturity, that they found no impediment
" to a final concluſion of their counſels, but want
" of money to put things into action. His Ma-
" jeſty hereupon, who had with much patience ex-
" pected the real performance of that which the
" commons had promiſed, finding the time of the
" year poſting away, and having intelligence, not
" only from his own miniſters and ſubjects in foreign
" parts, but from all parts of Chriſtendom, of
" the great and powerful preparations of the King
" of Spain, and that his deſign was upon this
" kingdom, or the kingdom of Ireland, or both,
" (and it is hard to determine which of them would
" be of worſe conſequence) he acquainted the houſe
" of commons therewith, and laid open unto them,
" truly and clearly, how the ſtate of things then
" ſtood, and yet ſtand, and at ſeveral times, and
" upon ſeveral occaſions reiterated the ſame. But
" that houſe, being abuſed by the violent and ill-
" adviſed paſſions of a few members of the houſe,
" for private and perſonal ends ill beſeeming
" public perſons truſted by their country, as then
" they were, not only neglected but wilfully refuſed

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" to hearken to all the gentle admonitions which " his Majeſty could give them, and neither did nor " would intend any thing but the proſecution of " one of the peers of this realm, and that in ſuch " a diſordered manner, as being ſet at their own " inſtance into a legal way, wherein the proofs on " either part would have ruled the cauſe, which his " Majeſty allowed, they were not therewith con- " tent, but, in their intemperate paſſions and de- " ſires to ſeek for errors in another, fell into a " greater error themſelves, and not only neglected " to give juſt ſatisfaction to his Majeſty in ſeveral " caſes which happened concerning his regality, " but wholly forgot their ingagements to his Ma- " jeſty for the public defenſe of the realm: where- " upon his Majeſty wrote the fore-mentioned letter " to the ſpeaker, dated the ninth day of June 1626.

" Notwithſtanding which letter read in the " houſe, being a clear and gracious manifeſt of his " Majeſty's reſolutions, they never ſo much as ad- " mited one reading to the bill of ſubſidies, but " inſtead thereof they prepared and voted a re- " monſtrance or declaration, which they intended " to prefer to his Majeſty, containing (tho' palliated " with gloſſing terms) as well diſhonorable aſper- " ſions upon his Majeſty, and upon the ſacred " memory of his deceaſed father, as alſo dilatory " excuſes for their not proceeding with the ſub- " ſidies, adding thereto alſo colored conditions, " croſſing thereby his Majeſty's direction; which " his Majeſty underſtanding, and eſteeming (as he " had cauſe) to be a denial of the promiſed ſupply, " and finding that no admonitions could move, no " reaſons or perſuaſions could prevail, when the " time was ſo far paſſed that they had put an im- " poſſibility upon themſelves to perform their pro- " miſes, which they eſteemed all gracious meſſages " unto them to be but interruptions: his Majeſty, " upon mature adviſement, diſcerning that all " farther patience would prove fruitleſs, on the " fifteenth day of this preſent month, he hath diſ- " ſolved this unhappy parliament; the acting " whereof, as it was to his Majeſty unexpreſſible " grief, ſo the memory thereof doth renew the " hearty ſorrow which all his good and well-affected " ſubjects will compaſſionate with him.

" Theſe paſſages his Majeſty hath, at the more " length, and with the true circumſtances thereof, " expreſſed and publiſhed to the world, leſt that " which hath been unfortunate in itſelf, thro' the " malice of the author of ſo great a miſchief, and " the malevolent report of ſuch as are ill-affected " to this ſtate, or the true religion here profeſſed, " or the fears and jealouſies of friends and faithful " ſubjects, might be made more unfortunate in the " conſequences of it, which may be of worſe effect " than at firſt can be well apprehended; and his " Majeſty being beſt privy to the integrity of his " own heart, for the conſtant maintaining of the " ſincerity and unity of the true religion profeſſed " in the church of England, and to free it from " the open contagion of Popery, and ſecret in- " fection of ſchiſm, of both which, by his public " acts and actions, he hath given good teſtimony, " and with a ſingle heart, as in the preſenſe of " God, who can beſt judge thereof, purpoſeth re- " ſolutely and conſtantly to proceed in the due " execution of either; and, obſerving the ſubtilty " of the adverſe party, he cannot but believe, that " the hand of Joab hath been in this diſaſter, that " the common incendiaries of Chriſtendom have " ſubtilly and ſecretly inſinuated thoſe things, which " unhappily (and, as his Majeſty hopeth, beyond " the intentions of the actors) have cauſed theſe " diverſions and diſtractions. And yet notwith- " ſtanding, his moſt excellent Majeſty, for the " comfort of his good and well-affected ſubjects, " in whoſe loves he doth repoſe himſelf with con- " fidence, and eſteemeth it as his greateſt riches: " for the aſſuring of his friends and allies, with " whom, by God's aſſiſtance, he will not break in " the ſubſtance of what he hath undertaken; for " the diſcouraging of his adverſaries, and the ad- " verſaries of his cauſe, and of his dominions and " religion, hath put on this reſolution, which he " doth hereby publiſh to all the world, that as " God hath made him King of this great people, " and large dominions, famous in former ages " both by land and ſea, and truſted him to be a " father and protector both of their perſons and " fortunes, and a defender of the faith and true re- " ligion; ſo he will go on chearfully and conſtantly " in the defenſe thereof, and (notwithſtanding ſo " many difficulties and diſcouragements) will take " his ſcepter and ſword into his hand, and not ex- " poſe the perſons of the people commited to his " charge to the unſatiable deſires of the King of " Spain, who hath long thirſted after the univerſal " monarchy, nor their conſciencies to the yoke of " the Pope of Rome: and that at home he will " take that care to redreſs the juſt grievances of " his good ſubjects, as ſhall every way be fit for a " good King.

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" And in the mean time, his Majeſty doth publiſh " this to all his loving ſubjects, that they may " know what to think with truth, and ſpeak with " duty of his Majeſty's actions and proceedings in " theſe two laſt diſſolved parliaments."

Given at his Majeſty's palace at Whitehall, this thirteenth day of June, in the ſecond year of his Majeſty's reign of Great Britain, France and Ireland.

Remarks on the declaration.

This declaration, which ſeems to be in the ſame ſtile with the lord-keeper Coventry's harangues, full of long periods and parentheſes, does, under a vaſt heap of words, contain only two eſſentials, viz. King Charles's two motives for diſſolving the two laſt parliaments. Therein it is alledged, that the plague, which approached Oxford, occaſioned the diſſolution of the firſt: but this reaſon, which ſeems plauſible, proves at moſt but a neceſſity to diſ- continue the parliament, which might as eaſily have been done by prorogation, as by intire diſſolution: and farther, when this declaration was publiſhed, all knew what the commons had ſaid in their re- monſtrance, that the end of diſſolving the firſt was to exclude from the inſuing parliament ſuch mem- bers as had been againſt the duke of Buckingham, by cauſing them to be appointed ſheriffs of their reſpective counties. With regard to diſſolving the ſecond, it is, in the declaration, wholly grounded on his Majeſty's being pleaſed to conſider as a poſitive refuſal the commons delay to ſupply him with money, tho' they affirmed the contrary: but none were ſo blind as not to perceive their demand, that he would vouchſafe to remove Buckingham from his preſenſe, and apprehenſion of what ill ſucceſs might attend the impeachment againſt his ſaid grace, were the true cauſes of this diſſolution. Thus the declaration had no great effect among the people, who beſide were not under any dread of that pretended invaſion of England or Ireland by the Spaniards, notwithſtanding Charles did his utmoſt to inſpire them with this apprehenſion. It was ſomewhat extraordinary that, within little more than a year, the war, which was undertaken for re- covering the Palatinate, ſhould be metamorphoſed into a defenſive war for the preſervation of his Majeſty's dominions, and ſupport of the church of England, tho' the Engliſh had not yet received any check.

A few days after the declaration's appearance, came out two proclamations which afforded ample matter

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matter of diſcourſe to ſuch as were not in the court's ſecrets. By the firſt, his Majeſty commanded all perſons who had any copies of the commons remonſtrance to burn it, on pain of his higheſt diſpleaſure. But generally ſuch precautions ſerve only to cauſe the prohibited writings to be more carefully preſerved. The King's injunction could not prevent this remonſtrance's being tranſmited to poſterity.

Proclamation to ſuppreſs the remonſtrance. Ruſhworth, p. 411. Rym. Fœd. Vol. XVIII. p. 721.

The ſecond proclamation contained very expreſs commands, not to preach or diſpute upon the controverted points of Arminianiſm, either for or againſt them, under color that ſuch ſort of diſputes ſerved only to breed contention. But many were of opinion, that Laud biſhop of London, and Neile biſhop of Winchester, had procured this injunction to cruſh ſuch orthodox miniſters as ſhould preſume to infringe it, while diſobedience in thoſe of the adverſe party ſhould be connived at. Certain it is that the next parliament complained to his Majeſty that the orthodox miniſters were ſilenced for diſobeying this proclamation, and the Arminians tolerated and countenanced. Theſe matters appertained to the high-commiſſion, in a manner wholly compoſed of the creatures of Laud and Neile, heads and protectors of the Arminians, or at leaſt they were ſo reputed.

Another proclamation not to diſpute for or againſt Arminianiſm. Ruſhworth, p. 412. Rym. Fœd. Vol. XVIII. p. 719. Annals.

The King prevents Buckingham's being accuſed in the ſtar-chamber.

Mean while, an information was, by his Majeſty's ſpecial command, prefered in the ſtar-chamber againſt Buckingham, for having adminiſtered to the late King thoſe before-mentioned potions, &c. but withal, it was ſo ordered that the cauſe came not to a hearing.

The means uſed by King Charles to raiſe money. Ruſhworth, p. 413, &c. Annals.

Charles, not receiving from the parliament any aid, becauſe he would not purchaſe it at the rate ſet by the commons, was greatly ſtraitened (1). He was to maintain a war againſt the houſe of Auſtria, to ſupply his allies with the promiſed ſuccors, and to put his kingdom in a defenſible poſture. As all this could not be effected by his ordinary revenues, recourſe muſt be had to expedients for repleniſhing his coffers. Some of them I ſhall here mention ſucceſſively, tho' they were not all at once put in practiſe.

Ruſhworth, ibid. * For two years. Ibid. Rym. Fœd. Vol. XVIII. p. 729, 851, 922. Annals, p. 206.

The firſt was a proclamation inhibiting * all perſons to preſent or ſollicit any ſuit tending to the diminution of his Majeſty's revenues.

The ſecond was a commiſſion directed to the archbiſhop of York and others, to compound with Popiſh recuſants, not only for all forfeitures (2), due ſince the tenth year of King James, but alſo for ſuch as ſhall become due hereafter. This commiſſion was directly contrary to his promiſe to the parliament at Oxford: but as he could not obtain money of the late parliament, only on ſuch conditions as he thought not fit to comply with, he judged himſelf authoriſed to ſupply his occaſions by ſome other methods.

Rym. Fœd. Vol. XVIII. p. 739, 741, 786.

The third was a proclamation, declaring the King's reſolution to make his revenue certain, by granting his lands, as well holden in copy as otherwiſe, to be holden in fee-farm.

Ruſhworth, p. 415.

The fourth was a loan, from every peer, of a certain ſum for defenſe of the kingdom. But his attempt to borrow a hundred thouſand pounds from the city of London did not ſucceed, the citizens deſiring to be excuſed.

ibid. Clarendon, Vol. I. p. 53.

The fifth was an impoſition upon the ſeveral ports and maritime counties, to furniſh and ſet out a certain number of ſhips to protect the trade. The city of London having refuſed lending money to his Majeſty, was appointed to equip twenty ſhips, or at leaſt to find a ſum ſufficient for that purpoſe. As this tax was peculiar to maritime towns, many inhabitants of ſuch places retired elſewhere: but they were commanded by proclamation to return to their reſpective abodes.

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Laſtly, the council iſſued very ſtrict orders, that the payment of tonage and poundage ſhould be continued; tho' the King had yet no grant from the parliament; tho' he had never demanded any ſuch thing, and tho' the commons had complained of the levying theſe impoſts as a grievance, in the remonſtrance they had prepared.

Rym. Fœd. Vol. XVIII. p. 729, 737. Ruſhworth.

A faſt injoined. Rym. Fœd. Vol. XVIII. p. 725. Ruſhworth, p. 416.

But to let the people ſee it was purely thro' neceſſity that their Sovereign made uſe of theſe extraordinary methods to raiſe money, his Majeſty ordered a general faſt † to divert Heaven's judgments ready to fall on the kingdom, by the pretended invaſion wherewith it was menaced. This furniſhed him likewiſe with a pretext to require the lords-lieutenants of the ſeveral counties to muſter and arm the militia, and put them in condition to withſtand the invaſions of enemies from abroad, and quell the rebellions of ſubjects at home, if any ſhould happen (3): for the court was not free from apprehenſion of ſome commotions.

† For July 5. Commiſſions to muſter and arm the militia. Ibid. Annals.

The King of Denmark's defeat. Ruſhworth, p. 417. Annals.

The means hitherto uſed by King Charles to raiſe money, ſufficed not to extricate him from a freſh imbaraſs ariſing from a very unexpected event. The King of Denmark, his uncle, whom he had ingaged in a war with the Emperor, was defeated, the 27th of Auguſt, by count Tilly, with the loſs of all his baggage and train of artillery. This accident put Charles under a neceſſity of procuring wherewithal to ſupport his uncle, whoſe affairs were in a moſt indifferent ſituation, and who, if not ſpeedily relieved, could not avoid making peace with his Imperial Majeſty. The method judged propereſt to raiſe money on this urgent occaſion, was by a general loan from the ſubject, anſwerably to each perſon's aſſeſment in the ſubſidies uſually granted by parliaments. It is true, Charles gave his royal word, that all the money ſhould be repaid without fee or charge: but the performance of his promiſe was not relied on, as afterwards appeared. The King himſelf, as well as his council, expected to meet with many obſtacles in executing this project; ſuch forced loans not being agreeable to the nation: it was moreover feared, that this way of raiſing money upon the ſubject would finally render parliaments uſeleſs. For this reaſon, the council judged it proper to make uſe of three methods to ſucceed in their deſign: 1. Of ſome artifice to oblige the people, as much as poſſible, to lend freely: 2. Of fear, to terrify the irreſolute: 3. Of rigor to compel the moſt obſtinate. Hereon were grounded thoſe inſtructions the council gave their commiſſioners appointed in the ſeveral counties to levy this loan. The inſtructions themſelves here follow: viz.

A general loan. Ruſhworth, p. 418. Annals. Rym. Fœd. Vol. XVIII. p. 835, 842.

Inſtructions to the commiſſioners for raiſing the loan. Ruſhworth, p. 418.

" I. That they ſhould themſelves, for a good
" example to others, lend his Majeſty the ſeveral
" ſums of money required of them, teſtifying it
" by their names, with their own hands, that when
" they ſhall, in his Majeſty's name, require others
" to lend, they may diſcern the ſaid commiſſioners
" forwardneſs.

" II. To take for their guide thoſe rates whereat
" men were aſſeſſed in the laſt ſubſidy's book, and
" to require the loan of ſo much money as the intire

(1) By his haſty diſſolution of the parliament, he loſt four ſubſidies, and three fifteenths, which had been voted him by the commons. Coke, p. 229.

(2) Within ten northern counties ſpecified in the commiſſion. Ruſhworth, Vol. I. p. 414.

(3) This year King Charles raiſed mariners wages, from fourteen to twenty ſhillings per month. Rym. Fœd. Vol. XVIII. p. 721.

" rate

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" rate and value amounts to at which they are " rated and ſet; as (namely) he who is ſet a hundred pounds in goods, to lend a hundred marks; " and he who is ſet a hundred pounds in land, to " lend a hundred pounds in money; and ſo per " rata for a greater or leſſer ſum.

" III. To uſe all poſſible indeavors to cauſe " every man willingly and chearfully to lend, opening unto them the neceſſity and unavoidableneſs " of this courſe; the honor and reputation of the " nation; the true religion and common ſafety of " Prince and people, of our friends and allies ingaged in the common cauſe; that there is no time " now of diſputing, but of acting.

" IV. That they appoint the days of payment " to be within fourteen days, and perſuade ſuch as " ſhall be able to pay it at one intire payment, the " better to accommodate his Majeſty's occaſion; " otherwiſe to accept of the one half at fourteen " days, and the other to be paid before the twentieth of December now next inſuing.

" V. That they treat apart with every one of " thoſe who are to lend, and not in the preſenſe or " hearing of any other, unleſs they ſee cauſe to the " contrary. And if any ſhall refuſe to lend, and " ſhall make delays or excuſes, and perſiſt in their " obſtinacy, that they examine ſuch perſons upon " oath, whether they have been dealed withal to " deny or refuſe to lend, or make excuſes for not " lending? Who hath dealed ſo with him, and " what ſpeeches or perſuaſions he or they have uſed " to him, tending to that purpoſe? And that they " ſhall alſo charge every ſuch perſon, in his Ma" jeſty's name, upon his allegiance, not to diſcloſe " to any other what his anſwer was.

" VI. That they ſhew their diſcretion and affections, by making choice of ſuch to begin with as " are likely to ſet the beſt examples; and when " they have a competent number of hands to the " roll or liſt of the leaders, that they ſhew the ſame " to others to lead them in like manner.

" VII. That they indeavor to diſcover whether " any, publicly or underhand, be workers or perſuaders of others to diſſent from, or diſlike of " this courſe, or hinder the good diſpoſition of " others: and that, as much as they may, they " hinder all diſcourſe about it, and certify to the " privy-council, in writing, the names, qualities " and dwelling-places of all ſuch refractory perſons, " with all ſpeed, and eſpecially if they ſhall diſcover any combination or confederacy againſt theſe " proceedings.

" VIII. That they notify to all whom it may " concern, that his Majeſty is well pleaſed, on " lending theſe ſums required, to remit all that " which by letters, in his name, was deſired upon " the late benevolence for free-grant; and whatever hath been already paid upon that account, " ſhall be accepted for part of this loan; and if " it exceed the ſum deſired, that the overplus ſhall " be repaid without fee or charge: ſo likewiſe for " privy-ſeals, if any have been already paid; but, " if not, that agreeing to the loan of the ſum required, excuſes payment of the privy-ſeal.

" IX. That they admit of no ſuits to be made, " or reaſons to be given for abating any ſum, the " time and inſtant occaſion not admiting any ſuch " diſpute, which would but diſturb and protract the " ſheriff.

" Laſtly, the commiſſioners were required and " commanded, upon their faith and allegiance to " his Majeſty, to keep ſecret to themſelves, and " not impart or diſcloſe theſe inſtructions to " others."

To facilitate theſe loans, care was taken to publiſh a liſt of thoſe who had freely ſubſcribed, for a good example to others, and all the peers and gentlemen were ordered to repair to their country-ſeats, that their abſenſe might cauſe no delay or obſtacle to the ſubſcriptions. Sir Randolph Crew, lord chief-juſtice, ſhewing no zeal for advancing the loan, was removed from his place, which was given to ſir Nicholas Hyde. The King believed it neceſſary to ſhew, by this example, that he would admit of no excuſe (1).

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Rym. Fœd. Vol. XVIII. p. 798.

Lord chief juſtice Crew removed on account of the loan.

Rym. Fœd. Vol. XVIII. p. 791, 835.

Beſide this example, the court to promote the loan had recourſe to certain other methods, which ſeemingly would not be leſs effectual. The firſt was, billeting ſoldiers upon private houſes, contrary to the conſtant cuſtom of England, where all except thoſe who keep public houſes, are exempt from any obligation to quarter ſoldiers againſt their wills. We may readily ſuppoſe that ſuch as expreſſed reluctance to lend the King money were not ſpared on this occaſion, and that the ſoldiers quartered upon them took care they ſhould know to what they expoſed themſelves by diſobeying his Majeſty. Moreover, ſuch as were ſufferers by theſe incommodious gueſts, could not ſummon them before the uſual judges; but, by the King's expreſs orders, they were obliged to apply to a council of war; ſo that the officers were ſole judges of their ſoldiers. This is never practiſed in England, where councils of war have no juriſdiction but what the parliament allows them by acts on purpoſe, limiting both times and occaſions. In ſhort, it evidently appeared that King Charles would not be contradicted, and was reſolved to raiſe money upon the ſubject as he pleaſed. It is true, he grounded his proceedings on former precedents: but that ſome of his predeceſſors had, many ages ſince, uſed ſuch means, whether thro' neceſſity or otherwiſe, was ſufficient for him to conſider ſuch a precedent as the foundation of his right, and a prerogative of the crown. Notwithſtanding all this, the people in general were ſo averſe to the loan, that the money flowed but ſlowly into his Majeſty's exchequer. The court therefore was obliged to uſe a more violent remedy to force the moſt obſtinate, and that was, to order ſuch of the common ſort as refuſed to ſubſcribe to the loan, to be inrolled, as ſoldiers, to ſerve in his Majeſty's troops. As for perſons of birth and rank, they were ſummoned to appear before the council, and, on a ſecond refuſal to lend money, were confined to places at a great diſtance from their habitations, and ſuch as refuſed to be thus confined, were commited to the ſeveral priſons in London. Sir Thomas Wentworth, afterwards earl of Strafford and King Charles's zealous adherent, was among the impriſoned.

Rym. Fœd. Vol. XVIII. p. 791, 835.

Soldiers quartered upon private houſes.

Ruſhworth, p. 419.

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Such as refuſe ſubſcribing are either inrolled among the King's troops, ſent away, or impriſoned.

Ruſhworth, p. 422, 428.

Beſide theſe methods, the court practiſed another, whence they expected great advantages, but which proved to his Majeſty rather detrimental than beneficial. This was, to cauſe miniſters, gained for that purpoſe, to preach as a ſcripture-doctrine, that ſubjects were obliged to obey the King's commands, without examination. Two of theſe miniſters diſtinguiſhed themſelves by their ſermons on this ſubject. Dr. Sibthorp, who was one, ſays, among other matters, in a ſermon.

The doctrine of paſſive obedience publicly preached by Sibthorp and Manwaring.

Id. p. 422, Annals. Welwood.

" That the Prince, who is the head, and makes " his court and council, it is his duty to direct " and make laws, Eccleſ. viii. 3, 4. He doth " whatſoever pleaſes him. Where the word of a " King is, there is power, and who may ſay unto " him, What doeſt thou?------If Princes command " any thing which ſubjects may not perform, be" cauſe it is againſt the laws of God, or of na-

(1) The Papiſts contributed very freely in the loan, but the Puritans were very backward. Whitlock, p. 8. This did beget in the King at firſt a tenderneſs towards the Papiſts, and afterwards a truſt and confidence in them; which was unhappily miſtaken by his other ſubjects, as if he inclined to their religion. Welwood, p. 37.

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" ture, or impoſſible, yet ſubjects are bound to " undergo the puniſhment, without either reſiſting " or reviling, and ſo to yield a paſſive obedience " where they cannot exhibit an active one——I " know no other caſe, but one of theſe three, " wherein a ſubject may excuſe himſelf with paſſive " obedience; but in all others he is bound to active " obedience."

But Dr. Manwaring ſpake ſtill more plainly in one of his ſermons. He ſaid, " That the King " is not bound to obſerve the laws of the realm " concerning the ſubjects rights and liberties, but " that his royal will and command in impoſing " loans and taxes, without common conſent in par- " liament, doth oblige the ſubjects conſcience, " upon pain of eternal damnation. That thoſe " who refuſed to pay this loan, offended againſt " the law of God, and the King's ſupreme autho- " rity, and became guilty of impiety, diſloyalty, " and rebellion. And that the authority of par- " liament is not neceſſary for the raiſing aids and " ſubſidies; and that the ſlow proceedings of ſuch " great aſſemblies were not fited for the ſupply of " the ſtates urgent neceſſities, but would rather " produce fundry impediments to the juſt deſigns " of Princes."

The archbiſhop ſuſpended for refuſing to approve Sibthorp's ſermon. Annals. Archb. Abbot's Apol. Ruſhworth, p. 434, &c.

It can ſcarcely be imagined that ſuch a doctrine was publicly preached in England, or at leaſt one would be apt to ſuppoſe theſe preachers to be men of no name, who ſought to pleaſe the court, and were not openly approved. But this belief muſt vaniſh when it is conſidered, that archbiſhop Abbot was ſuſpended from all his archiepiſcopal functions, and confined to one of his country-houſes, for refuſing to licenſe Sibthorp's ſermon: that Manwaring, after having been by the lords in next parliament ſentenced to pay a thouſand pounds fine, to make a public ſubmiſſion at the bars of both houſes, and to be impriſoned *, after having been ſuſpended for three years, and declared incapable of holding any eccleſiaſtical dignity, or ſecular office, obtained nevertheleſs the King's pardon, with a good benefice, and afterwards a biſhoprick. One cannot therefore help thinking, that the doctrine preached by theſe miniſters was approved, favored and countenanced by the court. Indeed, Charles's and his miniſters conduct manifeſtly evidenced it to be their intention to eſtabliſh arbitrary power, and ſet the King above the laws. Of this we ſhall ſee farther proofs in the ſequel.

* During the peers pleaſure.

State of Charles's affairs at home and abroad.

Notwithſtanding King Charles's hopes of finally ſucceeding in his project, he was not eaſy: the war he had undertaken for recovering the Palatinate was ſo ſlowly and unſucceſsfully carried on, that it was evident he would never compaſs his ends, by continuing it on ſuch footing. Hitherto, all had miſcarried. The twelve thouſand men intended for the Palatinate, under count Mansfeldt's command, were loſt for want of proper meaſures for their paſſage, as was ſhewn in the reign of King James. The projected expedition againſt Cadiz, and the Spaniſh Weſt-India fleet, had met with no better ſucceſs The King of Denmark, commencing a war with the Emperor, at his nephew the King of England's inſtances, had been miſerably defeated. The United Netherland provinces, in alliance with England, were rather in want of aſſiſtance, than able to give any. Lewis XIII had flattered the King of England with hopes of a league againſt the houſe of Auſtria, only to obtain better terms from the Spaniards in Italy, and, ſince he had concluded a peace in that country, did not ſhew the leaſt inclination to join with England for recovering the Palatinate. Thus Charles found himſelf more remote than ever from the execution of his grand projects. To this may be added, that the diſſolution of his two firſt parliaments, without obtaining the expected ſupplies, rendered him contemptible to his neighbors. No one ſtate ſeemed very forward to contract a ſtrict alliance with a Prince who had imprudently quarreled with his ſubjects at a juncture when he moſt needed their aſſiſtance. Finally, notwithſtanding he had intended to free himſelf from the yoke of parliaments, and put himſelf in a condition to raiſe what money he pleaſed upon his ſubjects, by the methods he had deviſed, he daily perceived he had taken wrong meaſures. The loan-money came in but very ſlowly. To raiſe it, he was obliged to be perpetually uſing rigor and violence, the Engliſh in a manner generally refuſing to ſubmit willingly to a power they believed contrary to their laws and liberties. The court therefore was conſtrained to be cautious in the examples of rigor againſt the diſobedient, that it might not occaſion a bare-faced rebellion, for fear if a flame brake out in any part, it would ſpread over the whole kingdom.

Charles, in his then ſituation, ſeems to have had but one of theſe two courſes to take; either to agree with his people, or ſtrike up a peace with Spain. By the firſt courſe, he would have been inabled to puſh the war he had undertaken more vigorouſly. By the ſecond, he would have been freed from the trouble of demanding extraordinary ſupplies of his parliament, or of raiſing money by unuſual methods, which gained him his ſubjects hatred. But both theſe courſes were repugnant to his diſpoſition, his character, his projects, the intereſts of his favorite and miniſters. With regard to the firſt, I believe I may affirm, he had formed the project of eſtabliſhing in England a deſpotic power; but ſhall not loſe time in proving it. I had rather the reader would judge for himſelf, by Charles's own ſpeeches, by his meſſages to the houſe of commons, by his conduct, and by that of his miniſters and council. What has been hitherto advanced may ſerve to give thereof ſome idea; but what is to appear in the ſequel will, according to my judgment, afford undeniable proofs. This being ſuppoſed, Charles could not diveſt himſelf of the principles imbibed from his infancy, and deeply rooted in him by his father's inſtructions and examples, without relinquiſhing his projects, and forming a new plan of government directly oppoſite to his humor and inclination. By reconciling himſelf to his people, he muſt have acquieſced to the maxims of parliaments, who were inceſſantly urging the nation's laws, and ſubjects liberties, and ſubmit to be, if I may uſe the expreſſion, leſs a King than he had hitherto been, and than he thought he had a right to be. It was too contrary to his diſpoſition to ſuffer the extent of his royal prerogative to be queſtioned on all occaſions: this was a point wherein he was no leſs, if not more tender than his father. Beſide Buckingham, who had over him a great influence, evidently foreſaw, that a reconcilation between King and people would infallibly be followed with his own ruin. The other miniſters, who were all that duke's creatures, were likewiſe ſenſible that their preſervation depended on the favorite's welfare, and that the favorite's credit could not ſubſiſt with a good harmony between the King and his parliament. It was therefore neceſſary that Charles, to extricate himſelf from this labyrinth, ſhould become, as I may ſay, quite another man; ſhould alter his principles; ſhould have ſufficient ſtrength of mind clearly to diſtinguiſh his true intereſts from thoſe of his favorites and miniſters, and reſolution to proceed without their aſſiſtance, and follow counſels more agreeable to his ſubjects. But this was a mere impoſſibility, conſidering the character of this Prince, who then ſeemed of a temper abſolutely inflexible. He in the end grew ſenſible that he had taken a wrong courſe, but not 'till it was too late to recede.

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Reaſons of Charles's conduct.

As

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As to the other courſe, which was to make peace with Spain; beſide Charles's deeming himſelf bound in honor to ſupport a war whereof he was the ſole author, tho' he conſtantly affected imputing it to the parliament, ſuch a peace was utterly repugnant to his own particular intereſt. How little ſucceſs ſoever he had reaſon to expect by continuing the war, in his then circumſtances, it ſerved him for a pretext to levy money upon his people, and afforded him means to put in practiſe his projects to eſtabliſh abſolute power. On the other hand, it being the intereſt of his favorite and miniſters to keep him at variance with his people, to whom they were all extremely odious, they could not better effect it than by laying him under indiſpenſible neceſſity of raiſing money upon the ſubject without conſent of parliament.

Charles reſolves on a war with France. Ruſhworth, p. 423, &c.

The effect of this policy manifeſtly appeared at the very juncture whereof I am ſpeaking. Inſtead of perſuading King Charles to make peace with Spain, they inſenſibly ingaged him to proclaim war with France, at a time when he knew not how to proſecute the war he had commenced with the houſe of Auſtria. In order to induce France to furniſh ſome pretext from the rupture meditating in England, Charles, on ſome diſguſt concerning the Queen's French chaplains and domeſtics (1), diſmiſſed them all, having firſt paid off their wages or ſalaries. The King of France highly reſented this manifeſt breach of the marriage-treaty; but however did nothing tending towards a deſign of being revenged by way of arms. So the diſguſt received from the Queen's domeſtics, who were ſufficiently puniſhed, could not ſerve for pretenſe of a rupture on the ſide of England, ſince, on the contrary, France had reaſon to complain of breach of treaty. Nevertheleſs, it was intended to make war upon France, under color of ſupporting the Hugonots, who were oppreſſed, and threatened with utter deſtruction (2). But when the King's, favorite's and miniſtry's characters are conſidered, it can ſcarcely be imagined that the deſire of maintaining the Proteſtant religion, ſuch as it was in France, was the real motive of this war. King Charles and his whole court mortally hated the Preſbyterians. The duke of Buckingham had properly no religion at all. Weſton and Conway were Papiſts. Laud and Neile believed it impoſſible to be ſaved out of the church of England. How then can it be imagined that all theſe men, who were the King's moſt intimate counſellors, ſhould combine to ſupport in France a religion for which they had the utmoſt contempt? It is abundantly more probable, that Charles's miniſters, ſeeing little likelihood of recovering the Palatinate by arms, and fearing his Majeſty would at length be tired of a fruitleſs war with Spain, induced him to carry his arms into France, in order ſtill to keep him under a neceſſity of raiſing money by extraordinary methods, and thereby perpetuating his miſunderſtanding with his ſubjects, whereon the continuance of their credit intirely depended. But I own this is bare conjecture. Another cauſe is alledged of this war with France, viz. the pride of Buckingham, who, being ſent to Paris to conduct the Queen into England, became amorous of Ann of Auſtria, Lewis XIII's conſort, and had the aſſurance to diſcloſe his paſſion. It is ſaid, the court of France menaced him with a chaſtiſement ſuitable to his inſolence, and refuſed to let him ſee the Queen any more, but that he ſwore, he would ſee her in ſpite of them all. To this oath is aſcribed the reſolution inſtilled into his royal maſter to make war upon France, in hopes it would give him opportunity to perform his oath. I own, I ſee very little probability in this pretended project, which however lord Clarendon has thought fit to introduce (3).

He tries to make the French court give him ſome pretext. Annals, p. 209.

Pretenſe of the war with France.

The miniſters reaſons.

Clarendon.

The war with France being reſolved, King Charles declared the grounds of it to his council; viz.

Charles declares to the council his motives.

" I. That the houſe of Auſtria had ſuch in-
" fluence on the council of France, as to prevail
" with them to obſtruct the landing of count Manſ-
" feldt's army, contrary to promiſe, with whom
" the French ſhould have joined forces, for relief
" of the Palatinate, and the German Princes;
" which failure of performance in them proved the
" ruin of that army.

1. Cauſe. Ruſhworth, p. 424.

I have mentioned this buſineſs in the reign of King James I, and ſhewed it to be no ſmall error in the council of England to depend on a general promiſe as on a treaty: beſide, it was too late for the King to think of revenging this pretended affront, which had not prevented his eſpouſing the French King's ſiſter.

Obſervation.

" II. That having by his mediation prevailed
" for a peace between the French King and his
" Proteſtant ſubjects, and ingaged his word, that
" the Proteſtants ſhould obſerve the articles of
" agreement: nevertheleſs the King of France,
" contrary to the ſaid articles, blocked up their
" towns, gariſons and forts, and had commited
" many ſpoils upon them, when they had done
" nothing in violation of the edict of peace.

2. Cauſe.

It certainly was the intereſt of England to ſupport the Hugonots, who were unjuſtly oppreſſed. But by what law is a Prince, who procures a peace between two enemies, but is not guarantee for performance of articles, impowered to make war upon one of the parties who breaks it? Had King Charles been ſatisfied with ſaying, the intereſt of England would not ſuffer the Hugonots to be cruſhed, this political reaſon might have been allowed. But in ſuch caſes there is a wide difference between intereſt and right.

Obſervation.

" III. That the King of France had commited
" an example of great injuſtice in full peace, to
" ſeize upon one hundred and twenty Engliſh ſhips,
" with all their merchandiſe and artillery.

3. Cauſe.

His Majeſty paſſes over in ſilence, that the French acted only by way of repriſal, and that the Engliſh were the agreſſors, as the parliament had complained to Charles himſelf. It is therefore evident, that the grounds of this war could not be more frivolous.

Obſervation.

King Charles's intention was to ſend a fleet to Rochel, under color of relieving that place, which was menaced with a ſiege. This affair had been managed at the Engliſh court by the duke of Soubize, and M. S. Blancard, a gentleman of Languedoc, unknown to the Rochelers. This gives occaſion to ſuſpect, that their intention was to deliver the town to the Engliſh, on pretenſe of relieving it. However this be, the affair was kept very private, and, ever ſince April, a fleet had been

Deſign of putting the Engliſh in poſſeſſion of Rochel.

(1) They maintained, that King Charles had no power to intermeddle with his Queen's family, becauſe he was a Heretic: and beſide, they had made the Queen walk to Tyburn in devotion to pray there. Ruſhworth, Vol. I. p. 423, 424.

(2) This affair was managed and promoted by a certain abbot related to the duke of Orleans, who had been diſobliged by cardinal Richelieu. Idem. p. 244.

(3) The duke of Buckingham is reaſonably ſuppoſed to have been the author of this war; either thro' revenge, for having been excepted againſt by Lewis XIII, when he was appointed embaſſador to France; or on account of ſome affronts put upon him by that court, when he was ſent to bring the Queen over: for, from that time, " he took all the ways he could to under-
" value and exaſperate that court and nation; and omited no opportunity to inſenſe King Charles againſt France, and even
" againſt his Queen; and behaved himſelf very rudely to her." See Clarendon, p. 31.

equiping

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equiping with all expedition, without any poſſibility of gueſſing for what it was deſigned. When it was ready, the King gave Buckingham a commiſſion which plainly ſhewed the affair was to be a ſecret. By this commiſſion, the duke was appointed admiral of the fleet, and commander in chief of the land forces, which ſhould be imbarked for recovery of the Palatinate, according to ſuch private inſtructions as he ſhould receive from his Majeſty.

Id. p. 425. Rym. Fœd. Vol. XVIII. p. 892.

This navy, conſiſting of more than a hundred ſhips, having on board ſeven thouſand ſoldiers, ſailed from Portſmouth the ſeventh of June, and on the twentieth of July appeared before Rochel. At the duke's approach, the Rochelers ſhut their gates for fear of a ſurpriſe, not having the leaſt intelligence of any Engliſh fleet's being to come ſo near them. Very ſoon after, appeared the duke of Soubize, with ſir William Beecher, who told them, from his grace of Buckingham, that the King of England, in compaſſion to their ſufferings, had ſent a fleet and army to their aſſiſtance, and if they refuſed his aid, he declared he was fully quit of his ingagement of honor and conſcience for their relief. The mayor, in the inhabitants names, replied; that they moſt humbly thanked his Majeſty for his care of them; but that, being in ſtrict union with all the other Proteſtants of France, they could not receive into their city the offered ſuccors, without conſulting their friends, and without a previous concurrence of the whole body of Hugonots. Buckingham, finding by this anſwer it would not be eaſy to gain admitance for his troops into Rochel, directed his courſe to the iſle of Rhee, where Toiras commanded. This governor at firſt attempted to obſtruct the Engliſh at their landing; but, as his troops were not numerous, he was obliged to retreat to his fort S. Martin, which was in a very defenſible condition. Had Buckingham been verſed in the art of war, he would, without loſing a moment, have marched to that fortreſs, and thereby hindered Toiras from laying in proviſions: but he laviſhed away ſo much time in landing, and in preparing for his march, that Toiras had leiſure to ſtore the place with all requiſites. He at length advanced to S. Martin, and beſieged it in form, but with ſmall ſucceſs. He had to deal with one more expert than himſelf, and who found means to hold him imployed in the ſiege 'till November, tho' he had aſſured King Charles, he ſhould be maſter of the place in eight days. Mean while, the King of France, who little expected this invaſion, ordered his troops to march with all ſpeed towards the ſea, and came in perſon to haſten the iſle of Rhee's relief. When all was ready, count Schomberg paſſed into the iſle with ſix or ſeven thouſand men, without any oppoſition from the Engliſh fleet. Then he marched to S. Martin, the ſiege whereof Buckingham raiſed with precipitation, being vigorouſly puſhed by the French to the very ſea-ſide, ſo that it was with great difficulty that he re-imbarked the remnant of his troops. It is affirmed, that of the ſeven thouſand men he brought from England, near five thouſand periſhed in this unfortunate expedition: nevertheleſs, it was rumored in England, that ſcarcely fifteen hundred were loſt, and ſome even aſſert that the King was made ſo to believe.

The Rochelers refuſe admiting the Engliſh. Ruſhworth, p. 425, &c. Annals. Howes. Coke, p. 239.

The duke ſails to the iſle of Rhee, and makes a deſcent. Ruſhworth, p. 246.

His overſight.

He beſieges the fort;

which is relieved. Ruſhworth, p. 463. Coke, p. 240. Novemb. 9.

The Engliſh fleet returns home.

While the duke of Buckingham was imployed in this expedition, ſir John Elliot, impriſoned for refuſing to lend the King money, preſented to his Majeſty a petition for his liberty, which he aſked not as a favor, but as juſtice. He grounded his requeſt on diverſe ſtatutes which he cited, and by which he pretended to demonſtrate, that the King could not exact money from the ſubject by way of loan, nor were the ſubjects therein bound to obey him. As Charles then ſtood diſpoſed, this petition could not be of any ſervice to the perſon by whom it was preſented. In November following, ſome other gentlemen, alſo impriſoned on that account, brought their Habeas Corpus, that is, deſired to be diſcharged upon bail, a privilege injoyed by all Engliſh ſubjects (1). This cauſe was pleaded very ſolemnly before all the judges of England. Two points were decided. The firſt; whether the priſoners were commited by the ſpecial command of the King, ſince the warden ſaid only, "that the "priſoners were detained by command of the King, "ſignified to him by warrant of ſeveral of the "privy counſel." Now the priſoners pleaded, that, according to law, the King's order ſhould be produced, not barely for detaining them, but for commiting them, and that beſide, ſignifying the order by the lords of the council ſhewed, it was not by ſpecial command of his Majeſty. The ſecond point was; whether the King could impriſon any ſubject without declaring the cauſe of commitment, and whether, in ſuch caſe, the priſoners ought not to have the benefit of a Habeas Corpus, that is, to be diſcharged upon bail. The counſel for the priſoners repreſented the terrible conſequences of ſuch a power in the Sovereign, ſince thereby the liberty of every ſubject would be at the mercy of their King, who could detain them in priſon as long as he pleaſed, and there would be no remedy by law. But the judges unanimouſly decided againſt the priſoners, who were all remanded to their ſeveral priſons.

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Some other priſoners bring their Habeas Corpus; but are remanded to priſon. Ruſhworth, P. 558.

The ill ſucceſs of the iſle of Rhee expedition raiſed numberleſs complaints and murmurs againſt the duke of Buckingham, who had many enemies. Multitudes were loſt in that unfortunate undertaking, and among the reſt, major-general Burroughs, one of the beſt officers in England; and theſe misfortunes were imputed to the incapacity of Buckingham, who had never been in the wars, and knew nothing of the ſea-ſervice, tho' the King had made him both admiral and captain-general. To theſe complaints were added others upon other accounts. The mariners complained, they had not in three whole years received any wages, and deſerted in great numbers, to avoid being forced to ſerve any longer without pay. The merchants made bitter complaints, that the ſeas were neglected, that within three years they had loſt a great number of ſhips, and that the fiſhing boats were carried off almoſt from the very harbors. Laſtly, no one ventured to build any new ſhips, becauſe as ſoon as ready the King ſeized them for his ſervice, contrary to the owners will or conſent.

Complaints againſt the government and Buckingham. Ruſhworth, p. 465. Annals, p. 227. Clarendon, Vol. I. p. 32, 33.

Tho' Charles little regarded all theſe complaints, which poſſibly indeed reached not his ears, he was however very attentive to the petition which the Rochelers, on the point of being beſieged, ſent him for relief by their deputies. He had ingaged in a war with France, on the ſtrong opinion he had conceived of his navy and favorite's ability, and, tho' experience ſhewed him this opinion was ill-grounded, he would not be undeceived or contradicted. Mean while, he found himſelf without money, and the oppoſition he met with in the loan affair, made him ſenſible how difficult it would be to raiſe any ſum by ſuch methods. For this reaſon he conſulted ſir Robert Cotton, upon the preſent ſituation of his affairs. Cotton adviſed him to call a parliament, as the beſt means to free himſelf from all difficulties: but as ſir Robert foreſaw the commons would attack Buckingham, he adviſed withal, that the duke might be the firſt who, in full council,

The Rochelers deſire aſſiſtance. Ruſhworth, p. 467. Annals, p. 228.

Cotton adviſes the King to call a parliament. Jan. 29. Ruſhworth, p. 467.

Fruitleſs petition of ſir John Elliot. Ruſhworth, p. 429. Annals.

(1) Such as do not rightly comprehend this and what inſues, may be ſatisfied by conſulting Ruſhworth, Vol. I. p. 459.

ſhould

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A parliament called.

The priſoners releaſed, and choſen members of parliament. Id. p. 473, 474. Annals, p. 231.

The loan diſcontinued.

ſhould move the calling a parliament. This advice was followed, and the duke having acted his part, the parliament was ſummoned by the council's unanimous reſolution, to meet the ſeventeenth of March 1628. Immediately after, warrants were ſent to all parts to releaſe all thoſe impriſoned and confined for the loan buſineſs, and Charles had the mortification to ſee almoſt all of them, to the number of twenty-ſeven, elected to ſerve for repreſentatives in the inſuing parliament (1). He likewiſe ſent writs of ſummons to the archbiſhop of Canterbury, who was confined to one of his houſes, to the biſhop of Lincoln, priſoner in the Tower, and to the earl of Briſtol. Then alſo, the council ordered the lord-mayor of London to uſe moderation in demanding the loan-money. This evidences there were ſtill ſome who ſtood out, and that violence had thitherto been uſed to compel them.

The parliament being aſſembled the ſeventeenth of March, his Majeſty made to both houſes the following ſpeech: viz.

My lords and gentlemen,

Charles's ſpeech in parliament. Ruſhworth, p. 476.

" THESE times are for action. Wherefore, " for example ſake, I mean not to ſpend " much time in words; expecting accordingly, " that your (as I hope) good reſolutions will be " ſpeedy, not ſpending time unneceſſarily, or (that " I may better ſay) dangerouſly: for tedious conſultations at this conjuncture of time are as hurtful as ill reſolutions.

" I am ſure you now expect from me, both to " know the cauſe of your meeting, and what to " reſolve on. Yet I think there is none here but " knows, that common danger is the cauſe of this " parliament, and that ſupply at this time is the " chief end of it: ſo that I need but point to you " what to do. I will uſe but few perſuaſions: for " if to maintain your own advices, and as now the " caſe ſtands for the following thereof, the true " religion, laws and liberties of this ſtate, and the " juſt defenſe of our true friends and allies, be not " ſufficient, then no eloquence of men or angels " will prevail.

" Only let me remember you, that my duty " moſt of all, and every one of yours according to " his degree, is to ſeek the maintenance of this " church and common-wealth: and certainly, there " never was a time in which this duty was more ne- " ceſſarily required than now.

" I therefore, judging the parliament to be the " moſt ancient, ſpeedieſt and beſt way, in this time " of common danger, to give ſuch ſupply as to " ſecure our ſelves, and to ſecure our friends " from imminent ruin, have called you together. " Every man now muſt do according to his con- " ſcience: wherefore if you (as God forbid) ſhould " not do your duties, in contributing what the ſtate " at this time needs, I muſt, in diſcharge of my " conſcience, uſe thoſe other means which God " hath put into my hands, to ſave that which the " follies of particular men may, otherwiſe, hazard " to loſe.

" Take not this as a threatening, for I ſcorn to " threaten any but my equals, but an admonition " from him who both out of nature and duty, " hath moſt care of your preſervations and proſpe- " rities: and (tho' I thus ſpeak) I hope that your " demeanor at this time will be ſuch, as ſhall not " only make me approve your former counſels, but " lay on me ſuch obligations as ſhall tie me, by " way of thankfulneſs, to meet often with you: for " be aſſured, that nothing can be more pleaſing " unto me, than to keep a good correſpondence " with you.

" I will only add one thing more, and then " leave my lord keeper to make a ſhort paraphraſe " upon the text I have delivered you, which is " 'To remember a thing, to the end we may for- " get it.' You may imagine that I came here " with a doubt of ſucceſs of what I deſire, remembering the diſtractions of the laſt meeting. But " I aſſure you, that I ſhall very eaſily and gladly " forget and forgive what is paſſed, ſo that you " will at this preſent time leave the former ways " of diſtractions, and follow the counſel late given " you, 'To maintain the unity of the ſpirit in the " bond of peace.".

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The lord keeper thus ſeconded his Majeſty.

My lords and gentlemen,

The lord keeper's ſpeech.

" YE are here in parliament by his Majeſty's " writ and royal command, to conſult and " conclude of the weighty and urgent buſineſs of " this kingdom. Weighty it is and great, as great " as the honor, ſafety and protection of religion, " King and country: and what can be greater? " Urgent it is; it is little pleaſure to tell or think " how urgent: and to tell it with circumſtances, " were a long work. I will but touch the ſum of " it in few words.

" The Pope and houſe of Auſtria have long af- " fected, the one a ſpiritual the other a temporal " monarchy: to effect their ends, to ſerve each " other's turn, the houſe of Auſtria, beſide " the rich and vaſt territories of both the Indies " and in Africa joined together, are become maſters " of Spain and Italy, and the great country of " Germany. And altho' France be not under " their ſubjection, yet they have invironed all about " it; the very bowels of the kingdom ſwayed by " the Popiſh faction. They have got ſuch a part, " and ſuch interceſſion in the government, that, " under pretenſe of religion, to root out the Pro- " teſtants and our religion, they have drawn the " King to their adherence, ſo far that albeit, upon " his Majeſty's interpoſition by his embaſſadors, " and his ingagement of his royal word, there " was between the King and his ſubjects articles of " agreement, and the ſubjects were quiet; whereof " his Majeſty, intereſted in that great treaty, was " bound to ſee a true accompliſhment; yet, againſt " that ſtrict alliance, that treaty hath been broken, " and thoſe of the religion have been put to all " extremity, and undoubtedly will be ruined with- " out preſent help. So as that King is not only " diverted from aſſiſting the common cauſe, but " hath been miſled to ingage himſelf in hoſtile acts " againſt our King and other Princes, making way " thereby for the houſe of Auſtria, to the ruin of " his own and other kingdoms.

" Other Potentates, who in former times did " balance and interrupt the growing greatneſs of " the houſe of Auſtria, are now removed and di- " verted. The Turk hath made peace with the " Emperor, and turned himſelf wholly into wars " with Aſia: the King of Sweden is imbroiled in " a war with Poland, which is invented by Spaniſh " practiſes, to keep that King from ſuccoring our " part: the King of Denmark is chaced out of his " kingdom, on this and on that ſide the Sound; " ſo that the houſe of Auſtria is on the point to " command all the ſea-coaſts, from Dantzic to " Embden, and all the rivers falling into the ſea " in that great extent: ſo, as beſide the power by " land, they begin to threaten our part by ſea, to " the ſubverſion of all our ſtate.

" In the Baltic ſea, they are providing and

(1) In all ſeventy-eight were releaſed. See their names in Ruſhworth, Vol. I. p. 473.

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" arming all the ſhips they can build or hire; and " have at this time their embaſſadors treating at " Lubec, to draw into their ſervice the Hanſe " towns, whereby taking from us and our neigh- " bors the Eaſt-land trade, by which our ſhiping is " ſupplied, they expect, without any blow given, " to make themſelves maſters of that ſea. In " theſe weſtern parts, by the Dunkirkers, and by " the now French and Spaniſh admiral, to the ruin " of fiſhing (of infinite conſequence both to us and " the Low-Countries) they infeſt all our coaſt, ſo " as we paſs not ſafely from port to port. And " that fleet which lately aſſiſted the French at the " iſle of Rhee, is now preparing at San Andero, " with other ſhips builded in the coaſt of Biſcay " to re-inforce it, and a great fleet is making " ready at Liſbon; where, beſide their own, they " do ſerve themſelves upon all ſtrangers bottoms " coming to that coaſt for trade; and theſe great " preparations are, no doubt, to aſſault us in Eng- " land or Ireland, as they ſhall find advantage, and " a place fit for their turn.

" Our friends of the Netherlands, beſide the fear " which juſtly troubles them leſt the whole force of " the Emperor may fall upon them, are diſtracted " by their voyages into the Eaſt, which have car- " ried both men and money into another world, " and much weakened them at home.

" Thus are we even ready on all ſides to be " ſwallowed up; the Emperor, France and Spain " being in open war againſt us; Germany over- " run; the King of Denmark diſtreſſed; the King " of Sweden diverted; and the Low-Country men " diſabled to give us aſſiſtance.

" I ſpeak not this to increaſe fear, unworthy of " Engliſh courages, but to preſs a proviſion wor- " thy the wiſdom of a parliament: and for that " cauſe his Majeſty hath called you hither, that by " a timely proviſion againſt thoſe great imminent " dangers, our ſelves may be ſtrengthened at " home, our friends and allies incouraged abroad, " and theſe great cauſes of fear ſcattered and diſ- " peled.

" And becauſe, in all warlike preparations, trea- " ſure bears the name, and holds the ſemblance of " the nerves and ſinews; and if a ſinew be too " ſhort or too weak, if it be either ſhrunk or " ſtrained, the part becomes unuſeful: It is need- " ful, that you make a good and timely ſupply of " treaſure, without which all counſels will prove " fruitleſs. I might preſs many reaſons to this " end, but I will name but few.

" Firſt, for his Majeſty's ſake, who requires it. " Great is the duty which we owe him by the law " of God; great by the law of nature, and our " own allegiance; great for his own merit, and the " memory of his ever bleſſed father. I do but " point at them: but methinks our thoughts can- " not but recoil on one conſideration touched by his " Majeſty, which to me ſeems ſo ſound, like a " parliamentary pact or covenant.

" A war was deviſed here, aſſiſtance profeſſed, " yea and proteſted here: I do but touch it, I " know you will deeply think on it; and the " more, for the example the King hath ſet you; " his lands, his plate, his jewels he hath not " ſpared, to ſupply the war: what the people have " proteſted, the King for his part hath willingly " performed.

" Secondly, for the cauſe ſake. It concerns us, " in Chriſtian charity, to tender the diſtreſſes of " our friends abroad; it concerns us, in honor, not " to abandon them who have ſtood for us. And " if this come not cloſe enough, you ſhall find our " intereſt ſo woven and involved with theirs, that " the cauſe is more ours than theirs. If religion " be in peril, we have the moſt flouriſhing and " orthodox church. If honor be in queſtion, the " ſtories and monuments in former ages will " ſhew, that our anceſtors have left us as much " as any nation. If trade and commerce be in " danger, we are iſlanders, it is our life. All " theſe at once lie at ſtake, and ſo doth our ſafety " and being.

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" Laſtly, in reſpect of the manner of his Ma- " jeſty's demand, which is in parliament, the way " which hath ever beſt pleaſed the ſubjects of Eng- " land; and good cauſe for it: for, aids granted " in parliament work good effects for the people; " they be commonly accompanied with wholſome " laws, gracious pardons, and the like. Beſide, " juſt and good Kings, finding the love of their " people, and the readineſs of their ſupplies, may " the better forbear the uſe of their prerogatives, " and moderate the rigor of the laws towards their " ſubjects.

" This way, as his Majeſty hath told you, he " hath choſen; not as the only way, but as the " fiteſt; not as deſtitute of others, but moſt agree- " able to the goodneſs of his own moſt gracious " diſpoſition, and to the deſire and weal of his " people. If this be defered, neceſſity and the " ſword of the enemy make way to the others. " Remember his Majeſty's admonition, I ſay, re- " member it.

" Let me but add, and obſerve God's mercy " towards this land, above all others. The tor- " rent of war hath overwhelmed other churches " and countries; but God hath hitherto reſtrained " it from us, and ſtill gives us warning of every " approaching danger, to ſave us from ſurpriſe. " And our gracious Sovereign, in a true ſenſe of " it, calls together his high court of parliament, " the lively repreſentation of the wiſdom, wealth " and power of the whole kingdom, to join toge- " ther to repel thoſe hoſtile attempts which di- " ſtreſſed our friends and allies, and threatened our " ſelves.

" And therefore it behoves all to apply their " thoughts unto counſel and conſultations, " worthy the greatneſs and wiſdom of this " aſſembly; to avoid diſcontents and diviſions, " which may either diſtemper or delay; and to " attend that 'unum neceſſarium,' the common " cauſe; propounding, for the ſcope and work of " all debates, the general good of the King and " kingdom, whom God hath joined together with " an indiſſoluble knot, which none muſt attempt " to cut or unty. And let all, by unity and good " accord, indeavor to pattern this parliament by " the beſt which have been, that it may be a pat- " tern to future parliaments, and may infuſe into " parliaments a kind of multiplying power and " faculty, whereby they may be more frequent, " and the King our Sovereign delight to ſit on his " throne, and from thence to diſtribute his graces " and favors among his people.

" His Majeſty hath given you cauſe to be confi- " dent of what you have heard from his royal " mouth; which nevertheleſs he hath given me " expreſs command to redouble. If this parlia- " ment, by their dutiful and wiſe proceedings, " ſhall but give this occaſion, his Majeſty will be " ready, not only to manifeſt his gracious accepta- " tion, but to put out all memory of thoſe diſtaſtes " which have troubled former parliaments.

" I have but one thing more to add, and that " is, as your conſultations be ſerious, ſo let them " be ſpeedy. The enemy is beforehand with us, " and flies on the wings of ſucceſs. We may dally " and play with the hour-glaſs which is in our " power, but the hour will not ſtay for us; and " an opportunity once loſt, cannot be regained.

" And therefore reſolve of your ſupplies, that they

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"they may be timely and sufficient, serving the "occasion: your counsel, your aid, all is but lost, "if your aid be either too little, or too late: and "his Majesty is resolved, that his affairs cannot "permit him to expect it over long."

Charles's view in these two speeches, and remarks thereon.

These two speeches need no comment, since they plainly speak both the King's principles concerning the use of parliaments, and his intention, in case he received not from the parliament such satisfaction as he expected. Charles seems not to have made use of a proper means to gain the good-will of the commons: but it must be observed, that nothing was more opposite to his temper, than stooping to court his parliament. He deemed it a great condescension to declare that, tho' he had other ways of raising money, he was very willing to follow the old method of demanding a supply from the parliament: but lest the commons should think he was forced to it by a kind of necessity, he took care to intimate that, in case the money he demanded was not granted, he could raise it by other means. This was the sole aim of both these speeches (1).

As to those arguments, alledged by the lord-keeper, to excite the commons to give his Majesty a plentiful supply, they were too highly exagerated to produce much effect. The Spaniard's pretended preparations to invade England were a groundless chimera: for in reality, during this whole war, that nation never once offered to attack either Great Britain or Ireland; nay, it was absolutely in King Charles's power to have been at peace with the Spaniard, who had no demands upon him; nevertheless he would make believe that England was most evidently in danger. As to the argument so very frequently urged; viz. that the parliament advised this war, it was grown so thread-bare that it could no longer make any impression. There was not then in England any one person not perfectly sensible that the King and duke of Buckingham were the real authors of the rupture with Spain, and had thro' a gross artifice surprised the parliament into that advice whereon Charles perpetually insisted.

A letter published in the begining of this parliament. Rushworth, p. 489. Annals, p. 238.

Before the commons had entered into any debates, there was a long letter communicated to them, and dispersed under title of "A Speech without "doors (2)." The anonymous author pretended to have been formerly a member of the lower house, tho' he was not chosen to serve in the present parliament. His aim was to advise the commons how they were to proceed, and to lay before them the sundry grievances complained of by the people. This writing made great noise at that time, but I do not think it necessary to insert the contents, since they were only the sentiments of a private person.

Diverse speeches in the house concerning grievances. Mar. 20, 22. Rushworth, p. 498, 499. Annals, p. 243. &c.

After the two houses had petitioned his Majesty for a fast, the commons began to examine the national grievances, and seemed determined to grant no supply 'till these grievances were redressed. The first they took into consideration were, billeting soldiers; loans by benevolence and privy-seals; imprisoning gentlemen refusing to lend; denial of release upon a Habeas Corpus; and several speeches were made upon these occasions. Sir Francis Seymour, among other particulars, said — "How "can we think of giving subsidies, 'till we know "whether we have any thing to give or no? For "if his Majesty be persuaded by any to take from "his subjects what he will, and where it pleaseth "him; I would gladly know, what we have to "give? — Hath it not been preached in our "pulpits, that all we have is the King's, JURE "DIVINO?" — Sir Thomas Wentworth, afterwards so well known as earl of Strafford, distinguished himself by a speech against the government. He said indeed, these things were not to be imputed to the King but to the projectors, that is, to the ministers or others who had formed the design of stretching the prerogative beyond its due bounds, of whom he thus expressed himself: "They have "brought the crown into greater want than ever, "by anticipating the revenues. And can the "shepherd be thus smitten, and the sheep not "scattered? They have introduced a privy council, "ravishing at once the spheres of all ancient go-"vernment, imprisoning us without either bail or "bond; they have taken from us, what? What "shall I say indeed, what have they left us? All "means of supplying the King and ingratiating "ourselves with him, taking up the root of all "propriety." — Sir Edward Coke, a great lawyer, spake chiefly to the grievances of loans, and among other matters said: "Who will give sub-"sidies, if the King may impose what he will? "and if after parliament, the King may inhance "what he pleaseth?------The King cannot tax any "by way of loans."------Thereupon he quoted the statute of 25 Edward III, wherein it is said, that "loans against the will of the subject, are against "reason, and the franchises of the land;----- and concluded with this paragraph out of Magna Charta ------ "Nullus liber homo capiatur vel imprisonetur "aut disseisietur de libero tenemento suo, &c. nisi "per legale judicium parium suorum, vel per legem "terræ." Another, speaking of the imprisonment of those who had refused to lend the King money, said, ------ "O improvident ancestors! O "unwise fore-fathers! to be so curious in providing "for the quiet possession of our lands, and liberties "of parliament, and to neglect our persons and "bodies, and to let them die in prison, and that "durante beneplacito, remediless: if this be law, "what do we talk of our liberties? Why do we "trouble ourselves with the dispute of law, fran-"chises, propriety of goods? What may a man "call his, if not liberty?

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Sir Thomas Wentworth's

Rushworth, p. 500.

Sir Edward Coke's. Id. p. 501.

Sir Robert Philips. Id. p. 504.

It is not my design to inlarge farther on what was said in the house of commons upon these points. This suffices to shew how the majority were disposed. All their arguments tended to demonstrate, that if the King had power to take away his subjects goods by a bare act of his will, whether by way of loan or otherwise, and to imprison such as refused to obey his orders without their being admited to bail, they were either to be intirely subject to their Sovereign's pleasure, or to begin with firmly establishing the peoples rights to the prevention of tyranny. The court-party durst not directly oppose this general sentiment, but by various arguments strove to make their opponents comprehend that, to gain his Majesty's good will, supplies were previously to be granted. Then, they gave hopes, that the King, moved with such a mark of affection for his person, would not be against redressing the grievances. But this made little impression upon the rest, who were by far the majority, and who verily believed, that to begin with the subsidies was the ready way to have the grievances un-redressed. Mean while, to make a diversion, secretary Coke presented to the house certain propositions from the King, concerning supply: but it was resolved, that the reading thereof should be defered 'till the house had taken some resolution touching the grievances, especially imprisonment of the subjects, and denial

The courtiers try to put off the examination of grievances. Rushworth, p. 502, 506. Annals.

Propositions from the King postponed. March 25. Rushworth, 506, &c.

(1) M. Rapin might have delivered this, and abundance more of a like stamp, as his own private opinion, and not so absolutely, without producing any authority; on which score, many are apt to pass on him very severe censures.

(2) Thus directed; "To my noble Friends of the Lower House of Parliament."

of

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of bail. There were very great debates upon theſe points, and even the judges were heard. Finally, the houſe came to theſe ſubſequent reſolutions, directly oppoſite to Charles's pretenſions, and the judges determinations: that is, they eſtabliſhed maxims quite different from thoſe of his Majeſty: viz.

The commons reſolutions. Id. p. 513.

" I. That no freeman ought to be detained or " held in priſon, or otherwiſe reſtrained by the " command of King or privy council, or other, " unleſs ſome cauſe of the commitment, detainer, " or reſtraint be expreſſed, for which by the law he " ought to be commited, detained, or reſtrained.

" That the writ of Habeas Corpus may not be " denied, but ought to be granted to every man " who is commited or detained in priſon, or other- " wiſe reſtrained, tho' it be by command of the " King, the privy-council, or any other, he pray- " ing the ſame.

" III. That if a freeman be commited or de- " tained in priſon, or otherwiſe reſtrained by com- " mand of the King, the privy-council, or any " other, no cauſe of ſuch commitment, detainer, or " reſtraint being expreſſed for which, by law, he " ought to be commited, detained, or reſtrained, " and the ſame be returned upon a Habeas Corpus, " granted for the ſaid party, then he ought to be " delivered or bailed.

" IV. That it is the ancient and undubitable " right of every freeman, that he hath a full and " abſolute property in his goods and eſtate; that " no tax, tallage, loan, benevolence, or other like " charge ought to be commanded or levied by the " King, or any of his miniſters, without common " conſent by act of parliament."

An' 1628. The King's demands. March 26. Ruſhworth, p. 513. Annals, p. 251.

The propoſitions, tendered the day before by ſecretary Coke, from his Majeſty, were now received and read, but the debate thereof was refered to another day. The propoſitions were theſe:

" 1. To furniſh with men and victuals thirty " ſhips to guard the narrow ſeas, and along the " coaſts.

" 2. To ſet out ten other ſhips for relief of the " town of Rochel.

" 3. To ſet out ten other ſhips for the preſer- " vation of the Elbe, the Sound, and the Baltic " ſea.

" 4. To levy arms, cloth, victual, pay, and " tranſport an army of ten thouſand horſe, and ten " thouſand foot, for foreign ſervice.

" 5. To pay and ſupply ſix thouſand more for " the ſervice of Denmark.

" 6. To ſupply the forts of the office of ord- " nance.

" 7. To ſupply the ſtores of the navy.

" 8. To build twenty ſhips yearly for the in- " creaſe of the navy.

" 9. To repair the forts within the land.

" 10. To pay the arrears of the office of ord- " nance.

" 11. To pay the arrears of the victuallers " office.

" 12. To pay the arrears of the treaſure of the " navy.

" 13. To pay the arrears due for the freight of " diverſe merchant-ſhips imployed in his Majeſty's " ſervice.

" 14. To provide a magazine for victuals for " land and ſea-ſervice.

By peruſing theſe articles, the houſe readily perceived it would be a work of infinite labor to examine the neceſſity and juſtice of each, and as there were no eſtimates made, they plainly ſaw, if they ſhould take into conſideration the particulars, the court would mount the expenſe very high: wherefore, without entering into any diſcuſſion, they in general concluded on granting his Majeſty a very large ſupply (1).

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The council's conduct examined. April 2. Ruſhworth, p. 521, &c. Annals, p. 264---279.

After that, they returned to the examination of this particular grievance, that the King's council, by their bare authority, had confined to their houſes ſome who refuſed lending their money; had ſent away others to places remote from their homes; and conſtrained ſome, on the ſame account, to ſerve the King in foreign countries (2). On this point, ſir Thomas Wentworth ſaid, " If any man owes " a man diſpleaſure, and ſhall procure him to be " put into foreign imployment, it will be a matter " of high concernment to the ſubject. We know " the honor and juſtice of the King; but we know " not what his miniſters, or the mediation of em- " baſſadors may do, to work their own wrath upon " any man." Theſe debates produced this reſolution:

Reſolution of the houſe.

" That no freeman ought to be confined by any " command from the King, or privy-council, or " any other, unleſs it be by act of parliament, or " by other due courſe, or warrant of law."

Meſſage from the King concerning Buckingham. April 3. Ruſhworth, p. 523.

All theſe determinations promiſed the King no good with reſpect to his prerogative; and as he feared the commons would again attack the duke of Buckingham, he tried to divert them from it by a meſſage, delivered to the houſe by ſecretary Coke. It was upon a rumor, that the duke had ſpoken ill of the parliament at the council-board. The King aſſured, it was not true, and the ſecretary added, if the duke had ſo ſpoken, he would have contradicted himſelf, for the whole council could bear him witneſs, he was the firſt mover of calling the parliament: but he took care not to tell them, it was merely thro' policy, purſuant to the counſel of ſir Robert Cotton.

A ſecond meſſage from Charles to the commons. p. 524.

Next day, his Majeſty ſent another meſſage to the commons, deſiring them to take into conſideration the ſupply buſineſs. He alſo told them that, as to the freedom of perſons and propriety of goods, he was willing to come into any expedients which ſhould be judged convenient, by way of bill, or otherwiſe; and that the more confidence they ſhould ſhew in his grace and goodneſs, the more they ſhould prevail to obtain their deſires.

Five ſubſidies voted. p. 525, 527, &c.

Upon this meſſage, the houſe unanimouſly voted five whole ſubſidies (3), but returned immediately to the examination of grievances, and held a conference with the lords upon that ſubject.

Charles hinders the houſes from adjourning at Eaſter. April 10. Id. p. 537.

Eaſter holidays approaching, Charles deſired the commons not to adjourn, that affairs might be more expeditiouſly diſpatched. This meſſage occaſioned a debate; ſome members fearing ſuch a precedent might prejudice the houſe's privileges, and the King thenceforward imagine he had power to prevent adjournments whenever he pleaſed: but it was finally reſolved to do as his Majeſty deſired.

He preſſes the commons about ſupply.

The eleventh of April, ſecretary Coke moved the diſpatch of the ſubſidies, ſaying, the votes to grant the King money were nothing 'till turned into a bill. But being oppoſed by ſeveral, it was determined, that grievances and ſupply ſhould go hand in hand.

Reſolved, that ſupply and grievances go together.

Next day, Coke brought from Charles another

(1) March 31, the commons preſented a petition to the King againſt recuſants, which, together with the King's anſwers, ſee in Ruſhworth, Vol. I. p. 516, &c.

(2) Sir Peter Mayman, who was ſent into the Palatinate for refuſing to lend money, opened his own caſe. Idem. p. 522.

(3) The King thankfully received them, acknowledging it the greateſt gift ever given in parliament. He added, that he liked parliaments at the firſt, tho' ſince, he was grown to a diſtaſte of them; but now he loved them, and ſhould rejoice to meet with his people often. Idem. p. 525.

meſſage

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A meſſage from the King; Ruſhworth, p. 538. Annals, p. 280.

meſſage to the houſe, to this effect: "That his "Majeſty had long ſince expected ſome fruit of "what was ſo happily begun; but finding a ſtop "beyond all expectation, his command was that, "without any farther delay, they ſhould proceed "in the ſupply affair: for notwithſtanding his con-"ſenting that ſupply and grievances ſhould go to-"gether, his meaning was not, that the one ſhould "give interruption to the other, nor the time be "ſpun out on any pretenſe; and therefore bid "them take heed, that they did not force him to "make an unpleaſing end of what was ſo well "begun."

which is greatly to his prejudice.

This meſſage was extremely detrimental to his Majeſty. 1. Becauſe of the threatening. 2. By reaſon of his inſtances, that the affair of ſupply ſhould be diſpatched before that of grievances: for it was not doubted that, if the firſt were finiſhed, the parliament would be immediately prorogued 5. Laſtly, Charles's unwillingneſs to redreſs the grievances, was a clear evidence, he would never be brought to it of his own accord, and conſequently it was neceſſary he ſhould be conſtrained to it. This was the more probable, as Coke, when he delivered the meſſage, added, "That the King would wil-"lingly hear any thing concerning the abuſes of "power, but not about power itſelf." Theſe were expreſſions liable to many cavils, and plain intimations, that the King reſerved to himſelf, by this reſtriction, a means to evade the grievances. In effect, Coke, being moved to explain his meaning by the word Power, refuſed it (1).

Another meſſage from Charles upon the ſame account. Ruſhworth, p. 539. Annals.

Two days after, the ſecretary delivered another meſſage from his Majeſty, to haſten the ſubſidy affair. Theſe meſſages, which came thus one upon another, gave the court-party frequent occaſions to preſs the houſe to give their Sovereign ſatisfaction. All their ſpeeches, on this head, met in one point; viz. to inſpire the houſe with a dread, that a quarrel between their Prince and them would be fatal to parliaments, and furniſh him with occaſion to proceed without them for the future. As Charles himſelf, and the lord keeper by his order, had frequently made uſe of this very method to intimidate the commons, it could not be doubted, that theſe men ſpake purſuant to the court's intentions, and poſſibly even by its expreſs order. A privy-counſellor's ſpeech in the lower houſe, laſt parliament, was not yet forgot, and whereof the commons had judged proper to take notice, in the remonſtrance they would have preſented to his Majeſty. The drift of that ſpeech was to intimate to the commons, that, if they did not content their Sovereign, they would hazard occaſioning the utter baniſhment of parliaments from England. This menace, ſo frequently inſinuated by Charles himſelf, by the lord keeper, by ſome members of the houſe known to be the court's devotees, ſometimes obſcurely, other times in very plain terms, had a quite contrary effect to what his Majeſty expected. Inſtead of terrifying the commons, it convinced them how watchful they ought to be of the King's proceedings, leſt their condeſcenſion, or even their ſilence, ſhould authoriſe ſome precedents highly detrimental to the liberties of thoſe whom they repreſented. "What! (ſaid moſt of the members among them-"ſelves) we are threatened, that if we grant not "the King whatever he requires, and when he "pleaſes, if we oppoſe his pleaſure, even when "contrary to the laws, he will govern without a "parliament, that is, with unlimited power; he "will impriſon our perſons, ſeize our eſtates, and "conſider the whole kingdom as his property! "But he does not only threaten us, he has put his "threats in execution already. Which then is beſt, "either for him to uſurp abſolute power againſt "our will, or for us to ſuffer it, nay, approve it "by our ſilence and ſervile fears? Of the two, cer-"tainly the firſt is leaſt dangerous. A time may "come, when the King ſhall have occaſion for "parliaments, and then we ſhall be able to reco-"ver the ground we ſhall have loſt: but if we "betray the intereſt of our country, by tamely "yielding to our King the power he would aſſume, "our liberty would be irrecoverably loſt. We "ſhall lay upon ourſelves and poſterity a yoke "which our forefathers could never bear, and be "held in abhorrence by the whole nation. And "after all, what ſhall we gain by our condeſcen-"ſion? Why, the King will continue the uſe of "parliaments, provided he ſhall be abſolute ma-"ſter; order them to give him ſuch a ſum, and "by ſuch a time; forbid them to examine grie-"vances; in a word, manage them intirely as he "pleaſes. Thus we ſhall prevent the King's go-"verning without a parliament, but ſhall eſtabliſh "a precedent which will render parliaments for "ever ſlaves to the King and his miniſters."

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Thus reaſoned the majority of the commons, and tho' they did not openly expreſs themſelves in theſe very terms, the houſe by their whole conduct, evidenced theſe conſiderations to be the real foundation of all their proceedings. For this reaſon it was they determined on deſiring audience, in order to anſwer all the King's meſſages, and withal to preſent him a petition concerning billeting ſoldiers upon private houſes. Their repreſentation to his Majeſty, by the mouth of their ſpeaker, here follows: viz.

Moſt gracious and dread Sovereign,

The ſpeaker's harangue to his Majeſty on delivering the commons petition about billeting ſoldiers. Ruſhworth, p. 540.

"YOUR dutiful and loyal commons here aſ-"ſembled, were lately humble ſuitors to your "Majeſty for acceſs to your royal preſenſe: the "occaſion which moved their deſires herein was a "particular of importance, worthy your princely "conſideration; which, as it well deſerves, ſhould "have been the only ſubject of my ſpeech at this "time.

"But ſince your gracious anſwer for this acceſs, "obtained by a meſſage from your Majeſty, they "have had ſome cauſe to doubt, that your Ma-"jeſty is not ſo well ſatisfied with the manner of "their proceedings, as their hearty deſire is you "ſhould be, eſpecially in that part which concerns "your Majeſty's preſent ſupply, as if in the pro-"ſecution thereof, they had of late uſed ſome ſlack-"neſs or delay.

"And becauſe no unhappineſs of theirs can pa-"rallel with that which may proceed from a miſ-"underſtanding in your Majeſty of their clear and "loyal intentions, they have commanded me to at-"tend your Majeſty, with an humble and ſummary "declaration of their proceedings, ſince this ſhort "time of their ſiting, which they hope will give "your Majeſty abundant ſatisfaction, that never "people did more truly deſire to be indeared in the "favor and gracious opinion of their Sovereign; "and withal to let you ſee that, as you can have "no where more faithful counſel, ſo your great "deſigns and occaſions can no way be ſo ſpeedily "or heartily ſupported as in this old and ancient "way of parliament.

"For this purpoſe, they humbly beſeech your "Majeſty to take into your royal conſideration, "that altho' by ancient right of parliament, the "matters there debated are to be diſpoſed in their "true

(1) He anſwered, I cannot deſcend to particulars, or go from what his Majeſty gave me warrant or power to deliver. Ruſhworth, Vol. I. p. 539.

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" true method and order, and that their conſtant
" cuſtom hath been to take into their conſiderations
" the common grievances of the kingdom, before
" they enter upon the matter of ſupply; yet, to
" make a full expreſſion of that zeal and affection
" which they bear to your royal Majeſty, equaling
" at leaſt, if not exceeding the beſt affections of
" their predeceſſors to the beſt of your progenitors;
" they have, in this aſſembly, contrary to the or-
" dinary proceedings of parliament, given your
" Majeſty's ſupply precedence before the common
" grievances of the ſubject, how preſſing ſoever,
" joining with it only thoſe fundamental and vital
" liberties of the kingdom which give ſubſiſtence
" and ability to your ſubjects.

" This was their original order and reſolution,
" and was grounded upon a true diſcerning, that
" theſe two conſiderations could not be ſevered, but
" did both of them intirely concern your Majeſty's
" ſervice, conſiſting no leſs in inabling and incou-
" raging the ſubject, than in proportioning a pre-
" ſent ſuiting to your Majeſty's occaſions, and their
" abilities; nay, ſo far have they been from uſing
" any unneceſſary delays, as tho', of the two, that
" of ſupply were the latter propoſition among them,
" the grand commitee, to which both were refered,
" hath made that of your Majeſty's ſupply firſt
" ready for concluſion.

" And, to be ſure your Majeſty's ſupply might
" receive no interruption by the other, differing
" from uſage and cuſtom (in caſes of this nature)
" ſent up, of thoſe which concern the ſubjects by
" parcels, ſome to your Majeſty, and ſome to the
" lords, to the end your Majeſty might receive
" ſuch ſpeedy content as ſuited with the largeſt and
" beſt extent of their firſt order.

" Sir, you are the breath of our noſtrils, and
" the light of our eyes, and beſide thoſe many
" comforts which, under you and your royal pro-
" genitors, in this frame of government, this
" nation hath injoyed, the religion we profeſs hath
" taught us whoſe image you are; and we do all
" moſt humbly beſeech your Majeſty to believe,
" that nothing is or can be more dear unto us than
" the ſacred rights and prerogatives of your crown;
" no perſon or council can be greater lovers of you,
" nor be more truly careful to maintain them; and
" the preſerving thoſe fundamental liberties which
" concern the freedom of our perſons, and pro-
" priety of goods and eſtates, is an eſſential means
" to eſtabliſh the true glory of a monarchy.

" For rich and free ſubjects, as they are beſt
" governed, ſo they are moſt able to do your Ma-
" jeſty ſervice either in peace or war, which, next
" under God, hath been the cauſe of the happy
" and famous victories of this nation, beyond other
" kingdoms of larger territories and greater num-
" ber of people.

" What information ſoever contrary to this ſhall
" be brought unto your Majeſty, can come from
" no other than ſuch as, for their own ends, under
" color of advancing the prerogative, do indeed
" undermine and weaken royal power by impove-
" riſhing the ſubjects, render this monarchy leſs
" glorious, and the people leſs able to ſerve your
" Majeſty.

" Having (by what hath been ſaid) cleared our
" hearts and proceedings to your Majeſty, our truſt
" is that, in your royal judgment, we ſhall be free
" from the leaſt opinion of giving any neceſſary
" ſtop to our proceedings in the matter of your
" ſupply, and that your Majeſty will be pleaſed to
" entertain belief of our alacrity and chearfulneſs
" in your ſervice, and that hereafter no ſuch miſ-
" fortune ſhall befal us to be miſunderſtood by your
" Majeſty in any thing.

" We all moſt humbly beſeech your Majeſty to
" receive no information in this or any other buſi-
" neſs from private relations, but to weigh and
" judge of our proceedings by thoſe reſolutions
" of the houſe which ſhall be preſented from our
" ſelves.

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" This, rightly and graciouſly underſtood, we
" are confident, from the knowledge of your good-
" neſs and our own hearts, that the ending of this
" parliament ſhall be much more happy than the
" begining, and be to all ages ſtiled the bleſſed
" parliament, for making perfect union between
" the beſt King and the beſt people, that your Ma-
" jeſty may ever delight in calling us together, and
" we in the comforts of your gracious favor to-
" wards us.

" In this hope, I return to my firſt errand, which
" will beſt appear by that which I ſhall humbly
" deſire you to hear, and being an humble peti-
" tion from the houſe of commons, for redreſſing
" thoſe many inconveniencies and diſtractions which
" have befallen your ſubjects by the billeting ſol-
" diers in private mens houſes, againſt their wills.

" Your royal progenitors have ever held your
" ſubjects hearts the beſt gariſon of this kingdom,
" and our humble ſuit to your Majeſty is, that
" our faith and loyalty may have ſuch place in
" your royal thoughts, as to reſt aſſured, that all
" your ſubjects will be ready to lay down their
" lives for the defenſe of your ſacred perſon, and
" this kingdom.

" Not going our ſelves into our countries this
" Eaſter, we ſhould think it a great happineſs to
" us, as we know it would be a ſingular comfort
" and incouragement to thoſe who ſent us hither,
" if we might but ſend them a gracious anſwer
" from your Majeſty in this particular, which the
" reaſons of the petition we hope will move your
" moſt excellent Majeſty graciouſly to vouchſafe
" us."

The petition concerning billeting ſoldiers, preſented to the King's moſt excellent Majeſty.

Petition concerning billeting ſoldiers. Ruſhworth, p. 542.

" IN all humility complaining, ſheweth unto
" your moſt excellent Majeſty, your loyal and
" dutiful commons now in parliament aſſembled,
" that whereas, by the fundamental laws of this
" realm, every freeman hath, and of right ought
" to have a full and abſolute propriety in his
" goods and eſtate, and that therefore the billeting
" and placing ſoldiers in the houſe of any ſuch free-
" man, againſt his will, is directly contrary to the
" ſaid laws, under which we and our anceſtors have
" been ſo long and happily governed: yet, in ap-
" parent violation of the ſaid ancient and undoubted
" right of all your Majeſty's loyal ſubjects of this
" your kingdom in general, and to the grievous
" and inſupportable vexation and detriment of
" many counties and perſons in particular, a new
" and almoſt unheard-of way hath been invented
" and put in practiſe, to lay ſoldiers upon them,
" ſcattered in companies here and there, even in
" the heart and bowels of this kingdom; and to
" compel many of your Majeſty's ſubjects to receive
" and lodge them in their own houſes, and both
" themſelves and others to contribute towards the
" maintenance of them, to the exceeding great diſ-
" ſervice of your Majeſty, the general terror of all,
" utter undoing many of your people, inſomuch
" as we cannot ſufficiently recount, nor, in any
" way proportionable to the lively ſenſe which we
" have of our miſeries herein, are we able to re-
" preſent unto your Majeſty the innumerous miſ-
" chiefs and moſt grievous vexations which by this
" means alone we do now ſuffer, whereof we will
" not preſume to trouble your ſacred ears with par-
" ticular inſtances; only, moſt gracious Sovereign,
" we beg leave to offer to your moſt gracious

" view,

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" view, a compaſſionate conſideration of a view " thereof in general.

" 1. The ſervice of Almighty God is hereby " greatly hindered, the people in many places not " daring to repair to the church, leſt in the mean " time the ſoldiers ſhould rifle their houſes.

" 2. The ancient and good government of the " country is hereby neglected, and almoſt con- " temned.

" 3. Your officers of juſtice, in performance of " their duties, have been reſiſted and indangered.

" 4. The rents and revenues of your gentry " greatly and generally diminiſhed; farmers, to " ſecure themſelves from the ſoldiers inſolence, " being, by the clamor of ſollication of their fear- " ful and injured wives and children, inforced to " give up their wonted dwelings, and to retire " themſelves into places of more ſecure habita- " tion.

" 5. Huſbandmen, who are as it were the " hands of the country, corrupted by ill example " of the ſoldiers, and incouraged to idle life, give " over work, and rather ſeek to live idly at an- " other man's charges, than by their own labors.

" 6. Tradeſmen and artificers almoſt diſcouraged, " being inforced to leave their trades, and to im- " ploy their time in preſerving themſelves and their " families from cruelty.

" 7. Markets unfrequented, and our ways grown " ſo dangerous, that the people dare not paſs to " and fro upon their uſual occaſions.

" 8. Frequent robberies, aſſaults, batteries, " burglaries, rapes, rapines, murders, barbarous " cruelties, and other moſt abominable vices and " outrages, are generally complained of from all " parts, where theſe companies have been and " had their abode, few of which inſolences have " been ſo much as queſtioned, and fewer according " to their demerit puniſhed.

" Theſe, and many other lamentable effects " (moſt dread and dear Sovereign) have by bil- " leting ſoldiers already fallen upon us your loyal " ſubjects, tending no leſs to the diſſervice of your " Majeſty, than to their impoveriſhing and deſtruc- " tion, ſo that thereby they are exceedingly diſabled " to yield to your Majeſty thoſe ſupplies for your " urgent occaſions, which they heartily deſire; and " yet they are farther perplexed with apprehenſion " of more approaching danger, one in regard of " your ſubjects at home, the other of enemies from " abroad, in both which reſpects it ſeems to " threaten no ſmall calamity to the meaner ſort of " your people, being exceeding poor, whereof in " many places are great multitudes, and therefore " in times of more ſettled and moſt conſtant ad- " miniſtration of juſtice, not eaſily ruled, are moſt " apt upon this occaſion to caſt off the reins of " government, and, by joining themſelves with " thoſe diſordered ſoldiers, are very like to fall " into mutiny and rebellion; which, in faithful " diſcharge of our duties, we cannot forbear moſt " humbly to preſent to your high and excellent " wiſdom, being preſſed with probable fears that " ſome ſuch miſchief will ſhortly inſue, if ſome " effectual and ſpeedy courſe be not taken to re- " move out of the land, or otherwiſe to diſband, " thoſe unruly companies.

" For the ſecond, we do moſt humbly beſeech " your Majeſty to take into your princely con- " ſideration, that many of thoſe companies, beſide " their diſſolute diſpoſitions and carriages, are ſuch " as do openly profeſs themſelves Papiſts, and " therefore to be ſuſpected that, if occaſion ſerve, " they will rather adhere to a foreign enemy of " that religion, than to your Majeſty, their liege " Lord and Sovereign, eſpecially ſome of their " captains and commanders, being as Popiſhly " affected as themſelves, and having ſerved in the " wars on the part of the King of Spain, and arch- " ducheſs, againſt your Majeſty's allies; which of " what pernicious conſequence it may prove, and " how prejudicial to the ſafety of your kingdom, " we leave to your Majeſty's high and princely " wiſdom.

" And now upon theſe, and many more which " might be alledged, moſt weighty and important " reaſons, grounded on the maintenance of the " worſhip and ſervice of Almighty God, the con- " tinuance and advancement of your Majeſty's " high honor and profit, the preſervation of the " ancient and undoubted liberties of your people; " and therein of juſtice, induſtry, valor, which " nearly concern the glory and happineſs of your " Majeſty and all your ſubjects, and preventing " calamity and ruin both of church and common- " wealth:

" We your Majeſty's moſt humble and " loyal ſubjects, the knights, citizens and " burgeſſes of your houſe of commons, in " the name of all the commonalty of your " kingdom, who are upon this occaſion " moſt miſerably diſconſolate and afflicted, " proſtrate at the throne of your grace and " and juſtice, do moſt ardently beg a " preſent remove of this inſupportable " burden, and that your Majeſty would be " graciouſly pleaſed to ſecure us from the " like preſſure in the time to come."

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Remark on the behavior of King and commons.

King Charles's and his commons manner of procedure is, in reality, pleaſant enough. Nothing but evaſion and artifice on both ſides. They expreſſed not their real thoughts when they ſpake to each other, nevertheleſs they perfectly well underſtood each other's meaning, tho' they affected the contrary. The commons were very ſenſible, that their reaſons to juſtify the delay of ſupply, alledged in their repreſentation, were not valid, and that the King was thereof thoro'ly perſuaded: but they believed he would ſeem to be ſatisfied with them, in order not to oblige them to tell him to his face, they could not rely on his promiſes, and conſidered ſuch procraſtination as the only means to obtain redreſs of their grievances. Charles feigned himſelf ignorant of this motive, and took advantage of the commons uſing obſcure inſinuations, inſtead of ſpeaking plainly, as if they durſt not do otherwiſe. On the other hand, tho' Charles no way deſigned to redreſs grievances, he would however have it thought, he intended it when the ſupply affair was diſpatched. The commons, on their part, feigning not to know his intention, indeavored to have it believed, that the delay of ſupply proceeded from quite another cauſe, tho' they were certain his Majeſty could not therein be miſtaken; but as Charles deemed not himſelf obliged to uſe the ſame ceremony with his commons as they ought to uſe with him, he talked to them in a higher ſtrain, well knowing they would not, without urgent neceſſity, be induced to deliver themſelves with more clearneſs. To their repreſentations he therefore made this reply.

Mr. Speaker, and Gentlemen,

The King's reply. Ruſhworth, P. 545.

" WHEN I ſent you my laſt meſſage, I did " not expect a reply, for I intended it to " haſten you: I told you at your firſt meeting, " this time was not to be laviſhed in words, and I " am ſure it is leſs fit for diſputes, which, if I had " a deſire to entertain, Mr. Speaker's preamble " might have given me ground enough. The " queſtion is not now, what liberty you have in " diſpoſing of matters handled in your houſe, but " rather, at this time, what is fit to be done.

" Wherefore I hope you will follow my example, " in

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" in eſchewing diſputations, and fall to your im-
" portant buſineſs. You make a proteſtation of
" your affection and zeal to my prerogative,
" grounded upon ſuch good and juſt reaſons, that
" I muſt believe you: but I look that you uſe me
" with the like charity, to believe what I have de-
" clared more than once, ſince your meeting with
" us, that I am as forward as you for the neceſſary
" preſervation of your true liberties. Let us not
" ſpend ſo much time in this, which may hazard
" both my prerogative and your liberties to our
" enemies.

" To be ſhort, go on ſpeedily with your buſi-
" neſs, without any more apologies, for time calls
" faſt on you, which will neither ſtay for you nor
" me: wherefore it is my duty to haſten, as
" knowing the neceſſity of it, and yours to give
" credit to what I ſay, as to him who ſits at the
" helm.

" For what concerns your petition, I ſhall make
" anſwer in a convenient time."

Project of the petition of right laid before his Majeſty by both houſes. p. 545.

The commons meaning was, as I obſerved, to reap ſome advantage by the five ſubſidies they were willing to grant his Majeſty; and this was a neceſſary condition, which they continually inſinuated, tho' they avoided uſing that expreſſion. To this end, they had prepared a petition to be preſented to his Majeſty, in the name of both houſes, to which they deſired the peers concurrence. This petition was termed the Petition of Right, becauſe it was pretended not to deſire of the King any grace or favor, but only maintenance of the ſubjects liberties. For this reaſon it was to be ſolemnly preſented to him on his throne, by way of bill, and the King was to reply to it in a parliamentary manner. A draught of it had been ſent to the lords for their concurrence (1). The King was alarmed at it. He was deſirous to avoid receiving ſuch a petition, which too manifeſtly eſtabliſhed the peoples rights, becauſe he ſaw, if he rejected it, he ſhould loſe the five ſubſidies, the bill not being yet paſſed. On the other hand, in granting the contents of that petition, he himſelf tied up his hands for the future, and withal acknowledged, that the acts of authority he had thitherto exerciſed were contrary to law. It was preciſely into this ſtreight that the commons aimed to draw him by the petition of right: wherefore he omited nothing within his power to divert this blow. As he had a great influence in the upper houſe, he ſo managed that the lords, by pretending to agree with the commons on the ſubſtance of the petition, moved their jointly requeſting his Majeſty to make theſe inſuing declarations: viz.

The King indeavors to prevent it.

Propoſitions made by the lords, touching the petition of right. Ruſhworth, p. 546. Annals, p. 282.

" 1. That the good old law called Magna
" Charta, and the ſix ſtatutes, conceived to be de-
" clarations and explanations of that law, do ſtill
" ſtand in force to all intents and purpoſes.

" 2. That his Majeſty would be pleaſed gra-
" ciouſly to declare; that, according to Magna
" Charta and the ſtatutes afore-named, as alſo
" according to the moſt ancient cuſtoms and laws
" of this land, every free ſubject of this realm hath
" a fundamental propriety in his goods, and a fun-
" damental liberty of his perſon.

" 3. That his Majeſty would be graciouſly
" pleaſed to declare, that it is his royal pleaſure to
" ratify and confirm unto all and every his loyal
" and faithful ſubjects, all their ancient, ſeveral,
" juſt liberties, privileges and rights, in as ample
" and beneficial manner, to all intents and pur-
" poſes, as their anceſtors did injoy the ſame under
" the beſt of his moſt noble progenitors.

" 4. That his Majeſty would be farther pleaſed graciouſly to declare, for the good content of his loyal ſubjects, and for the ſecuring them from future fear; that, in all caſes within the cognisance of the common law, concerning the liberties of the ſubject, his Majeſty would proceed according to the common law of this land, and according to the laws eſtabliſhed in the kingdom, and in no other wiſe or manner. Charles I An' 1628.

" 5. As touching his Majeſty's royal prerogative,
" intrinſical to his ſovereignty, and betruſted him
" withal from God, " ad communem totius populi
" ſalutem, & non ad deſtructionem," that his Ma-
" jeſty would reſolve, not to uſe or divert the ſame,
" to the prejudice of any of his loyal people in the
" propriety of their goods, or liberty of their
" perſons: and in caſe, for the ſecurity of his Ma-
" jeſty's royal perſon, the common ſafety of his
" people, or the peaceable government of this
" kingdom, his Majeſty ſhall find juſt cauſe, for
" reaſon of ſtate, to impriſon or reſtrain any man's
" perſon, his Majeſty would graciouſly declare,
" that, within a convenient time, he ſhall and will
" expreſs the cauſe of ſuch commitment or reſtraint,
" either general or ſpecial; and, upon a cauſe ſo
" expreſſed, will leave him immediately to be
" tried according to common juſtice of the king-
" dom."

Rejected by the commons. Ruſhworth, p. 548.

But the commons avoided this ſnare, plainly perceiving it to be a mere artifice to evade the petition of right, which after theſe declarations would become as uſeleſs. In effect, there was a very wide difference, as we ſhall ſee preſently, between theſe declarations and what was required in the petition. The declarations were all expreſſed in general terms, which gave the King room to cavil upon the performance of each article, as he had done in the affair of loans, and the impriſonment of ſuch as refuſed to comply. In thoſe caſes, his Majeſty pretended not to act contrary to the laws, but rather thought himſelf authoriſed by the law; and the judges of the realm had countenanced his pretenſions: but the petition of right was much fuller and more expreſs, leaving but little room for cavils. On the other hand, the difference was not leſs between the direct and parliamentary reply demanded by the commons, and the bare and general declarations which were not capable of contenting the people. So, the commons abſolutely rejected their lordſhips propoſition.

Charles ſends for both houſes to Whitehall. April 28.

King Charles, not ſucceeding in his deſign by means of the upper houſe, tried to ſatisfy the commons by making them, of his own accord, thoſe very offers which the lords had ſeemed only to requeſt at his hands. Having on that account ſent for both houſes to Whitehall, the lord-keeper, in his Majeſty's preſenſe, made them the following ſpeech.

My Lords, and ye the Knights, Citizens and Burgeſſes of the houſe of commons.

The lord-keeper's ſpeech to them. Ruſhworth, p. 549. Annals.

" YE cannot but remember the great and im-
" portant affairs, concerning the ſafety both
" of ſtate and religion, declared firſt from his
" Majeſty's own mouth, to be the cauſes of aſſem-
" bling this parliament; the ſenſe whereof, as it
" doth daily increaſe with his Majeſty, ſo it
" ought to do, and his Majeſty doubts not
" but it doth ſo with you, ſince the danger in-
" creaſeth every day, both by effluxion of time,
" and preparations of the enemy.

" Yet his Majeſty doth well weigh, that this ex-

(1) The King's ſerjeant Aſhley ſaid, in his diſcourſe, that " the propoſitions made by the commons tended rather to anarchy " than monarchy, and that they muſt allow the King to govern by acts of ſtate." For which the lords commited him, and he recanted. Ruſhworth, Vol. I. p. 545. Whitlock, p. 10.

penſe

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" penſe of time hath been occaſioned by the debate " which hath ariſen in both houſes, touching the " liberty of the ſubject; in which, as his Majeſty " takes in good part the purpoſe and intent of the " houſes, ſo clearly and frequently profeſſed, that " they would not diminiſh or blemiſh his juſt pre- " rogative; ſo he preſumes that ye will all confeſs " it a point of extraordinary grace and juſtice in " him, to ſuffer it to reſt ſo long in diſpute with- " out interruption. But now his Majeſty, conſi- " dering the length of time which it hath taken, " and fearing nothing ſo much as any future loſs " of that whereof every hour and minute is ſo pre- " cious; and foreſeeing that the ordinary way of " debate, tho' never ſo carefully huſbanded, in " regard of the form of both houſes, neceſſarily " takes more time than the affairs of Chriſtendom " can permit; his Majeſty, out of great princely " care, hath thought of this expedient to ſhorten " the buſineſs, by declaring the clearneſs of his " own heart and intention: and therefore hath com- " manded me to let you know, 'That he holdeth " the ſtatute of Magna Charta, and the other ſix " ſtatutes inſiſted upon for the ſubjects liberty, to " be all in force, and aſſures you, that he will " maintain all his ſubjects in the juſt freedom of " their perſons, and ſafety of their eſtates; and " that he will govern according to the laws and " ſtatutes of this realm; and that ye ſhall find as " much ſecurity in his Majeſty's royal word and " promiſe, as in the ſtrength of any law ye can " make; ſo that hereafter ye ſhall never have cauſe " to complain.' The concluſion is, that his Ma- " jeſty prayeth God, who hath hitherto bleſſed this " kingdom, and put into his heart to come to you " this day, to make the ſucceſs thereof happy both " to King and people: and therefore he deſires, " that no doubt or diſtruſt may poſſeſs any man " but that ye will all proceed unanimouſly to the " buſineſs."

Charles's ſecond meſſage to the commons. Ruſhworth, p. 552. Annals.

This ſnare the commons alſo avoided, as they had done the former, and firmly adhered to the petition of right. A few days after, ſecretary Coke brought them a freſh meſſage from his Majeſty, to know whether the houſe would or would not reſt on his royal word, declared to them by the lord keeper; which if they did, he aſſured them, it ſhould be royally performed.

This meſſage occaſioned great debates, becauſe Coke and others of the court-party imployed their utmoſt efforts to perſuade the houſe to what his Majeſty propoſed, namely, to lay aſide the petition of right, and reſt upon his royal promiſe. Sir Thomas Wentworth concluded the debate, ſaying, " That never houſe of parliament truſted more in " the goodneſs of their King, for their own pri- " vate, than the preſent, but we are ambitious that " his Majeſty's goodneſs may remain to poſterity, " and we are accountable to a public truſt: and " therefore, ſeeing there hath been a public viola- " tion of the laws by his miniſters, nothing will " ſatisfy him but a public amends; and our deſire " to vindicate the ſubjects right by bill, are no " more than are laid down in former laws, with " ſome modeſt proviſion for inſtruction, perform- " ance and execution." This ſo well agreed with the houſe's ſenſe, that they made it the ſubject of a meſſage to be delivered to his Majeſty by their ſpeaker.

Another meſſage from the King. Ruſhworth, p. 534. Annals.

Amidſt thoſe deliberations, the following meſſage from his Majeſty was delivered by ſecretary Coke; " That howſoever we proceed in this buſineſs we " have in hand, which his Majeſty will not doubt, " but to be according to our conſtant profeſſion, and " ſo as he may have cauſe to give us thanks; yet " his reſolution is, that both his royal care and " hearty and tender affection towards all his loving " ſubjects, ſhall appear to the whole kingdom, and " all the world, that he will govern us according " to the laws and cuſtoms of this realm; that he " will maintain us in the liberties of our perſons, " and properties of our goods, ſo as we may injoy " as much happineſs as our forefathers in their beſt " times; and that he will rectify what hath been, " or may be found amiſs among us, ſo that here- " after there may be no juſt cauſe to complain. " Wherein, as his Majeſty will rank himſelf among " the beſt of Kings, and ſhew he hath no intention " to invade or impeach our lawful liberties, or " right; ſo he will have us to match our ſelves " with the beſt ſubjects, not by incroaching upon " that ſovereignty or prerogative, which God hath " put into his hands for our good, but by containing " ourſelves within the bounds and laws of our fore- " fathers, without reſtraining them, or inlarging " them by new explanations, interpretations, ex- " poſitions, or additions in any ſort, which, he " telleth us, he will not give way unto.

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" That the weight of the affairs of the kingdom " and Chriſtendom do preſs him more and more, " and that the time is now grown to that point of " maturity, that it cannot indure long debate or " delay; ſo as this ſeſſion of parliament muſt con- " tinue no longer than Tueſday come ſeven-night " at the fartheſt: in which time his Majeſty, for " his part, will be ready to perform what he pro- " miſed; and if the houſe be not as ready to do " what is fit for themſelves, it ſhall be their own " faults.

" And upon aſſurance of your good diſpatch and " correſpondence, his Majeſty declareth, that his " royal intention is to have another ſeſſion of par- " liament at Michaelmas next, for perfecting ſuch " things as cannot now be done."

The commons ſtand to their reſolution of preſenting the petition of right. Ruſhworth, p. 555.

All this ſufficed not to divert the commons from their purpoſe of turning the petition of right into an act of parliament. The menace of ending the ſeſſion frightened them not, his Majeſty having too far advanced to recede. The only point was to know, whether he would grant by bill, what he was willing to grant any other way; and he could not break with the parliament on that account, without utterly forfeiting his peoples affection, beſide loſing the five ſubſidies: ſo the commons would not miſs this opportunity of firmly eſtabliſhing the ſubjects rights and privileges. Here follows what the ſpeaker, in name of the commons, ſaid to his Majeſty, having firſt thanked him for his gracious aſſurance, that he would govern according to law, and told him, that the commons greateſt confidence was in his goodneſs.

The ſpeaker's harangue to his Majeſty. Ibid. Annals.

" ——— True it is, they cannot but remember " the public truſt, for which they are accountable " to preſent and future times; and their deſires are, " that your Majeſty's goodneſs might, in fruit and " memory, be the bleſſing and joy of poſterity.

" They ſay alſo that, of late, there hath been " public violation of the laws, and the ſubjects " liberties, by ſome of your Majeſty's miniſters, " and thence conceive, that no leſs than a public " remedy will raiſe the dejected hearts of your " loving ſubjects, to a chearful ſupply of your Ma- " jeſty, or make them receive content in the pro- " ceedings of this houſe.

" From thoſe conſiderations, they moſt humbly " beg your Majeſty's leave, to lay hold on that " gracious offer of yours, which gave them aſſu- " rance that, if they thought fit to ſecure them- " ſelves in their rights and liberties, by way of " bill, or otherwiſe, ſo it might be provided with " due reſpect to God's honor and the public good, " you would be graciouſly pleaſed to give way unto " it. Far from their intentions it is, any way to " incroach upon your ſovereignty or prerogative;

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" nor have they the leaſt thought of ſtretching or " inlarging the former laws in any ſort, by any " new interpretations or additions; the bounds of " their deſires extend no farther than to ſome ne- " ceſſary explanation of that which is truly com- " prehended within the juſt ſenſe and meaning of " thoſe laws, with ſome moderate proviſion for " execution and performance, as in paſſed times, " upon like occaſion, hath been uſed.

" The way how to accompliſh theſe their hum- " ble deſires is now in conſideration with them; " wherein they humbly aſſure your Majeſty, they " will neither loſe time, nor ſeek any thing of your " Majeſty, but what they hope may be fit for du- " tiful and loyal ſubjects to aſk, and for a gracious " and juſt King to grant."

To this Charles replied, by the lord keeper, in theſe terms.

Mr. ſpeaker, and you gentlemen of the houſe of commons.

Ruſhworth. Annals.

" HIS Majeſty hath commanded me to tell " you, that he expected an anſwer by your " actions, and not delay by your diſcourſe. Ye " acknowledge this truſt and confidence in your " proceedings, but his Majeſty ſees not how you " requite him, by your confidence of his word and " actions: for what need explanations, if ye doubted " not the performance of the true meaning? For " explanations will hazard an incroachment upon " his prerogative. And it may well be ſaid, what " need a new law to confirm an old, if you repoſe " confidence in the declaration his Majeſty made " by me to both houſes? And our ſelves acknow- " ledge, that your greateſt truſt and confidence " muſt be in his Majeſty's grace and goodneſs, " without which nothing ye can frame will be of " ſafety, or avail to you. Yet, to ſhew clearly " the ſincerity of his Majeſty's intentions, he is " content that a bill be drawn for a confirmation " of Magna Charta, and the other ſix ſtatutes, in- " ſiſted upon for the ſubjects liberties, if ye ſhall " chuſe that as the beſt way, but ſo it may be with- " out additions, paraphraſes, or explanations.

" Thus if you pleaſe you may be ſecured from " your needleſs fears, and this parliament may have " a happy wiſhed for end: whereas by the con- " trary, if you ſeek to tie your King by new, and " indeed impoſſible bonds, you muſt be accounta- " ble to God and the country for the ill ſucceſs of " this meeting. His Majeſty hath given his royal " word, that ye ſhall have no cauſe to complain " hereafter; leſs than which hath been enough to " reconcile great Princes, and therefore ought " much more to prevail between a King and his " ſubjects.

" Laſtly, I am commanded to tell you, that his " Majeſty's pleaſure is that, without farther re- " plies or meſſages, or unneceſſary delays, ye do " what ye mean to do ſpeedily, remembering the " laſt meſſage which ſecretary Coke brought you in " point of time; his Majeſty always intending to " perform his promiſe to his power."

A meſſage from the King. May 6. Ruſhworth, p. 557.

To this anſwer the King preſently after added the following meſſage, brought by ſecretary Coke, to preſs the houſe to rely on his Majeſty's word, notwithſtanding the intimation of his good pleaſure for a bill. " That he had rather follow others, than " begin to enter into this buſineſs; loſs of time " hath been the greateſt complaint; the matter " fallen now into conſideration is, what way to " take, whether to rely on his Majeſty's word, or " on a bill. If we will conſider the advantage " we have in taking his Majeſty's word, it will be " of the largeſt extent, and we ſhall chuſe that " which hath moſt aſſurance; an act of parliament " is by conſent of King and parliament; but this " aſſurance by word is, that he will govern us by " the laws; the King promiſes that, and alſo, " that they ſhall be ſo executed that we ſhall in- " joy as much freedom as ever: this contains many " laws, and a grant of all good laws; nay, it " contains a confirmation of thoſe very laws, aſ- " ſurance, which binds the King farther than the " law can. Firſt, it binds his affection, which is " the greateſt bond between King and ſubject, and " that binds his judgment alſo, nay, his honor, " and that not at home, but abroad; the royal " word of a King is the ground of all treaty; nay, " it binds his conſcience: this confirmation between " both houſes, is in nature of a vow; for my " part, I think it is the greateſt advantage to rely " on his Majeſty's word." He farther added, " This debate was fiter to be done before the houſe, " and not before the commitees, and that it was a " new courſe to go to a commitee of the whole " houſe (1).

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Remarks on the King's anſwer.

This anſwer and meſſage are a clear evidence how much Charles dreaded the petition of right, which was preparing for him. He juſtly ſuppoſed it would contain not only the ſubſtance of Magna Charta, and the ſix ſtatutes, but alſo explanations which would prevent all cavils about the true meaning of theſe laws, which was what he would have avoided to approve, for fear of tying up his hands. The great charter and the ſix ſtatutes had long been in force; but that had not prevented his exacting money from his ſubjects by way of loan, and impriſoned thoſe who refuſed to comply. He was ſo far from acknowledging he had acted illegally, that he found means to get his proceedings approved by the judges. In offering therefore to confirm Magna Charta by a bill, he left things in their preſent ſtate, and the people would have reaped no benefit from the new bill. This is what the lord keeper could not forbear intimating, when he ſaid, he did not ſee any occaſion for a new law to confirm an old one. He would have thereby inſinuated, that the old law was not infringed, and therefore his Majeſty was very willing to confirm it, provided there were no additions, explanations and interpretations. But nothing was apter to ſhew the commons the neceſſity of theſe explanations, than the King's indeavors to avoid them. His extreme deſire that his word ſhould be relied on, was a very ſtrong reaſon to ſecure the ſubjects liberties by ſomething more binding. It is indeed true, that the words of Princes are capable of reconciling them, when at variance; but this ſuppoſes a mutual confidence, without which the bare word cannot beget a perfect reconciliation. Now the point was to know, whether the King's word might ſafely be taken, which the commons did not believe, tho' they durſt not openly declare it. Beſide, their having been told, that the King's promiſe to govern according to law was a greater ſecurity than the laws themſelves, was a plain indication that their Sovereign deemed it not impracticable to evade the law. Hence therefore they drew a freſh argument for binding the King by a more expreſs and poſitive law than thoſe hitherto inacted.

Let us farther obſerve, that it is not a little ſurpriſing the ſecretary, in concluding his meſſage, ſhould teach the commons how this matter ought to be debated in the houſe, inſinuating, that having recourſe to a commitee of the whole houſe was a

(1) Our author has confounded this anſwer and meſſage, as if delivered at the ſame time by the lord keeper. See Ruſhworth, Vol. I. p. 557.

very

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very unuſual method. For the eaſier comprehending the deſign of this inſinuation, the reader muſt underſtand that, before the houſe a member cannot ſpeak but once on a topic, and, having delivered in his ſentiment, is not allowed to make any replication: but when the houſe is turned into a commitee, there is greater freedom; every one may argue, anſwer, reply, as he judges requiſite. By this means the points in debate are fully cleared, ſo that it is not eaſy for each to form his judgment upon the arguments, anſwers and replies he has heard. It therefore ſeems, by what the ſecretary inſinuated to the commons, that Charles dreaded whatever explanations might ariſe from this manner of debating: but they thought not proper to receive his inſtructions, or alter their uſual method. The houſe therefore was turned into a commitee, to take into conſideration all could be urged for or againſt what was required by his Majeſty. Here follows the general ſenſe of the houſe as expreſſed by one of its members *, with whom the majority concurred: viz.

* Sir Edward Coke.

Ruſhworth, p. 558. Annals, p. 287.

"Was it ever known that general words were a "ſufficient ſatisfaction to particular grievances? "Was ever a verbal declaration of the King, "Verbum Regni? When grievances be, the par- "liament is to redreſs them. Did ever parlia- "ments rely on meſſages? They put up petitions "of their grievances, and the King never anſwered "them: the King's anſwer is very gracious; but "what is the law of the realm? that is the queſtion. "I put no diffidence in his Majeſty, the King muſt "ſpeak by a record, and in particulars, and not "in general. Did you ever know the King's "meſſage to come into a bill of ſubſidies? All "ſucceeding Kings will ſay, ye muſt truſt me as "well as ye did my predeceſſors, and truſt my "meſſages; but meſſages of love never came into "a parliament. Let us put up a petition of right: "not that I diſtruſt the King, but that I cannot "take his truſt but in a parliamentary way.

The commons fix times of the ſubſidies payments before the bill paſſed. Ruſhworth, p. 558. Annals. p. 287.

As the commons had reſolved, that ſupply and grievances ſhould go hand in hand, the petition of right was no ſooner ready, but they made a farther progreſs in the affair of ſubſidies, ordering that the two firſt ſhould be paid the tenth of July, one more the twelfth of October, another the twentieth of December, and the laſt the firſt of March. This was done to take from the King all pretext of complaint that the ſupply buſineſs was neglected; but he was not herewith ſatisfied. He wiſhed the ſubſidy-bill to be drawn and paſſed, before the petition of right was preſented him, which the commons were reſolutely determined not to do, being perſuaded that the ſubſidy-bill being once paſſed, the parliament would be inſtantly prorogued or diſſolved: ſo, that very day, they ſent the petition of right to the lords for their concurrence (1). But, before it was obtained, the commons ſaw themſelves obliged to ſuſtain two freſh attacks, one from his Majeſty, the other from the houſe of peers, where the court-party was very powerful.

May 12. Ruſhworth, p. 559. Annals.

Their lordſhips, being buſied in examining the petition of right, deſired a conference with the commons, where the lord keeper ſaid, he had propoſed to the houſe ſome alterations in the petition, to render it leſs harſh, and more agreeable to his Majeſty, to the end what was deſired might be the more readily obtained: adding that, while the lords were debating upon the commitments, they received a letter from his Majeſty, which they deſired to communicate to the commons. It was read to them accordingly, and ran thus.

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To the right truſty and right well-beloved, the lords ſpiritual and temporal, of the higher houſe of parliament.

Carolus Rex,

K. Charles's letter to the lords, communicated to the commons. Ruſhworth, p. 560. Annals.

"WE being deſirous of nothing more than "the advance of the peace and proſperity "of our people, have given leave to free debate "upon the higheſt points of our prerogative royal, "which, in the time of our predeceſſors, Kings "and Queens of this realm, were ever reſtrained "as matters which they would not have diſcuſſed; "and in other things we have been willing ſo far "to deſcend to the deſires of our good ſubjects, as "might fully ſatisfy all moderate minds, and free "them from all juſt fears and jealouſies, which "thoſe meſſages we have hitherto ſent into the "commons houſe will well demonſtrate unto the "world; yet we find it ſtill inſiſted upon that, in "no caſe whatſoever, ſhould it never ſo nearly "concern matters of ſtate or government, we, or "our privy council, have no power to commit any "man without the cauſe ſhewed; whereas it often "happens that, ſhould the cauſe be ſhewed, the "ſervice itſelf would thereby be deſtroyed and de- "feated, and the cauſe alledged muſt be ſuch as "may be determined by our judges of our courts "of Weſtminſter, in a legal and ordinary way of "juſtice; whereas the cauſe may be ſuch, as thoſe "judges have not capacity of judicature, nor rules "of law to direct and guide their judgment in "caſes of that tranſcendent nature; which hap- "pening ſo often, the very incroaching on that "conſtant rule of government, for ſo many ages "within this kingdom practiſed, would ſoon diſ- "ſolve the very foundation and frame of our "monarchy. Wherefore as to our commons, we "made fair propoſitions, which might equally "preſerve the juſt liberty of the ſubject. So, my "lords, we have thought good to let you know "that, without the overthrow of ſovereignty, we "cannot ſuffer this power to be impeached: not- "withſtanding, to clear our conſcience and juſt "intentions, this we publiſh, that it is not in our "heart, nor will we ever extend our royal power, "lent unto us from God, beyond the juſt rule of "moderation, in any thing which ſhall be con- "trary to our laws and cuſtoms, wherein the ſafety "of our people ſhould be our only aim. And we "do hereby declare our royal pleaſure and reſo- "lution to be (which, God willing, we ſhall ever "conſtantly continue and maintain) that neither "we nor our privy council ſhall, or will, at any "time hereafter, commit, or command to priſon, "or otherwiſe reſtrain the perſon of any, for not "lending money to us, nor for any juſt cauſe "which, in our conſcience, doth not concern the "public good and ſafety of us and our people, "we will not be drawn to pretend any cauſe, "wherein our judgment and conſcience is not ſatiſ- "fied; baſe thoughts, we hope, no man can ima- "gine will fall into our royal breaſt; and that in "all caſes of this nature, which ſhall hereafter "happen, we ſhall, upon the humble petition of "the party, or addreſs of our judges unto us, "readily and really expreſs the true cauſe of their "commitment or reſtraint, ſo ſoon as with con- "veniency and ſafety the ſame is fit to be diſcloſed

(1) Six weeks were imployed in hearing the King's council againſt the petition, and the commons defenſe of it. The managers for the petition were, ſir Edward Coke, Mr. Selden, ſir Dudley Diggs, ſerjeant Glanvile, ſir Henry Martin, and Mr. Maſon. Coke, p. 207.

"and

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" and expreſſed; and that in all cauſes criminal, of " ordinary juriſdiction, our judges ſhall proceed to " the deliverance or bailment of the priſoner, ac- " cording to the known and ordinary rules of the " laws of this land, and according to the ſtatutes " of Magna Charta, and thoſe other ſix ſtatutes " inſiſted upon, which we do take knowledge " ſtand in full force, and which we intend not to " abrogate and weaken againſt the true intention " thereof. This we have thought fit to ſignify, " the rather to ſhorten any long debate upon this " great queſtion, the ſeaſon of the year being ſo " far advanced, and our great occaſions of ſtate " not lending any more days for longer continuance " of this ſeſſion of parliament."

Given under our ſignet, at our palace at Weſtminſter, 20 Maii, the fourth year of our reign.

The commons remain firm. Ruſhworth, p. 561, &c.

Of this letter the commons took no notice, or rather diſſembled the concern they conceived at the artifices of their Sovereign, who, by obſcure and doubtful expreſſions, and by ſundry reſtrictions, was preparing means to evade his promiſes, at the very juncture when he wanted to have them received as ſolemn, authentic and ſatisfactory. This will evidently appear, if the terms of this letter be attentively conſidered, as well as King Charles's view in writing it: which was to evade the petition of right, and be left at liberty to make the ſame uſe of his prerogative as he had done thitherto.

The lords propound the adding a clauſe to the petition of right. May 17.

The ſecond attack the commons had to ſuſtain, came from the peers. Their lordſhips moved the adding to the petition of right a clauſe which would have rendered it uſeleſs, at leaſt, according to the court's intention, by whom, very ſeemingly, the upper houſe was directed. The additional clauſe was this: viz.

The clauſe. Ruſhworth, p. 561. Annals, p. 289. &c.

" We preſent this our humble petition to your " Majeſty, with the care not only of preſerving " our own liberties, but with due regard to leave " intire that ſovereign power wherewith your Ma- " jeſty is truſted for the protection, ſafety and hap- " pineſs of the people."

Ruſhworth, p. 566---576. Annals, 289, &c.

This addition was examined and moſt preciſely canvaſſed in the houſe of commons, and the general opinion was, that it ought to be rejected, chiefly for three reaſons. The firſt; becauſe of the ambiguity of the words " Sovereign power," which the parliaments had never uſed in ſpeaking of the King's prerogatives. The ſecond, becauſe this addition was in the nature of a ſaving of the King's ſovereignty, which rendered the petition of no force: it was alledged, that in the reign of Edward I, the parliament having preſented a like petition to the King, he would have added theſe words, " ſaving the King's right and ſovereignty," but the parliament would not conſent to it, becauſe ſuch ſavings render uſeleſs whatever they are annexed to; it was likewiſe urged that, for the ſame reaſon, the Kings would never ſuffer the clergy to inſert in any of their acts, " ſaving the honor of God and " the church." The third reaſon was that, if this addition was general, and had no reference to the petition, there was no need of admiting it: but if, on the contrary, it did refer to the petition, it evidently rendered the petition of no effect.

The ſaid clauſe being rejected by the commons, their lordſhips durſt not throw out the petition (1), on account of this ſupplement, which in reality was not abſolutely neceſſary. So, being ſatisfied with giving the King this teſtimony of their affection for his ſervice, they inſiſted no longer upon the additional clauſe. Then the two houſes reſolved on preſenting the petition to his Majeſty and intreating him to give his anſwer in full parliament, that it might be inrolled and ſerve hereafter for rule to the courts of judicature, as to a parliamentary ſtatute. The ſecond of June, Charles repaired to the parliament to give the royal aſſent to the petition of right, and thus ſpake to both houſes.

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Gentlemen,

Charles's ſpeech before reading the petition.

" I Am come hither to perform my duty. I " think no man can think it long, ſince I " have not taken ſo many days in anſwering the " petition, as ye imployed weeks in framing it: " and I am come hither to ſhew you that, as well " in formal things as in eſſential, I deſire to give " you as much content as in me lies."

To this diſcourſe the lord keeper made ſome addition: but, as there is nothing very material in his ſpeech, I do not think it neceſſary to inſert it. When he had done ſpeaking, the petition was read aloud, and is as follows (2):

To the King's moſt excellent Majeſty,

Rym. Fœd. Vol. XVIII. p. 1010. Ruſhworth, p. 588. Annals, p. 303.

" THE lords ſpiritual and temporal, and com- " mons in parliament aſſembled, humbly " ſhew unto our Sovereign Lord the King, that, " whereas it is declared and inacted by a ſtatute, " made in the time of the reign of King Edward " the Firſt, commonly called 'Statutum de tallagio " non concedendo,' that no tallage or aid ſhould " be laid or levied, by the King or his heirs, in " this realm, without the good-will and aſſent of " the archbiſhops, biſhops, earls, barons, knights, " burgeſſes, and other the freemen of the com- " monalty of this realm, and by authority of par- " liament holden in the five and twentieth year of " the reign of King Edward the third, it is de- " clared and inacted, that from thenceforth no " perſon ſhould be compelled to make any loans " to the King againſt his will, becauſe ſuch loans " were againſt reaſon, and the franchiſe of the " land; and by other laws of this realm it is pro- " vided, that none ſhould be charged by any " charge or impoſition, called a benevolence, nor " by ſuch like charge, by which the ſtatutes be- " fore-mentioned, and other the good laws and " ſtatutes of this realm, your ſubjects have inherited " this freedom, that they ſhould not be compelled " to contribute to any tax, tallage, aid, or other " like charge, not ſet by common conſent in par- " liament.

" Yet nevertheleſs, of late, diverſe commiſſions, " directed to ſundry commiſſioners in ſeveral coun- " ties, with inſtructions, have been iſſued, by " means whereof your people have been in diverſe " places aſſembled, and required to lend certain " ſums of money unto your Majeſty, and many of " them, upon their refuſal ſo to do, have had an " oath adminiſtered unto them, not warrantable " by the laws or ſtatutes of this realm, and have " been conſtrained to become bound to make ap- " pearance, and give attendance before your privy " council, and in other places, and others of them " have been therefore impriſoned, confined, and " ſundry other ways moleſted and diſquieted: and " diverſe other charges have been laid and levied " upon your people in ſeveral counties, by lord- " lieutenants, deputy-lieutenants, commiſſioners for

(1) In a commitee of the whole houſe, lord Say moved, that thoſe lords who ſtood for the liberties of the nation, might make their proteſtation, to remain upon record; and that the oppoſite party ſhould, with their names enter their reaſons, to remain upon record; that poſterity might not be to ſeek, who they were who ſo ignobly betrayed the freedom of our nation. This ſtruck ſuch a damp upon the other party, that not one of them oppoſed it. Coke, p. 252.

(2) This petition was drawn up by ſir Edward Coke.

" muſters,

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" muſters, juſtices of peace and others, by com-
" mand or direction from your Majeſty, or your
" privy-council, againſt the laws and free cuſtoms
" of the realm.

9 Hen. 3. 29.

" And where alſo by the ſtatute called, 'The
" Great Charter of the Liberties of England,' it is
" declared and inacted, that no freeman may be
" taken or impriſoned, or be diſſeized of his free-
" hold or liberties, or his free cuſtoms, or be out-
" lawed or exiled, or in any manner deſtroyed,
" but by the lawful judgment of his peers, or by
" the law of the land:

28 Edw. 3. 3.

" And in the eight and twentieth year of the
" reign of King Edward the Third, it was de-
" clared and inacted by act of parliament, that
" no man, of what eſtate or condition ſoever he be,
" ſhould be put out of his lands or tenements,
" nor taken, nor impriſoned, nor diſherited, nor
" put to death, without being brought to anſwer
" by due proceſs of law.

37 Edw. 3. 18.
38 Edw. 3. 9.
42 Edw. 3. 3.
17 Rich. 2. 6.

" Nevertheleſs, againſt the tenor of the ſaid
" ſtatutes, and other the good laws and ſtatutes
" of your realm, to that end provided, diverſe of
" your ſubjects have of late been impriſoned,
" without any cauſe ſhewed; and when for their
" deliverance they were brought before your
" juſtices, by your Majeſty's writs of Habeas
" Corpus, there to undergo and receive as the
" court ſhould order, and their keepers com-
" manded to certify the cauſes of their detainer;
" no cauſe was certified, but that they were de-
" tained by your Majeſty's ſpecial command,
" ſignified by the lords of your privy council, and
" yet were returned back to ſeveral priſons without
" being charged with any thing to which they
" might make anſwer according to the law.

" And whereas of late great companies of
" ſoldiers and mariners have been diſperſed into
" diverſe counties of the realm, and the inhabitants
" againſt their wills have been compeled to re-
" ceive them into their houſes, and there to ſuffer
" them to ſojourn, againſt the laws and cuſtoms of
" this realm, and to the great grievance and vexa-
" tion of the people.

25 Edw. 3. 9.
9 Hen. 3. 29.
25 Edw. 3. 4.
28 Edw. 3. 3.

" And whereas, alſo by authority of parliament,
" in the twenty-fifth year of the reign of King
" Edward the Third, it is declared and inacted,
" that no man ſhould be fore-judged of life or
" limb, againſt the form of the great charter,
" and the law of the land, and by the ſaid great
" charter, and other the laws and ſtatutes of this
" your realm, no man ought to be adjudged to
" death but by the laws eſtabliſhed in this your
" realm, either by the cuſtoms of the ſame realm,
" or by acts of parliament: and whereas no offender,
" of what kind ſoever, is exempted from the
" proceedings to be uſed, and puniſhments to be
" inflicted by the laws and ſtatutes of this your
" realm; nevertheleſs of late time, diverſe com-
" miſſions under your Majeſty's great-ſeal have
" iſſued forth, by which certain perſons have been
" aſſigned and appointed commiſſioners, with
" power and authority to proceed within the land,
" according to the juſtice of martial law againſt
" ſuch ſoldiers and mariners, or other diſſolute
" perſons joining with them, as ſhould commit any
" murder, robery, felony, mutiny, or other out-
" rage or miſdemeanor whatſoever; and by ſuch
" ſummary courſe and order as is agreeable to
" martial law, and as is uſed in armies in time of
" war, to proceed to the trial and condemnation
" of ſuch offenders, and them to cauſe to be ex-
" ecuted and put to death according to the law-
" martial.

" By pretext whereof, ſome of your Majeſty's
" ſubjects have been, by ſome of the ſaid com-
" miſſioners, put to death, when and where, if
" by the laws and ſtatutes of the land they had
" deſerved death, by the ſame laws and ſtatutes
" alſo they might, and by no other ought to have
" been judged and executed.

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" And alſo ſundry grievous offenders, by color
" thereof, claiming exemption, have eſcaped
" the puniſhments due to them by the laws and
" ſtatutes of this your realm, by reaſon that diverſe
" of your officers and miniſters of juſtice have
" unjuſtly refuſed, or forborne to proceed againſt
" ſuch offenders according to the ſame laws and
" ſtatutes, upon pretenſe that the ſaid offenders
" were puniſhable only by martial law, and by
" authority of ſuch commiſſions as aforeſaid; which
" commiſſions, and all others of like nature, are
" wholly and directly contrary to the ſaid laws and
" ſtatutes of this your realm.

The petition.

" They do therefore humbly pray your moſt
" excellent Majeſty, that no man hereafter be
" compeled to make or yield any gift, loan, be-
" nevolence, tax, or ſuch like charge, without
" common conſent by act of parliament; and that
" none be called to make anſwer, or take ſuch
" oath, or give attendance, or be confined, or
" otherwiſe moleſted or diſquieted concerning the
" ſame, or for refuſal thereof: and that no free-
" man, in any ſuch manner as is before-mentioned,
" be impriſoned or detained: and that your Ma-
" jeſty would be pleaſed to remove the ſaid ſoldiers
" and mariners, and that your people may not be
" ſo burdened in the time to come: and that the
" aforeſaid commiſſions for proceeding by martial
" law, may be revoked and annulled; and that
" hereafter, no commiſſions of like nature may
" iſſue forth to any perſon or perſons whatſoever,
" to be executed as aforeſaid, leſt by color of
" them any of your Majeſty's ſubjects be deſtroyed
" or put to death, contrary to the laws and fran-
" chiſe of the land.

" All which they moſt humbly pray of your
" moſt excellent Majeſty, as their rights and
" liberties, according to the laws and ſtatutes of
" this realm: and that your Majeſty would alſo
" vouchſafe to declare, that the awards, doings and
" proceedings, to the prejudice of your people in
" any of the premiſes, ſhall not be drawn here-
" after into conſequence or example: and that
" your Majeſty would be alſo graciouſly pleaſed,
" for the farther comfort and ſafety of your
" people, to declare your royal will and pleaſure,
" that, in the things aforeſaid, all your officers
" and miniſters ſhall ſerve you according to the
" laws and ſtatutes of this realm, as they tender
" the honor of your Majeſty, and the proſperity
" of this kingdom."

Charles, as has been ſeen, had uſed all poſſible indeavors to obſtruct this petition's being preſented, and to ſatisfy the commons with general promiſes, which properly bound him to nothing, and deſtroyed not his ſyſtem of government. So, notwithſtanding his feigning he came to the parliament purpoſely to paſs the petition of right, and give a ſatisfactory anſwer, he however purſued his plan, and by his anſwer ſhewed, how much he dreaded promiſing. Here follows his anſwer, wherein may be eaſily perceived the ſame general promiſes, and the ſame reſtrictions as in what he had already offered.

The King's anſwer to the Petition of Rights.

His Majeſty's reply. Ruſhworth, p. 590.

" THE King willeth, that right be done ac-
" cording to the laws and cuſtoms of the
" realm, and that the ſtatutes be put in due exe-
" cution, that his ſubjects may have no cauſe to
" complain of any wrong or oppreſſion, contrary
" to their juſt rights and liberties, to the preſerva-
" tion

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" tion whereof he holds himſelf in conſcience, as " well obliged as of his prerogative.

Remarks on this reply.

It would be here quite needleſs to make any remarks on this anſwer, ſince King Charles's deſign ſo plainly appears. It ſuffices only to obſerve that his ſaid Majeſty had indeavored to content the parliament with general promiſes, and the commons, not deeming that ſufficient, had inſiſted on the petition of right, wherein diverſe particular caſes were ſpecified. Now Charles, inſtead of giving the parliament that ſatisfaction they deſired, did in his anſwer ſtick firm to his general promiſes, without touching on any of the particular caſes ſpecified in that petition.

The commons therewith not ſatisfied. Annals, p. 304, &c.

The commons, not being ſatisfied with his Majeſty's anſwer, made no haſte to finiſh the ſubſidy buſineſs. On the contrary, they deſired a conference with the lords, where the point of commitments was thoroughly diſcuſſed. The matter in queſtion was, the power aſſumed by his Majeſty to impriſon the ſubjects, without declaring the cauſe, which King Charles had not leſſened by his anſwer, tho' it was one of the chief motives of the petition of right. Wherefore the commons, deſirous that his Majeſty ſhould be made ſenſible of their diſſatisfaction, inſtead of proceeding with the ſubſidy-bill, returned to the conſideration of grievances. On this occaſion, and at the commons inſtances, the lords paſſed upon Dr. Manwaring that ſentence I elſewhere mentioned.

They reſume the affair of grievances. Annals. Ruſhworth, p. 591.

Manwaring ſentenced. p. 593.

Charles, finding the commons otherwiſe imployed than in the buſineſs of ſubſidies, ſent them by their own ſpeaker this inſuing meſſage.

Meſſage from his Majeſty to the commons. Ibid.

" That his Majeſty having, on the petition exhibited by both houſes, given an anſwer full of " juſtice and grace, for which we and our poſterity " have juſt cauſe to bleſs his Majeſty, it is now " time to grow to a concluſion of the ſeſſion; and " therefore his Majeſty thinks fit to let you know, " that as he doth reſolve to abide by that anſwer, " without farther change and alteration, ſo he will " royally and really perform unto you what he hath " thereby promiſed: and farther, that he reſolves " to end this ſeſſion upon Wedneſday the eleventh " of this month; and therefore wiſheth that the " houſe will ſeriouſly attend thoſe buſineſſes which " may beſt bring the ſeſſion to a happy concluſion, without entertaining new matters, and ſo " huſband the time that his Majeſty may, with the " more comfort, bring us ſpeedily together again: " at which time, if there be any farther grievances " not contained or expreſſed in the petition, they " may be more maturely conſidered than the time " will now permit."

Buckingham complained of in the houſe.

This meſſage induced the commons to believe (1) that the duke of Buckingham had done them ill offices with his Majeſty. This was intimated in the houſe, and ſir John Elliot ſtanding up, and begining to ſpeak in ſuch manner that it was thought he was going to fall upon the favorite and miniſtry, the ſpeaker ſtarted from the chair and ſaid, " There " is a command laid upon me, that I muſt com- " mand you not to proceed." Elliot thereupon ſat down: but ſome other bolder members propoſed acquainting the lords with their dangers, and then carrying their complaints to his Majeſty in a full body. Some of the court-party ſaying, that a ſpeech lately uttered by ſir John Elliot had given offenſe to his Majeſty, the houſe declared: " That " every member is free from any undutiful ſpeech, " from the begining of the parliament to that day; " and ordered, that the houſe be turned into a " commitee, to conſider what is fit to be done for " the ſafety of the kingdom; and that no man go " out upon pain of going to the Tower." But the ſpeaker *, deſiring leave to go out, obtained it, and immediately informed Charles what was going forward in the houſe. In his abſenſe it was debated, and on the point of being voted by a majority, to make his Majeſty a remonſtrance, wherein it ſhould be expreſly urged, that the duke of Buckingham was chief cauſe of all the kingdom's miſeries. But before the debate was ended, the ſpeaker returned with a meſſage from the King, commanding the houſe to adjourn till the morrow, and during ſuch adjournment all commitees to ceaſe. Next day, the ſpeaker brought from court the following meſſage.

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The ſpeaker injoins ſilence to Elliot. Ruſhworth, p. 606.

The commons complain of this violence.

Their declaration. p. 607.

The ſpeaker goes out.

* Sir John Finch.

Reſolve concerning a remonſtrance. p. 608.

The ſpeaker returns with orders to adjourn 'till the morrow. June 6.

" Whereas his Majeſty underſtanding, that ye " did conceive his laſt meſſage to reſtrain you in " your juſt privileges, to complain of any of his " miniſters; theſe are to declare his intentions, " that he had no meaning of barring you from what " hath been your right, but only to avoid all ſcan- " dals on his council and paſſed actions; and that " his miniſters might not be, nor himſelf under " their names, taxed for their counſel unto his " Majeſty, and that no ſuch particulars ſhould be " taken in hand, as would aſk a longer time of " conſideration than what he hath prefixed, and " ſtill reſolves to hold, ſo that for this time all " Chriſtendom might take notice of a ſweet part- " ing between him and his people: which if it " fall out, his Majeſty will not be long from an- " other meeting, when ſuch (if there be any) at " their leiſure and convenience may be conſi- " dered."

Another meſſage from Charles to the commons, ſent by the ſpeaker. Ruſhworth, p. 610. Annals.

King Charles, in his whole conduct, may be remarked to have been hitherto ſo firm in his principles concerning government, that he could not reſolve to recede one tittle, or if he ſeemed to make any conceſſion, he immediately rendered it uſeleſs by ſome reſtriction. This may be ſeen in his anſwer to the petition of right, but ſtill more particularly in this laſt meſſage to the commons. He would not, as he ſaid, bar them from the privilege to complain of his miniſters, but yet would have them caſt no blame on their counſels: which is, properly ſpeaking, he would not have them attacked, or at moſt, would only ſuffer them to be proſecuted for private offenſes, which they might be guilty of, like all other ſubjects, but not for ſtate-affairs, as miniſters and counſellors. The commons not being more ſatisfied with this meſſage than the former, the houſe was again turned into a commitee, and conſidered of ſome more heads to be inſerted in the remonſtrance, particularly the King's deſign to bring into the nation foreign forces. This complaint was grounded on a diſcovery the houſe had made of a privy-ſeal, expreſſed in theſe words (2).

Remarks on this meſſage.

Ruſhworth, p. 612.

CHARLES by the grace of God, &c.

" To the treaſurer, and under-treaſurer for our " exchequer for the time being, greeting. We do " hereby will and command you, out of our trea- " ſury, remaining in the receipt of our ſaid exche- " quer, forthwith to pay, or cauſe to be paid unto " Philip Burlemack of London, merchant, the " ſum of thirty thouſand pounds, to be paid by " him over by bill of exchange into the Low-

Charles's order to bring foreign forces into the kingdom. Ruſhworth, p. 612. Coke, p. 242. Annals.

(1) It was not this meſſage, but another, ſent June 5, wherein the King required the commons, " not to enter into, or " proceed with any new buſineſs, which might ſpend greater time, or lay any ſcandal or aſperſion upon the ſtate, government, " or miniſters thereof. See Ruſhworth, Vol. I. p. 605.

(2) Burlemack was called into the houſe, and confeſſed, he received thirty thouſand pounds by privy ſeal for buying horſes: that one thouſand of them were levied; that thoſe horſes and their riders were to come over, and arms provided for them in Holland: but that he heard a countermand was gone to ſtay them. Idem, p. 612.

" Countries,

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" Countries, and Germany, unto our truſty and " well-beloved ſir William Balfour, knight, and " John Dolbier, eſq; or either of them, for le- " vying and providing certain numbers of horſes, " with arms for horſe and foot, to be brought over " into this kingdom for our ſervice, viz. &c.

Ruſhworth, ibid.

Then alſo, the commons ſent the peers a meſſage to deſire their concurrence in humbly petitioning the King, that a clear and ſatisfactory anſwer be given by his Majeſty in full parliament to the petition of right; to which the lords conſented. Charles then perceived it not poſſible for him to avoid giving ſuch anſwer as the parliament deſired, and therefore at length reſolved to do it with a good grace, otherwiſe he ſaw plainly the affair of ſupply would be for ever delayed. So coming to the parliament, the ſeventh of June, both houſes addreſſed him with the following petition.

Ibid. Annals.

May it pleaſe your moſt excellent Majeſty,

Petition of both houſes.

" THE lords ſpiritual and temporal, and com- " mons in parliament aſſembled, taking in " conſideration, that the good intelligence between " your Majeſty and your people doth much depend " on your Majeſty's anſwer upon their petition of " right formerly preſented; with unanimous con- " ſent do now become moſt humble ſuitors unto " your Majeſty, that you would be pleaſed to give " a clear and ſatisfactory anſwer thereunto in full " parliament."

To which the King replied. " The anſwer I " have already given you was made with ſo good " deliberation, and approved by the judgments of " ſo many wiſe men, that I could not have ima- " gined but it ſhould have given you full ſatisfac- " tion: but to avoid all ambiguous interpretations, " and to ſhew you there is no doubleneſs in my " meaning, I am willing to pleaſure you as well in " words as in ſubſtance. Read your petition, and " you ſhall have an anſwer which I am ſure will " pleaſe you."

Here the petition was read, and this anſwer was returned: " Soit fait comme il eſt deſiré. C. R." [Be it as is deſired.]

Satisfactory anſwer to the petition.

His Majeſty then proceeded. " This I am ſure " is full, yet no more than I granted you in my " firſt anſwer, for the meaning of that was to con- " firm your liberties, knowing, according to your " own proteſtations, that you neither mean nor can " hurt my prerogative. And I aſſure you, that " my maxim is, that the peoples liberties ſtrengthen " the King's prerogative, and the King's preroga- " tive is to defend the peoples liberties.

The King's ſpeech on that occaſion. Ruſhworth, p. 613.

" You ſee how ready I have ſhewed myſelf to " ſatisfy your demands, ſo that I have done my " part; wherefore, if this parliament have not a " happy concluſion, the ſin is yours, I am free " from it."

The commons examine other grievances. p. 613, 614. Annals, p. 328.

The commons being ſatisfied upon this point, began ſeriouſly to proceed with the bill of ſubſidies, yet in ſuch a manner that they made the conſideration of grievances keep pace with it, being well aſſured that as ſoon as the money-bill was paſſed, his Majeſty would cloſe the ſeſſion. They began therefore with examining a commiſſion, whereby the King had authoriſed and required a certain number of lords and gentlemen to conſider of the beſt and ſpeedieſt means for raiſing money upon the ſubject by way of impoſition or otherwiſe. This commiſſion had been granted after the ſummon to parliament, but before the convention. In all appearance, King Charles, fearing he ſhould be obliged to diſſolve this parliament for the ſame reaſons he had diſſolved the former, was willing to be firſt ſecured of means to raiſe money in caſe the parliament refuſed to grant a ſupply. Howſoever this was, the commons, after a conference with the lords, voted that the commiſſion ſhould be inſerted in the remonſtrance they were to preſent his Majeſty.

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Reſolves of the houſe againſt Buckingham, Laud and Neile. Ruſhworth, p. 616.

Then they entered on ſcrutiniſing the conduct of Buckingham; a ſcrutiny no way favorable to that duke. He was charged with being the cauſe of all the kingdom's calamities; the loſſes at ſea; the decay of trade; the diſaſters to the armies, and of countenancing Arminianiſm and Popery. It was on this latter article obſerved, that the duke's mother was a Papiſt, and had great influence over her ſon, who had himſelf abſolute ſway over the King, and that Dr. Montague, deemed a zealous Arminian, made his court to him with great aſſiduity. In ſhort, the houſe came to this reſolution, " that p. 617. " the exceſſive power of the duke of Buckingham is " the cauſe of the evils and dangers to the King " and kingdom, and that this be added to the re- " monſtrance;" and voted " that Dr. Neile, p. 618. " biſhop of Wincheſter, and Dr. Laud, biſhop of Annals. " Bath and Wells, be named to be thoſe about the " King, who are ſuſpected to be Arminians." As this piece clearly and diſtinctly diſcovers what cauſes the commons had to complain againſt the government, I judge it neceſſary to inſert the whole. It runs thus:

The commons remonſtrance. Ruſhworth, p. 619. Annals, p. 330.

Moſt dread Sovereign,

" AS with humble thankfulneſs we, your duti- " ful commons now aſſembled in parliament, " do acknowledge the great comfort which we have " in your Majeſty's pious and gracious diſpoſition, " ſo we think it a mete and moſt neceſſary duty, " being called by your Majeſty to conſult and ad- " viſe of the great and urgent affairs of this church " and common-wealth, finding them at this time " in apparent danger of ruin and deſtruction, faith- " fully and dutifully to inform your Majeſty there- " of, and with bleeding hearts and bended knees, " to crave your ſpeedy redreſs therein, as to your " own wiſdom (unto which we moſt humbly ſub- " mit ourſelves and our deſires) ſhall ſeem moſt " mete and convenient. What the multitude and " potency of your Majeſty's enemies are abroad; " what be their malicious and ambitious ends; and " how vigilant and conſtantly induſtrious they are " in purſuing the ſame, is well known to your Ma- " jeſty; together with the dangers threatened " thereby to your ſacred perſon and your kingdoms, " and the calamities which have already fallen and " do daily increaſe upon your friends and allies, of " which we are well aſſured your Majeſty is moſt " ſenſible, and will accordingly, in your great " wiſdom, and with the graveſt and moſt mature " counſel, according to the exigency of the times " and occaſions, provide to prevent and help the " ſame.

" To which end we moſt humbly intreat your " Majeſty, firſt, and eſpecially, to caſt your " eyes upon the miſerable condition of this your " own kingdom, of late ſo ſtrangely weakened and " dejected, that unleſs, thro' your Majeſty's moſt " gracious wiſdom, goodneſs and juſtice it be ſpeed- " ily raiſed to a better condition, it is in no little " danger to become a ſudden prey to the enemies " thereof; and of the moſt happy and flouriſhing, " to be the moſt miſerable and contemptible na- " tion in the world. In the diſcoveries of which " dangers, miſchiefs and inconveniencies lying upon " us, we do freely proteſt, that it is far from our " thoughts to lay the leaſt aſperſion upon your " ſacred perſon, or the leaſt ſcandal upon your " government; for we do in all ſincerity of our " hearts, not only for our ſelves, but in the name " of all the commons of the realm (whom we re- " preſent) aſcribe as much duty as a moſt loyal " and affectionate people can do unto the beſt King " (for ſo ye are, and ſo have been pleaſed abun-

dantly

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" dantly to expreſs yourſelf this parliament, by " your Majeſty's clear and ſatisfactory anſwer to " our petition of right: for which, both ourſelves " and our poſterity ſhall bleſs God for you, and " ever preſerve a thankful memory for your great " goodneſs and juſtice therein) and we do verily " believe, that all, or moſt of theſe things, which " we ſhall now preſent unto your Majeſty, are " either unknown unto you, or elſe by ſome of " your Majeſty's miniſters offered under ſuch ſpe- " cious pretenſes as may hide their own ill intentions, " and ill conſequences of them from your Majeſty. " But we aſſure ourſelves, according to the good " example of your Majeſty's predeceſſors, nothing " can make your Majeſty (being a wiſe and judi- " cious Prince, and above all things deſirous of " the welfare of your people) more in love with " parliaments than this, which is one of the prin- " cipal ends of calling them, that therein your " Majeſty may be truely informed of the ſtate of " all the ſeveral parts of your kingdom, and how " your officers and miniſters do behave themſelves " in the truſt repoſed in them by your Majeſty, " which is ſcarce able to be made known unto you " but in parliament, as was declared by your bleſſed " father, when he was pleaſed to put his commons in " parliament aſſembled in mind, 'That it would " be the greateſt unfaithfulneſs and breach of duty " to his Majeſty, and of the truſt commited to them " by the country that could be, if in ſeting forth " the grievances of the people, and the condition " of all the parts of this kingdom from whence " they come, they did not deal clearly with him, " without ſparing any, how near and dear ſoever " they were unto him, if they were hurtful or dan- " gerous to the commonwealth.'

" In confidence therefore of your Majeſty's " gracious acceptation in a matter of ſo high im- " portance, and in faithful diſcharge of our duties; " we do firſt of all moſt humbly beſeech your " Majeſty to take notice, that howſoever we know " your Majeſty doth, with your ſoul, abhor that " any ſuch thing ſhould be imagined or attempted; " yet there is a general fear conceived in your " people, of ſecret working and combination, to " introduce into their kingdom innovation, and " change of our holy religion, more precious unto " us than our lives, and whatever this world can " afford. And our fears and jealouſies herein are " not merely conjectural, but ariſing out of ſuch " certain and viſible effects as may demonſtrate a " true and real cauſe: for, notwithſtanding the " many good and wholſome laws, and the pro- " viſions made to prevent the increaſe of Popery " within this kingdom; and notwithſtanding your " Majeſty's moſt gracious and ſatisfactory anſwer " to the petition of both houſes in that behalf, " preſented to your Majeſty at Oxford, we find " there hath followed no good execution nor effect, " but on the contraty (at which your Majeſty, out " of the quick ſenſe of your own religious heart, " cannot but be in the higheſt meaſure diſpleaſed) " thoſe of that religion do find extraordinary " favors and reſpect in court from perſons of great " quality and power, whom they continually re- " ſort unto, and in particular to the counteſs of " Buckingham, who herſelf openly profeſſing that " religion, is a known favorer and ſupporter of " them who do the ſame; which we well hoped, " upon your Majeſty's anſwer to the aforeſaid " petition at Oxford, ſhould not have been per- " mited, nor that any of your Majeſty's ſubjects " of that religion, juſtly to be ſuſpected, ſhould " be entertained in the ſervice of your Majeſty, or " your royal conſort the Queen: ſome likewiſe of " that religion have had honors, offices, and places " of command and authority lately confered upon " them. But that which ſtriketh the greateſt " terror into the hearts of your loyal ſubjects con- " cerning this is, that letters of ſtay of legal pro- " ceedings againſt them have been procured from " your Majeſty, by what indirect means we know " not: and commiſſions under the great ſeal, " granted and executed for compoſition to be " made with Popiſh recuſants, with inhibitions " and reſtraint, both to the eccleſiaſtical and tem- " poral courts, and officers to intermeddle with " them; which is conceived to amount to no leſs " than a toleration, odious to God; full of diſ- " honor, and extreme diſprofit to your Majeſty; " of extreme ſcandal and grief to your good " people, and of apparent danger to the preſent " ſtate of your Majeſty, and of this kingdom; " their numbers, power and inſolency daily in- " creaſing in all parts of your kingdom, and eſpe- " cially about London, and the ſurburbs thereof, " where exceeding many families do make their " abode publicly, frequent maſs at Denmark houſe, " and other places; and, by their often meetings " and conferences, have opportunities of com- " bining their counſels and ſtrength together, and " to the hazard of your Majeſty's ſafety, and the " ſtate, and moſt eſpecially in theſe doubtful and " calamitous times. And as our fear, concerning " change or ſubverſion of religion, is grounded " upon the daily increaſe of Papiſts, the open and " profeſſed enemies thereof, for the reaſons for- " merly mentioned; ſo are the hearts of your good " ſubjects no leſs perplexed when, with ſorrow, " they behold a daily growth and ſpreading of the " faction of the Arminians, that being, as your " Majeſty well knows, but a cunning way to bring " in Popery, and the profeſſors of thoſe opinions, " the common diſturbers of the Proteſtant churches, " and incendiaries in thoſe ſtates wherein they have " gotten any head, being Proteſtants in ſhew, but " Jeſuits in opinion; which cauſed your royal " father, with ſo much pious wiſdom, and ardent " zeal, to indeavor the ſuppreſſing them, as well " at home, as in the neighbor countries. And " your gracious Majeſty, imitating his moſt worthy " example, hath openly, and by your proclama- " tion declared your diſlike of thoſe perſons, and " of their opinions; who, notwithſtanding, are " much favored and advanced, not wanting friends " even of the clergy, near to your Majeſty; namely, " Dr. Neile biſhop of Wincheſter, and Dr. Laud " biſhop of Bath and Wells, who are juſtly " ſuſpected to be unſound in their opinions that " way. And it being now generally held the way " to preferment and promotion in the church, " many ſcholars do bend the courſe of their ſtudies " to maintain thoſe errors; their books and opi- " nions are ſuffered to be printed and publiſhed; " and on the other ſide, the imprinting of ſuch as " are written againſt them, and in defenſe of the " orthodox church, are hindered and prohibited; " and (which is a boldneſs almoſt incredible) this " reſtraint of orthodox books is made under color " of your Majeſty's formerly-mentioned proclama- " tion, the intent and meaning whereof, we know, " was quite contrary. And farther, to increaſe " our fears concerning innovation of religion, we " find, that there hath been no ſmall laboring to " remove that which is the moſt powerful means to " ſtrengthen and increaſe our own religion, and to " oppoſe both thoſe, which is the diligent teaching " and inſtruction of the people in the true know- " ledge and worſhip of Almighty God. And " therefore means hath been ſought out to depreſs " and diſcountenance pious, painful and orthodox " preachers; and how conformable ſoever, and " peaceable in their diſpoſition and carriage they be, " yet the preferment of ſuch is oppoſed, and, in-

" ſtead

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" ſtead of being incouraged, they are moleſted
" with vexatious courſes and purſuits, and hardly
" permited to lecture. And in thoſe places where
" are no conſtant preaching miniſters, whereby
" many of your good people (whoſe ſouls, in this
" caſe, we beſeech your Majeſty to commiſerate)
" are kept in ignorance, and are apt to be eaſily
" ſeduced to error and ſuperſtition. It doth not a
" little alſo increaſe our dangers and fears this way,
" to underſtand the miſerable condition of your
" kingdom of Ireland, where, without controul,
" the Popiſh religion is openly profeſſed, and prac-
" tiſed in every part thereof; Popiſh juriſdiction
" being there generally exerciſed and avowed;
" monaſteries, nunneries and other ſuperſtitious
" houſes newly erected, re-edified and repleniſhed
" with men and women of ſeveral orders, and in
" a plentiful manner maintained at Dublin, and
" moſt of the great towns, and diverſe other places
" of the kingdom; which of what ill conſequence
" it may prove, if not ſeaſonably repreſſed, we
" leave to your Majeſty's wiſdom to judge: but
" moſt humbly beſeech you (as we aſſure ourſelves
" you will) to lay the ſerious conſideration thereof
" to your royal and pious heart, and that
" ſome ſpeedy courſe may be taken for redreſs
" therein.

" And if now, to all theſe, your Majeſty will be
" pleaſed to add conſideration of the circumſtances
" of time wherein theſe courſes, tending to the de-
" ſtruction of true religion within theſe your king-
" doms, have been taken here, even then when the
" ſame is with open force and violence proſecuted in
" other countries, and all the reformed churches in
" Chriſtendom either depreſſed, or miſerably di-
" ſtreſſed: we do humbly appeal unto your Ma-
" jeſty's princely judgment, whether there be not
" juſt ground of fear, that there is ſome ſecret and
" ſtrong co-operating here with the enemies of our
" religion abroad, for the utter extirpation there-
" of? And whether, if thoſe courſes be not ſpeedi-
" ly redreſſed, and the profeſſion of true religion
" more incouraged, we can expect any other but
" miſery and ruin quickly to fall upon us? Eſpe-
" cially if, beſide the viſible and apparent dangers
" wherewith we are compaſſed about, you would
" be pleaſed to remember the diſpleaſure of Al-
" mighty God, always bent againſt the neglect of
" his holy religion, the ſtrokes of whoſe divine
" juſtice we have already felt, and do ſtill feel with
" ſmart and ſorrow in great meaſure.

" And, beſide this fear of innovation in religion,
" we do, in like faithful diſcharge of our duties,
" moſt humbly declare to your Majeſty, that the
" hearts of your people are full of fear of innova-
" tion and change of government, and according-
" ly poſſeſſed with extreme grief and ſorrow; yet
" in this point, by your Majeſty's late anſwer to
" our petition of right touching our liberties, much
" comforted, and raiſed again out of that ſadneſs
" and diſcontent which they generally had conceived,
" throughout the whole kingdom, for the undue
" courſes which were the laſt year taken for raiſing
" monies by loans, than which (whatever your Ma-
" jeſty hath been informed to the contrary) there
" were never any monies demanded nor paid with
" greater grief, and general diſlike of all your faith-
" ful ſubjects; tho' many, partly out of fear, part-
" ly out of other reſpects (yet moſt unwillingly) were
" drawn to yield to what was required.

" The billeting ſoldiers did much augment both
" their fears and griefs, wherein likewiſe they find
" much comfort upon your gracious anſwer to our
" petition of right, and to that we preſented to
" your Majeſty concerning this particular. Yet
" we moſt humbly beſeech your Majeſty, that we
" may inform you, that the ſtill continuance and
" late re-inforcing of thoſe ſoldiers, the conditions
" of their perſons (many of them not being natives
" of this kingdom, nor of the ſame but of an op-
" poſite religion) the placing them upon the ſea-
" coaſt, where making head among themſelves,
" they may unite with the Popiſh party at home,
" if occaſion ſerve, and join with an invading ene-
" my to do extreme miſchief; and that they are
" not yet diſmiſſed doth ſtill miniſter cauſe of
" jealouſy in your loving ſubjects; for that the ſol-
" diers cannot be continued without exceeding
" great danger of the peace and ſafety of your
" kingdom.

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" The report of the ſtrange and dangerous pur-
" poſe of bringing in German horſe, and riders,
" would have turned our doubts into deſpair, and
" our fears into a certainty of confuſion, had not
" your Majeſty's gracious meſſage (for which we
" humbly give you thanks) comforted us by the
" aſſurance of your royal word, that they neither
" are, nor were intended by your Majeſty for any
" ſervice in England, but that they were deſigned
" for ſome other foreign imployment. Yet the
" ſight of the privy-ſeal, by which, it ſeemeth,
" they were to be levied; the great ſum of money,
" which, upon examination, we found to be paid
" for that purpoſe, gave us juſt cauſe of fear; that,
" much about the ſame time, there was a commiſ-
" ſion under the great-ſeal granted unto the lords,
" and others of the privy-council, to conſider of
" other ways for raiſing monies, ſo particularly by
" impoſitions, gave us juſt cauſe to ſuſpect, that
" whatſoever was your Majeſty's gracious inten-
" tion, yet there wanted not thoſe who under ſome
" colorable pretenſe, might ſecretly by this, as by
" other ways, contrive to change the frame both
" of religion and government, and thereby under-
" mine the ſafety of your Majeſty and your king-
" doms.

" Theſe men could not be ignorant, that the
" bringing in ſtrangers for aid hath been perni-
" cious to moſt ſtates, where they have been admit-
" ed, but to England fatal. We do bleſs God,
" who hath given your Majeſty a wiſe underſtand-
" ing heart to diſcern of thoſe courſes, and that
" ſuch power produceth nothing but weakneſs and
" calamity. And we beſeech your Majeſty to par-
" don the vehemency of our expreſſion, if in the
" loyal and zealous affections we bear to your Ma-
" jeſty and your ſervice, we are bold to declare to
" your Majeſty and the whole world, that we hold
" it far beneath the heart of any free Engliſhman
" to think, that this victorious nation ſhould now
" ſtand in need of German ſoldiers to defend their
" now King and kingdom.

" But when we conſider the courſe formerly
" mentioned, and theſe things tending to an appa-
" rent change of government; the often breaches of
" parliament, whereby your Majeſty hath been
" deprived of the faithful counſel, and free aids of
" your people, by taking tonage and poundage,
" without grant thereof by act of parliament, ever
" ſince the begining of your Majeſty's reign to this
" preſent; the ſtanding commiſſion granted to the
" duke of Buckingham, to be general of an army
" in the land in time of peace; the diſcharging
" faithful and ſufficient officers and miniſters, ſome
" from judicial places, and others from the offices
" and authorities which they formerly held in the
" common-wealth: we cannot but, at the ſight of
" ſuch apparent deſolation as muſt neceſſarily fol-
" low theſe courſes, out of the depth of ſorrow lift
" up our cries to heaven for help, and next, under
" God, apply ourſelves unto your ſacred Majeſty,
" who, if you could hear ſo many thouſands ſpeak-
" ing together, do jointly implore ſpeedy help and
" reformation.

" And

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" And if your Majeſty would be pleaſed to take " a farther view of the preſent ſtate of your realm, " we do humbly pray you to conſider, whether " the miſerable diſaſters, and ill ſucceſs which hath " accompanied all your late deſigns and actions, " particularly thoſe of Cadiz and the iſle of Rhee, " and the laſt expedition to Rochel, have not ex- " tremely waſted that ſtock of honor which was " left unto this kingdom, ſometimes terrible to all " other nations, and now declining to contempt " beneath the meaneſt.

" Together with our honors, we there loſt thoſe " (and not a few) who had they lived we might " have ſome better hope of recovering it again; " our valiant and expert colonels, captains and com- " manders, and many thouſand common ſoldiers " and mariners: tho' we have ſome cauſe to think " that your Majeſty is not as yet rightly inform- " ed thereof; and that of ſix or ſeven thouſand of " your ſubjects loſt at the iſle of Rhee, your Ma- " jeſty received information but of a few hundreds. " And this diſhonor and loſs have been purchaſed " with the conſumption of above a million of " treaſure.

" Many of the forts are exceeding weak and de- " cayed, and want both men and munition. And " here we cannot but with grief conſider and com- " plain of a ſtrange improvidence (we think your " Majeſty will rather call it treachery) that your " ſtore of powder, which by order of your privy- " council, dated the tenth of December 1626, " ſhould be conſtantly three hundred laſts beſide " a conſtant ſupply of twenty laſts per month " for ordinary expenſes, and were now fit (as we " conceive) to be double the proportion, is at this " time in the Tower (the preſent warrants being " ſerved) but nine laſts and forty-eight pounds in " all; which we tremble to think of. And that, " notwithſtanding this extreme ſcarcity of powder, " great quantities have been permited to be ſold " out of your Majeſty's ſtore to particular perſons " for private gain; whereof we have ſeen a certi- " ficate, ſix laſts ſold ſince the fourteenth of Janu- " ary laſt, and your Majeſty's ſtore being unfur- " niſhed of powder, which by a contract made " with Mr. Evelyn, by advice of your lords in " parliament, ought to be ſupplied monthly with " twenty laſt, at the rate of three pounds ten ſhil- " lings and ten pence a barrel; your Majeſty hath " been forced to pay above ſeven pounds a barrel " for powder, to be brought in from beyond ſeas; " for which purpoſe, twelve thouſand four hun- " dred pounds was impreſſed to Mr. Burlemack the " laſt year, and that powder not ſo good as that " by contract your Majeſty ſhould have by one " third part; all which are moſt fearful and dan- " gerous abuſes. But what the poverty, weakneſs " and miſery of our kingdom is now grown unto " by decay of trade, deſtruction and loſs of ſhips " and mariners, within theſe three years, we are " almoſt afraid to declare: and could we by any " other means have been ſure that your Majeſty " ſhould, any other way, have had a true infor- " mation thereof, we ſhould have been doubtful to " have made our weakneſs and extremity of miſ- " fortune in this kind to appear: but the importu- " nate and moſt pitiful complaints from all parts " of the kingdom, near adjoining to the ſea, in " this kind, would rend, as we think, the ſtonieſt " heart in the world with ſorrow; and the ſenſe " we have of the miſerable condition your king- " dom is in by reaſon thereof, eſpecially, for that " we ſee no poſſible means (being now ſhortly to " end this ſeſſion) how to help the ſame, adds ſuch " a weight of grief unto our ſad thoughts, as we " have not words to expreſs it: but for your Ma- " jeſty's more exact information therein, we be- " ſeech you be pleaſed to peruſe the calendar of " particulars which, with the remonſtrance, we " moſt humbly preſent unto your Majeſty.

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" One reaſon, among many, of this decay of " trade, and loſs of ſhips and mariners is, the not " guarding the narrow ſeas, the regality whereof " your Majeſty hath now in a manner wholly loſt, " being that wherein a principal part of the honor " and ſafety of this kingdom heretofore conſiſted; " and now, having abſolutely neglected it, the " town of Dunkirk doth ſo continually rob and " ſpoil your ſubjects, that we can aſſure your Ma- " jeſty (if ſome preſent and effectual remedy be " not forthwith provided) the whole trade of this " kingdom, the ſhiping, mariners, and all belong- " ing thereunto, will be utterly loſt and conſumed: " the principal cauſe of which evils and dangers " we conceive to be the exceſſive power of the " duke of Buckingham, and the abuſe of that " power; and we humbly ſubmit unto your Ma- " jeſty's excellent wiſdom, whether it be ſafe for " yourſelf, or your kingdoms, that ſo great power, " as reſts in him by ſea and land, ſhould be in the " hands of any one ſubject whatſoever.

" And as it is not ſafe, ſo ſure we are it cannot " be for your ſervice; it being impoſſible for one " man to manage ſo many and weighty affairs of " the kingdom as he hath undertaken, beſide the " ordinary duties of thoſe offices which he holds, " ſome of which, well performed, would require " the time and induſtry of the ableſt men, both of " counſel and action, your whole kingdom will af- " ford, eſpecially in theſe times of common danger.

" And our humble deſire is farther, that your " moſt excellent Majeſty will be pleaſed to take " into your moſt princely conſideration, whether, " in reſpect the ſaid duke hath ſo abuſed his power, " it be ſafe for your Majeſty and your kingdoms " to continue him, either in his great offices, or in " his place of nearneſs and counſel about your ſacred " perſon.

" And this in all humility, aiming at nothing " but the honor of Almighty God, and the main- " tenance of his true religion, the ſafety and hap- " pineſs of your moſt excellent Majeſty, and the " preſervation and proſperity of this church and " common-wealth; we have indeavored, with faith- " ful hearts and intentions, and in diſcharge of the " duty we owe to your Majeſty and our country, " to give your Majeſty a true repreſentation of our " preſent danger, and preſſing calamities, which " we humbly beſeech your Majeſty graciouſly to " accept, and to take the ſame to heart, account- " ing the ſafety and proſperity of your people your " greateſt happineſs, and their love your richeſt " treaſure. A rueful and lamentable ſpectacle we " confeſs it muſt needs be, to behold thoſe ruins " in ſo fair a houſe, ſo many diſeaſes, and almoſt " every one of them deadly, in ſo ſtrong and well- " tempered a body as this kingdom lately was. But " yet we will not doubt, but that God hath reſerved " this honor for your Majeſty to reſtore the ſafety " and happineſs thereof, as a work worthy ſo ex- " cellent a Prince, for whole long life and true fe- " licity we daily pray, and that your fame and " never-dying glory may be continued to all ſuc- " ceeding generations."

This remonſtrance, delivered by the ſpeaker (who much deſired to be excuſed) made not on Charles any great impreſſion, tho' it did on the people. All the facts therein alledged were known and indiſputable truths. As to the right, people readily believed, King Charles and his miniſters meaning was to eſtabliſh a deſpotic power, becauſe their whole procedure plainly ſhewed it: but they could not believe that the parliament had purpoſely formed a ſcheme to rob their Sovereign of his pre-

rogatives.

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rogatives. They were the more confirmed in this opinion as, after the diſſolution of this very parliament, Charles, in the reaſons he gave for that diſſolution, complained not of the remonſtrance.

The bill of ſubſidies ſent up to the lords

The ſame day this remonſtrance was preſented to his Majeſty, the commons ſent the ſubſidy-bill to the lords for their concurrence. Soon after the King, by meſſage, acquainted them that he deſigned to end the ſeſſion the twenty-ſixth of June: whereupon the commons began to prepare a particular remonſtrance concerning the illegal levying tonage and poundage. This was a very old impoſt upon merchants goods, exported and imported, which parliaments uſually granted to the Kings, to inable them to guard the ſeas and protect commerce. The ſaid impoſt had long been conceded to every Sovereign; and it ſometimes happened, that after the death of a King, his ſucceſſor had continued levying it 'till by act of parliament granted in form. As in Charles I's reign, the court was much guided by precedents favorable to the prerogative-royal, and as they took advantage of ſuch precedents as if they had been ſo many laws, it occurred that, ſince King James's death, Charles had levied tonage and poundage, without deſiring a parliamentary ſtatute for that purpoſe, under color that ſome of his predeceſſors had practiſed it ſome time 'till the proper act had paſſed. This is what the commons exclaimed againſt, maintaining the right to be a pure grant of the people, and conſequently the King had not power to levy it without conſent of parliament; and the more as the ſeas had never been well guarded, nor the trade leſs protected than in the firſt years of this reign. To maintain therefore the peoples rights, and hinder the crown from uſurping by degrees the impoſt of tonage and poundage, as a right independant of the parliament, the commons prepared a remonſtrance upon that ſubject to be laid before his Majeſty.

The commons prepare a remonſtrance on tonage and poundage. Ruſhworth, p. 626, 628.

Charles tells both houſes the commiſſion for raiſing money is cancelled. Ruſhworth, p. 628. Annals, p. 334.

While this remonſtrance was drawing, Charles acquainted the upper houſe, that the commiſſion for finding means to raiſe money was no other than a warrant of advice ſuiting the time and occaſions; but that now, having received a token of his peoples love, by the ſubſidy-bill ready to be paſſed, the commiſſion was become uſeleſs, and therefore he had commanded its being cancelled: as if he had ſaid, in caſe the parliament had not granted a ſupply, he ſhould have found ways to raiſe money. As to his ſaying the commiſſion was but a warrant of advice, it is ſtrange that, in ſpeaking to men of ſenſe, ſuch wretched excuſes ſhould be uſed. Next day, the commons were likewiſe informed that the commiſſion was cancelled. As the tonage and poundage buſineſs made much noiſe, it is requiſite we inſert the commons remonſtrance thereon.

The commons remonſtrance on tonage and poundage. Ruſhworth, p. 628.

Moſt Gracious Sovereign,

"YOUR Majeſty's moſt loyal and dutiful "ſubjects, the commons in this preſent par- "liament aſſembled, being in nothing more careful, "than of the honor and proſperity of your Ma- "jeſty and the kingdom, which they know do "much depend upon that happy union and relation "betwixt your Majeſty and your people, do with "much ſorrow apprehend that, by reaſon of the "incertainty of their continuance together, the "unexpected interruptions which have been caſt "upon them, and the ſhortneſs of time in which "your Majeſty hath determined to end this ſeſſion, "they cannot bring to maturity and perfection "diverſe buſineſſes of weight, which they have "taken into their conſideration and reſolution, as "the moſt important for the common good: "among other things, they have taken into eſpecial "care the preparing a bill, for the granting your "Majeſty ſuch a ſubſidy of tonage and poundage "as might uphold your profit and revenue in as "ample a manner as their juſt care and reſpect of "trade (wherein not only the proſperity, but even "the life of the kingdom doth conſiſt) would per- "mit: but being a work which will require much "time and preparation by conference with your "Majeſty's officers, and with the merchants not "only of London, but of other remote parts, "they find it not poſſible to be accompliſhed at "this time. Wherefore, conſidering it will be "much more prejudicial to the right of the ſubject "if your Majeſty ſhould continue to receive the "ſame without authority of law, after the de- "termination of a ſeſſion, than if there had been "a receſs by adjournment only, in which caſe, "that intended grant would have related to the "firſt day of the parliament; and aſſuring them- "ſelves, that your Majeſty is reſolved to obſerve "that your royal anſwer, which you have lately "made to the petition of right of both houſes of "parliament. Yet doubting leſt your Majeſty "may be miſinformed concerning this particular "caſe, as if you might continue to take thoſe ſub- "ſidies of tonage and poundage, and other im- "poſitions upon merchants, without breaking that "anſwer, they are forced by that duty which they "owe to your Majeſty, and to thoſe whom they "repreſent, to declare, 'That there ought not "any impoſition to be laid upon the goods of "merchants, exported or imported, without com- "mon conſent by act of parliament; which is the "right and inheritance of your ſubjects, founded "not only upon the moſt ancient and original con- "ſtitution of this kingdom, but often confirmed "and declared in diverſe ſtatute-laws.

"And for the better manifeſtation thereof, may "it pleaſe your Majeſty to underſtand, that altho' "your royal predeceſſors, the Kings of this realm, "have often had ſuch ſubſidies and impoſitions "granted unto them upon diverſe occaſions, eſpe- "cially for guarding the ſeas, and ſafeguard of "merchants; yet the ſubjects have been ever care- "ful to uſe ſuch cautions and limitations in thoſe "grants, as might prevent any claim to be made "that ſuch ſubſidies do proceed from duty, and "not from the free-gift of the ſubjects. And that "they have heretofore uſed to limit a time in ſuch "grants, and for the moſt part but ſhort, as for a "year or two, and, if it continued longer, they "have ſometimes directed a certain ſpace of ceſſa- "tion or intermiſſion, that ſo the right of the ſub- "ject might be more evident. At other times it "hath been granted upon accaſion of war, for a "certain number of years, with proviſo, that if "the war were ended in the mean time, then the "grant ſhould ceaſe; and of courſe it hath been "ſequeſtered into the hands of ſome ſubjects, to "be imployed for guarding the ſeas: and it is "acknowledged by the ordinary anſwers of your "Majeſty's predeceſſors, in their aſſent to the bills "of ſubſidies of tonage and poundage, that it is of "the nature of other ſubſidies, proceeding from the "good will of the ſubject. Very few of your pre- "deceſſors had it for life, until the reign of "Henry VII, who was ſo far from conceiving he "had any right thereto, that altho' he granted "commiſſions for collecting certain duties and "cuſtoms due by law, yet he made no commiſſions "for receiving the ſubſidy of tonage and poundage, "until the ſame was granted unto him in parlia- "ment. Since his time, all the Kings and Queens "of this realm have had the like grants for life, "by the free love and good-will of the ſubjects. "And whenſoever the people have been grieved, "by laying any impoſitions, or other charges upon "their goods and merchandiſes without authority "of law (which hath been very ſeldom) yet upon

"complaint

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" complaint in parliament, they have been forthwith relieved; ſaving in the time of your royal father, who having, thro' ill counſel, raiſed the rates and charges upon merchandiſes to that height at which they now are, yet he was pleaſed ſo far forth to yield to the complaint of his people, as to offer, that if the value of thoſe impoſitions which he had ſet might be made good unto him, he would bind himſelf and his heirs by act of parliament, never to lay any other: which offer, the commons at that time, in regard of the great burden, did not think fit to yield unto. Nevertheleſs your loyal commons in this parliament, out of their eſpecial zeal to your ſervice, and eſpecial regard of your preſſing occaſions, have taken into their conſideration, ſo to frame a grant of ſubſidy, of tonage or poundage to your Majeſty, that both you might have been the better inabled for the defenſe of your realm, and your ſubjects, by being ſecure from all undue charges, be the more incouraged chearfully to proceed in their courſe of trade; by the increaſe whereof, your Majeſty's profit, and likewiſe the ſtrength of the kingdom, would be very much augmented.

" But not being now able to accompliſh this their deſire, there is no courſe left unto them, without manifeſt breach of their duty both to your Majeſty and their country, ſave only to make this humble declaration, that the receiving tonage and poundage, and other impoſitions not granted by parliament, is a breach of the fundamental liberties of this kingdom, and contrary to your Majeſty's royal anſwer to the ſaid petition of right. And therefore they do moſt humbly beſeech your Majeſty to forbear any farther receiving the ſame; and not to take it in ill part from thoſe of your Majeſty's loving ſubjects, who ſhall refuſe to make payment of any ſuch charges, without warrant of law demanded.

" And as, by this forbearance, your moſt excellent Majeſty ſhall manifeſt unto the world your royal juſtice in the obſervation of your laws: ſo they doubt not but hereafter, at the time appointed for their coming again, they ſhall have occaſion to expreſs their great deſire to advance ,, your Majeſty's honor and profit."

King Charles having notice of the contents of this remonſtrance, on the twenty-ſixth of June ſent for the ſpeaker, who returned ſome time after to the houſe, while the remonſtrance was reading. He was no ſooner come, but his Majeſty, who was now at the houſe of lords, ſent for the commons, and thus ſpake to both houſes.

Charles's ſpeech to both houſes concerning tonage and poundage. Ruſhworth, p. 631.

" IT may ſeem ſtrange that I came ſo ſuddenly to end this ſeſſion: before I give my aſſent to the bills, I will tell you the cauſe, tho' I muſt avow, that I owe the account of my actions to God alone. It is known to every one, that a while ago the houſe of commons gave me a remonſtrance; how acceptable every man may judge: and for the merit of it, I will not call that in queſtion, for I am ſure no wiſe man can juſtify it.

" Now ſince I am truly informed, that a ſecond remonſtrance is preparing for me to take away the profit of my tonage and poundage, one of the chief maintenances of my crown, by alledging, I have given away my right thereto by my anſwer to your petition:

" This is ſo prejudicial unto me, that I am forced to end this ſeſſion ſome few hours before I intended, being not willing to receive any more remonſtrances, to which I muſt give a harſh anſwer. And ſince I ſee, that even the houſe of commons begins already to make falſe conſtructions of what I granted in your petition, leſt it be worſe interpreted in the country, I will now make a declaration concerning the true intent thereof. Charles I An' 1628.

" The profeſſion of both houſes, in the time of hammering this petition, was no way to trench upon my prerogative, ſaying, they had neither intention or power to hurt it. Therefore it muſt needs be conceived, that I have granted no new, but only confirmed the ancient liberties of my ſubjects. Yet to ſhew the clearneſs of my intentions, that I neither repent, nor mean to recede from any thing I have promiſed you, I do here declare myſelf, that thoſe things which have been done, whereby many have had ſome cauſe to expect the liberties of the ſubjects to be trenched upon, which indeed was the firſt and true ground of the petition, ſhall not hereafter be drawn into example for your prejudice, and from time to time, in the word of a King, ye ſhall not have the like cauſe to complain. But as for tonage and poundage, it is a thing I cannot want, and was never intended by you to aſk, nor meaned by me, I am ſure, to grant.

" To conclude, I command you all who are here to take notice of what I have ſpoken at this time, to be the true intent and meaning of what I granted you in your petition; but eſpecially you, my lords the judges, for to you only, under me, belongs the interpretation of laws; for none of the houſes of parliament, either joint or ſeparate (what new doctrine ſoever may be raiſed) have any power either to make or declare a law without my conſent."

After this ſpeech, the ſubſidy-bill was paſſed, the lords having already given their conſent, and the parliament was prorogued to the twentieth of October. Subſidy bill is paſſed and the parliament prorogued.

Charles's ſpeech to the parliament, before this prorogation, was ſo obſcure, that it was hard to conceive on what grounds he complained of the remonſtrance the commons had prepared. He ſeems to have conſidered tonage and poundage as a right annexed to his prerogative-royal: otherwiſe, there was no need to obſerve that both houſes, while they were preparing the petition of right, had declared, they deſigned not to incroach on his prerogative. This argument, on ſuppoſition of that principle, would have been unanſwerable, and the reſt very ſuperfluous: but, as his Majeſty was conſcious he could never prove this right did belong to him independently of the parliament, he proceeded to other arguments, the weakneſs whereof is evident. He ſaid, the two houſes, by their petition of right, deſigned not to take from him tonage and poundage, whence he infered that, ſince they had no ſuch particular view, he could not with juſtice be deſired to deſiſt from it. But firſt, tho' the petition of right contained certain particular articles, theſe articles did not exclude whatever was implied in the general article, founded on the ancient ſtatutes: " That no tax, tallage, loan, benevolence, " or other charge ought to be levied by the King, " without conſent of parliament." Now tonage and poundage being of this nature, it neceſſarily followed, that it was included in the general article, or elſe it was to be proved appertaining to the crown independently of the peoples common conſent. Secondly, the two houſes had no intention to deprive him of tunage and poundage in particular, becauſe they deſigned to grant it by an act. He could not therefore conclude from thence, that he had a right to levy it without their conſent. He, as another argument, alledged, that he never deſigned to grant them this article, making his anſwer to depend on his intention. But his anſwer, " Soit fait " comme il eſt deſiré," [Be it as is deſired] manifeſtly Remarks on the King's ſpeech.

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refered to the contents of the petition, and not to his Majeſty's intention in granting it. His third argument was taken from tonage and poundage being one of the beſt revenues of the crown, and his chief ſupport. This was a moſt excellent argument to demonſtrate to the parliament the neceſſity of granting him this right, and to induce him to continue the ſeſſion 'till the act was paſſed; but he could not thence infer, that he had power to levy it againſt the parliament's will, eſpecially as it was in his breaſt to have it in a legal way. He moreover perpetually inculcated, that his anſwer depended on his intention, directly contrary to the clear and expreſs terms of the anſwer itſelf, which could refer only to the petition. Finally, in taking from the houſes the power of declaring what was, or what was not law, he aſcribed it ſolely to the judges who were, as we may ſay, his creatures; ſince as he could make or unmake judges at his pleaſure, he put himſelf properly in poſſeſſion of this ſame power, independently of the two houſes: which intention appeared afterwards but too manifeſtly.

This ſeſſion was to King Charles worth five ſubſidies (1); a very conſiderable aid, wherewith the parliament purchaſed this Prince's anſwer to the petition of right, that is, the confirmation of the laws, which 'till then had paſſed for inconteſtable. On the other ſide, his Majeſty thought he had no leſs dearly bought the five ſubſidies by condeſcending to tie up his hands, in conſenting to the petition of right, contrary to his own principles, and the projects he had formed with reſpect to government: but he afterwards ſhewed that, in granting the petition of right, he had only amuſed the parliament, ſince he never regulated his conduct by what was contained in the petition. Preſently after the parliament's prorogation, Charles iſſued diverſe proclamations. The firſt was to ſuppreſs Dr. Manwaring's ſermons *. But this ſuppreſſion conſiſted only in an order to ſuch as had any copies of theſe ſermons, to deliver them to the ſecretary of ſtate, or ſome other magiſtrate (2). The ſequel will ſhew whether the court was deſirous this order ſhould be punctually executed: but the King's appearing publicly not to approve theſe ſermons was ſufficient to ſatisfy the people.

Manwaring's ſermons ſuppreſſed by proclamation. Rym. Fœd. Vol. XVIII. p. 1024. Ruſhworth, p. 633. Annals.

* Bearing title Religion and Allegiance.

A ſecond proclamation injoined the apprehending Richard Smith, titular biſhop of Chalcedon, with all other prieſts and Jeſuits who had taken orders by authority from the See of Rome, and their commitment to Wiſbich caſtle (3). Some Jeſuits having been impriſoned in Newgate (4), his Majeſty ordered that, in caſe of conviction, they ſhould be conveyed to the ſame caſtle of Wiſbich, in the iſle of Ely. Theſe were the court's whole proceedings againſt Papiſts.

Another againſt the biſhop of Chalcedon. Ruſhworth, p. 633. Rym. Fœd. Vol. XVIII. p. 1037. Commiſſioners to compound with recuſants.

But on the other hand, King Charles took a courſe which gave a much worſe opinion of his own, or his miniſters zeal for religion. 1. He appointed commiſſioners to compound with recuſants. 2. Sir Richard Weſton, a known Papiſt, was made lord treaſurer, and afterwards earl of Portland. 3. Dr. Laud, whom the lower houſe of parliament conſidered as head of the Arminians, was tranſlated from the See of Bath and Wells to that of London. 4. Dr. Montague, who had given ſo great offenſe by his book, intitled Appeal to Cæſar, was made biſhop of Chicheſter.

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Weſton made treaſurer, and earl of Portland; Laud biſhop of London; July 15. and Montague of Chicheſter. Annals, p. 337.

Rochel being at this time cloſely beſieged by the King of France, Charles had prepared a fleet to relieve it, and the duke of Buckingham, who was to have the command, was at Portſmouth. Being juſt ready to imbark, he was pierced to the heart with a knife, and inſtantly died (5). The aſſaſſin was lieutenant John Felton, who owned that, after the commons declaration againſt that duke, he had looked on him as his country's enemy, and been thereby induced to perpetrate the deed. It appeared by his trial, that he had no accomplice, and was led to this wicked action thro' exceſs of zeal. King Charles expreſſed a no ordinary concern for this duke's tragical cataſtrophe, and in order to perpetuate to him marks of his affection, even after his death, his creatures remained in the ſame favor and poſts they had injoyed while their protector was living.

The duke of Buckingham murdered by Felton. Aug. 25. Clarendon, p. 23, &c. Ruſhworth, p. 635. Howes. Annals, p. 337.

Mean while, as the relief of Rochel would not admit any farther delay, Charles ſent away the fleet deſigned for that purpoſe. But Cardinal Richlieu had uſed ſuch diligence, that the barricado he was making to prevent the Engliſh ſhips from approaching was finiſhed, ſo that the fleet was forced to return juſt as they came, having firſt been eye-witneſſes of Rochel's reduction (6).

The fleet departs but cannot relieve Rochel. Ruſhworth, p. 635.

The parliament's meeting, appointed to be the twentieth of October, was by proclamation prorogued to the tenth of January. During this interval occurred certain paſſages which furniſhed the parliament with freſh cauſes of complaint, and finally occaſioned their diſſolution. Tho' the remonſtrance concerning tonage and poundage was not preſented to his Majeſty, it was however public, and ſufficient to convince people what was the ſenſe of the commons. On this foundation, three merchants among others refuſed paying the King this duty. Rolls, one of the three, a London merchant, and member of parliament, having refuſed it, as contrary to law, the cuſtomers ſeized his goods, and, on his alledging the authority of parliament, one of the officers inſolently told him, "If all "the parliament were in you, we would take your "goods." The two others, Chambers and Vaſſal, merchants of London, the firſt of whom was an alderman, were condemned to pay tonage and poundage by the barons of the exchequer, who ordered imbargo to be laid on their effects.

The parliament farther prorogued. Id. p. 638.

Some merchants refuſe to pay tonage and poundage. Id. p. 641.

Their goods ſeized. Id. p. 641. Annals.

The parliament meeting the tenth of January 1628-9, Roll's affair was inſtantly brought before the houſe, and refered to a commitee. While the commitee were in debate, Charles ſent the commons a meſſage, willing them to deſiſt 'till the morrow's afternoon, at which time he would ſpeak with them at Whitehall. The peers having alſo received

The parliament meets. Charles ſends for both houſes.

(1) The clergy granted alſo five ſubſidies.——Among other acts made in this ſeſſion were theſe. To reſtrain the paſſing or ſending any to be Popiſhly bred beyond the ſeas. For eſtabliſhing Sutton's hoſpital. For reſtitution in blood ſir Carew Ralegh,

(2) Ruſhworth (Vol. I. p. 633, 635.) ſays, they were wholly ſuppreſſed, and that it was Montague's books which were ordered to be delivered to the biſhop of the di ceſe, &c.

(3) They were firſt to be commited to the county jails, but if after conviction there ſhould be cauſe to reſpite execution, they were to be removed to Wiſbich. Idem. p. 633.

(4) Theſe were a neſt of Jeſuits diſcovered in Clerkenwell, and formerly apprehended, who were alſo after conviction to be removed from Newgate to Wiſbich. Ibid.

(5) As the duke was going out of his chamber, Felton ſteped to the door, and made as if he had held up the hangings. In the paſſage, the duke turning to ſpeak to ſir Thomas Fryar, and ſtooping becauſe ſir Thomas was very ſhort, Felton came behind the duke, and reaching over ſir Thomas's ſhoulder, ſtruck him to the heart. Clarend. Vol. I. p. 24, 25. The duke was buried at Weſtminſter, Septemb. 18. His whole eſtate was not quite 4000 l. a year; but he had 300,000 l. in jewels; and owed 60,000 l. Heylin on H. Leſtr. p. 67.

(6) It had held out ſo long, that prodigious numbers had died of mere famine, ſo that at the taking it, there was not four thouſand remaining alive, out of fifteen thouſand. Ruſhworth, Vol. I. p. 636.

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orders to be preſent, his Majeſty made the following ſpeech to both houſes.

His ſpeech concerning tonage and poundage. Ruſhworth, p. 644.

"THE care I have to remove all obſtacles "which may hinder the good correſpondency between me and the parliament, is the cauſe "I have called you together at this time, the particular occaſion being a complaint made in the "lower houſe. And for you, my lords, I am glad "to take this, and all other occaſions whereby you "may clearly underſtand both my words and actions, for as you are neareſt in degree, ſo you "are the fiteſt witneſſes unto Kings.

"The complaint I ſpeak of is, for ſtaying mens "goods who deny tonage and poundage; this "may have a ſhort and eaſy concluſion, if my "words and actions be rightly underſtood. For "by paſſing the bill, as my anceſtors have had it, "my by-paſſed actions will be included, and my "future proceedings authoriſed, which certainly "would not have been ſtuck on, if men had not "imagined that I had taken theſe duties as apperTaining to my hereditary prerogative, in which "they are much deceived, for it ever was, and ſtill "is my meaning, by the gift of my people to injoy it, and my intention in my ſpeech, at ending "the laſt ſeſſion, concerning this point, was not to "challenge tonage and poundage as of right, but "'de bene eſſe,' ſhewing you the neceſſity, not "the right by which I was to take it, until you "had granted it to me, aſſuring my ſelf, according to your general profeſſions, you wanted time, "not will to give it me,

"Wherefore now, having opportunity, I expect "that, without loſs of time, you make good your "profeſſions, and ſo by paſſing a bill put an end "to all the queſtions ariſing from this ſubject; eſpecially ſince I have cleared the only ſcruple "which can trouble you in this buſineſs. To conclude, let us not be jealous one of the other's "actions; for if I had been eaſily moved at every "occaſion, the order you made on Wedneſday laſt "might have made me ſtartle, there being ſome "ſhew to ſuſpect that you had given yourſelves "the liberty to be the inquiſitors after complaints; "the words of your order being ſomewhat too "largely penned: but looking into your actions, I "find you only hear complainers, not ſeeking complaints: for I am certain you neither pretend, nor "deſire the liberty to be inquiſitors of mens actions "before particular complaint be made.

"This I have ſpoken, to ſhew you how ſlow I "am to believe harſhly of your proceedings, likewiſe to aſſure you, that the houſes reſolutions, "not particular mens ſpeeches, ſhall make me "judge well or ill, not doubting but, according "to my example, you will be deaf to ill reports "concerning me, 'till my words and actions ſpeak "for themſelves, that ſo this ſeſſion begining with "confidence one towards another, it may end with "a perfect good underſtanding between us: which "God grant."

The commons examine matters of religion. Jan. 26. Ruſhworth, p. 645,--647, Annals.

Some days after, Charles ſent to the commons a meſſage, that the bill for tonage and poundage might be ſpeedily taken into conſideration, and no time loſt. But the commons, not being of opinion that the King had power to preſcribe to them times, fell upon matters of religion, particularly with regard to Arminianiſm: and finding that Laud, Montague and Manwaring had been prefered ſince laſt ſeſſion, ſeveral members made great complaints. Notwithſtanding his Majeſty again preſſed them by meſſage to proceed with the bill for tonage and poundage, they pretended that religion ought to have the precedency of every other buſineſs. Wherefore they began to inquire how the execution of the laws againſt Papiſts came to ceaſe, and whence it was that Papiſts were imployed and countenanced, and new ceremonies continually introduced, eſpecially at Durham, by Dr. Coſins, as angels, ſaints, crucifixes, altars, candles on Candlemas-day, and laſtly, from whence proceeded the increaſe of Arminianiſm.

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Complaints againſt Coſins.

This inquiry was interrupted by a freſh meſſage from his Majeſty, requiring them to give preference to the bill for tonage and poundage. Nevertheleſs, he declared that his meaning was not to interrupt their debates upon matters of religion, provided the houſe would not interfere in what did not belong to them. He thereby took away with one hand what he gave with the other, ſince he believed the commons had no right to meddle with religion. This meſſage hindered them not from continuing their debates. The proclamation forbiding all diſputes for and againſt Arminians was particularly complained of, wherein it was ſaid, "If there be "any difference of opinion concerning the ſe ſon"able interpretation of the thirty-nine articles, the "biſhops have power to order which way they "pleaſe." But, as ſome of the prelates were held in ſuſpicion, it was by the terms of the proclamation concluded that, in following the biſhops determination, England would be obliged to receive Popery or Arminianiſm. Theſe ſuſpicions fell chiefly upon Laud and Neile, who being the King's counſellors for matters of religion governed almoſt all the other prelates. On this account, the houſe, to prevent thoſe dangers they apprehended, judged proper to ingage in this vow.

Charles forbids the commons to meddle with religious matters. Ruſhworth, p. 648.

They regard not his orders. p. 649.

"We the commons in parliament aſſembled, do "claim, proteſt, and avow for truth, the ſenſe of "the articles of religion, which were eſtabliſhed by "parliament in the thirteenth year of our late "Queen Elizabeth, which by the public act of the "church of England, and by the general and current expoſitions of the writers of our church, "have been delivered unto us. And we reject the "ſenſe of the Jeſuits and Arminians, and all others, "wherein they differ from us."

Vow of the lower houſe concerning religion. Ruſhworth, p. 649.

As the commons aim was to perſuade people that religion was in danger, they deſired their lordſhips concurrence to petition his Majeſty for a faſt, which with ſome difficulty they obtained. Charles plainly perceived the deſign of this petition, and, tho' he did not think fit to reject it, anſwered, that the cuſtom of faſting every ſeſſion was but lately begun; that he granted it however for this time, tho' he did not ſee the neceſſity of it; but for the future would not grant a faſt, except on extraordinary occaſions. Adding, that as for the defenſe of the reformed churches abroad, fighting would do them more good than faſting.

Both houſes petition for a faſt; which Charles grants. Jan. 30. Id. p. 650. Annals.

As Charles had often preſſed the commons to proceed with the bill for tonage and poundage, and give it the precedency of matters touching religion, they thought themſelves obliged to preſent a declaration to the King to juſtify their conduct.

This declaration, which was a ſort of apology containing nothing material, I think it not neceſſary to inſert it at length. It ſuffices to ſay, the commons excuſed themſelves two ways, for not giving precedency to the bill for tonage and poundage. The firſt was, becauſe matters of religion having been firſt propoſed, the conſtant order of the houſe required they ſhould have the preference. The ſecond was, the weight and importance of the concerns of religion. They concluded with thanking the King for his promiſes to maintain religion, thereby tacitly reproaching him with non-performance.

Declaration of the commons to his Majeſty. Ruſhworth, p. 651.

Charles anſwered this declaration, not particularly, but with ſome brief notes. He told them, "he thought it ſtrange they ſhould have an ill "opinion of him with reſpect to religion." He "aſſured

p. 653. Annals.

aſſured them, "That he would never ſtop his ears "to the complaints which ſhould be brought to "him upon that ſubject, provided that in form "and matter the commons did not tranſgreſs their "limits." Concluding with theſe words: "I "muſt ſtill be inſtant with you, that you proceed "with tonage and poundage with diligence; (not "looking to be denied in ſo juſt a deſire) that you "muſt not think it ſtrange, if I, finding you ſlack, "give you ſuch farther quickening as I ſhall find "cauſe."

Religious grievances. Feb. 4. Ruſhworth, p. 655. Annals.

After this, the commons continued their debates upon matters of religion, and particularly on the proclamation, to prohibit diſputing for or againſt Arminianiſm. This was urged to be a ſnare to ſuppreſs the Puritan party, and give the Arminians more liberty, and that Laud and Montague were therein his Majeſty's adviſers. It was likewiſe complained, that the enemies of religion had procured a royal pardon under the great ſeal for the four moſt ſuſpected eccleſiaſtics in England, viz. Montague, Coſins, Sibthorp, and Manwaring, and that, in contempt of the parliament, they were even promoted to biſhopricks, or other good benefices (1). I cannot really conceive how it is poſſible to juſtify King Charles's condeſcenſion for thoſe who counſeled him ſo openly to protect, nay to prefer men ſo odious to the parliament, ſince he could not be ignorant how much he rendered himſelf ſuſpected by ſuch a conduct: at leaſt, it cannot be denied that he gave his adverſaries no ſmall advantage. But beſide its being the genius of both King and court to look on the parliament, more eſpecially the commons, with exceſſive contempt, his Majeſty could not refuſe any thing to Dr. Laud, who was his prime counſellor in eccleſiaſtical affairs. To confirm the commons in their ſuſpicions of Laud, the printers and bookſellers of London preſented them ſundry petitions, complaining of the reſtraint of books written againſt Popery and Arminianiſm, while a licenſe was never refuſed to ſuch as were compoſed in favor of Popiſh and Arminian doctrines: they even inſtanced in certain books againſt Popery, which were denied to be licenſed; affirming all this was done by the biſhop of London, or his chaplains, to whom the examination of thoſe books was commited.

Ruſhworth, p. 655.

Laud's character.

As Dr. Laud, afterwards archbiſhop of Canterbury, made a very great figure in England during the firſt fifteen years of this reign, I think it not improper here to inſert part of what is ſaid for and againſt him: not that I pretend fully to make known his genius, character or religion; which to me ſeems impracticable, conſidering what oppoſite opinions there are concerning him, it being almoſt impoſſible to affirm any thing of him, good or bad, upon the teſtimony of ſome, but what is contradicted and rejected as falſe by others. This is the common effect of parties. Scarcely can any additions be made to the eulogies which thoſe who profeſs what they term High-Church, i. e. the rigid Epiſcopalians, beſtow on this famous prelate. Lord Clarendon, in his hiſtory, expreſſes on all occaſions a very high eſteem for Laud, and finds not in him any other fault but a little too much eagerneſs to accompliſh his enterpriſes. All the reſt of that party extol him to the very ſkies. They ſee no imperfection in him; and every where praiſe his wiſdom, his good ſenſe, his learning, his piety, and above all, his zeal for the church of England, for which he finally died a martyr. The Preſbyterians, on the contrary, without denying his good ſenſe and learning, affirm, he was a rank Arminian, and almoſt a Papiſt. They ſay that, under color of a fervent zeal for the church's ceremonies, he carried them to the borders of Popery, and juſtly rendered himſelf ſuſpected of deſigning gradually to reſtore the Romiſh creed in England. That, to this end, he made even the leaſt trifles, ſuch as the reformers had not meddled with, as deeming them indifferent, to be conſidered as eſſential to religion. They thence infered that it was impoſſible for a man of his ſenſe, to be attached to things of ſo little moment, had he not entertained ſome ill deſign againſt the reformed religion. That he was the Preſbyterians and Puritans mortal enemy, becauſe from them he met with moſt oppoſition to the execution of his projects. For my part, I own that, in all has been ſaid againſt him, I have found no convincing proof of his intention to re-eſtabliſh the Roman Catholic religion in England, except we confound, as many did in thoſe days, Popery with High-church, thro' a ſpirit of party: but it is very certain, he mortally hated the Preſbyterians, and would have utterly extirpated Puritaniſm, had it been in his power. As for Arminianiſm, it is very probable he was thereto ſtrongly inclined. Take here his character given by his predeceſſor, archbiſhop Abbot, in the narrative which, in 1627, that prelate drew in his own vindication.

Archbiſhop Abbot's character of biſhop Laud. Ruſhworth, p. 440.

"This man is the only inward counſellor with "Buckingham, ſiting with him ſometimes privately "whole hours together, and feeding his humor "with malice and ſpite.

"His life in Oxford was to pick quarrels in the "lectures of the public readers, and to advertiſe "them to the then biſhop of Durham, that he "might fill the ears of King James with diſcon-"tents againſt the honeſt men who took pains in "their places, and ſetled the truth (which he called "Puritaniſm) in their auditors.

"He made it his work to ſee what books were "in the preſs, and to look over epiſtles dedicatory, "and prefaces to the reader, to ſee what faults "might be found.

"It was an obſervation what a ſweet man this "was like to be, that the firſt obſervable act he "did, was marrying the earl of D. to the lady "R (2), when it was notorious to the world, that "ſhe had another huſband, and the ſame a noble-"man, who had diverſe children then living by "her. King James did, for many years, take "this ſo ill, that he would never hear of any "great preferment of him, inſomuch that the "biſhop of Lincoln, Dr. Williams, who taketh "upon him to be the firſt promoter of him, hath "many times ſaid, that when he made mention of "Laud to the King, his Majeſty was ſo averſe "from it, that he was conſtrained often-times to "ſay, that he would never deſire to ſerve that "maſter who could not remit one fault unto his "ſervant. Well, in the end he did conquer it, to "get him to the biſhoprick of St. David's; which "he had not long injoyed, but he began to under-"mine his benefactor, as at this day it appeareth. "The counteſs of Buckingham told Lincoln, that "St. David's was the man who undermined him "with her ſon: and verily, ſuch is his aſpiring "nature, that he will underwork any man in the "world, ſo that he may gain by it."

This character is not to Laud's advantage; but it muſt be obſerved, that the archbiſhop aſcribed

(1) Oliver Cromwel, who was of this commitee, complained, that Dr. Neile, biſhop of Wincheſter, countenanced perſons who preached Popery; and, that Dr. Manwaring had been made biſhop. Adding, if theſe be the ſteps of church-preferment, what may we expect? Ruſhworth, Vol. I. p. 655.

(2) Laud had married Charles Blount, earl of Devonſhire, to lady Rich, wife of the earl of Warwick, then living.

his

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his own diſgrace to the ſecret counſels that prelate gave the duke of Buckingham.

Freſh quarrel between the King and commons. Ruſhworth, p. 653, 654. Annals, p. 344, &c.

While the commons were debating about religion, the ware-houſe of Mr. Rolls, merchant and member of parliament, was locked up by a purſuivant, and himſelf called forth and ſerved with a Subpœna (1). This put the houſe in a flame, and occaſioned the ſending for the officers of the cuſtoms, to know, on what account they had ſeized merchants effects, and carried them to the King's ſtore-houſe. They replied, it was for refuſing to pay tonage and poundage, with other duties. But becauſe there was an information already preſented againſt the merchants in the exchequer and ſtar-chamber, the commons reſolved not to proceed with the bill of tonage and poundage, 'till the goods were reſtored to the owners; and ordered that the barons of the exchequer ſhould be told, to make void their injunction to detain the ſaid merchant's effects. The barons replied, they did not by their injunctions determine, or any way touch upon the right of tonage and poundage; neither did they by their orders but the owners from ſuing for their goods in a lawful courſe; but whereas the merchants indeavored to take their goods out of the King's poſſeſſion by writs of Replevin, which was not a lawful courſe in the King's caſe, nor agreeable to his prerogative-royal, therefore the court of exchequer did ſtay thoſe ſuits, and declare that the owners, if they conceived themſelves wronged, might take ſuch remedy as the law allows. This anſwer, which ſignified nothing, not being ſatisfactory to the commons, a motion was made to conſider, whether ever the court of exchequer held this courſe before for ſtaying Replevins; and whether this had been done by prerogative of the King in his court of exchequer.

Ruſhworth, p. 655.

Febr. 29. p. 638. Annals.

This affair having been long debated in the houſe, the officers of the cuſtoms were again ſent for, and affirmed, that they acted by virtue of a commiſſion under the great-ſeal. One of them ſaid, "He "had ſeized the goods for duties which were due "in the time of King James, and that his Majeſty "had ſent for him, and commanded him to make "no other anſwer. Whereupon the houſe being turned into a grand commitee, a notion was made and ſeconded, whether the officers of the cuſtoms ſhould be proceeded againſt, by ſeparating their intereſt from that of the King. After ſeveral ſpeeches pro and con, a report was made from the grand commitee, that they had finally determined, Mr. Rolls ought to have the privilege of perſon and goods; which being voted, the ſpeaker was moved to put the queſtion; but he refuſed, ſaying, his Majeſty had commanded the contrary. Such a command could not but ſurpriſe the houſe: they adjourned to the twenty-fifth of February, and then were farther adjourned, by his Majeſty's order, 'till the ſecond of March. The commons being then re-aſſembled, and requiring the ſpeaker to put the queſtion, he ſaid, "I have a command from his "Majeſty to adjourn the houſe 'till the tenth of "March:" when attempting to quit the chair, he was forcibly held down * 'till ſir John Elliot had drawn the inſuing proteſtation, which was approved by the majority, tho' not without great tumult and confuſion, and even ſome blows.

Ruſhworth, p. 659.

The ſpeaker refuſes to put the queſtion; Id. p. 660. Annals, p. 346.

and anſwers the houſe.

He is forcibly detained in the houſe.

* And the doors locked,

The commons proteſtation.

"1. Whoſoever ſhall bring in innovation of re-
"ligion, or by favor or countenance ſeem to ex-
"tend or introduce Popery or Arminianiſm, or
"other opinions diſagreeing from the truth and or-
"thodox church, ſhall be reputed a capital enemy
"to this kingdom and common-wealth.

Ruſhworth, p. 660.

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"2. Whoſoever ſhall counſel and adviſe taking
"and levying the ſubſidies of tonage and pound-
"age, not being granted by parliament, or ſhall
"be an actor or inſtrument thereof, ſhall be like-
"wiſe reputed an innovator in the government,
"and a capital enemy to the kingdom and com-
"mon-wealth.

"3. If any merchant, or perſon whatſoever,
"ſhall voluntarily yield to pay the ſaid ſubſidies
"of tonage and poundage, not being granted by
"parliament, he ſhall likewiſe be reputed a be-
"trayer of the liberties of England, and an enemy
"to the ſame."

Proclamation to notify the parliament's diſſolution. March 2. Id. p. 660. Annals.

As Charles expected not any ſupplies from this ſecond ſeſſion, he was very glad, at having, as he thought, a plauſible pretenſe to diſſolve the parliament: ſo, that very day, a proclamation was drawn up (2), to give notice of his deſign to diſſolve the parliament, on the tenth of March, and that the members might depart about their own affairs.

Nine members cited before the council.

Next day warrants were directed from the council to Denzil Hollis, ſir Miles Hobart, ſir John Elliot, ſir Peter Hayman, John Selden, William Coriton, Walter Long, William Stroud, Benjamin Valentine, eſqs; commanding their perſonal appearance on the morrow. Four of them, Hollis, Elliot, Coriton, and Valentine, appeared; and, refuſing to anſwer out of parliament for what was ſaid and done in the houſe, were commited cloſe priſoners to the Tower. The council likewiſe ordered the ſtudies of Hollis, Elliot and Selden to be ſealed up; and a proclamation was iſſued to apprehend them. It muſt be obſerved that the parliament not being yet diſſolved, theſe gentlemen were actually ſtill members of parliament.

Four appear and are ſent to the Tower.

On the tenth of March, his Majeſty, repairing to the parliament houſe, made the following ſpeech, addreſſing himſelf only to the lords, ſcarce any commoners being preſent †.

† Neither ſpeaker nor members were called.

The King's ſpeech at diſſolving the parliament. Ruſhworth, p. 662. Annals.

My lords,

"I Never came here upon ſo unpleaſant an occa-
"ſion, it being the diſſolution of a parliament;
"therefore men may have ſome cauſe to wonder,
"why I ſhould not rather chuſe to do this by
"commiſſion, it being rather a general maxim of
"Kings to leave harſh commands to their mini-
"ſters, themſelves only executing pleaſing things:
"yet conſidering that juſtice as well conſiſts in re-
"ward and praiſe of virtue, as puniſhing of vice,
"I thought it neceſſary to come here to day, and
"to declare to you and all the world, that it was
"merely the undutiful and ſeditious carriage in the
"lower houſe which hath made the diſſolution of
"this parliament; and you, my lords, are ſo far
"from being any cauſers of it, that I take as much
"comfort in your dutiful demeanor, as I am juſtly
"diſtaſted with their proceedings; yet to avoid
"their miſtakings, let me tell you, that it is ſo
"far from me to adjudge all the houſe alike guilty,
"that I know many there are as dutiful ſubjects
"as any in the world, it being but ſome few vipers
"among them who did caſt this miſt of undutiful-
"neſs over moſt of their eyes: yet, to ſay truth,
"there was a good number who could not be in-
"fected with this contagion, inſomuch that ſome
"did expreſs their duties in ſpeaking, which was
"the general fault of the houſe the laſt day. To
"conclude, as thoſe vipers muſt look for their re-
"ward of puniſhment, ſo you, my lords, muſt

(1) Our author wrongly ſays, the purſuivant ſent for Mr. Rolls out, to order him not to touch what was locked up. But this, and ſome other miſtakes, in this and the inſuing paragraphs, are here rectified.

(2) Not publiſhed, as our author miſtakes; it not being publiſhed 'till ſome days after. See Ruſhworth, Vol. I. p. 661.

"juſtly

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" juſtly expect from me that favor and protection " which a good King oweth to his loving and faith- " ful nobility. And now, my lord keeper, do " what I have commanded you."

Then the lord keeper ſaid, " My lords, and " gentlemen of the houſe of commons, the King's " Majeſty doth diſſolve this parliament."

Remark on this diſſolution.

The parliament's diſſolution was occaſioned by the inſolence of the houſe of commons, as his Majeſty had juſt told the lords: and this inſolence, this ſeditious carriage conſiſted only in forcibly keeping the ſpeaker in his chair (after he had notified the houſe was by the King's orders adjourned) 'till a proteſtation of three very ſhort articles was ſet down in writing: this was the commons offenſe. And here it muſt be remarked, that there was a wide difference between adjourning, and proroguing or diſſolving the parliament. The Sovereign's power to prorogue and diſſolve was never queſtioned; nor do I believe that, before James I's time, any Sovereign had ever thought of adjourning parliaments: King James was the firſt who did it. Of this the commons complained as a breach of their privileges; but not finding the peers diſpoſed to diſpute this power with his Majeſty, they were forced to give way, tho' they foreſaw the pernicious conſequences ſhewed themſelves in the preſent reign. King Charles, taking advantage of this ſole precedent eſtabliſhed by the King his father, was not ſatisfied with hindering the parliament from adjourning themſelves at Eaſter, as was obſerved, but even adjourned the houſes twice at a time when the commons were debating on matters which he diſliked, and likewiſe, by his own ſingle authority, prevented the ſpeaker's puting a queſtion when required. It is no difficulty to comprehend the conſequences of this power to adjourn the houſes. The Sovereign might put a ſtop to all the debates of either houſe, by adjourning them whenever they took into conſideration any matters diſpleaſing to him. On the other hand, on ſuppoſition that the King's right was unqueſtionable, the houſe of commons had diſobeyed his orders, and violated his prerogative, which might be attended with conſequences no leſs pernicious. But King Charles, ſuppoſing his right as fully eſtabliſhed, without giving himſelf any farther trouble to prove it, reſolved to puniſh the commons, not only by a diſſolution of the parliament, a puniſhment which rather concerned the whole nation than its particular repreſentatives, but alſo in cauſing ſome of their moſt active members to be condemned as rebellious and ſeditious.

AN' 1629. To that purpoſe, he commanded the judges to meet and give their opinions upon the queſtions he had to propoſe to them, in order to be guided by their determinations, leſt he ſhould be accuſed of proceeding too arbitrarily. The queſtions, with the judges anſwers, were theſe: viz.

Queſtions propoſed by his Majeſty to the judges, concerning the impriſoned members. April 25. Ruſhworth, p. 663. Annals.

" 1. Whether, if any ſubject hath received " probable information of any treaſon, or trea- " cherous attempt, or intention againſt the King or " ſtate, that ſubject ought not to make known to " the King, or his Majeſty's commiſſioners, when " thereunto he ſhall be required, what information " he hath received, and the grounds thereof; to " the end the King, being truly informed, may " prevent the danger? And if the ſaid ſubject, in " ſuch caſe, ſhall refuſe to be examined, or to an- " ſwer the queſtions which ſhall be demanded of " him for farther inquiry and diſcovery of the truth, " whether it be not a high contempt in him, " puniſhable in the ſtar-chamber, as an offenſe " againſt the general juſtice and government of the " kingdom?

Sol. The reſolution and anſwer of all the juſtices was, " That it is an offenſe puniſhable as aforeſaid, " ſo that this do not concern himſelf, but another, " nor draw him to danger of treaſon or contempt " by his anſwer." CHARLES I AN' 1629.

" 2. Whether it be a good anſwer or excuſe, " being thus interrogated, and refuſing to anſwer, " to ſay, that he was a parliament-man when he " received this information, and that he ſpake " thereof in the parliament houſe; and therefore " the parliament being now ended, he refuſed to " anſwer to any ſuch queſtions but in the parliament " houſe, and not in any other place?

Sol. The judges ventured not to decide publicly this queſtion. But they gave this anſwer by advice privately to the attorney-general, " That this ex- " cuſe being in nature of a plea, and an error in " judgment, was not puniſhable, until he were " over-ruled in an orderly manner, to make an- " other anſwer; and whether the party were " brought in Ore tenus, or by information, for " this plea he was not to be puniſhed."

" 3. Whether a parliament-man, commiting an " offenſe againſt the King or council, not in a par- " liament way, might, after the parliament ended, " be puniſhed or not?

Sol. All the judges unanimouſly anſwered, " He " might, if he be not puniſhed for it in parlia- " ment; for the parliament ſhall not give privilege " to any, 'contra morem parliamentarium,' to " exceed the bounds and limits of his place and " duty." And all agreed, " That regularly he " cannot be compelled out of parliament to an- " ſwer things done in parliament, in a parliamen- " tary courſe; but it is otherwiſe where things are " done exorbitantly; for thoſe are not the acts of " a court."

" 4. Whether, if one parliament-man alone " ſhall reſolve, or two or three ſhall covertly con- " ſpire to raiſe falſe ſlanders and rumors againſt " the lords of the council and judges, not with " intent to queſtion them in a legal courſe, or in a " parliamentary way, but to blaſt them, and to " bring them to hatred of the people, and the go- " vernment in contempt, be puniſhable in the ſtar- " chamber after the parliament is ended?

Sol. The judges reſolve, " That the ſame was " puniſhable out of parliament, as an offenſe exor- " bitant commited in parliament, beyond the office, " and beſide the duty of a parliament-man."

The artifice of theſe queſtions conſiſted, 1. In the King's propoſing them in a general manner, as if they related not to any particular perſon. 2. In his aſcribing to one, two, or three members of the houſe, what was done by a great majority. 3. In ſuppoſing offenſes, outrages, treaſons againſt himſelf or council, and in deciding queſtions of law before the facts were ſtated (1).

By virtue of theſe determinations, the attorney-general exhibited in the ſtar-chamber informations againſt the impriſoned members, wherein he greatly agravated what had paſſed in the lower-houſe, when the ſpeaker was kept by force in the chair, but without at all mentioning the occaſion. The attorney general informs againſt the impriſoned members. Ruſhworth, p. 665.

At the ſame time, alderman Chambers, one of thoſe who refuſed paying tonage and poundage, was alſo proſecuted in the ſtar-chamber, for ſaying, " That the merchants were more ſcrewed up and " wrung in England, than in Turkey." He was condemned in a very exorbitant fine *, by which he was reduced to wretched circumſtances. Chambers condemned for refuſing tonage, &c. May 6. Id. p. 670, 671. Annals.

Mention has already been made of the court's artifice to remove from the parliament ſuch gentlemen as they ſuſpected, by nominating them ſheriffs

* 2000l. He had alſo other loſſes.

(1) Judge Whitlock often highly complained againſt this way of ſending to the judges for their opinions beforehand, and ſaid, " That if biſhop Laud went on in this way, he would kindle a flame in the nation." Whitlock, p. 13.

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of their reſpective counties, which obliged them to ſwear to the due execution of their office. Walter Long, of Wiltſhire, eſq; being made ſheriff of the county a little before ſummoning the laſt parliament, was nevertheleſs elected, and he prefered this ſervice to that which his office obliged him to. While the parliament ſat, Long was left undiſturbed, but, on its diſſolution, the court entered an information againſt him in the ſtar-chamber for breach of his oath, and he was fined two thouſand marks.

Long fined. Ruſhworth, p. 684, &c. Append. Annals.

The other members, who were in ſeveral priſons, having petitioned the judges to be releaſed upon bail, by virtue of Habeas Corpus, when the judges were met, and ready to deliver their opinions, the priſoners were not brought to the bar according to the rule of court. Whereupon, proclamation being made for the bringing them in, the court was informed, that, by his Majeſty's own warrant, they were removed to the Tower. Then came a letter from his Majeſty to the judges, ſignifying to the court, that the priſoners were not ſuffered to appear before them by reaſon of their inſolent carriage towards him: i, e, inſtead of applying themſelves to the King for pardon, they had addreſſed themſelves to the judges to be releaſed upon bail, according to law. Not to inſiſt too long on this buſineſs, I ſhall content my ſelf with ſaying, that they were detained in priſon from March 'till October, without being tried, or obtaining the benefit of Habeas Corpus. In fine, the court of King's-Bench having unanimouſly agreed, "That the "court, as this caſe is, ſhall have juriſdiction, "tho' the offenſes were commited in parliament, "and that the impriſoned members ought to plead," judgment was given againſt them upon a Nihil Dicit (1). They were to be impriſoned during his Majeſty's pleaſure, and moreover, Elliot was fined two thouſand pounds, Hollis a thouſand marks, and Valentine five hundred pounds.

The impriſoned members fined. Ruſhworth, p. 679, 680, &c. Append. Annals. June 24.

King Charles's conduct, as well in diſſolving the parliament, as in what was done afterwards, could not but breed diſcontent among the people. Murmurs were every where heard: libels were diſperſed about London againſt the King's counſellors, and particularly againſt biſhop Laud, and the lord treaſurer Weſton, who were accuſed of inciting his Majeſty to theſe violent proceedings. For this reaſon Charles, to prevent greater complaints, publiſhed a declaration, notifying to the people his reaſons for the laſt parliament's diſſolution. Notwithſtanding this declaration's prolixity, I judge it neceſſary to inſert the whole in this place, leſt I ſhould be charged with having either paſſed over in ſilence, or too much abridged what may ſerve for King Charles's juſtification. We muſt obſerve that it was dated the tenth of March, the very day the parliament was diſſolved, tho' it was not publiſhed that day, but ſome time after.

Ruſhworth, p. 662.

The King's declaration, to all his ſubjects, notifying the cauſes which moved him to diſſolve the laſt parliament.

Ruſhworth, Appendix, p. 1.

"HOwſoever Princes are not bound to give "account of their actions, but to God alone; "yet, for the ſatisfaction of the minds and af-"fections of our loving ſubjects, we have thought "good to ſet down thus much by way of declara-"tion, that we may appear to the world in the "truth and ſincerity of our actions, and not in "thoſe colors in which we know ſome turbulent and "ill-affected ſpirits (to maſque and diſguiſe their "wicked intentions, dangerous to the ſtate) would "repreſent us to public view.

"We aſſembled our parliament the ſeventeenth "day of March, in the third year of our reign, "for the ſafety of religion, for ſecuring our king-"doms and ſubjects at home, and our friends and "allies abroad. And therefore, at the firſt ſiting "down of it, we declared the miſerable afflicted "eſtate of thoſe of the Reformed religion in Ger-"many, France, and other parts of Chriſtendom; "the diſtreſſed extremities of our deareſt uncle, "the King of Denmark, chaſed out of a great "part of his dominions; the ſtrength of that party "which was united againſt us: that (beſide the "Pope and the houſe of Auſtria, and their ancient "confederates) the French King profeſſed the "rooting out of the Proteſtant religion: that of "the Princes and ſtates on our party, ſome were "over-run, others diverted, and ſome diſabled to "give aſſiſtance. For which, and other impor-"tant motives, we propounded a ſpeedy ſupply of "treaſure, anſwerable to the neceſſity of the "cauſe.

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"Theſe things in the begining were well reſented "by the houſe of commons, and with ſo much "alacrity and readineſs, that they agreed to grant "a liberal aid: but before it was brought to any "perfection, they were diverted by a multitude of "queſtions raiſed among them, touching their "liberties and privileges, and by other long diſ-"putes, that the bill did not paſs in a long time; "and by that delay, our affairs were put into a "far worſe caſe than at the firſt; our foreign "actions, then in hand, being thereby diſgraced "and ruined for want of timely help.

"In this, as we are not willing to derogate from "the merit and good intentions of thoſe wiſe and "moderate men of that houſe (to whoſe forward-"neſs we attribute that it was propounded and re-"ſolved ſo ſoon) ſo we muſt needs ſay, that the "delay of paſſing it when it was reſolved, occa-"ſioned by cauſeleſs jealouſies, ſtired up by men "of another temper, did much leſſen both the re-"putation and reality of that ſupply. And their "ſpirit, infuſed into many of the commiſſioners "and aſſeſſors in the country, hath returned up the "ſubſidies in ſuch a ſcanty proportion, as is in-"finitely ſhort, not only of our great occaſions, "but of the precedents of former ſubſidies, and "of the intentions of all well-affected men in that "houſe.

"In thoſe large diſputes, as we permited many "of our high prerogativss to be debated, which "in the beſt times of our predeceſſors had never "been queſtioned without puniſhment or ſharp "reproof; ſo we did indeavor to have ſhortened "thoſe debates, for gaining time, which would "have much advantaged our great affairs, both "at home and abroad. And therefore, both by "ſpeeches and meſſages, we did often declare our "gracious and clear reſolution to maintain, not "only the parliament, but all our people, in their "ancient and juſt liberties, without either viola-"tion or diminution, and in the end, for their full "ſatisfaction and ſecurity did by an anſwer, framed "in the form by themſelves deſired, to their par-"liamentary petition, confirm their ancient and "juſt liberties and rights, which we reſolve with "all conſtancy and juſtice to maintain.

"This parliament howſoever, beſide the ſettling "our neceſſary ſupply, and their own liberties, "they waſted much time in ſuch proceedings "(blaſting our government, as we are unwilling to "remember) yet we ſuffered them to ſit, until "themſelves deſired us to appoint a time for their "receſs, not naming either adjournment or pro-"rogation.

(1) They refuſed to put in other plea than denying the court's juriſdiction in this caſe.

"Whereupon,

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" Whereupon, by advice of our council, we re-
" ſolved to prorogue and make a ſeſſion; and to
" that end prefixed a day, by which they might
" (as was mete in ſo long a ſiting) finiſh ſome
" profitable and good laws; and withal gave or-
" der for a gracious pardon to all our ſubjects;
" which, according to the uſe of former parlia-
" ments, paſſed the higher houſe, and was ſent
" down to the commons. All which being gra-
" ciouſly intended by us, was ill entertained by
" ſome diſaffected perſons of that houſe, who by
" their artifices, in a ſhort time, raiſed ſo much
" heat and diſtemper in the houſe, for no other
" viſible cauſe but becauſe we had declared our
" reſolution to prorogue, as our council ad-
" viſed, and not to adjourn, as ſome of that houſe
" (after our reſolution declared, and not before)
" did manifeſt themſelves to affect; that ſel-
" dom hath greater paſſion been ſeen in that
" houſe, upon the greateſt occaſions. And ſome
" glances in the houſe, but upon open rumors
" abroad, were ſpread that, by our anſwer to the
" petition, we had given away not only our impo-
" ſitions upon goods exported and imported, but
" the tonage and poundage: whereas in the de-
" bate and hammering of that petition there was
" no ſpeech or mention in either houſe concerning
" thoſe impoſitions, but concerning taxes and
" other charges within the land; much leſs was
" there any thought thereby to debar us of tonage
" and poundage, which, both before and after the
" anſwer to that petition, the commons, in all
" their ſpeeches and treaties, did profeſs they were
" willing to grant. And at the ſame time many
" other miſinterpretations were raiſed of that peti-
" tion and anſwer, by men not well-diſtinguiſhing
" between well-ordered liberty and licenciouſneſs;
" as if, by our anſwer to that petition, we had let
" looſe the reins of our government. And in this
" diſtemper the houſe of commons, laying aſide
" the pardon (a thing never done in any former
" parliament) and other buſineſs fit to have been
" concluded in that ſeſſion, ſome of them went
" about to frame and contrive a remonſtrance
" againſt our receiving tonage and poundage, which
" was ſo far proceeded in, the night before the pre-
" fixed time for concluding the ſeſſion, and ſo
" haſtened by the contrivers thereof, that they
" meaned to have put it to the vote of the houſe
" next morning, before we ſhould prorogue that
" ſeſſion. And therefore, finding our gracious fa-
" vors in the ſeſſion, afforded to our people, ſo ill
" requited, and ſuch ſiniſter ſtrains made upon our
" anſwer to that petition, to the diminution of our
" profit, and (which was more) to the danger of
" our government; we reſolved to prevent the
" finiſhing of that remonſtrance, and other dan-
" gerous intentions of ſome ill-affected perſons, by
" ending the ſeſſion next morning, ſome few hours
" ſooner than was expected; and by our own mouth
" to declare to both houſes the cauſe thereof: and
" for hindering the ſpreading of thoſe ſiniſter in-
" terpretations of that petition and anſwer, to give
" ſome neceſſary directions for ſettling and quiet-
" ing our government, until another meeting;
" which we performed accordingly the ſix and
" twentieth of June laſt.

" The ſeſſion thus ended, and the parliament
" riſen, that intended remonſtrance gave us occa-
" ſion to look into the buſineſs of tonage and pound-
" age. And therefore, tho' our neceſſities pleaded
" ſtrongly for us, yet we were not apt to ſtrain
" that point too far, but reſolved to guide ourſelf
" by the practiſe of former ages, and examples of
" our moſt noble predeceſſors, thinking thoſe coun-
" ſels beſt warranted which the wiſdom of former
" ages, concurring with the preſent occaſions, did
" approve; and therefore gave order for a diligent
" ſearch of records: upon which it was found that,
" altho' in the parliament holden in the firſt year
" of the reign of King Edward the fourth, the
" ſubſidy of tonage and poundage was not granted
" unto that King, but was firſt granted unto him
" by parliament in the third year of his reign; yet
" the ſame was accounted and anſwered to that
" King, from the firſt day of his reign, all the
" firſt and ſecond years of his reign, and until it
" was granted by parliament. And that, in the
" ſucceeding times of King Richard the third,
" King Henry the ſeventh, King Henry the
" eighth, King Edward the ſixth, Queen Mary
" and Queen Elizabeth, the ſubſidy of tonage and
" poundage was not only injoyed by every of thoſe
" Kings and Queens, from the death of each of
" them deceaſing until it was granted by parliament
" unto the ſucceſſor; but in all thoſe times, being
" for the moſt part peaceable, and not burdened
" with like charges and neceſſities as theſe modern
" times, the parliament did moſt readily and chear-
" fully, in the begining of every of thoſe reigns,
" grant the ſame, as a thing moſt neceſſary for
" guarding the ſeas, ſafety and defenſe of the realm,
" and ſupportation of the royal dignity. And in
" the time of our royal father, of bleſſed memory,
" he injoyed the ſame a full year, wanting very
" few days, before his parliament began; and
" above a year before the act of parliament for the
" grant of it was paſſed: and yet, when the par-
" liament was aſſembled, it was granted without
" difficulty. And in our own time, we quietly re-
" ceived the ſame three years and more, expecting
" with patience in ſeveral parliaments the like
" grant thereof, as had been made to ſo many of
" our predeceſſors; the houſe of commons ſtill
" profeſſing, that multitude of other buſineſſes, and
" not want of willingneſs on their part, had cauſed
" the ſettling thereof to be ſo long defered. And
" therefore, finding ſo much reaſon and neceſſity
" for receiving the ordinary duties in the cuſtom-
" houſe, to concur with the practiſe of ſuch a ſuc-
" ceſſion of Kings and Queens, famous for wiſdom,
" juſtice and government, and nothing to the con-
" trary but that intended remonſtrance, hatched
" out of the paſſionate brains of a few particular
" perſons; we thought it was ſo far from the wiſ-
" dom and duty of a houſe of parliament, as we
" could not think that any moderate and diſcreet
" man (upon compoſed thoughts, ſeting aſide paſ-
" ſion and diſtemper) could be againſt receiving of
" tonage and poundage; eſpecially ſince we do,
" and ſtill muſt purſue thoſe ends, and undergo
" that charge for which it was firſt granted to the
" crown; it having been ſo long and conſtantly
" continued to our predeceſſors, as that in four ſe-
" veral acts of parliament, for the granting there-
" of to King Edward the ſixth, Queen Mary,
" Queen Elizabeth, and our bleſſed father, it is in
" expreſs terms mentioned to have been had and
" injoyed by the ſeveral Kings, named in thoſe
" acts, time out of mind, by authority of parlia-
" ment. And therefore, upon theſe reaſons, we
" held it agreeable to our King's honor, and ne-
" ceſſary for the ſafety and good of our kingdom,
" to continue the receipt thereof, as ſo many of
" our predeceſſors had done. Wherefore, when a
" few merchants (being at firſt but one or two) fo-
" mented, as it is well known, by thoſe evil ſpi-
" rits which would have hatched that undutiful re-
" monſtrance, began to oppoſe the payment of our
" accuſtomed duties in the cuſtom-houſe, we gave
" order to the officers of our cuſtoms to go on,
" notwithſtanding that oppoſition, in receiving the
" uſual duties, and cauſed thoſe who refuſed to be
" warned to attend at the council-board, that, by

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" the wiſdom and authority of our council, they " might be reduced to obedience and duty; where " ſome of them, without reverence or reſpect to " the honor and dignity of that preſenſe, behaved " themſelves with ſuch boldneſs and inſolency of " ſpeech, as was not to be indured by a far meaner " aſſembly, much leſs to be countenanced by a " houſe of parliament againſt the body of our " privy-council.

" And as in this we did what, in reaſon and " honor was fit for the preſent, ſo our thoughts " were daily intentive upon the re-aſſembling our " parliament, with full intention, on our part, to " take away all ill-underſtanding between us and " our people; whoſe loves, as we deſire to conti- " nue and preſerve, ſo we uſed our beſt indeavors " to prepare and facilitate the way to it. And, to " this end, having taken a ſtrict and exact ſurvey " of our government, both in the church and com- " mon-wealth, and what things were moſt fit and " neceſſary to be reformed; we found in the firſt " place, that much exception had been taken at a " book, intitled, Appello Cæſarum, or, An Ap- " peal to Cæſar; and publiſhed in the year 1625, " by Richard Montague, then bachelor of divi- " nity, and now biſhop of Chicheſter; and becauſe " it did open the way to thoſe ſchiſms and divi- " ſions which have ſince inſued in the church, we " did, for remedy and redreſs thereof, and for the " ſatisfaction of the conſciences of our good peo- " ple, not only, by our public proclamation, call " in that book, which miniſtered matter of offenſe; " but, to prevent the like danger for hereafter, re- " printed the articles of religion, eſtabliſhed in the " time of Queen Elizabeth, of famous memory; " and by a declaration before thoſe articles, we " did tie and reſtrain all opinions to the ſenſe of " thoſe articles, that nothing might be left for pri- " vate fancies and innovations. For we call God " to record, before whom we ſtand, that it is, " and always hath been our heart's deſire to be " found worthy of that title, which we account the " moſt glorious in all our crown, Defender of the " Faith. Neither ſhall we ever give way to the " authoriſing any thing whereby any innovation " may ſteal or creep into the church; but to pre- " ſerve that unity of doctrine and diſcipline eſta- " bliſhed in the time of Queen Elizabeth, whereby " the church of England hath ſtood and flouriſhed " ever ſince.

" And as we were careful to make up all breaches " and rents in religion at home, ſo we did by our " proclamation and commandment, for the execu- " tion of laws againſt prieſts and Popiſh recuſants, " fortify all ways and approaches againſt that fo- " reign enemy; which, if it hath not ſucceeded " according to our intention, we muſt lay the fault " where it is, in the ſubordinate officers and mi- " niſters in the country, by whoſe remiſneſs, " Jeſuits and prieſts eſcape without apprehenſion, " and recuſants, from thoſe convictions and penal " ties which the law and our commandment would " have inflicted on them. For we do profeſs, " that as it is our duty, ſo it ſhall be our care to " command and direct well; but it is the part of " others to perform the miniſterial office. And " when we have done our office, we ſhall account " ourſelf, and all charitable men will account us " innocent, both to God and men: and thoſe who " are negligent we will eſteem as culpable, both to " God and us; and therefore will expect that here- " after they give us a better account.

" And as we have been careful for the ſetling " religion, and quieting the church; ſo were we " not unmindful of the preſervation of the juſt and " ancient liberties of our ſubjects, which we ſe- " cured to them by our gracious anſwer to the pe- " tition in parliament, having not ſince that time " done any act whereby to infringe them. But " our care is, and hereafter ſhall be, to keep them " intire and inviolable, as we would do our own " right and ſovereignty, having for that purpoſe " inrolled the petition and anſwer in our courts of " juſtice.

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" Next to the care of religion, and of our ſub- " jects rights, we did our beſt for the provident " and well-ordering of that aid and ſupply, which was " granted us the laſt ſeſſion, whereof no part hath " been waſtfully expended, nor put to any other " uſe than thoſe for which it was deſired and grant- " ed; as upon payment of our fleet and army; " wherein our care hath been ſuch, as we choſe " rather to diſcontent our deareſt friends and allies, " and our neareſt ſervants, than to leave our ſol- " diers and mariners unſatisfied, whereby any vexa- " tion or diſquiet might ariſe to our people: we " have alſo, with part of thoſe monies, begun to " ſupply our magazines and ſtores of munition, " and to put our navy into a conſtant form and " order. Our fleet likewiſe is fiting, and almoſt " in a readineſs, whereby the narrow ſeas may be " guarded, commerce maintained, and our king- " doms ſecured from all foreign attempts. Theſe " acts of ours might have made this impreſſion in " all good minds, that we were careful to direct " our counſels, and diſpoſe our actions, as might " moſt conduce to the maintenance of religion, " honor of our government, and ſafety of our peo- " ple. But with miſchievous men once ill-affect- " ed, 'Seu bene, ſeu male facta premunt;' and " whatſoever once ſeemed amiſs, is ever remem- " bered; but good indeavors are never re- " garded.

" Now all theſe things, which were the chief " complaints laſt ſeſſion, being by our princely " care ſo ſeriouſly reformed; the parliament re- " aſſembled the twentieth of January laſt. We ex- " pected, according to the candor and ſincerity of " our own thoughts, that men would have framed " themſelves for the affecting a right underſtand- " ing between us and our people. But ſome few " malevolent perſons, like empirics and leud ar- " tiſts, did ſtrive to make new work, and to have " ſome diſeaſe on foot, to keep themſelves in re- " queſt, and to be imployed and entertained in the " cure. And yet to manifeſt how much offenſes " have been diminiſhed, the commitees for grie- " vances, commitees for courts of juſtice, and com- " mitees for trade, have, ſince the ſiting down of " the parliament, received few complaints, and " thoſe ſuch as they themſelves have not thought " to be of that moment or importance with which " our ears ſhould be acquainted.

" No ſooner therefore was the parliament ſet " down, but theſe ill-affected men began to ſow " and diſperſe their jealouſies, by caſting out ſome " glances and doubtful ſpeeches, as if the ſubject " had not been ſo clearly and well dealed with, " touching their liberties, and touching the peti- " tion anſwered laſt parliament. This being a " plauſible theme, thought on for an ill purpoſe, " eaſily took hold on the minds of many who " knew not the practiſe. And thereupon the ſe- " cond day of the parliament, a commitee was ap- " pointed to ſearch, whether the petition and our " anſwer thereunto were inroled in the parliament " roll, and in the courts at Weſtminſter, and in " what manner the ſame was done. And a day " alſo was then appointed, on which the houſe, " being reſolved into a commitee, ſhould take into " conſideration thoſe things, wherein the liberty " of the ſubject had been invaded, againſt the pe- " tition of right. This, tho' it produced no other " effect of moment or importance, yet was ſuffi-

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" cient to raiſe a jealouſy againſt our proceedings, " in ſuch as were not well acquainted with the " ſincerity and clearneſs of them. There followed " another of no leſs ſkill; for altho' our proceeding " before the parliament, about matters of religion, " might have ſatisfied any moderate men of our " zealous care thereof (as we are ſure it did the " moſt) yet, as bad ſtomachs turn the beſt things " into their own nature, for want of good di- " geſtion, ſo theſe diſtempered perſons have done " the like of our good intents, by a bad and " ſiniſter interpretation. For, when they did ob- " ſerve, that many honeſt and religious minds in " that houſe did complain of thoſe dangers which " threatened the church, they likewiſe took the " ſame word in their mouth, and their cry like- " wiſe was, 'Templum Domini! Templum Do- " mini!' when the true care of the church never " came into their hearts: and what the one did out " of zeal unto religion, the other took up as a " plauſible theme to deprave our government, as " if we, our clergy and council, were either " ſenſeleſs or careleſs of religion, and this " wicked practiſe hath been to make us ſeem to " walk before our people as if we halted before " God.

" Having, by theſe artifices, made a jealous " impreſſion in the hearts of many; and a day " being appointed to treat of the grant of tonage " and poundage, at the time prefixed, all expreſs " great willingneſs to grant it. But a new ſtrain " is found out, that it could not be done without " great peril to the right of the ſubject, unleſs we " ſhould diſclaim any right therein, but by grant " in parliament; and ſhould cauſe all thoſe goods " to be reſtored, which, upon commandment from " us, or our council, were ſtayed by our officers " until thoſe duties were paid, and conſequently " ſhould put ourſelves out of the poſſeſſion of the " tonage and poundage, before they were granted; " for elſe, it was pretended, the ſubject ſtood not " in fit caſe to grant it: a fancy and cavil raiſed " on purpoſe to trouble the buſineſs, it being " evident, that all the Kings before-named did " receive that duty, and were in actual poſſeſſion " of it, before, and at the very time when it was " granted to them by parliament. And altho' " we, to remove all difficulties, did from our own " mouth, in thoſe clear and open terms, which " might have ſatisfied any moderate and well- " diſpoſed minds, declare, that it was our mean- " ing, by the gift of our people, to injoy it; and " that we did not challenge it of right, but took it " de bene eſſe,' ſhewing thereby, not the right, " but the neceſſity by which we were to take it; " wherein we deſcended, for their ſatisfaction, ſo " far beneath ourſelf, as we are confident never " any of our predeceſſors did the like, or was the " like ever required or expected from them. Yet " for all this, the bill of tonage and poundage was " laid aſide, upon pretenſe they muſt firſt clear " the right of the ſubject therein; under color " whereof, they entertain the complaints, not " only of John Rolles, a member of their houſe, " but alſo of Richard Chambers, John Foukes, " and Bartholomew Gilman, againſt the officers of " our cuſtoms, for detaining their goods, upon " refuſal to pay the ordinary duty, accuſtomed to " be paid for the ſame. And upon theſe com- " plaints, they ſend for the officers of the cuſtoms, " inforcing them to attend day after day, by the " ſpace of a month together; they cauſe them to " produce their letters patent under our great ſeal, " and the warrants made by our privy council " for levying thoſe duties. They examine the " officers upon what queſtions they pleaſe, thereby " to intrap them for doing our ſervice and com- " mandment. In theſe and other their proceedings, " becauſe we would not give the leaſt ſhew of " interruption, we indured long, with much pa- " tience, both theſe and ſundry other ſtrange and " exorbitant incroachments and uſurpations, ſuch " as were never before attempted in that houſe.

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" We are not ignorant how much that houſe " hath, of late years, indeavored to extend their " privileges, by ſeting up general commitees for " religion, for courts of juſtice, for trade, and " the like; a courſe never had until of late: ſo as, " where in former times the knights and bur- " geſſes were wont to communicate to the houſe ſuch " buſineſs as they brought from their countries; " now there are ſo many chairs erected, to make " inquiry upon all ſorts of men, where complaints " of all ſorts are entertained, to the unſufferable " diſturbance and ſcandal of juſtice and government, " which having been tolerated a while by our " father and ourſelf, hath daily grown to more and " more height; inſomuch that young lawyers " ſiting there take upon them to decry the opinions " of the judges; and ſome have not doubted to " maintain, that the reſolutions of that houſe muſt " bind the judges; a thing never heard of in " ages paſſed. But, in this laſt aſſembly of par- " liament, they have taken on them much more " than ever before.

" They ſent meſſengers to examine our attorney- " general (who is an officer of truſt and ſecrecy) " touching the execution of ſome commandments " of ours, of which, without our leave firſt ob- " tained, he was not to give account to any but " ourſelf. They ſent a captious and directory " meſſage to the lord treaſurer, chancellor, and " barons of the exchequer, touching ſome judicial " proceedings of theirs in our court of exchequer.

" They ſent meſſengers to examine, upon ſundry " queſtions, our two chief juſtices, and three other " of our judges, touching their judicial proceed- " ings at the goal-delivery at Newgate, of which " they are not accountable to the houſe of com- " mons.

" And whereas ſuits were commenced in our " court of ſtar-chamber, againſt Richard Chambers, " John Foukes, Bartholomew Gilman, and " Richard Philips, by our attorney-general, for " great miſdemeanors; they reſolved that they were " to have privilege of parliament againſt us for " their perſons, for no other cauſe but becauſe they " had petitions depending in that houſe; and " (which is more ſtrange) they reſolved that a ſig- " nification ſhould be made from that houſe by a " letter, to iſſue under the hand of their ſpeaker, " unto the lord keeper of our great-ſeal, that no " attachment ſhould be granted out againſt the " ſaid Chambers, Foukes, Gilman, or Philips, " during their ſaid privilege of parliament. Whereas " it is far above the power of that houſe, to give " directions to any of our courts at Weſtminſter, " to ſtop attachments againſt any man, tho' never " ſo ſtrongly privileged; the breach of privilege " being not in the court which grants, but in the " party or miniſter who puts in execution ſuch " attachments. And therefore, if any ſuch letter " had come to the lord keeper, as it did not, he " ſhould have highly offended us if he had obeyed " it. Nay, they went ſo far, as they ſpared not " the honor of our council-board, but examined " their proceedings in the caſe of our cuſtomers, " interrogating what this or that man of our " council ſaid, in direction of them in the buſineſs " commited to their charge. And when one of " the members of that houſe, ſpeaking of our " counſellors, ſaid, we had wicked counſel; and " another ſaid, that the council and judges fought " to trample under feet the liberty of the ſubject;

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" and a third traduced our court of ſtar-chamber, " for the ſentence given againſt Savage, they " paſſed without check or cenſure by the houſe. " By which may appear how far the members of " that houſe have of late ſwollen beyond the rules " of moderation, and the modeſty of former times; " and this under pretenſe of privilege and freedom " of ſpeech, whereby they take liberty to declare " againſt all authority of council and courts at " their pleaſure.

" They ſent for our ſheriff of London, to ex- " amine him in a cauſe whereof they had no juriſ- " diction: their true and ancient juriſdiction ex- " tending only to their own members, and to the " conſervation of their privileges, and not to the " cenſure of foreign perſons and cauſes, which have " no relation to their privileges, the ſame being " but a late innovation. And yet upon an inforced " ſtrain of a contempt for not anſwering to their " ſatisfaction, they commit him to the Tower of " London, uſing that outward pretext for a cauſe " of commiting him, the true and inward cauſe " being for that he had ſhewed himſelf dutiful " to us and our commandments, in the matter " concerning our cuſtoms.

" In theſe innovations (which we will never " permit again) they pretended indeed our ſervice; " but their drift was to break, by this means, " thro' all reſpects and ligaments of government, " and to erect a univerſal overſwaying power to " themſelves, which belongs only to us, and not " to them.

" Laſtly, in their proceedings againſt our " cuſtomers; they went about to cenſure them as " delinquents, and to puniſh them, for ſtaying " ſome goods of certain factious merchants in our " ſtore-houſe, for not paying thoſe duties which " themſelves had formerly paid, and which the " cuſtomers, without interruption, had received " of all other merchants, many years before, and " to which they were authoriſed, both by our " great-ſeal, and by ſeveral directions and com- " mandments from us and our privy council.

" To give ſome color to their proceedings " herein, they went about to create a new privilege " (which we will never admit) that a parliament- " man hath privilege for his goods againſt the " King; the conſequence whereof would be, that " he may not be conſtrained to pay any duties to " the King, during the time of privilege of par- " liament. It is true, they would have this caſe " to have been between the merchants and our " farmers of our cuſtoms, and have ſevered them " from our intereſt and commandment, thereby " the rather to make them liable to the cenſure and " puniſhment of that houſe. But, on the other " ſide we, holding it both unjuſt and diſhonorable " to withdraw our ſelf from our officers, in any " thing they did by our commandment, or to diſ- " avow any thing which we had injoined to be " done, upon Monday the twenty-third of Febru- " ary, ſent a meſſage unto them by ſecretary Coke, " thanking him for the reſpect they had ſhewed, in " ſevering the intereſt of our farmers from our own " intereſt and commandment. Nevertheleſs, we " were bound in honor to acknowledge a truth, " that what was done by them was done by our ex- " preſs commandment and direction; and if, for " doing thereof our farmers ſhould ſuffer, it would " highly concern us in honor. Which meſſage was " no ſooner delivered unto them, but in a tumul- " tuous and diſcontented manner they called, ' ad- " journ, adjourn;" and thereupon, without any " cauſe given on our part, in a very unuſual man- " ner, adjourned until the Wedneſday following.

" On which day, by the uniform wiſdom of our " privy council, we cauſed both houſes to be ad- " journed until the ſecond day of March; hoping " that, in the mean time, a better and more right " underſtanding might be begot between us and " the members of that houſe, whereby the parlia- " ment might come to a happy iſſue. Charles I An' 1629.

" But underſtanding, by good advertiſement, " that their diſcontent did not in that time digeſt " and paſs away; we reſolved to make a ſecond " adjournment until the tenth of March; which " was done, as well to take time to our ſelf, to " think of ſome means to accommodate thoſe " difficulties, as to give them time to adviſe better; " and accordingly we gave commandment for a " ſecond adjournment in both houſes, and for ceſ- " ſation of all buſineſs 'till the day appointed; " which was very dutifully obeyed in the higher " houſe, no man contradicting or queſtioning it. " But when the ſame commandment was delivered " in the houſe of commons by their ſpeaker, it was " ſtraitways contradicted; and altho' the ſpeaker " declared unto them, it was an abſolute right and " power in us to adjourn, as well as to prorogue " or diſſolve, and declared and read unto them " diverſe precedents of that houſe to warrant the " ſame; yet our commandment was moſt con- " temptuouſly diſobeyed, and ſome riſing up to " ſpeak, ſaid, they had buſineſs to do before the " houſe ſhould be adjourned.

Here his Majeſty introduced a tedious detail of what paſſed in the houſe, when the ſpeaker was forcibly detained in the chair, while the remon- ſtrance was drawing. This account is much agra- vated, being taken word for word from the attorney general's information again Elliot. But it contains in ſubſtance no more than what has been already obſerved.

" While the duke of Buckingham lived, he was " intitled to all the diſtempers and ill-events of for- " mer parliaments; and therefore much indeavor " was uſed to demoliſh him, as the only wall of " ſeparation between us and our people. But now " he is dead, no alteration was found among thoſe " invenomed ſpirits which troubled then the bleſſed " harmony between us and our ſubjects, and con- " tinue ſtill to trouble it. For now, under the pre- " tenſe of public care of the common-wealth, they " ſuggeſt new and cauſeleſs fears, which in their " own hearts they know to be falſe, and deviſe " new engines of miſchief, ſo to caſt a blindneſs " upon the good affections of our people, that they " may not ſee the truth and largeneſs of our heart " towards them. So that now it is manifeſt, the " duke was not alone the mark theſe men ſhot at, " but was only, as a near miniſter of ours, taken up, " on the bye, and in their paſſage to their more " ſecret deſigns; which were only to caſt our " affairs into a deſperate condition, to abate the " powers of our crown, and to bring our govern- " ment into obliquy; that in the end all things " may be overwhelmed with anarchy and con- " fuſion.

" We do not impute theſe diſaſters to the whole " houſe of commons, knowing that there were a- " mong them many religious, grave and well- " minded men; but the ſincerer and better part of " the houſe were overborne by the practiſes and cla- " mors of the other, who, careleſs of their duties, " and, taking advantage of the times and our ne- " ceſſities, have inforced us to break off this meet- " ing; which, had it been anſwered with like duty " on their parts as it was invited and begun with " love on ours, might have proved happy and " glorious, both to us and this whole nation.

" We have thus declared the manifold cauſes we " had to diſſolve this parliament, whereby all the " world may ſee how much they have forgot their " former ingagements at the entry into this war,

" themſelves

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" themſelves being perſuaders to it; promiſing to
" make us feared by our enemies, and eſteemed by
" our friends: and how they turned the neceſſities
" grown by that war, to inforce us to yield to
" conditions incompatible with monarchy.

" And now, that our people may diſcern
" theſe provocations of evil men (whoſe puniſh-
" ments we reſerve to a due time) have not changed
" our good intentions to our ſubjects, we do here
" profeſs to maintain the true religion and doctrine
" eſtabliſhed in the church of England, without
" admiting or conniving at any back-ſliding, either
" to Popery or Schiſm. We do alſo declare, that
" we will maintain the ancient and juſt rights and
" liberties of our ſubjects, with ſo much conſtancy
" and juſtice, that they ſhall have cauſe to acknow-
" ledge that, under our government and gracious
" protection, they live in a more happy and free
" eſtate than any ſubjects in the Chriſtian world.

" Yet let no man hereby take the boldneſs to
" abuſe that liberty, turning it to licenciouſneſs,
" nor miſinterpret the petition, by perverting it to
" a lawleſs liberty, wantonly or frowardly, under
" that or any other color, to reſiſt lawful and ne-
" ceſſary authority: for as we will maintain our
" ſubjects in their juſt liberties, ſo we do and will
" expect, that they yield as much ſubmiſſion and
" duty to our royal prerogatives, and as ready obe-
" dience to our authority and commandments, as
" hath been performed to the greateſt of our pre-
" deceſſors.

" And for our miniſters, we will not that they
" be terrified by thoſe harſh proceedings which
" have been ſtrained againſt ſome of them: for, as
" we will not command any thing unjuſt or diſ-
" honorable, but ſhall uſe our authority and prero-
" gatives for the good of our people, ſo we will
" expect, that our miniſters obey us, and they ſhall
" aſſure themſelves we will protect them.

" As for our merchants, we let them know we
" ſhall always indeavor to cheriſh and inlarge the
" trade of ſuch as be dutiful, without burdening
" them beyond what is fiting: but the duty of five
" in the hundred, for guarding the ſeas, and de-
" fenſe of the realm, to which we hold ourſelves
" ſtill obliged (and which duty hath continued with-
" out interruption ſo many ſucceſſions of ages) we
" hold no good or dutiful ſubject will deny it, be-
" ing ſo neceſſary for the good of the whole king-
" dom: and if any factious merchant will affront
" us, in a thing ſo reaſonable, and wherein we re-
" quire no more, nor in no other manner than ſo
" many of our predeceſſors have done, and have
" been dutifully obeyed; let them not deceive
" themſelves, but be aſſured, that we ſhall find
" honorable and juſt means to ſupport our eſtate,
" vindicate our ſovereignty, and preſerve the au-
" thority which God hath put into our hands.

" And now having laid down the truth and
" clearneſs of our proceedings, all wiſe and diſcreet
" men may eaſily judge of thoſe rumors and jea-
" lous fears, which are, maliciouſly and wickedly,
" bruited abroad, and may diſcern by examination
" of their own hearts, whether, in reſpect of the
" free paſſage of the goſpel, indifferent and equal
" adminiſtration of juſtice, freedom from oppreſ-
" ſion, and the great peace and quietneſs which
" every man injoyeth under his own vine and fig-tree)
" the happineſs of this nation can be paralleled by
" any of our neighbor countries; and if not, then
" to acknowledge their own bleſſedneſs, and for the
" ſame be thankful to God, the author of all good-
" neſs."

Remark on this declaration.

This declaration, or rather apology, produced not the effect King Charles expected. It was very difficult for his ſaid Majeſty to perſuade the Engliſh, that a dozen members of parliament had formed a project to ſubvert the government, introduce anarchy, and uſurp the royal authority, without the leaſt appearance of any advantage either to themſelves or others. It would have been ſtill more unaccountable that, admiting King Charles to be ſo juſt a Prince, and ſo tender of his people, as he would have been thought, theſe men ſhould have had ſufficient credit to bring over the majority of the commons to their ſentiments. On the other hand, Charles in his declaration defended himſelf very weakly, on the articles concerning recuſants, tonage and poundage, and in general, on the cauſes of the parliament's diſſolution: for, in agravating the commons crime in not inſtantly obeying the adjournment, he not only ſuppoſed his power inconteſtible, tho' it was not ſo, but alſo omited the immediate cauſe of their non-compliance, viz. the ſpeaker's refuſal, by his expreſs command, to put the queſtion, which was a manifeſt violation of parliamentary freedom. Wherefore, notwithſtanding this apology, complaints and murmurs were louder than ever. People openly diſcourſed, that the King's aim was utterly to deſtroy the privileges of parliament, and the ſubjects liberties; nor did the after proceedings againſt the impriſoned members contribute towards undeceiving the complainants. It was added, that trade was ruined, religion in danger, and the nation on the brink of being inſlaved, if theſe miſchiefs were not redreſſed by a new parliament. Charles, hearing theſe rumors, iſſued this proclamation: viz.

Ruſhworth, Vol. II. p. 3. Annals, p. 361.

Proclamation againſt falſe rumors touching parliaments. March 27. Ruſhworth, Vol. II. p. 3. Rym. Fœd. Vol. XIX. p. 62.

" THAT, notwithſtanding his Majeſty's late
" declaration, for ſatisfying the minds and
" affections of his loving ſubjects, ſome ill-diſpoſed
" perſons do ſpread falſe and pernicious rumors
" abroad, as if the ſcandalous and ſeditious propo-
" ſition in the houſe of commons, made by an
" outlawed man, deſperate in mind and fortune,
" and tumultuouſly taken up by ſome few, after
" that, by his Majeſty's royal authority, he had
" commanded their adjournment, had been the
" vote of the whole houſe, whereas the contrary
" is the truth; for it was then decried by the wiſeſt
" and beſt affected, and ſince diſavowed, upon
" examination, by ſuch as were ſuſpected to have
" conſented thereunto, and affirmed, as well by
" them, as others who ſerved in the houſe that
" day, to be a thing of a moſt wicked and dange-
" rous conſequence to the good eſtate of this king-
" dom; and it appeareth to be ſo, by thoſe im-
" preſſions which this falſe rumor hath made in
" mens minds, whereby, out of cauſeleſs fears, the
" trade of the kingdom is diſturbed, and merchants
" diſcouraged to continue their wonted traffic. His
" Majeſty hath thought it expedient, not only to
" manifeſt the truth thereof, but to make known
" his royal pleaſure; that thoſe who raiſe or nouriſh
" falſe reports ſhall be ſeverely puniſhed; and ſuch
" as chearfully go on with their trade have all good
" incouragement; not purpoſing to over-charge
" his ſubjects by any new burdens, but to ſatisfy
" himſelf with thoſe duties which were received by
" the King his father, of bleſſed memory, which
" his now Majeſty neither can, nor will diſpenſe
" withal; but ſhall eſteem them unworthy of his
" protection who ſhall deny the ſame, his Majeſty
" intending to imploy it for the defenſe of his
" kingdom, dominion of the ſeas, and ſafe-guard
" of the merchants, eſpecially by ſuch ſhiping as
" are now making ready, and ſuch farther pre-
" parations, for aid of his friends and allies, as
" need ſhall require. And whereas, for ſeveral ill
" ends, the calling again of a parliament is di-
" vulged, howſoever his Majeſty hath ſhewed, by
" his frequent meeting with his people, his love to
" the uſe of parliaments; yet the late abuſe hav-

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" ing, for the preſent, driven his Majeſty unwil-
" lingly out of that courſe, he ſhall account it pre-
" ſumption for any to preſcribe any time to his Ma-
" jeſty for parliaments; the calling, continuing
" and diſſolving of which is always in the King's
" own power. And his Majeſty ſhall be more in-
" clinable to meet in parliament again, when his
" people ſhall ſee more clearly into his intents and
" actions; when ſuch as have bred this interrup-
" tion ſhall receive their condign puniſhment, and
" thoſe who are miſled by them, and by ſuch ill
" reports as are raiſed upon this occaſion, ſhall
" come to a better underſtanding of his Majeſty
" and themſelves."

A writing publiſhed againſt King Charles. Ruſhworth, Vol. I. Appendix, p. 12. Annals.

About this time appeared a writing, intitled, A Propoſition for his Majeſty's ſervice, to bridle the impertinency of parliament. To all appearance, had the ſaid piece been preſented to his Majeſty, it had never been publiſhed. Accordingly, it was afterwards declared in the ſtar-chamber to be a ſeditious libel (1). It however ſerves to ſhew, that many people imagined Charles to be taking meaſures to throw off the yoke of parliaments, ſince he evidently followed ſome of the maxims propoſed in this writing. There was even no likelihood of his intending to call another parliament, 'till he had found means of having the commons more at command, as in his laſt proclamation he had very clearly intimated.

Charles makes peace with France. Ruſhworth, Vol. II. p. 24. Rym. Fœd. Vol. XIX. p. 66--86--88. Annals.

Rochel being taken, King Charles thought not proper to continue a war with France, which could bring him no advantage, nor ſerve him for pretenſe to aſk money of his parliament, ſince he was determined not to call any. As France had no quarrel with him but concerning the Queen's domeſtics, which was not a ſufficient motive to proſecute ſuch war, a peace was quickly concluded between the two crowns, thro' mediation of the republic of Venice. It was ſigned the fourteenth of April, about a month after the parliament's diſſolution. So little did the Gallic court regard what had paſſed with reſpect to her Majeſty's ſervants, that they were ſatisfied with inſerting in the treaty of peace this article: " The articles and contract of the marriage
" of the Queen of Great-Britain are to be confirm-
" ed faithfully. And as for the ſaid Queen's
" houſhold, if there be any thing to be added or
" diminiſhed, it ſhall be done by a mutual conſent
" freely and willingly, as it may be judged fit
" and convenient for the ſervice of the ſaid Queen."

September 6. Rym. Fœd. Vol. XIX. p. 101.

This peace was ſworn to the inſuing September.

Remark on the Kings of England's opulency.

King Charles had now freed himſelf from the parliament's yoke, and deſigned not to reſume it. But withal, he had deprived himſelf of thoſe ſupplies of money which parliaments were accuſtomed to grant the Kings, not only on urgent and extraordinary occaſions, but alſo as marks of affection and zeal, when the people were pleaſed with the government. One may venture to ſay, no Prince in Europe equals in riches ſuch Kings of England as are beloved by their ſubjects. Not only their ordinary revenue, if well managed, are more than ſufficient to inable them to keep ſplendid and magnificent courts; but it is properly the Sovereign of England alone who has never any need to accumulate treaſures againſt extraordinary exigencies. He conſtantly finds in the purſes of his ſubjects, and by a free donative, whatever is neceſſary to ſupport the honor of his ſtate. There is not in Europe any one Potentate who can, like him, be ſure of never wanting money. But what muſt he do to procure his peoples affection? Nothing but what is moſt practicable and eaſy: a thing moſt juſt, and which is moſt adapted to his kingdom's welfare and to his own intereſt. In a word, he muſt obſerve the laws to which himſelf and predeceſſors have conſented, and which were deemed expedient for both Sovereign and ſubject. The pride therefore and inſatiable avarice of favorites and miniſters are the only things which make him ſometimes loſe the advantages naturally flowing from that government's happy conſtitution. Theſe men, impatient of any bounds to their illicitous thirſt of ruling deſpotically, ſeek all poſſible means to inſtil into their royal patron a deſire to ſet himſelf above the laws, and to render himſelf abſolute like ſome other Monarchs; i. e. they do whatever in them lies to convert their Sovereign's true and ſolid felicity into real miſery: for tho' a King of England ſhould render himſelf abſolute, he could never, by oppreſſion and violence, obtain from his people what he may freely receive by ſubmiting to the laws and conſtitution of the government. We have ſeen in the two late reigns of William III, and Queen Anne, and we daily ſee in that of the Prince on the throne, ſuch undeniable proofs of what I advance, that I think it needleſs to make any addition. I ſhall only obſerve, that the moſt famous and moſt eſteemed Engliſh Monarchs, as Edward I, Edward III, Henry V, Henry VIII, and Elizabeth, conſtantly followed the ſame maxim, and thereby rendered their reigns flouriſhing and felicitous. Whereas James I, Charles I, Charles II, James II, who took a contrary courſe, became unhappy, and performed nothing either for their own or the nation's glory.

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Cauſes of the peoples diſcontent.

King Charles I, like his father, was extremely fond of arbitrary power, and had no favorites or miniſters who were not of the ſame principles His privy-council gradually became a deſpotic court, which deemed itſelf above the laws. The ſtar-chamber was another court, the moſt rigorous ever was, the ſeverity whereof fell chiefly upon thoſe who pretended to diſpute the prerogative-royal. The high-commiſſion perfectly ſeconded the council and ſtar-chamber, and under color of rooting out ſchiſm, oppreſſed as Puritans thoſe who refuſed ſubmiting to deſpotiſm. Laſtly, all the judges being of the court's nomination, and devoted to the King, omited no opportunity to ſupport the prerogative-royal, and ſtretch it to the pitch his Majeſty wiſhed. The parliament only could cure theſe diſorders; but King Charles was determined not to call any more, parliamentary maxims being diametrically oppoſite to his. He was of opinion that parliaments had greatly incroached on the prerogative-royal, in the foregoing reigns, and the parliament could not but dread the conſequences of thoſe general maxims which King Charles ſtrove to introduce into the government; and the rather, as they evidently perceived thoſe conſequences not to be bare ſpeculations, but really put in practiſe. This dread induced them to deny the King ſome things readily granted by former parliaments to his predeceſſors, becauſe they were free from any ſuch apprehenſions. But as the nation in general was more inclined to be ruled by the parliament, than by the court, theſe contraſts bred in the peoples minds a diſtaſte to the court, the fatal effects whereof the King afterwards experienced.

Diminution of the King's revenues.

The late parliament's diſſolution, and King Charles's univerſally-known determination never to call another, had not only deprived him of the extraordinary ſupplies he might have expected from

(1) The project contained in this writing, was framed in 1613 by ſir Robert Dudley, the earl of Leiceſter's ſon. However, the earls of Bedford, Somerſet, and Clare, ſir Robert Cotton, Mr. Selden, and Mr. St. John were commited for diſperſing it, and queſtioned in the ſtar-chamber; but ſir David Fowles, upon oath, diſcovered the author, and ſo ended this buſineſs. Annals, p. 361. Whitlock, p. 14.

the

CHARLES I AN' 1629.

the commons, but had likewiſe greatly prejudiced him with reſpect to his treaſury. Thoſe five ſubſidies granted by the parliament came far ſhort of what was expected. As every man's quota towards a ſubſidy is ſettled by commiſſioners in each county, and by aſſiſtants belonging to the towns and villages, in proportion to his poſſeſſions, either poverty, or decay of trade, or ſome ſuch excuſe was pleaded to leſſen the tax. On the other hand, the commiſſioners and aſſiſtants, not being the court's devotees, readily enough allowed theſe excuſes, and appeared much more inclinable to favor their neighbors than his Majeſty. This occaſioned a very conſiderable diminution of the ſubſidies uſual amount. Moreover tonage and poundage were not paid without compulſion. There was continually occaſion to uſe violence, to ſeize effects, and impriſon the merchants, to oblige them to pay what the houſe of commons had declared illegal: beſide, they practiſed a thouſand artifices to defraud the King of a duty wherewith they thought themſelves unjuſtly burdened. To cure theſe inconveniencies, the council were forced to give very expreſs orders, even to the impowering the officers of the cuſtoms to enter into any ſhip, veſſel, or houſe, and to ſearch into any trunk or cheſt, and break any bulk whatſoever, in default of the payment of duties. But beſide that this had never been practiſed before, another inconvenience aroſe. Theſe officers, under color of ſearching, uſed many oppreſſions and knaveries, which made people ſtill more clamorous. In a word, the King reaped not half the benefit from tonage and poundage he had before his variance with the parliament, and the people were abundantly more diſſatisfied than ever. But to hinder their diſcontent from turning into rebellion, the council gave ſtrict orders to have the militia, both horſe and foot, compleated, armed, and inſtructed in the exerciſe of arms (1). It was thereby intended to intimidate the people, and keep them in awe, while, on the other hand, they were amuſed with orders for a rigorous execution of the laws againſt recuſants. But theſe orders muſt have been neglected, ſince the nation's complaints on that ſubject never ceaſed during the whole courſe of this reign.

A very ſtrict order about the cuſtoms. Ruſhworth, Vol. II. p. 8, 9. Annals. p. 365.

Another concerning the militia. Ruſhworth, Ibid. p. 11. Annals.

Several monopolies, which bring in money to the King. Ruſhworth, Vol. II. p. 12, 103.

Mean while, as Charles was neceſſitated for money, and it was eaſy to foreſee that his ordinary revenues would not be ſufficient to ſupply his expenſes, the miniſters found no better way to augment his Majeſty's revenue, than by granting monopolies: that is, the King, by his letters patent, formed companies, to whom alone he gave the privilege of vending certain wares or commodities, and who were to pay him for it ſuch a yearly revenue. This was directly contrary to the peoples rights, and highly deſtructive to trade: but in thoſe days, the nation's advantage was what the court had leaſt in view. This abuſe went ſuch a length that, in a manner, all ſorts of goods were monopoliſed, and the ſale ingroſſed by ſome company, even to old rags. I ſhall not here ſpecify theſe monopolies, becauſe, not having been all eſtabliſhed at once, they will perhaps be mentioned hereafter (2).

AN' 1630. Treaty about a peace with Spain. Rym. Fœd. Vol. XIX. p. 219, 226. Ruſhworth, Vol. II. p. 75.

Since Charles had undertaken to make war upon France, the Spaniſh war was no more talked of than if even the thought of it had never exiſted. Tho' in all his ſaid Majeſty's ſpeeches to the foregoing parliaments, and in all his meſſages to the commons, he had labored to ſhew how neceſſary this war was for the welfare of all Europe, and of England more particularly. He had frequently inſinuated, that England and Ireland were in ſo great danger of being invaded by the Spaniards, that it was not poſſible to be too ſpeedy in applying a remedy to that ſo preſſing a miſchief: and yet the Spaniards never made any attempt which might confirm thoſe dreads wherewith Charles would have inſpired the parliament. The King of Spain, contented with not being attacked, undertook nothing againſt England, knowing he was in no danger from that quarter. However, after concluſion of the peace between France and England, he thought proper to terminate differences with the Engliſh, wherein he met not with any obſtacle, Charles not being in condition to enter upon hoſtilities. So after ſome negociations, a pacification between the two crowns was concluded, in November, 1630.

CHARLES I AN' 1630.

Concluſion of the peace. Novemb. 5.

Preſbyterianiſm had lately gained ground in England, notwithſtanding a ſtrong oppoſition from the prelates, and particularly Laud, biſhop of London, ſworn enemy to the Puritans. This prelate ſeldom miſſed any opportunity to ſhew the hatred he bore them, and ſuch opportunities very frequently offered. Beſide his being King Charles's moſt intimate counſellor, eſpecially for eccleſiaſtical matters, he had almoſt the ſole direction of the high-commiſſion, after the archbiſhop of Canterbury was excluded on account of Sibthorp's ſermon. He therefore, to prevent the growth of Preſbyterianiſm, ſo managed that his Majeſty ſent certain inſtructions to the archbiſhops, with a command to impart them to the biſhops of their provinces, in order to their being obſerved. The chief end of theſe inſtructions was to hinder any Preſbyterian miniſter from gliding into the church of England, and to diſcover the careleſs obſervers of the rites preſcribed by the canons. Laud himſelf was the author of theſe inſtructions, which were agreeable to certain conſiderations * which he had ſome time ſince laid before his Majeſty. As the Preſbyterians were not ignorant whence ſprang the evil, they entertained a moſt implacable enmity to this prelate, the effects whereof they afterwards made him feel, when they found opportunity.

Charles's inſtructions to the biſhops againſt the Preſbyterians. Rym. Fœd. Vol. XIX. p. 470. Ruſhworth, Vol. II. p. 7, 30. Annals, p. 364. Collier's Ec. Hiſt.

* For ſettling church-government.

His Majeſty had this year the ſatisfaction of having a ſon, named Charles, of whom his Queen was delivered the twenty-ninth of May.

Birth of Prince Charles.

Guſtavus Adolphus, King of Sweden, had expreſſed a great deſire to relieve Germany, haraſſed by the Emperor, but his wars with Poland had prevented his executing that deſign. On this account, the Kings of France and England joined to procure a peace between thoſe two crowns, wherein they finally ſucceeded. King Lewis XIII's aim was, by this diverſion, to humble the Auſtrian family; and King Charles I, was in hopes, thro' the King of Sweden's means, he ſhould recover the Palatinate for his brother-in-law. The above-mentioned pacification was no ſooner concluded, than King Guſtavus prepared to enter Germany at the head of a formidable army. At the ſame time, he made a private agreement with the King of England, whereby Charles ingaged to furniſh him with ſix thouſand men, in the marquis of Hamilton's name, as if that nobleman had, at his own charge, levied thoſe forces. Such pretenſes rarely deceive the public; nevertheleſs, they give to thoſe Potentates

Negociation with the King of Sweden. Ruſhworth, Vol. II. p. 35, 36, 53, 83, &c. De Prade Hiſt. of Guſt. Burnet's Mem. of Hamilt.

King Charles lends him 6000 men.

(1) And for the exerciſing, and keeping the militia in good order, each county was aſſeſſed at a certain rate for the entertainment of a muſter-maſter. Ruſhworth, Vol. II. p. 10-----An order was alſo made for raiſing money, by compounding with recuſants. Idem. p. 13.-----And a commiſſion for confirming defective titles, p. 49.

(2) Thus, as lord Clarendon (Vol. II. p. 53.) obſerves, "unjuſt projects of all kinds, many ridiculous, many ſcandalous, "all very grievous, were ſet on foot; the envy and reproach of which came to the King, the profit to other men; inſomuch "that of 200,000 l. drawn by theſe ways in one year, ſcarce 1500 l. came to the King."-----This year died ſir John Elliot; George Carew earl of Totneſs, a commander in the Iriſh wars under Queen Elizabeth; and John Speed the hiſtorian. Echard.

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who uſe them, the aſſurance to affirm all to be done againſt their conſent. To avoid my returning to thoſe matters, I ſhall ſay here in two words, Charles was the dupe of Guſtavus. When the Swede, after ſeveral victories over the Imperialiſts, was able in his turn to aſſiſt the King of Bohemia, he would have impoſed on him ſuch hard conditions, that he could not think of accepting them: ſo Charles withdrew his troops, which had done good ſervice in the war, and recalled ſir Henry Vane, who was with the King of Sweden, in quality of embaſſador. Thus terminated this kind of league, whereon I think it needleſs to particulariſe, it not having occaſioned in the affairs of this reign any alteration.

A commiſſion to compound with thoſe who had neglected to receive knighthood. Jan. 28. Rym. Fœd. Vol. XIX. p. 119, 175. July 6. Ruſhworth. Vol. II. p. 70. Annals.

I return now to domeſtic affairs. King Charles's ordinary revenues not ſufficing for his expenſes, it was neceſſary to find means to raiſe a farther ſupply. One of theſe was, to attack ſuch as had neglected receiving the order of knighthood at his Majeſty's coronation, tho' they had been ſummoned. It was a cuſtom practiſed even from the Conqueſt, that ſuch as had fifteen pounds yearly in land, were obliged to ſerve in the wars, and thoſe who were not capable of ſerving, compounded with the King, and for a certain ſum were releaſed from this ſervice. To this purpoſe, ſuch as were worth fifteen pounds annually, were to be made knights, that is, fit to ſerve the King. In proceſs of time, the number of thoſe who were to take the order of knighthood was limited to ſuch as had twenty pounds per annum. What was originally but a bare cuſtom, was converted to a law in the reign of Edward II, and after that, ſome of the ſucceeding Kings took advantage of it, as may be ſeen in Rymer's collection, &c. but in general, tho' this ſtatute was not aboliſhed, it had been long diſuſed. Charles I, building on the ſtatute's being ſtill in force, ſince it was never expreſly repealed, put it in practiſe at his coronation, and pretended to be extremely condeſcending in ſummoning to take knighthood ſuch only as had annually forty pounds, tho' at that time forty pounds were much leſs than twenty pounds in Edward II's days. He found but very few willing to obey theſe ſummons, the uſe whereof was intirely obſolete. King Charles himſelf overlooked this non-compliance; poſſibly for fear it might ſome how prejudice him with regard to the ſupplies he was to aſk of the parliament: but after the diſſolution of his third parliament, he deemed not himſelf obliged to a like precaution. He therefore nominated commiſſioners to compound with thoſe who had neglected to appear, as well for their contempt, as for being excuſed from receiving the order of knighthood. The commiſſioners had this inſtruction, "To take no leſs than after the rate of thrice and "half as much, as the perſons compounding were "found rated in the ſubſidy." Multitudes being ſummoned on this occaſion, their compoſitions brought his Majeſty more than a hundred thouſand pounds. This was looked on afterwards as a grievous oppreſſion, and the parliament repealed the ſtatute whereon it was grounded.

Innovations in divine ſervice.

Mention has already been made of biſhop Laud's extraordinary zeal for the church of England. This church, at the Reformation, thought fit to retain certain ceremonies, not as abſolutely neceſſary, but rather as indifferent, and which conſequently ſhe believed it not proper to remove from divine ſervice. Laud was not only ſcrupulouſly attached to theſe ceremonies, but likewiſe to whatſoever ſerved to imbelliſh the externals of religion, and ſeemed more inclined to increaſe the number than ſuppreſs any of thoſe which moſt offended the Puritans. Of this inclination he gave a proof, when he conſecrated St. Catherine-Creed church, which had been lately repaired. On this occaſion, he uſed ſome formalities which he might have forborne, as being too like what is practiſed in the Romiſh church on ſuch ſolemnities. The manner of conſecration was thus:

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An' 1631. Ceremonies obſerved by biſhop Laud at the conſecration of a church. Ruſhworth, Vol. II. p. 77. Annals, p. 386.

At the biſhop's approach to the weſt-door of the church, ſome, who were prepared for it, cried with a loud voice, "Open, open ye everlaſting doors, "that the King of glory may enter in!" And preſently the doors were opened, and the biſhop, with ſome doctors and many other principal men, went in, and immediately falling down upon his knees, with his eyes lifted up, and his arms ſpread abroad, uttered theſe words: "This place is holy, the "ground is holy, in the name of the Father, Son, "and Holy Ghoſt, I pronounce it holy."

Then he took up ſome of the duſt, and threw it up into the air ſeveral times, in his going up towards the chancel. When they approached near to the rail and communion-table, the biſhop bowed towards it ſeveral times, and returning, they went round the church in proceſſion, ſaying the hundredth Pſalm; after that the ninteenth Pſalm, and then ſaid a form of prayer, "Lord Jeſus Chriſt, &c." and concluding, "We conſecrate this church, and "ſeparate it unto thee, as holy ground, not to be "profaned any more to common uſe."

After this the biſhop, being near the communion-table, and taking a written book in his hand, pronounced curſes upon thoſe who ſhould afterwards profane that holy place, by muſters of ſoldiers, or keeping profane law-courts, or carrying burdens thro' it, and at the end of every curſe, he bowed towards the eaſt, and ſaid, "Let all the people ſay, "Amen."

When the curſes were ended, he pronounced a number of bleſſings upon all thoſe who had any hand in framing and building that ſacred and beautiful church, and thoſe who had given, or ſhould hereafter give any chalices, plate, ornaments, or utenſils; and at the end of every bleſſing, he bowed towards the eaſt, ſaying, "Let all the people ſay, "Amen."

After this followed the ſermon; which being ended, the biſhop conſecrated and adminiſtered the ſacrament in manner following.

As he approached the communion-table, he made ſeveral lowly bowings, and coming up to the ſide of the table where the bread and wine were covered, he bowed ſeven times, and then, after the reading many prayers, he came near the bread, and gently lifting up the corner of the napkin wherein the bread was laid, and when he beheld the bread, he laid it down again, flew back a ſtep or two, bowed three ſeveral times towards it, then he drew near again, and opened the napkin, and bowed as before.

Then he laid his hand on the cup, which was full of wine, with a cover upon it, which he let go again, went back, and bowed thrice towards it; then he came near again, and lifting up the cover of the cup, looked into it, and ſeeing the wine, he let fall the cover again, retired back and bowed as before; then he received the ſacrament, and gave it to ſome principal men; after which many prayers being ſaid, the ſolemnity of the conſecration ended.

Had Laud taken all theſe ceremonies, both in conſecration of the church and in adminiſtration of the ſacrament, from a ritual of the church of England made ſince the Reformation, there would have been nothing to object. But ſome years after, the houſe of commons accuſed him in form, of having exactly copied the Roman Pontifical, which was found in his ſtudy. He denied it, alledging two ſeemingly very frivolous reaſons: Firſt, that the Pontifical preſcribes aſhes to be thrown up by the biſhop who conſecrates the church, whereas

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whereas he threw up in the air duſt, which he found on the ground (1). Secondly, that he obſerved a form communicated to him by biſhop Andrews. But as there is ſo little difference between duſt and aſhes, and as biſhop Andrews's form agreed with that in the Pontifical, this anſwer was not much approved. Howſoever this be, it cannot be denied, that it was affectation to uſe on this occaſion, both for conſecrating the church, and adminiſtering the ſacrament, a different form from that of the church of England, and to chuſe one ſo very like the Roman Pontifical. This gave a great advantage to his adverſaries, who thence took occaſion to charge him with a deſign to introduce Popery: but he little regarded what could be alledged againſt him; his royal patron's favor had ſo exalted him, that it was not in the power of his enemies to hurt him, but, on the contrary, he had frequent opportunities to be revenged on them. While he was moſt exclaimed againſt, three Oxonian divinity-doctors, having preached againſt Arminianiſm, were expeled the univerſity, and ſome others, who had undertaken their defenſe, were turned out of their offices. This was under color of obſerving the King's proclamation, and it was not doubted but Laud was the author of theſe violent proceedings.

Three doctors expelled Oxford, for preaching againſt Arminianiſm. Ruſhworth, Vol, II. p. 110. Annals.

Mean while, Charles's miniſters were diligently ſeeking means to raiſe money, and daily were offered new projects, whereof they choſe ſuch as they judged moſt expedient. Among theſe means, as has been obſerved, monopolies were at firſt moſt in vogue. At the begining of the year 1632, the King, by his patent under the great ſeal, incorporated the ſoap-makers. This patent alone is affirmed to have been worth to him ten thouſand pounds (2). There was another company ſettled for making cards, of whom the King bought them at eighteen ſhillings per groſs, and, ſealing them, ſold them again. But I ſhould be too tedious was I to ſpecify all the monopolies made in this reign by the King's authority (3).

Monopolies.

Rym. Fœd. Vol. XIX. p. 323, 381. Ruſhworth, Vol. II. p. 136, 143. Annals.

AN' 1632. Proclamation commanding all lords and gentlemen to reſide upon their eſtates. Rym. Fœd. Vol. XIX. p. 274. Ruſhworth, Vol. II. p. 144.

Nor were monopolies the only methods practiſed to raiſe money: diverſe other means were deviſed. Soon after Charles, by proclamation, commanded all peers, gentlemen, eccleſiaſtics and others, whoſe ſtay in London was not abſolutely neceſſary, to depart within forty days, and reſide in their reſpective counties, and at their manſion-houſes. This injunction ſeemed grounded on his Majeſty's deſire to hinder the nobility and gentry from waſting their eſtates by a needleſs reſidence in London, where they were obliged to be at a great expenſe. But it was afterwards perceived that Charles had another end in it, when ſuch were ſummoned before the ſtar-chamber as had neglected to obey the proclamation, and were condemned in grievous fines to his Majeſty's uſe. At the ſame time, Charles appointed commiſſioners to puniſh thoſe who, contrary to former prohibitions, had inlarged the city of London by new buildings. From all theſe deviſes King Charles drew very conſiderable ſums; all the fines in which the offenders were condemned being intirely to his own benefit. The ſtar-chamber uſed exceſſive rigor on theſe occaſions.

July 24. Rym. Fœd. Vol. XIX. p. 177—184.

About the ſame time, the city of London was fined fifteen hundred marks, becauſe the mayor and aldermen had neglected to take inquiſition of the death of one doctor Lamb, who paſſed for a conjurer, and of whom the duke of Buckingham had made uſe, but for what purpoſe I know not. This man, being eighty years old, was purſued by the mob from ſtreet to ſtreet, and died within a few days, either of the fatigue he underwent, or of the bruiſes he had received.

CHARLES I AN' 1632.

The city of London fined. Ruſhworth, Vol. II. p. 145. Annals. 1628. Howes.

I have already obſerved that Preſbytery, or, as it was then termed, Puritaniſm, daily gained ground, notwithſtanding the efforts uſed by King, prelates, high-commiſſion, ſtar-chamber, and courts of juſtice, to ſtop its progreſs. As theſe efforts tended not towards better informing the Preſbyterians, but conſiſted only in the exceſſive ſeverity exerciſed upon them, when their zeal cauſed them to offend, they were the more exaſperated againſt the church of England, as they ſaw, at the ſame time, that the Arminians and Papiſts were left unmoleſted, or if orders were ſometimes given againſt them, ſuch orders were never executed. This made them exclaim againſt the biſhops, and charge them with deſigning to introduce Popery and Arminianiſm into the church. Unhappily, they imputed to the whole church of England thoſe violences which ought to have been aſcribed to the circumſtances of the times, and the particular character of ſome prelates who, having credit at court, inſinuated to King Charles, that nothing was more oppoſite to regal authority than Preſbyterian church-government. All who were not very ſubmiſſive to his Majeſty were conſidered as Puritans, and as ſuch frequently oppreſſed: ſo, by a fatal policy, men well-affected to the church of England, but enemies to arbitrary power, were forced, contrary to their inclinations, to join with the Puritans, in order to ſtrengthen their party, and inable them to oppoſe the court's deſigns. I am perſuaded that this conduct gave Puritaniſm many adherents whom it otherwiſe would never have had. What makes me of this opinion is, that Preſbyterianiſm never made ſo great a progreſs as during the firſt fifteen years of this reign, tho' it had never been more perſecuted. After all, this conduct is not to be aſcribed to the church of England. We find not in her principles and doctrines any thing repugnant to charity, or tending to violence; but it was wholly owing to the character and deſigns of the court-prelates, of the King's miniſters and counſellors, who were for elevating the royal authority to the higheſt degree. They were of opinion, that nothing would more conduce thereto than the humbling, or rather the utter ruin of the Puritans, and unfortunately conſidered as ſuch all who oppoſed their deſign, anſwerably to King James's maxim. Hence it occurred that, by confounding thus the State-Puritans with the Church-Puritans, they conſtrained, as I may ſay, the former to join with the latter.

Attempts to eradicate Puritaniſm, and remarks thereon.

The deſign of ruining Preſbyterianiſm deſtroyed all regard to the ſcruples of tender conſciences, even in things of ſmall moment, left by the reformers in the public worſhip, rather as indifferent than abſo-

(1) According to Ruſhworth (Vol. II. p. 78, 79.) biſhop Laud's words are: "Whereas it was ſaid, I threw up duſt in "the air, this I deny; and where it was alledged that this was in imitation of the Roman Pontifical, that (ſaid he) is a "miſtake, for the Pontifical preſcribes Aſhes not Duſt to be caſt abroad." However it was expreſsly depoſed by two witneſſes that he threw up duſt.

(2) By way of advance, and eight pounds per ton for all ſoap hereafter boiled. Not long before was confirmed a grant made by King James, to incorporate the ſtarch-makers into a company. Rym. Fœd. Vol. XIX. p. 92, 338. And there was a contract between the King and the maſter, &c. of this company, whereby the ſaid company did covenant to pay into his Majeſty's exchequer 1500l. the firſt year, 2500l. the ſecond, and then 3500l. yearly. Ruſhworth, Vol. II. p. 13.

(3) ——— November 4, wus born Princeſs Mary, married in 1641 to William Prince of Orange, and the late King William III's mother. Sandford, p. 606.——This year died the famous ſir Robert Cotton, founder of the Cottonian library. Echard.

lutely

Charles I An' 1632.

lutely needful. On the contrary, whatſoever gave moſt offenſe to the Preſbyterians was not only induſtriouſly practiſed, but alſo repreſented as neceſſary, and ſundry novelties added which ſerved to widen the breach and render quite impracticable the deſirable union. Of this the reader will hereafter be convinced: but before I quit this ſubject, I cannot forbear relating a paſſage which clearly proves what I have advanced.

Proceſs againſt the recorder of Saliſbury. February. Ruſhworth, Vol. II. p. 153. State-Tryals. Vol. I.

In the city of Saliſbury was a collegiate church, named St. Edmonds, which with its revenues, like the reſt of that kind, came by act of parliament into the hands of Henry VIII, and remained in the crown 'till the reign of James I, who ſold it to a private perſon, and he to another, ſo that it paſſed ſucceſſively thro' ſeveral hands, 'till at length the laſt proprietor ſold that edifice to the pariſhioners of St. Edmonds, who repaired and made it their parochial church. The windows (which had 'till then been preſerved) were painted in the antique guſto, and among other matters repreſented the creation, wherein God the Father appeared ſtanding in the form of an old man, creating the world during the firſt ſix days, but on the ſeventh the painter had made him ſiting, to denote the day of reſt. This ignorant artiſt had commited ſeveral groſs miſtakes, having alloted to one day the work performed on another, and, in expreſſing the creation of the ſun and moon, had put in the Almighty's hand a pair of compaſſes, as if about to meaſure them. Henry Sherfield, recorder of Sarum, and pariſhioner of St. Edmonds, having called a veſtry, repreſented to the pariſhioners, that theſe pictures gave offenſe, and were apt to lead people to ſuperſtition: that the painter had been guilty of diverſe errors, and beſide, the repreſentation of God the Father like an old man, offended the eyes of good Chriſtians. Whereupon the veſtry thought proper to take down the windows (1), and put up in their ſtead others, not painted. Armed with this order, Sherfield ſent for a glazier, and ſhewing him with his cane the glaſs which was to be changed, brake ſome of the panes, as being little anxious for their preſervation.

Febr. 6.

On this outrage, an information was exhibited againſt Sherfield, in the ſtar-chamber, by the attorney general, ſhewing that, contrary to the canons, which forbid any private perſon to alter or innovate any thing in the fabric or ornament of a church, without ſpecial licenſe from the dioceſan biſhop, Sherfield, being ill-affected to the diſcipline of the church of England, and the government thereof by prelates, did combine with ſome others of the ſame opinion, and undertake, by a bare order of the veſtry, and in contempt of the King and the dioceſan, to break down the windows of St. Edmond's church, which contained excellent pictures of the creation, made hundreds of years ſince, and were a great ornament to the church: that he commited this profane act contrary to the order of the biſhop, who by letter had injoined him to deſiſt from this deſign: that, by this ill example, other wicked and ſchiſmatical perſons, ill-affected to the government of the church of England under his Majeſty, might be incouraged to take the like violent courſes.

Sherfield anſwered, that the church of St. Edmonds was a lay-fee, and had ſo continued ever ſince it fell to the crown, and therefore it was legally exempted from the dioceſan biſhop's juriſdiction: that conſequently thoſe who had purchaſed the church, had lawful power to alter the windows, as they had before made other alterations in the ſteeple, walls, pulpit, and other parts, without any complaints from the biſhop: that after all, he had only taken down ſome ſmall quarries of glaſs to ſhew the glazier what was to be altered, and that the hiſtory of the creation might ſtill be plainly diſcovered: that the painting was ſo far from being fine, that when done it coſt not above forty ſhillings. Then he ſet forth the groſs blunders of the painter, and proved by acts of parliament, made in the reign of Edward VI, and Elizabeth, that all pictures ſhall be removed from churches. Finally, he denied that he was ill-affected to the government of the church under biſhops, or had acted in contempt of the King, or ever received a letter from the biſhop of Saliſbury upon this ſubject. Whereupon the biſhop of London ſaid, that he pretended not to juſtify the painter's errors, but only to obſerve to the court, that God being called in ſcripture, the "Ancient of Days," might be the occaſion of the painter's repreſenting God the Father like an old man: but that Sherfield was much more to blame than the painter, for daring to make alterations without licenſe. In ſhort, Sherfield was fined five hundred pounds (contrary to the opinion of ſome of his judges, who would have mounted his fine to a thouſand) and condemned to make a public acknowledgment of his fault, before ſuch perſons as the biſhop ſhould pleaſe to nominate. I thought my ſelf obliged to relate this inſtance, in order to ſhew what methods were taken to ruin Preſbyterianiſm. One may readily comprehend that ſuch ſeverities could not but produce very ill effects among the people, and alienate them from, inſtead of reconciling them to the church of England.

Charles I An' 1632.

Charles gains ſir Thomas Wentworth;

In the account I have given of the third parliament held in this reign, I had ſometimes occaſion to ſpeak of ſir Thomas Wentworth, knight of the ſhire for the county of York. This gentleman did, in the houſe of commons, give frequent proofs of his zeal for maintaining the peoples liberties and the parliament's privileges. By that he became formidable to the court, tho' he took care not to run into any exceſs with regard to the King and his miniſter. On the contrary, he always ſoftened his opinions with ſome honorable and reſpectful expreſſions, yet ſeldom failed oppoſing the court's pretenſions. As he was one of the greateſt head-pieces then in England, Charles ſoon perceived that his parts and capacity might be very ſerviceable to him, if he could gain him to his intereſt. He therefore ſet about it, after, or poſſibly before the parliament's diſſolution, and ſucceeded ſo well, that Wentworth became one of the moſt zealous promoters of the royal authority, or rather of the deſpotic power King Charles ſtrove to eſtabliſh.

whom he makes preſident of the council of York. Rym. Fœd. Vol. XIX. p. 8, 10, 410. Ruſhworth, Vol. II. p. 158.

On this account, his Majeſty judged him the propereſt perſon to be intruſted with the preſidentſhip of the northern council. As this is one of the heavieſt grievances complained of by the Engliſh againſt Charles I, and one of the moſt noted occaſions wherein that Prince diſcovered his deſign to ſet up unlimited power, it will be neceſſary briefly to ſhew what was this northern council, and what uſe King Charles would have made of it to ſubject his people to deſpotiſm.

Remark on the council of York.

On the ſuppreſſion of leſſer monaſteries in the twenty-ſeventh year of Henry VIII's reign, there were, for two or three years ſucceſſively, diverſe inſurrections in the north. Mean while, as Henry VIII's meaning was not to ſtop there, but likewiſe deſigned to ſuppreſs all the other monaſteries, he thought proper to take ſome care to prevent like

(1) What Mr. Sherfield wanted to have altered, was only one window, conſiſting but of four lights, and not any of the fair windows of the church. Ruſhworth, Vol. II. p. 154.

commotions

CHARLES I AN' 1632.

commotions in thoſe quarters. To that purpoſe, he eſtabliſhed at York a court of juſtice, under the ſpecious pretenſe of eaſing his poor ſubjects, who had not wherewithal to proſecute their ſuits in the courts of Weſtminſter: but his real intent was, that this court ſhould obſerve all movements among ſuch of the northern nobility and gentry as were ſuſpected, in order to puniſh them immediately, in caſe it was perceived they were attempting to excite any freſh inſurrections. A commiſſion therefore was granted to the biſhop of Landaff, the firſt preſident, and others, by virtue whereof was eſtabliſhed this new council in the north, otherwiſe ſtiled the court of York. The juriſdiction of this court extended over Yorkſhire, Northumberland, Cumberland, Weſtmoreland, the biſhoprick of Durham, the county of the cities of York, Kingſton upon Hull, and Newcaſtle upon Tine. The King's commiſſion was no other than a commiſſion of Oyer and Terminer, with one additional clauſe, whereby the council was impowered to hear all cauſes, real and perſonal, when one or both of the parties, by reaſon of their poverty, could not proſecute their rights, according to the national laws. This clauſe, tho' illegal, produced no ill effect, nor any complaint, whether the new court exerciſed that part of the commiſſion at all, or only ſo ſparingly that the poor thereby found eaſe and benefit.

Id. p. 162.

In the firſt year of King James I's reign in England, a commiſſion was granted to lord Sheffield, preſident of the court of York, which varied not from the former, only it had reference to inſtructions which his Majeſty was to ſend him. Whether theſe inſtructions were or were not ſent, does not appear; but it is evident that, in making the power of this court to depend on the King's inſtructions, the intent was, that its deciſion ſhould not be ſo much according to law, as according to his Majeſty's private orders: and, in effect, King James, in the ſeventh year of his reign, granted the ſame lord Sheffield a new commiſſion, omiting theſe two clauſes, which were in the firſt, That they ſhould inquire "per ſacramentum bonorum & legalium ho-"minum," and hear and determine, "ſecundum le-"ges Angliæ." Thus was the court's power limited only by thoſe particular inſtructions, which were the firſt we find to have been ſent thither.

Thenceforwards, whenever the commiſſion was renewed, which was on every change of preſident or counſellor, the King ſent new inſtructions, tending to render the York court independent, not only of the Weſtminſter courts, which are the courts of the whole kingdom, but even of all laws whatever.

March 21. Ruſhworth, Vol. II. p. 150, &c.

King Charles renewed this commiſſion in favor of lord Wentworth, with a power more ample than that wherewith any of his predeceſſors had been inveſted. In 1632, a clauſe was added, whereby, among other particulars, authority was given him to hear and determine all offenſes and miſdemeanors, ſuits, debates, controverſies and demands, cauſes, things and matters whatſoever contained in the inſtructions annexed to his commiſſion. But

Id. p. 162.

what were theſe inſtructions? In the parliament of 1640, Mr. Edward Hyde, then member of parliament, and afterwards earl of Clarendon, being deputed by the commons to the upper houſe concerning the court of York, ſaid in his ſpeech to their lordſhips, that in the inſtructions of 1632 and 1637, containing fifty-eight articles, "there was "ſcarce one which was not againſt or beſide the "law." From whence he took occaſion to aſk, "What have the good northern people done, that "they only muſt be disfranchiſed of all their pri-"vileges, and be governed according to the diſ-"cretion of the court of York?" Nay, tho' the court might proceed diſcretionally, ſpecial proviſion was made, in the King's inſtructions, that no fine, no puniſhment ſhould be leſs than by law appointed. This court was afterwards aboliſhed by the ſame parliament of 1640.

CHARLES I AN' 1633.

The King's journey to Scotland. Ruſhworth, Vol. II. p. 175, &c. Clarendon, Vol. I. p. 60, &c. Guthry's Mem.

King Charles, having ruled three or four years without a parliament, injoyed great eaſe and tranquillity. His will began gradually to paſs for law; there was no houſe of commons to complain publicly, and he ſaw none about his perſon but ſuch as were always ready to flatter him, and cheriſh his principles touching government. On the other hand, he was freed from the incumbrance and expenſe of a war, which had created him great trouble, and rendered him too dependent on the parliament. In fine, tho' he was not ignorant that, in general, the people were diſcontented, he perceived not the leaſt appearance of rebellion, the grandees of his realms and the neighboring Princes being ſo diſpoſed as not to countenance thoſe who ſhould attempt to diſturb the ſtate. His affairs being in this ſituation, he believed this the propereſt time he could pitch on to viſit Scotland, where three important affairs required his preſenſe. 1. He was deſirous of being there crowned. 2. He intended to hold a parliament for procuring money. 3. He deſigned to take there ſome meaſures for the execution of a project long ſince formed, to reduce the Stotiſh kirk to a perfect conformity with the church of England, and utterly ſubvert Preſbytery. To this end it was that he took with him Laud, biſhop of London, and at his arrival in Scotland made him privy-counſellor of that kingdom. He departed London the thirteenth of May 1633, and, being come to Edinburg, was crowned with the uſual ſolemnities. That done, he held a parliament, which gave him the largeſt ſubſidy had ever been granted to any King of Scotland before him. The third point, concerning religion, requires ſome explication: but as I intend to be elſewhere more particular on that head, I ſhall here advance only juſt what is abſolutely neceſſary to ſhew King Charles's deſign.

Is there crowned. June 16. A parliament. June 20. Ruſhworth, Vol. II. p. 175, 180, &c. Clarendon. Salmonet. Burnet.

Remark touching the eſtabliſhed religion in Scotland. Salmonet. Nalſon, p. 142, &c.

The reformation was eſtabliſhed in Scotland in the reign of Queen Mary, mother of James I, upon the plan of the Genevan and Swiſs churches. The hierarchy was utterly ſuppreſſed, and the church-government commited to preſbyters, and national ſynods, in Scotland termed general aſſemblies. Nevertheleſs the biſhops were ſtill continued, tho' diveſted of all eccleſiaſtical juriſdiction. They retained only their revenues, lands, houſes, ſeat in parliament, and generally all temporal advantages annexed to the epiſcopal dignity. From the begining of the reformation, that is, from the year 1561, to the cloſe of the ſixteenth century, the prelatical eſtate underwent ſundry revolutions, whereon I ſhall not here inlarge, becauſe I deſign to treat thereof in another place. It now ſuffices to ſay, that James I, becoming King of England, found means to make the Scotiſh parliament reſtore epiſcopacy to its priſtine luſter, and give the biſhops their ancient juriſdiction over the church. This was the firſt ſtep to lead the kirk of Scotland to the deſired point, that is, to a perfect conformity with the church of England. But the tedious treaty of the Prince his ſon's marriage with the Spaniſh Infanta, and the affairs of Bohemia and the Palatinate, hindered him from fully executing his project. Charles I, had this work no leſs at heart than his father: but as, in the begining of his reign, he was ingaged in a war with Spain, and afterwards with France, and moreover his diſputes with his parliaments affording him little leiſure to think on other matters, he could not ſeriouſly ſet about this affair 'till the others were concluded. In the parliament at Edinburg, in the year 1633, among other acts preſented to be paſſed, there were particularly two, viz. the third and fourth. The firſt of theſe bore title; "An

King James reſtores epiſcopacy, 1606. Burnet. Salmonet.

Acts concerning religion. Ruſhworth, Vol. II. p. 183, &c.

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" An act anent his Majesty's royal prerogative and " apparel of kirkmen:" The other, " An act for the " ratification of the acts touching religion." These were the only acts which met with any opposition, on account of the consequences which some feared the King would draw from them hereafter. Of these acts the first was properly but a confirmation of a like act passed in the reign of King James VI, impowering his Majesty to regulate the ecclesiastics vestments as he judged proper. Now, as from that time the design of altering the Scotish kirk's discipline had shewed itself more and more, some of the members of this parliament suspected King Charles would make use of this act to introduce the surplice. And, in effect, being asked if he designed it, he made no answer; but taking a list of the whole members out of his pocket, said, " Gen- Ib. p. 183. " tlemen, I have all your names here, and I'll " know who will do me service, and who will " not, this day." However, about thirteen prime nobles, and as many barons and burgesses declared, that they agreed to the act for his Majesty's prerogative, but dissented from that part of it which regarded the apparel of kirkmen.

Id. p. 186. The other act I mentioned, was thus expressed; " Our sovereign Lord, with the advice and con- " sent of the estates, ratifies and approves all and " whatsoever acts and statutes made before, anent " the liberty and freedom of the true kirk of God, " and religion presently professed within this realm, " and ordains the same to stand in their full force " and effect, as if they were specially mentioned " and set down herein."

Opposition to these acts.

I have already hinted, that in the reign of James VI, and especially after his accession to England, he made several innovations in the kirk of Scotland, particularly with respect to the episcopal jurisdiction, which had been restored. The whole artifice of this act consisted therefore in these words, " the religion presently professed:" for thereby were confirmed all the innovations in the Scotish kirk's discipline, whereto those who opposed the act would not agree. They were very willing to ratify the acts made in favor of religion, as established by an act passed in the sixth year of James VI, when the bishops had no power or jurisdiction; but would not admit these words, " presently professed." During these contests, King Charles, with some emotion, said; " I will have no distinction, but " command you to say, I or No." Whereupon the dissenting lords and gentlemen said, ' No.' Nevertheless, both acts passed by a majority of votes. Some did afterwards aver that fraud was used in collecting the suffrages. However that be, King Charles's eagerness to have these two acts passed, convinced the people of Scotland that the project of making greater innovations in the kirk still subsisted, and that those acts were a sort of preparative to accomplish it. On the other hand, the opposition Charles met with shewed him, it was not yet time to act openly, and that it was necessary to take other measures to facilitate the success of his design.

The Puritans persecuted in England.

It it was indeavored in Scotland to ruin Presbyterism by indirect means, it was thought proper to proceed in England with less caution. Accordingly, all possible efforts were used to destroy it utterly, by persecuting the Puritans, for whom there was not the least condescension. The court and bishops laid it down for a rule, not to depart, on their account, from one tittle of what was practised in the church of England, for fear they should grow too powerful, and the indulgence shewn them prove detrimental to the church. But there was a yet stronger motive, viz. the implacable hatred borne them by King Charles, his ministers, and above all by the bishops of London and Winchester, which made them earnestly seek all occasions to oppress them: and these occasions were easy to be found. They had only to press the observation of the canons without dispensing with one article, in order to cause the Presbyterians to commit offenses, which exposed them to the rigor of the ecclesiastical and civil laws. But as the bishops could not be every where, and wanted people to inform them of what passed, the bishop of Winchester * bethought himself in his primary visitation, to oblige by oath the church-wardens and sworn-men to turn informers, that none might escape their inquiry. The oath was as follows:

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* Walter Curll.

June. Oath appointed by the bishop of Winchester. Rushworth, Vol. II. p. 186. Annals.

" You shall swear, that you and every of you, " without all affection, favor, hatred, hope of re- " ward and gain. or fear of displeasure or malice " of any person, shall present all and every such " person and persons, of or within your parish, " who hath commited any offense, fault or crime, " or omited any part of duty, which he is injoined " to perform: wherein you shall deal uprightly, " and according to truth; neither of malice pre- " senting any contrary to truth, nor of corrupt af- " fection sparing to present any, and to conceal the " truth; having in this action God before your " eyes, with an earnest zeal to maintain truth, and " suppress vice. So help you God, and the con- " tents of this book."

With this oath were delivered the subsequent instructions, according to which they were to proceed.

" 1. As to the articles concerning the church, " they are to inquire, whether they have the book " of constitutions, or canons ecclesiastical, and a " parchment register-book, book of common- " prayer, and book of homilies, &c? And whe- " ther the coommunion table be placed in such con- " venient sort within the said chancel or church, as " that the minister may be best heard in his prayer " and administration?

" 2. As to the articles concerning the clergy, " whether doth the minister read the constitution, set " forth by his Majesty, once every year?

" 3. Whether the minister or preacher used to " pray for the King's Majesty with his whole title, " as King of Great-Britain? And doth he in like " manner pray for the archbishops and bishops? " And doth he observe all the orders, rites and " ceremonies prescribed in the common prayer, and " administering the sacrament? And whether " doth the minister receive the sacrament, kneel- " ing at the same, and administereth to none " but such as do kneel, as by the twelfth canon is " directed?

" 4. Whether hath the minister admited to " the communion any notorious offenders or " schismatics? contrary to the twenty-sixth and " twenty-seventh constitution. And whether stran- " gers of any other parish do come often and com- " monly to your church, from their own parish- " church? contrary to the twenty-eighth canon. " And whether doth the minister use to sign chil- " dren with the sign of the cross, when they are " baptised? And whether is your minister a li- " censed minister? If yea, then by whom? And " whether doth the minister wear the surplice while " he is saying the public prayers, and administer- " ing the sacraments? Whether doth the minister " catechise and instruct the youth of ignorant per- " sons of your parish in the ten commandments, " &c.? And whether he doth solemnise marriage, " the banes not being three several Sundays and " holy-days first published in time of divine ser- " vice? And whether doth your minister in the " rogation-days use the perambulation of the circuit " of the parish? Whether doth the minister every " six months denounce in the parish all such as do

" persevere

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"persevere in the sentence of excommunication, "not seeking to be absolved? Or hath he admited "any excommunicated person into the church, "without certificate and absolution? Whether is "your minister a favorer of recusants, whereby he "may be suspected not to be sincere in religion? "Whether is your minister noted to be an incon-"tinent person, a frequenter of taverns, ale houses, "a common gamester, or player at dice, &c?" with diverse other articles of inquiry.

Charles supports wakes and revels. Rushworth, Vol. II. p. 191.

Hence may be seen, how very careful the bishop of Wincheſter was to hinder any Presbyterian ministers from geting into the church of England. But tho' the oath, injoined by this prelate, was a real outrage upon the laws, the parliament alone having power to prescribe such oaths, none dared to attack him directly. The Presbyterians were sure to meet with no incouragement from court. On the contrary, their dislike of a thing was a sufficient reason with the court strenuously to support it. Of this I shall produce two very remarkable instances. The Presbyterians were offended at the feasts of the dedications * of churches, because they were only occasions of riot and debauchery, and because these days seldom passed without some disorders. In Somersetshire, where these revels abounded, the lord chief justice Richardson and baron Denham, in their circuits, made an order, with the whole bench's concurrence, that these revels should be suppressed. But the chief justice, being commanded to attend the council-board, was severely reprimanded, and injoined to revoke the order made at the assizes. A second proof of what I advanced is this.

* Vulgarly termed wakes or ales;

and recreations on Sundays, after divine service. October 18. Annals. Heylin.

The Presbyterians, notwithstanding the late King's proclamation, affecting still to forbid their servants to be present at these revels, or to use any recreations publicly on Sundays after divine service, King Charles revived and confirmed the proclamation published by his father, commanding that the people should not be troubled or molested in their recreations. The court was afraid that, by degrees, a maxim deemed by them prejudicial to their interest would be established, viz. that when a custom, not ill in itself, occasioned abuses, it ought to be abolished. This maxim seeming to them too general, because it might be applied to things of great consequence, they opposed to the utmost of their power.

Abbot dies; Laud succeeds

George Abbot, archbishop of Canterbury dying this year 1633, William Laud, bishop of London, succeeded him in that dignity.

James duke of York born. October 13.

This same year, in October, the Queen was delivered of a second son, who was named James, and created duke of York.

Rumor of a design to restore Popery.

The Presbyterians were prepossessed, that a scheme was formed to re-establish Popery in England. This notion in general ought not to seem strange, since it is certain that, from the Reformation, this project had never been interrupted: but the authors thereof must be carefully distinguished. Had the Presbyterians been satisfied with believing that some private Roman Catholics had formed such a design, it may be affirmed, they would not have been mistaken; but they went much farther. They imagined that the King's ministers, the council, bishops, and particularly the new archbishop of Canterbury, were the authors of this project. If they did not directly charge the King with it, at least they were persuaded, either that he incouraged it, or suffered himself to be carried farther than he intended, by persons who concealed from him their real design. The Papists themselves gave occasion for these suspicions, in shewing openly their hopes of quickly seeing a change in favor of their religion. We find in a diary, kept by Laud of what daily occurred to him, that this very year 1633 he had the offer of a cardinal's cap, if he would help to restore the Romish religion. For my part, I verily believe that neither King Charles, the archbishop (1), nor indeed many of the ministers ever formed such a design: at least, in all has been urged on this subject, I have not met with any proof which appeared, I will not say sufficient to convince me, but even to carry with it the least probability. Nevertheless, it is certain this opinion was spread among the people, and the Presbyterians used all their indeavors to gain it belief. I do not know whether they believed it themselves, or only thought it for their advantage to cast this reproach upon the church of England, in order to strengthen their own party, wherein they finally succeeded, even beyond their expectations. But since this opinion produced in time surprising effects, I cannot forbear shewing whereon it was grounded.

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August 4. Diary. Welwood, p. 51, 52.

Grounds and reasons of this opinion.

1. While James was only King of Scotland, before the death of Queen Elizabeth, he was suspected to favor the Papists (2). Elizabeth herself was not free from such a suspicion, as appears in the history of her reign. After James's accession to the throne of England, he always expressed great tenderness for the Catholics. This he shewed on several occasions, as in the powder-plot; by his expressions in favor of Catholics in all his speeches to the parliament; by the places of trust which he gave indifferently to Papists and Protestants, as he owned himself in his famous apology; by his continual refusal to execute the laws against recusants; and lastly, by the little zeal and affection he expressed for the Protestant religion, in the two negociations with Spain and France, concerning his son's marriage. I say nothing here of his conferences with the archbishop of Ambrun, because they were not known in his life-time, nor can be affirmed to be faithfully related. All this gave no small cause to suspect, that King James had some ill design with regard to religion, and had left the execution to the care of his successor.

2. Charles I, when Prince at Madrid, sent a letter to the Pope, which might have rendered him suspected. This suspicion might be confirmed by the private articles which he is reported to have signed, on occasion of his marriage with the Infanta.

3. After Charles was on the throne, he always shewed a very singular condescension for the Catholics, several of whom were raised to the highest stations and imploys. Conway, secretary of state, was a Papist: Weston, who was created earl of Portland and made lord treasurer, was so likewise. Indeed the duke of Buckingham professed the Reformed religion, but it was generally believed he would have made no difficulty to change it for the mass: beside, his mother and his duchess were stanch Romanists. The parliament, as I have observed, presented to Charles a large list of recusants, to whom were commited the places of most trust in their respective counties. In short, tho' the King had positively promised to proceed rigorously against the recusants, he seems not to have performed his promise, since the following parliaments were frequently obliged to renew their instances, and always in vain. If King Charles gave any orders upon that subject, they were never executed, and every

(1) Wilson's observation about him seems just; "Laud, says he, would never bring his neck under the obedience of the "Roman yoke, tho' he might stick for the grandeur of the clergy, p. 753. Compl. Hist.

(2) For a secret treaty made by this Prince with the King of Spain, in 1596, the curious may consult Edm. Sawyer, esq; Collection of State Papers, Vol. I. at the begining: which remarkable passage is not touched on by any of our historians, on either side.

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one believed the court connived at the neglect of thoſe who were charged with the execution, ſo that this was a perpetual cauſe of complaint during this whole reign.

4. King Charles had a very particular complaiſance for his Queen, and ſhe was not only a Papiſt, but likewiſe exceſſively zealous for her religion. This gave occaſion to fear, ſhe had formed the project of reſtoring it in England, and would finally draw her conſort into her ſentiments.

5. The Preſbyterians, who were looked on as the greateſt enemies to Popery, were furiouſly oppreſſed and perſecuted, while the Arminians and Papiſts were ſuffered to live unmoleſted. Hence it was infered, that the court acted with ſuch warmth againſt that ſect, only to make way by their deſtruction to the reſtoration of Popery.

6. Arminianiſm was ſo openly countenanced by the court, and ſome of the leading prelates, that many believed, there was a deſign to make uſe of it as a means to effect a change of religion with greater facility.

Clarendon. Vol. I. p. 73. Coke.

7. As this notion of a deſign to reſtore Popery ſpread itſelf over the kingdom, the church of England's chiefs were more attached to all the rites and ceremonies which gave moſt offenſe to ſcrupulous conſciences. Kneeling at the ſacrament, wearing the ſurplice, confirmation, keeping ſaints-days, proceſſions, bowing to the altar, and the like, which offended the Preſbyterians, as being relics of Popery; theſe things I ſay, were preſſed by the biſhops with the ſame eagerneſs as if religion muſt have fallen with them, and as if they were abſolutely neceſſary to ſalvation. This cauſed many to ſuſpect, that the obſervance of all theſe points was preſſed with deſign to pave the way for the more eaſy reception of the Popiſh tenets hereafter.

8. The heads of the church of England were not ſatisfied with zealouſly maintaining the ceremonies and rites uſed in their church ſince the Reformation but thereto made certain additions to could not by the canons be juſtified. This occaſioned all theſe matters to be conſidered as innovations tending to Popery. What Laud had done in conſecrating St. Catherine-Creed church, and in adminiſtering the Sacrament, was of this kind. When ſome complained of all this, thoſe prelates who countenanced them, alledged a ſtatute, which impowered Queen Elizabeth and her ſucceſſors, in caſe of any abuſes and indecencies in divine ſervice, to preſcribe ſuch ceremonies as they ſhould judge proper for God's glory and the decency of his worſhip. Now as his Majeſty never failed approving what was injoined by the biſhops, many ſuſpected, that the royal authority was made uſe of to ſupport theſe ſeemingly inconſiderable innovations, with deſign to take advantage of the ſame authority to juſtify alterations of far greater conſequence.

9. Laſtly, the church's little regard to tender conſciences, and her obſtinacy in refuſing to relax in any the moſt inſignificant point, as for inſtance, the ſurplice, gave occaſion to believe that theſe particulars would not be ſo zealouſly adhered to, had there not been ſome other latent deſigns.

Such (as far as I have been able to obſerve) were the grounds whereon was founded the peoples belief of a ſettled intention to introduce Popery. However, theſe are only preſumptions, whence it cannot, as I ſaid, be juſtly infered, that this belief was well-grounded. But, on the other hand, it muſt be confeſſed, that the chief prelates, who were not ignorant of the conſequences drawn from their conduct, were extremely careleſs in clearing themſelves, or in taking meaſures to remove, or at leaſt weaken theſe ſuſpicions. They regarded the Preſbyterians with the utmoſt contempt, as a ſet of ſtubborn, obſtinate, people, who, inſtead of being indulged, ought to be humbled. Nor was it ſolely on the account of religion that the Puritans ruin was judged neceſſary. They were alſo conſidered as perſons who, by the principles of their creed, were inclined to oppoſe all authority in the ſtate, as well as in the church, and conſequently they could not be kept too low. This bred between the two factions a moſt implacable enmity, which is not yet extinct. The Preſbyterians, who were under oppreſſion at the time I am ſpeaking of, had their turn afterwards, and oppreſſed, nay utterly deſtroyed the church of England. In the violent motion cauſed by this enmity, the biſhops were the firſt ſufferers. Laud loſt his head on a ſcaffold. The monarchy was ſubverted, and in its fall even the Sovereign had a bloody cataſtrophe. The church of England diſappeared for ſome time, and was, as it were, buried in the ſtate's ruins: nor was it without a wonderful providence that the monarchy and church were at length reſtored to their priſtine ſplendor.

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King Charles, as has been hinted, had a deſign to introduce the church of England's rites into the kirk of Scotland. This project was formed by his father King James, who had even ordered that divine ſervice ſhould be celebrated in his royal chapel at Edinburg, in the ſame manner as in his chapel at Whitehall: but, whether this order was neglected, or the Scots would not frequent the chapel, Charles thought proper not only to renew it, but likewiſe annexed diverſe particulars, to prevent the ſaid chapel's being hereafter deſerted. On the eighth of October, he ſent to the biſhop of Dunblane, dean of his chapel at Edinburg, theſe ſubſequent articles: viz.

Articles for his Majeſty's royal chapel at Edinburg. Octob. 8. Ruſhworth, Vol. II. p. 205. Annals, p. 442.

"OUR expreſs will and pleaſure is, that the "dean of our chapel, who now is (and his "ſucceſſors) ſhall be aſſiſtant to the right reverend "father in God, the archbiſhop of St. Andrews, "at the coronation, ſo often as it ſhall happen.

"2. That the book of the form of our coro- "nation lately uſed, be put in a little box, and laid "into a ſtandard, and commited to the care of the "dean of the chapel, ſucceſſively.

It muſt be obſerved, that King Charles I's coronation had been performed according to the church of England's rituals.

"3. That there be prayers twice a day, with "the choir, as well in our abſenſe, as otherwiſe, "according to the Engliſh liturgy, 'till ſome "courſe be taken for making one which may fit "the cuſtom and conſtitution of that church.

"4. That the dean of the chapel look care- "fully, that all who received the bleſſed ſacra- "ment there, received it kneeling; and that there "be a communion held in that our chapel, the firſt "Sunday of every month.

"5. That the dean of our chapel, who now is, "and ſo ſucceſſively, come duly thither to prayers "upon Sundays, and ſuch holy-days as that "church obſerves, in his whites, and preach ſo, "whenever he preacheth there: and that he be not "abſent from thence, but upon neceſſary occaſion "of his dioceſe, or otherwiſe, according to the "courſe of his preferment.

"6. That theſe orders ſhall be our warrant to "the dean of our chapel. That the lords of our "privy council, the lords of the ſeſſions, the "advocate, clerks, writers to the ſignet, and "members of our college of juſtice, be com- "manded to receive the holy communion once "every year at leaſt, in that our chapel royal, and "kneeling, for example-ſake to the kingdom. "And we likewiſe command the dean aforeſaid, "to make report yearly to us, how we are obeyed "therein, and by whom; as alſo if any man ſhall "refuſe, in what manner he doth ſo, and why.

"7. That

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"7. That the copies, which are conſecrated to "our uſe, be delivered to the dean, to be kept "upon inventory by him, and in a ſtandard pro- "vided for that purpoſe; and to be uſed at the "celebration of the ſacrament in our chapel "royal (1)."

Beſide theſe articles, his Majeſty wrote to the dean, ordering him to certify to the lords of the privy council, if any of thoſe appointed to communicate in his chapel royal, did not perform theſe articles, to the end ſuch order might be taken as his Majeſty, by his former letters, had appointed.

It is hence viſible that, not only the whole council of Scotland, but alſo thoſe who were in public imployments, and court-places, were prepared to conform to the church of England, otherwiſe they would not have been imployed, or continued in their poſts. It was with them Charles deſigned to begin, that, as himſelf ſaid, they might ſerve for example to the reſt. We ſhall quickly ſee what occurred when his Majeſty would have obliged the whole Scotiſh nation to a like compliance.

The communion-table placed altar-wiſe in St. Gregory's church. Ruſhworth, Vol. II. p. 207. Annals.

While Charles was ſeeking means to ingage the Scots to a conformity with the church of England, on the contrary, no indeavors were ſpared in order to alienate from her the Preſbyterians in England, by affecting ſuch uſages and cuſtoms as were apteſt to give them offenſe. At that time, the church of England's chieftains, inſtead of undeceiving thoſe who prepoſterouſly imagined ſhe was leaning to Popery, ſeem to have taken all poſſible care to confirm their ſuſpicions, by induſtriouſly conforming to the Romiſh church in matters of ſmall moment, and without any neceſſity, as if it was done purpoſely to brave them. In October 1633, the dean and chapter of St. Paul's, as ordinaries of St. Gregory's church, which ſtood near the Cathedral, removed the communion-table from the middle of the chancel, to the upper-end, placing it there altar-wiſe: for doing which they alledged two reaſons. 1. That, in the King's chapel, and all cathedrals, the communion-tables were placed in that manner, and therefore it was fit other churches ſhould con-

Compl. Hiſt. form to the ſame. 2. That when the tables ſtood in the mid-chancel, ſundry ſcandalous indecencies were commited, people leaning thereon in ſermon-

Clarendon. time, or laying their hats there. This latter

Vol. I. p. 73, 74. reaſon, added to the great care taken about kneeling at the ſacrament, cauſed many to believe, that the indeavoring to inſpire ſuch extraordinary reverence for the communion-table, and the always naming it altar, was not without deſign: and therefore certain of St. Gregory's pariſhioners complained of this removal, by appeal to the court of Arches (2); but the council, having thereof notice, prevented the ſentence, by ordering the dean of the Arches to confirm, by his authority, what had been done in

November 3. St. Gregory's church. Some few days after, his Majeſty being preſent in council, cauſed this affair to be debated, and, approving what the dean and chapter of St. Paul's had done, gave command that, if thoſe pariſhioners proceeded in their appeal, the dean of the Arches ſhould caſt them, and confirm the removal. This ſentence, given by the King's ſovereign authority, without waiting the judgment of that court, to whoſe cogniſance this matter properly belonged, proved a ſource of oppreſſions to many miniſters and congregations, who were not willing to comply. There was ſcarce a church in England, except the cathedrals and the King's chapel, where the communion table was placed altar-wiſe, at the upper-end of the chancel. But after his Majeſty had confirmed the removal in St. Gregory's church, the like diſputes aroſe in numberleſs places, and the high commiſſion had frequent occaſions of chaſtiſing ſuch miniſters as were ſuſpected of too little zeal for the church of England. As, ſince the Reformation, the altars were converted into communion-tables, and placed in the middle of the chancel, to avoid ſuperſtition, many imagined the tables were again changed into altars, with intent to revive a ſuperſtitious worſhip.

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It becomes the occaſion of many ſuits.

England being then in profound peace, and almoſt wholly unconcerned in what paſſed abroad, I can ſpeak here only of domeſtic affairs. It is very true that each, taken ſingly, may ſeem of ſmall conſequence, but all together may ſerve to ſhew King Charles's character, his court's genius, the conduct of his magiſtrates and, in general, the cauſes of that terrible revolution, whereof lord Clarendon has given the hiſtory.

AN' 1634. Pryn informed againſt in the ſtar-chamber. Febr. 7. Ruſhworth, Vol. II. p. 220, &c State-Trials. Annals, p. 446.

February 1634, was ſolemnly heard in the ſtar-chamber, a cauſe which made a great noiſe, and which ſhewed the extreme ſeverity of that court againſt ſuch as were ſuſpected not to be ſubmiſſive enough to the government. The caſe was this. Mr. William Pryn * had compiled and printed a large quarto volume, of more than a thouſand pages, intitled, Hiſtrio-Maſtix. The author's main drift was to demonſtrate that ſtage-plays, balls, maſques, &c. were unlawful and anti-chriſtian: but, in treating his ſubject, he had interperſed ſundry reflections, applicable to the King, the Queen, and the church, who approved or tolerated theſe abuſes. It was pretended, his aim in general was to ſhew, there was a deſign to reduce religion to a kind of Paganiſm, in order to make way for Popery. This outrage was repreſented by the King's council in the blackeſt colors they could poſſibly give it. Finally, after a ſolemn hearing of three days, the book was condemned to be burned by the common hangman, a thing 'till then unuſual in England. As for the author, ſentence paſſed upon him, that he ſhould be expelled Lincoln's-Inn, diſabled to practiſe, degraded of his degree in the univerſity †, ſet on the pillory, have his ears cut off, impriſoned during life, and fined five thouſand pounds. The publiſher, who was likewiſe printer of the book, was fined five hundred pounds, and the chaplain who licenſed it, fifty pounds.

* A bariſter of Lincoln's-Inn.

Severe ſentence againſt him.

† Oxford.

Wrong policy of the court in oppreſſing the Puritans.

This ſentence, to diſintereſted perſons, ſeemed exorbitantly rigid. It more particularly mortified the Preſbyterians of whom the majority agreed with Pryn in principles. They could not help perceiving, in the ſeverity exerciſed upon this writer, a malicious deſign to diſgrace their ſect, and oppreſs them on all occaſions. The truth is, the Preſbyterian party, tho' very numerous, as plainly appeared afterwards, labored then under oppreſſion. They had againſt them, the King, the miniſters, the council, the ſtar-chamber, the high-commiſſion, the church of England's chiefs, the Arminians, the Papiſts, the lord-lieutenants of the counties, the judges, and generally all the magiſtrates: nevertheleſs they gained ground daily. This would ſeem incredible, was it not conſidered, that thoſe at court themſelves were the main cauſers of this ſect's increaſe. The court looked on as Puritans all who did not ſhew ſubmiſſion enough to the King, or would not allow ſufficient extent to the prerogative royal, and, by oppreſſing them as ſuch, or by refuſing them all kinds of imployments, ingaged

(1) King Charles, before his return from Scotland, erected Edinburg into a biſhoprick. Clarendon, Vol. I. p. 67.

(2) This court is the chief and moſt ancient conſiſtory belonging to the archbiſhop of Canterbury, for debating cauſes. It was held in the church of St. Mary le Bow, from whence it has its name. Its juriſdiction is ordinary, and reaches thro' the whole province of Canterbury. The judge is ſtiled dean, from his having juriſdiction over a deanery, conſiſting of thirteen churches in London, exempted from the biſhop of London's juriſdiction.

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them unavoidably to ſide with the Preſbyterians. As King Charles's pretenſions, with regard to government, were not approved by the majority of the nation, it gradually occurred, that almoſt all England became Preſbyterian, according to the ſenſe given to that term by the courtiers and their partiſans; tho' it is certain there were in the Preſbyterian party multitudes who were very well-affected to the church of England, but could not allow the King's principles concerning government. This party therefore, tho' continually oppreſſed, grew daily more numerous, waiting with patience for a parliament, where they were almoſt ſure of finding protectors: but at the time we are now upon, there was no appearance of Charles's deſigning to call a parliament. As nothing conſtrained him to it, he took care not to expoſe himſelf to the ill humors of a houſe of commons, and hazard ſeeing revived thoſe complaints which had obliged him to diſſolve the three preceding parliaments.

Ship-money ſet on foot.

Moſt certain it is that, in governing without a parliament, Charles debared himſelf of the extraordinary grants uſually received thence by Sovereigns; but he believed not that applying to the houſe of commons was the ſole means of obtaining extraordinary ſupplies. He had, by the lord keeper, expreſly told the parliament, and frequently intimated himſelf, that he could find money without the aſſiſtance of parliaments: and yet, the petition of right having intervened ſince that time, and having, by his anſwer, bound himſelf not to raiſe any tax without the conſent of both houſes, he by that anſwer ſeemed to be deprived of all methods which, before the petition was preſented, he had imagined might be legally put in practiſe. But expedients to evade the moſt ſolemn promiſes are ſeldom wanting to men in power. On ſuch occaſions, there are miniſters and counſellors who inſinuate to their maſters, that promiſes made by Sovereigns bind no farther than they think proper. William Noy, attorney-general, who was one of theſe daring counſellors, laſt year, furniſhed his Majeſty with a method of raiſing the extraordinary ſupply he wanted, without a parliament's concurrence. This was, by impoſing a tax upon the people, under color of maintaining a certain number of ſhips to guard the ſeas. But this bold counſellor died before he had ſeen the effects of his advice; tho' not 'till he had unhappily ingaged his Prince in a buſineſs which for ever deprived him of his peoples confidence, and was one of the main cauſes of his ruin (1).

Ruſhworth, Vol. II. p. 246, 247. Annals. Coke.

The attorney-general's death prevented not Charles's puting his advice in practiſe. To that purpoſe he directed, to the mayors and head officers of the maritime towns, writs to much the ſame effect with this, directed to the mayor of London (2), viz.

Carolus Rex, &c.

The firſt writ forſhip-money to the city of London. Ruſhworth, Vol. II. p. 257. Annals, p. 455.

"TO the mayor, commonalty and citizens of our city of London, and to the ſheriffs of the ſame city, and good men in the ſaid city, and in the liberties and members of the ſame, greeting. Becauſe we are given to underſtand, that certain thieves, pirates and robbers of the ſea, as well Turks, enemies of the Chriſtian name, as others, being gathered together, wickedly taking by force, and ſpoiling the ſhips, goods and merchandiſes, not only of our ſubjects, but alſo of the ſubjects of our friends in the ſea, which hath been accuſtomed anciently to be defended by the Engliſh nation; and the ſame at their pleaſure have carried away, delivering the men in the ſame into miſerable captivity. And foraſmuch as we ſee them daily preparing all manner of ſhiping, farther to moleſt our merchants, and to grieve the kingdom, if remedy be not ſoon applied, and their indeavors be not more manly met withal; alſo the dangers conſidered, which on every ſide, in theſe times of wars, do hang over our heads, that it behoveth us, and our ſubjects, to haſten the defenſe of the ſea and kingdom with all the expedition or ſpeed we can; we willing, by the help of God, chiefly to provide for the defenſe of our kingdom, ſafe-guard of the ſea, ſecurity of our ſubjects, ſafe-conduct of ſhips and merchandiſes to our kingdom of England coming, and from the ſame kingdom to foreign parts paſſing; foraſmuch as we and our progenitors, Kings of England, have been always heretofore maſters of the aforeſaid ſea, and it would be very irkſome unto us if that princely honor, in our times, ſhould be loſt, or in any thing diminiſhed. And altho' that charge of defenſe, which concerneth all men, ought to be ſupported by all, as by the laws and cuſtoms of the kingdom of England hath been accuſtomed to be done: notwithſtanding, we conſidering that you, conſtituted in the ſea-coaſts, to whom by ſea as well great dangers are imminent, and who by the ſame do get more plentiful gains for the defenſe of the ſea, and conſervation of our princely honor in that behalf, according to the duty of your allegiance againſt ſuch attempts, are chiefly bound to ſet to your helping hand; we command firmly, injoining you the aforeſaid mayor, commonalty and citizens, the ſheriffs of the ſaid city, and the good men in the ſame city, and in the liberties and members of the ſame, in the faith and allegiance wherein ye are bound unto us, and as ye do love us and our honor, and under the forfeiture of all which ye can forfeit to us, that ye cauſe to be prepared and brought to the port of Portſmouth, before the firſt day of March now next inſuing, one ſhip of war of the burden of nine hundred tons, with three hundred and fifty men at the leaſt, as well expert maſters, as very able and ſkilful mariners: one other ſhip of war of the burden of eight hundred tons, with two hundred and ſixty men at the leaſt, as well ſkilful maſters, as very able and expert mariners: four other ſhips of war, every of them of the burden of five hundred tons, and every of them with two hundred men at the leaſt, as well expert maſters, as very able and ſkilful mariners: and one other ſhip of war, of the burden of three hundred tons, with a hundred and fifty men, as well expert maſters, as very able and ſkilful mariners: and alſo every of the ſaid ſhips with ordnance, as well greater as leſſer, gun-powder, and ſpears, and weapons, and other neceſſary arms ſufficient for war, and with double tackling, and with victuals, until the ſaid firſt of March, competent for ſo many men; and from that time for twenty-ſix weeks, at your charges, as well in victuals as mens wages, and other things neceſſary for war, during that time, upon defenſe of the ſea in our ſervice, in command of the admiral of the ſea,

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(1) The lord keeper Coventry was alſo a promoter and adviſer of this project. Whitlock, p. 22.

(2) Sir Robert Heath being ſuddenly removed, ſir John Finch was, on October 16, ſworn lord chief juſtice of the Common Pleas in his room. Great were the diſcourſes what the occaſion ſhould be of this ſudden advancement. But four days after, the writ for ſhip money coming forth, it was conceived, that he was to be the inſtrument in advancing that buſineſs. Ruſhworth, Vol. II. p. 253.

to

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" to whom we ſhall commit the cuſtody of the ſea, " before the aforeſaid firſt day of March, and as " he, on our behalf, ſhall command them to con- " tinue; ſo that they may be there the ſame day, " at the fartheſt, to go from thence with our ſhips, " and the ſhips of other faithful ſubjects, for the " ſafe-guard of the ſea, and defenſe of you " and yours, and repulſing and vanquiſhing of " whomſoever buſying themſelves to moleſt or " trouble upon the ſea our merchants, and other " ſubjects and faithful people coming into our do- " minions for cauſe of merchandiſe, or from thence " returning to their own countries. Alſo we have " aſſigned you, the aforeſaid mayor and aldermen " of the city aforeſaid, or any thirteen, or more of " you, within thirty days after the receipt of this " writ, to aſſeſs all men in the ſaid city, and in " the liberties, and members of the ſame, and the " land-holders in the ſame, not having a ſhip, or " any part of the aforeſaid ſhips, nor ſerving in " the ſame, to contribute to the expenſes, about " the neceſſary proviſion of the premiſſes; and to " aſſeſs and lay upon the aforeſaid city, with the " liberties and members thereof, viz. upon every " of them according to their eſtates and ſubſtances, " and the portion aſſeſſed upon them; and to no- " minate and appoint collectors in this behalf. " Alſo we have aſſigned you, the ſaid major, and " alſo the ſheriffs of the city aforeſaid, to levy the " portions ſo as aforeſaid aſſeſſed upon the aforeſaid " men and land-holders, and every of them in the " aforeſaid city, with the liberties and members of " the ſame, by diſtreſs and other due means; and " to commit to priſon all thoſe whom you ſhall " find rebellious, and contrary in the premiſſes, " there to remain until we ſhall give farther order " for their delivery: and moreover we command " you that, about the premiſſes, ye diligently at- " tend, and execute thoſe things with effect, upon " peril which ſhall fall thereon: but we will not " that, under color of our aforeſaid command, " more ſhould be levied of the ſaid men than ſhall " ſuffice for the neceſſary expenſes of the premiſſes; " or that any, who have levied money for contribu- " tion, to raiſe the aforeſaid charges, ſhould by " him detain the ſame, or any part thereof; or " ſhould preſume, by any manner of color, to " appropriate the ſame to other uſes; willing that, " if more than may be ſufficient ſhall be collected, " the ſame may be paid out among the contribu- " tors, for the rate of the part to them belonging."

Witneſs myſelf, at Weſtminſter, the twentieth day of October, in the tenth year of our reign.

The lord mayor of London having received this writ, aſſembled the common-council, who agreed on preſenting to his Majeſty this petition.

To the King's moſt excellent Majeſty.

The humble petition of your faithful ſubjects, the mayor, and commonalty, and citizens of your city of London, moſt humbly ſhewing,

The city of London's petition to the King. December 2. Ruſhworth, Vol. II. p. 266. Annals.

" THAT whereas your Majeſty by writ, bear- " ing teſte 20 Octobris laſt, commanded " your petitioners, at their charge, to provide ſeven " ſhips of war, furniſhed with men, victuals, and " all warlike proviſions, to be at Portſmouth by " the firſt of March next, and to continue from " thence by the ſpace of twenty ſix weeks in your " Majeſty's ſervice, upon the defenſe of the ſeas and " other cauſes in the ſaid writ contained:

" Your petitioners do, in all ſubmiſſive humble- " neſs, and with acknowledgment of your ſacred " Majeſty's many favors unto your ſaid city, in- " form your Majeſty, that they conceive that, by " ancient privileges, grants, and acts of parliament " (which they are ready humbly to ſhew forth) " they are exempt, and are to be freed from that " charge, &c."

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But theſe pretenſions of the Londoners were not capable of inducing King Charles to deſiſt from his reſolve. We ſhall, on the contrary find, that this tax, which was at firſt peculiar to the maritime towns, was impoſed on the whole kingdom (1).

Laud's injunction to the Walloon and French churches. Ruſhworth, Vol. II. p. 206, 272, 293, 314, 321, Annals. Clarendon, Vol. I. p. 83.

After Laud's promotion to the archbiſhoprick of Canterbury, his zeal for the church of England and againſt the Preſbyterians, ſeemed to be much increaſed. By his Majeſty's order, he held a private correſpondence with the biſhops of Scotland, concerning the liturgy and canons deſigned to be introduced into the kirk, and whereon we ſhall preſently treat more amply. It now ſuffices to ſay, that it was he who was charged with the conduct and execution of this project: but his labors were not confined ſolely to the converſion of the Scots, nor even to that of the Engliſh Preſbyterians. The Dutch, the Walloons, the French, who, ſince the reign of Edward VI, had taken refuge in England, obtained from the preceding Sovereigns diverſe immunities, and particularly the liberty of celebrating divine ſervice after their manner, that is, the Preſbyterian, and formed ſeveral congregations both in London and other parts of the kingdom. But Laud could not bear they ſhould any longer injoy this privilege: and therefore ſent them theſe two injunctions, having firſt ſecured King Charles's approbation and conſent.

Rym. Fœd. Vol. XIX. 583.

" 1. That all the natives of the Dutch and Wal- " loon congregations, in his grace's dioceſe, ſhould " repair to their ſeveral pariſh-churches of thoſe " ſeveral pariſhes where they inhabited, to hear " divine ſervice and ſermons, and perform all du- " ties and payments required in that behalf.

" 2. That the miniſters, and all other of the " Dutch and Walloon congregations, who were " not natives and born ſubjects to the King's Ma- " jeſty, or any other ſtrangers who ſhould come " over to them, while they remained ſtrangers, " might have and uſe their own diſcipline, as for- " merly they have done; yet it was thought fit, " that the Engliſh liturgy ſhould be tranſlated " into French and Dutch, for the better ſet- " tling of their children to the Engliſh govern- " ment."

Beſide that he, by theſe injunctions, impoſed upon theſe foreign churches a liturgy which they did not approve, and in a manner quite annihilated the ſaid congregations, ſince he excluded all who were born in the kingdom, that is, all the deſcendants of ſuch as had fled hither in the reign of Edward VI, and conſequently there could be but very few remaining of thoſe born abroad.

Hereupon the Dutch * churches at Norwich preſented a petition to the biſhop of that dioceſe, remonſtrating, that the archbiſhop's injunctions were contrary, not only to ſeveral orders of the council formerly given in favor of their congregations, but alſo to the privileges granted them when they firſt ſettled in England, and continued to them during the reigns of Edward VI, Queen Elizabeth, and James I, and confirmed alſo by his preſent Majeſty's royal promiſe. The biſhop of Norwich not returning a favorable anſwer to their petition, they applied to the archbiſhop himſelf, who anſwered in writing; that his Majeſty was determined his in-

* And Walloon. Feb. 21. Ruſhworth, ibid. Annals.

Aug. 19.

(1) This year ſir Sanders Duncombe brought into England the uſe of chairs carried by two men. Rym. Fœd. Vol. XIX. p. 572.

ſtructions

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ſtructions ſhould hold, and that obedience ſhould be yielded to them by all the natives, after the firſt deſcent; concluding his letter with theſe words: "And thus I have given you anſwer fairly in all "your particulars, and do expect all obedience "and conformity to my inſtructions, which if you "ſhall perform, the ſtate will have occaſion to ſee "how ready you are to practiſe the obedience "which you teach: and for my part, I doubt not "but your ſelves, or your poſterity at leaſt, ſhall "have cauſe to thank both the ſtate and the church "for this care taken of you; but if you refuſe "(as you have no cauſe to do, and I hope you "will not) I ſhall then proceed againſt the natives, "according to the laws and canons eccleſiaſti-"cal (1).

An' 1635.

Thus argued the prelate in juſtification of ſuch a breach of the privilege granted to theſe congregations, and confirmed by four Kings, of whom his preſent Majeſty was one, urging his Majeſty's, or rather his own ſole will and pleaſure. It was manifeſt, that the King's good pleaſure on which he laid ſo much ſtreſs, was rather his approbation of what the archbiſhop had undertaken, than a warrant to undertake it. The Preſbyterians, having no other way to be revenged on his ſaid grace, publiſhed ſeveral libels againſt him, taking notice of all the innovations he had brought into the church, pretending they were ſo many ſteps towards Popery. They forgot not to upbraid him with the pictures he had fixed in the windows of his chapel at Lambeth, particularly that of God the Father, in the form of a little old man. They obſerved ſeveral other particulars, whereof this prelate was afterwards accuſed by the houſe of commons: but this is not the proper place to ſpeak of this impeachment, or of the archbiſhop's defenſe.

Reproaches againſt the archbiſhop. Ruſhworth, Vol. II. p. 273.

Informations againſt ſuch as reſide in London, contrary to the King's proclamation. Id. p. 288. Annals.

Charles, ever neceſſitous, imployed his miniſters in deviſing means to raiſe money. In the beginning of 1635, the attorney-general preſented informations in the ſtar-chamber againſt ſeveral hundreds of perſons, peers, knights, gentlemen, ladies, and others, for diſobeying his Majeſty's proclamation, commanding them not to reſide in London. I meet not with the ſentence given upon theſe informations, but in all probability, conſidering the ſtar-chamber's zeal to ſupport his Majeſty's royalty, the parties accuſed eſcaped not without being fined.

Ship-money laid upon the whole kingdom. Rym. Fœd. Vol. XIX. 658, 670. Ruſhworth.

The tax to provide and maintain a certain number of ſhips to guard the ſeas, was impoſed in 1634, for the year 1635, only on the maritime towns: but in 1635, Charles diſpatched away his writs for ſhip-money all over the kingdom for the year 1636 (2). The reaſon or rather pretenſe of this general impoſt was, that the kingdom was in great danger, on account of the league lately concluded between France and the Netherlands. Tho' there was no appearance how this league, which was not againſt England, could put the kingdom in danger, nevertheleſs King Charles infered, that the two moſt formidable naval powers being united, it was abſolutely neceſſary that England ſhould have a ſtrong fleet to preſerve the dominion of the ſea, otherwiſe ſhe might be inſulted, and her trade diſturbed. This tax being impoſed by virtue of the prerogative-royal, ſeveral private perſons refuſed paying the ſums whereat they were rated: nay ſome even ſued the magiſtrates and other officers appointed to levy the money, aſſerting, that the ſubject could be taxed only by act of parliament. This oppoſition was the reaſon that, in the year 1636, ſhip-money ſcarce exceeded two hundred thouſand pounds *, tho' much larger ſums were expected by his Majeſty. Mean while Charles, conſidering that, by means of this tax, he ſhould have a ſettled revenue, beſide that it would be a precedent to make uſe of his prerogative on other occaſions, reſolved to ſupport his project at all events: but to guard it againſt all objections of being illegal, and contrary to his anſwer to the petition of right, he deſired to make appearance of being authoriſed on this occaſion to exert his prerogative. To that end, he ſent to the judges of the realm, and required their opinion concerning his right of levying this tax. As the judges depended wholly on the court, they very readily decided in favor of the King, and gave him their opinion in writing: but Charles thought not proper to publiſh their determination, being ſatisfied with keeping it private 'till occaſion of uſing it ſhould offer. This will appear in the ſequel: but we muſt firſt treat of ſome other paſſages which intervened during this interval.

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* 236,000.

Charles requires the judges opinion concerning this matter.

This year 1635, King Charles renewed a former commiſſion to confirm defective titles to ſuch as held lands of the crown. He pretended this to be a mere act of grace, and that his ſole aim was to ſecure the poſſeſſion of lands to thoſe who held them by diſputable titles: nevertheleſs, this commiſſion was regarded as a manifeſt oppreſſion: for, under color of examining defective titles, all the proprietors were obliged to produce their titles, to which, how valid ſoever they might be, the commiſſioners made objections: ſo, to avoid a law-ſuit with the King, wherein, conſidering the judges diſpoſition, they were ſure of being caſt, the proprietors were forced to compound, and give money to ſecure their lands, which were otherwiſe in danger of returning to the crown.

Commiſſion to compound for defective titles. Rym. Fœd. Vol. XIX. 670, &c. Ruſhworth, Vol. II. p. 300. Annals.

His Majeſty ſoon after iſſued a proclamation, commanding all perſons, except ſoldiers, mariners, merchants, and their factors, not to depart the kingdom without his licenſe. Several of the Engliſh Sovereigns had, on ſome particular occaſions, iſſued a like injunction, but it was doubted whether ſuch a prohibition was neceſſary when this proclamation was publiſhed.

Proclamation to forbid departing the realm. July 21. Rym. Fœd. Vol. XIX. 646, 699.

The villanies and abuſes of informers, I mean perſons who watched peoples actions, in order to accuſe them in caſe they infringed the laws, were become ſo inſufferably exorbitant, that the King was forced, if not utterly to aboliſh them, at leaſt, to qualify them by certain directions, whereto he injoined ſtrict obſervance.

Abuſes of informers prevented. Sept. 6. Ib. p. 688. Ruſhworth.

The office of lord-treaſurer, which, ever ſince the earl of Portland's deceaſe, had been executed by commiſſioners, was confered on Dr. William Juxton, biſhop of London, who diſcharged it worthily. No churchman had injoyed this poſt ſince Henry VII's time (3).

Juxton made lord-treaſurer. March 6. Laud's Diar. Annals.

The ſame year was preſented to his Majeſty one Parr, who was a hundred and fifty-two years old, and in perfect health. He was born the laſt year of King Edward IV's reign.

Parr 152 years old. Sept. 29. Annals.

(1) About one hundred and forty families of theſe people went into Holland, where they were kindly received and exempted from exciſe, and paying of houſe rent for ſeven years: they taught the Dutch the way of managing the woolen manufacture, which has been of very bad conſequence to England. Thouſands of families retired alſo into New-England. Coke, p. 311, 312.

(2) For particulars, ſee Ruſhworth, Vol. II. p. 335, &c.

(3) Whitelock gives biſhop Juxton this character, "He was a perſon of great parts and temper, had much command "of himſelf, was full of ingenuity and meekneſs, not apt to give offenſe to any, and willing to do good to all." p. 24. In leſs than five years he lodged 900,000 l. in the exchequer. Coke, p. 324.

The

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The elector Palatine, with his brother Prince Rupert, arrived in England about this time, and were lodged in the King's palace (1).

Diverſe ſuits about altars. Ruſhworth, Vol. II. p. 300, 301. Annals.

The Preſbyterians were ſtill moleſted on every occaſion, or whenever they gave their adverſaries ſome advantage, thro' exceſs of zeal, which was not always well regulated. Samuel Ward, a miniſter in Ipſwich, boldly preached againſt the King's book of ſports, and alſo ſaid, "That the church "of England was ready to ring changes in re-"ligion." For this he was ſuſpended by the high-commiſſion, and afterwards impriſoned for refuſing to make a public recantation. The church-wardens of Beckington, in Somerſetſhire, refuſing to place the communion-table otherwiſe than it had been for ſixty years, were by the biſhop of Bath and Wells excommunicated. Theſe men appealed to the Arches, but their appeal was rejected. Then they petitioned his Majeſty, but with as little ſucceſs. So the church-wardens lay a whole year under excommunication, and were afterwards ſhut up in the common jail, whence they were at length releaſed by the biſhop, on their public ſubmiſſion and penance. It would be too tedious to relate all the actions which were entered in the high-commiſſion upon the two juſt-mentioned articles. It ſuffices to obſerve, that the number was exceſſive, and the high-commiſſion always moſt rigorouſly chaſtiſed ſuch as dared to ſwerve from what the church preſcribed.

Laud deſigns to viſit the univerſities. Ruſhworth, Vol. II. p. 324. Laud's Diar. Annals.

On the other hand, the archbiſhop of Canterbury, ever zealous for the church of England, conſidered as Puritans all who neglected the leaſt rite or ceremony of that church. This prelate, being informed of ſome remiſneſs in the two univerſities, could not ſuffer ſuch a flagrant abuſe. There were at Cambridge three chapels where divine ſervice was daily performed, tho' they had never been conſecrated. This neglect, which in his eyes appeared ſo blameable, exciting his zeal, he reſolved to viſit the univerſities, as metropolitan. He met with ſome oppoſition, the univerſities maintaining, that he had not the right of viſiting as archbiſhop, tho' they did not deny he might viſit by the King's commiſſion, if his Majeſty was pleaſed to appoint him. But, not being ſatisfied with a borrowed power, he brought the caſe before the King, who decided it in his favor, after having himſelf ſupported the prelate's reaſons with arguments, and anſwered the univerſities objections. The archbiſhop being ſo well ſupported, could not fail of obtaining the victory.

Oppoſition.

The King gives it for him. Rym. Fœd. Vol. XIX. p. 544.

Proclamation to forbid foreigners to fiſh on the Britiſh coaſt. May 10. Ruſhworth, Vol. II. p. 322. Annals, p. 476.

King Charles, as I obſerved, being determined on continuing the tax for maintenance of thoſe ſhips alloted to guard the ſeas, and having laſt year given orders for levying it this year, 1636, was obliged to ſeek a pretenſe for arming a navy. This tax, termed by the Engliſh, ſhip-money, and which for ſhortneſs I ſhall term ſo hence forwards, was grounded on the neceſſity of guarding the ſeas. But none could perceive the danger whereto, as his Majeſty alledged, England was expoſed by the alliance between France and the United Netherlands. To this pretenſe therefore was to be added that of preſerving the dominion of the narrow ſeas. Charles accordingly iſſued a proclamation, declaring, "Whereas King James did, in the ſeventh year "of his reign, ſet forth a proclamation touching "fiſhing; whereby all perſons, of what nation or "quality ſoever (being not his natural-born ſub-"jects) were reſtrained from fiſhing upon any of "the coaſts and ſeas of Great Britain, Ireland, "and the reſt of the iſles adjacent, until they had "orderly obtained licenſes in that behalf. Since "which time, neither the King his father, nor "himſelf have made any conſiderable execution "of the ſaid proclamation, but have expected a "voluntary conformity thereto. But now finding, "by experience, that all the inconveniencies which "occaſioned that proclamation are rather increaſed "than abated, and his Majeſty, well knowing how "far he is obliged in honor to maintain the rights "of his crown, has thought it neceſſary to renew "the aforeſaid reſtraint of fiſhing, and to declare, "that his reſolution is to keep ſuch a competent "ſtrength of ſhiping upon his ſeas, as may be "ſufficient both to hinder farther incroachments "upon his regalities, and aſſiſt and protect thoſe "his good friends and allies, who ſhall henceforth, "with licenſe, indeavor to take benefit of fiſhing "upon his coaſts."

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Theſe friends were the Hollanders, who came every year and fiſhed for herrings on the coaſt of Scotland. It was therefore manifeſt that, after thirty years forbearance, he ſought a quarrel with the Dutch, only to have occaſion to fit out a fleet, which ſerved for pretext to impoſe the tax of ſhip-money. This quarrel produced the two famous treatiſes, intitled Mare Liberum, and Mare Clauſum, the former compoſed by Grotius, the latter by Selden. But Charles regarded not arguments drawn from hiſtory, or ancient treaties between the two nations; he made uſe of a more effectual method, viz. a fleet under conduct of Algernoon earl of Northumberland. This fleet attacking the diſperſed fiſhers, who little expected it, and ſinking ſome, forced the reſidue to retire into Engliſh harbors as the ſafeſt retreat, and in ſhort, to give Charles thirty thouſand florins, for permiſſion to continue their fiſhing that ſummer (2).

Charles's fleet attacks the Dutch fiſhers, who compound with him. Ruſhworth, Vol. II. p. 322. Annals. Rym. Fœd. Vol. XIX. p. 761. Warwick's Mem.

Not long after, his Majeſty alſo raiſed thirty thouſand pounds by a commiſſion, to inquire concerning depopulations and converſions of arable lands to paſture, ſince the tenth year of Queen Elizabeth (3). There were many offenders of this kind, and ſo heavy a fine was impoſed in the ſtar-chamber on ſir Anthony Roper, that the reſt, to avoid a like treatment, ſpeedily compounded with his Majeſty.

A commiſſion about depopulation. July 19. Ruſhworth, Vol. II. p. 333. Annals.

But ſhip-money was the moſt important article, and as ſuch regarded at court. The King neither would nor could depart from it, on three main accounts. Firſt, becauſe he ſhould be deprived of a very conſiderable aid, which he deſigned to render fixed and cuſtomary. Secondly, in deſiſting from this tax, after levying it two years ſucceſſively, he would have given cauſe to believe he had no power to impoſe it, and conſequently had acted illegally. Thirdly, being determined never more to call a parliament, it highly concerned him to eſtabliſh his prerogative in ſuch a manner that none ſhould dare to conteſt it. So the city of London, having petitioned the board, that the twenty ſhips they were rated at, might be reduced to ten, received a very ſharp anſwer, to this purport.

Charles inſiſts on ſhip-money.

The Londoners petition fruitleſs. Ruſhworth, Vol. II. p. 334.

"That the tax of ſhip-money was neceſſary for "the preſervation of the ſtate; and the charge was "not immoderate: that his Majeſty would admit

(1) Charles, the elector Palatine, came to ſollicit his uncle, to promote his reſtoration; the father of theſe Princes, Frederic elector Palatine, died November 19, 1632.

(2) The Dutch agreed to give the King thirty thouſand pounds for this ſummer, which was paid accordingly; and expreſſed a willingneſs to obtain a grant from the King, for their permiſſion to fiſh for the time to come, paying a yearly tribute. Ruſhworth, Vol. II. p. 322.

(3) This was only for four counties. But the like commiſſions were granted for other counties. It was ſtrenuouſly promoted by archbiſhop Laud. Idem. p. 339. Clarendon, Vol. I. p. 76.

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" of no excuſe, but expected a ready compliance: " that the precedents alledged in favor of the city, " ought to induce them to obey, rather than to " contradict and direct the King."

Several law-ſuits about ſhip-money.

Notwithſtanding all this, there were ſome who obſtinately refuſed paying their ſhare of this tax, imagining no court of juſtice would be ſo bold as to offer compulſion. As theſe examples were of dangerous conſequence, Charles thought proper to

Charles publiſhes the judges opinion. Ruſhworth, Vol. II. p. 352.

publiſh the opinions of the judges. To that end, the lord keeper having aſſembled all the judges in the ſtar-chamber, told them, the King was very well pleaſed with their indeavors, in their ſeveral circuits, to perſuade his ſubjects to pay ſhip-money; but however, his Majeſty, hearing that ſome refuſed to pay this tax, had thought fit to have recourſe to their advice for his direction in this caſe, and had commanded him to publiſh their opinions for the ſatisfaction of his ſubjects. Then he cauſed to be read King Charles's letter to the judges, on this ſubject: it ran thus;

His Majeſty's letter to the judges. Ruſhworth, Vol. II. p. 354. Annals.

" TRUSTY and well-beloved, we greet you " well. Taking into our princely conſideration, that the honor and ſafety of this our realm " of England (the preſervation whereof is only " intruſted in our care) was, as is now, more nearly " concerned than in former times, as well by " diverſe counſels and attempts to take from us the " dominion of the ſea, of which we are the ſole " lords, and rightful owners, the loſs whereof " would be of great danger and peril to this king- " dom, and other our dominions: we, for the " avoiding theſe and the like dangers, well " weighing with our ſelves, that where the good " and ſafety of the kingdom in general is con- " cerned, and the whole kingdom in danger, there " the charge and defenſe ought to be borne by all " the realm in general; did, for prevention of ſo " public a miſchief, reſolve with our ſelves to have " a royal navy provided, which might be of force " and power, with Almighty God's bleſſing and " aſſiſtance, to protect and defend this our realm, " and our ſubjects therein, from all ſuch perils and " dangers; and for that purpoſe we iſſued forth " writs, under our great ſeal of England, directed " to all our ſheriffs of all our ſeveral counties of " England and Wales, commanding thereby all " our ſaid ſubjects, in every city, town and village, " to provide ſuch a number of ſhips well furniſhed, " as might ſerve for this our royal purpoſe, and " which might be done with the greateſt equality " that could be, in performance whereof, tho' " generally, throughout all the counties of this our " realm, we have found in our ſubjects great chear- " fulneſs and alacrity, which we graciouſly in- " terpret as a teſtimony as well of their dutiful " affections to us and our ſervice, as of the reſpect " they have to the public, which well becometh " every good ſubject. Nevertheleſs, finding that " ſome few, haply out of ignorance what the laws " and cuſtoms of this our realm are, or out of a " deſire to be eaſed, and freed in their particulars " (how general ſoever the charge ought to be) " have not yet paid and contributed the ſeveral " rates and aſſeſſments which were ſet upon them, " and foreſeeing, in our princely wiſdom, that from " hence diverſe ſuits and actions are not unlikely to " be commenced and proſecuted in our ſeveral " courts at Weſtminſter: we, deſirous to avoid " ſuch inconvenience, and out of our princely love " and affection to all our people, being willing to " prevent ſuch errors as any of our loving ſub- " jects may happen to run into, have thought fit, " in a caſe of this nature, to adviſe with you our " judges, who we doubt not are all well ſtudied " and informed in the right of our ſovereignty; " and becauſe the trials of our ſeveral courts, by " the formality of pleading, will require a long " protraction, we have thought expedient, by this " our letter, directed to you all, to require your " judgment in this caſe, as it is ſet down in the in- " cloſed paper, which will not only gain time, but " alſo be of more authority to over-rule any pre- " judicate opinions of others in the point."

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Given under our ſignet, at our court at Whitehall, the ſecond day of February, in the twelfth year of our reign, 1636.

His Majeſty's letter being read, the lord keeper ordered reading the caſe incloſed; viz.

Carolus Rex,

Queſtions propoſed by his Majeſty to the judges. Ruſhworth, Vol. II. p. 355. Annals.

" WHEN the good and ſafety of the king- " dom in general is concerned, and the " whole kingdom in danger, whether may not the " King, by writ under the great ſeal of England, " command all the ſubjects of our kingdom, at " their charge, to provide and furniſh ſuch a " number of ſhips, with men, victuals and mu- " nition, and for ſuch time as we ſhall think fit for " the defenſe and ſafe-guard of the kingdom from " ſuch danger and peril, and by law compel the " doing thereof, in caſe of refuſal and refracto- " rineſs? And whether, in ſuch a caſe, is not the " King the ſole judge both of the danger, and " when, and how the ſame is to be prevented " and avoided?

The judges anſwer.

May it pleaſe your moſt excellent Majeſty,

The judges anſwer.

" WE have, according to your Majeſty's " command, every man by himſelf, and " all of us together, taken into ſerious conſideration, " the caſe and queſtion ſigned by your Majeſty, " and incloſed in your royal letter; and we are of " opinion that, when the good and ſafety of the " kingdom in general is concerned, and the king- " dom in danger, your Majeſty may, by writ " under the great ſeal of England, command all " your ſubjects of this your kingdom, at their " charge, to provide and furniſh ſuch a number of " ſhips, with men, victuals and munition, and for " ſuch time as your Majeſty ſhall think fit, for the " defenſe and ſafe-guard of this kingdom from " ſuch danger and peril: and that by law your " Majeſty may compel the doing thereof, in caſe " of refuſal or refractorineſs. And we are alſo of " opinion that, in ſuch caſe, your Majeſty is the " ſole judge, both of the danger, and when, " and how the ſame is to be prevented and " avoided (1).

John Bramſton,	* George Crooke,
John Finch,	Thomas Trevor,
Humphrey Davenport,	George Vernon,
John Denham,	Francis Crawley,
*Richard Hutton,	Robert Berkly,
William Jones,	Richard Weſton.

The judges anſwer entered in the courts of juſtice. Ruſhworth, Vol. II. p. 356.

After reading this caſe and anſwer, the lord keeper ſaid, " The King had commanded him to " publiſh the judges determination, and to give " order that it ſhould be entered in all the courts of " Weſtminſter. That moreover, his Majeſty in- " joined the judges, to declare the ſame in their " circuits throughout the kingdom, that no man

(1) The King's letter, the caſe and judges opinion being diſtinctly read in court, in preſenſe of all the judges, except Crooke, who at that time was indiſpoſed as to his health, this ſame public reading ſeemed a ſurpriſe to ſome of the judges preſent. Ruſhworth, Vol. II. p. 356.

might

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" might plead ignorance. That however, it was " not his Majeſty's purpoſe to ſtop the actions or " ſuits which have been, or ſhould be brought con- " cerning this matter, but only to prevent ſuch as " ſhould bring their action from being ſurpriſed". He concluded with ſaying, " If any contrary opi- " nion ſhould yet remain among men, it muſt " proceed from thoſe who are ſons of the law, or " from ſome not towards the law. Of the latter " I will ſay, " Felices demum eſſent artes ſi de " illis ſolum judicarent artifices". And as to the " former, you the judges of the realm, are and ever " have been accounted the fathers of the law, then " will it ill become the ſon to diſpute againſt, or " take upon him to be wiſer than the father".

Remark on this matter.

We may readily comprehend, that the artifice of thoſe queſtions, propoſed to the judges, lay in the ſuppoſition of ſome great danger the kingdom was in, for inſtance, a ſudden and unexpected invaſion, which moſt certainly was not then the caſe: nevertheleſs, on the bare poſſibility of ſuch extraordinary peril, King Charles eſtabliſhed a principle which gave him power to impoſe not only ſhip-money, but any other tax he ſhould pleaſe for the future. The judges prevarication conſiſted in that, feigning not to ſee the artifice of thoſe queſtions, they without examination admited his Majeſty's ſuppoſition, and decided this nice point on the foundation of ſome extraordinary and unforeſeen emergency, which was not indeed impoſſible. However, two of the judges, viz. Hutton and Crooke, joined not in opinion with the others: yet were they prevailed on to ſign like their brethren, by the conſideration of its being the opinion of the Body. Let it be farther obſerved, that the order to enter the judges determination in the courts of juſtice, and to publiſh it thro' all parts of the realm, was very extraordinary, ſince thereby the King pretended to make it a ſort of law, whereby the courts were to proceed in judging ſuch ſuits as might afterwards be commenced on this buſineſs. This had never been practiſed, but with regard to parliamentary ſtatutes.

Rushworth, II. p. 364.

Hampden's proſecution. Idem p. 480, &c. State Trials. Vol. I. Annals. p. 482,608.

After theſe precautions, King Charles deemed himſelf ſufficiently authoriſed to order proſecutions againſt ſuch as refuſed paying ſhip-money. He imagined none would be ſo daringly obſtinate as to mantain a refuſal before judges who had already declared their opinion, and could not give a contrary judgment, without rendering themſelves ridiculous. There was however a gentleman, who being perſuaded, notwithſtanding the judges determination, that ſhip-money was illegal, and contrary to the petition of right, reſolved to ſtand the ſhock, and refuſe to pay the ſaid impoſt. Mr. Hampden of Buckinghamſhire was the man, who being rated at twenty * ſhillings, choſe rather to be caſt at law than pay voluntarily. This caſe was argued in the exchequer chamber, before all the judges of England, who were ſent for to render the judgment more ſolemn and authentic. Tho' the point was only to decide, whether Mr. Hampden ſhould pay twenty ſhillings or not, it nevertheleſs was the moſt important cauſe had ever been argued in any court of judicature. The matter in queſtion was, to determine, whether the King had power to tax his ſubjects without the parliament's concurrence, and whether the people were obliged to pay taxes ſo impoſed. Accordingly, his Majeſty's and Mr. Hampden's counſel did, on this occaſion, diſplay whatever wit, learning, knowledge of the laws, ſolidity of reaſoning, ſubtilty and chicanry, are capable of producing. There were ſome who pleaded four days together. Doubtleſs, it is ſcarce expected I ſhould inſert here all the arguments alledged on both ſides, in this ſo celebrated a diſpute; wherefore I ſhall content my ſelf with ſuccinctly giving a general idea of this matter.

* Not ten, as M. Rapin has it.

The King's counſel maintained, That his Majeſty was head of the ſtate, and obliged to protect it when in danger: that this danger might be ſuch as required immediate remedy. Hence they infered, that what was alledged in favor of the laws was not to the purpoſe, ſince caſes might occur where it was impracticable to obſerve them; conſequently their execution was reſtrained by neceſſity, and, in theſe caſes of neceſſity, the King had abſolute power to impoſe taxes for the kingdom's defenſe, for which they urged diverſe precedents in former reigns. They added, as the people were not called to the King's council to give their opinion, whether there was or was not a neceſſity to impoſe taxes for the nation's defenſe, it followed, that his Majeſty, by his council's advice, was the ſole judge: that the King having, in this preſent caſe, deemed it requiſite, he might lawfully impoſe ſhip-money, and his ſubjects could not refuſe paying it, without incurring the guilt of diſobedience.

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Summary of the argument on both ſides.

The counſel for Mr. Hampden acknowledged his Majeſty for head of the ſtate, and that it was incumbent on him to defend it; but withal maintained, that the law had provided means to put the realm in a ſtate of ſafety, by inveſting the King's perſon with ſundry privileges which were for that purpoſe. For inſtance, the right of being aſſiſted by the poſſeſſors of the crown-fees, of arming the cinque-ports, fines, confiſcations, tunage and poundage, and other cuſtoms of which he was actually in poſſeſſion, and which he had himſelf declared to be deſigned for defenſe of the ſeas. Laſtly, ſuppoſing and allowing all theſe means to be exhauſted, the King had another infallible way, which was to call a parliament, and demand a ſupply for all extraordinary occaſions.

But the King's counſel chiefly inſiſted on the poſſibility of ſuch ſudden and unforeſeen caſes as would not afford time to call a parliament. This was their main argument, and the ſole foundation of the advantages they pretended to draw from the precedents of former reigns. Tho' the principles they would have eſtabliſhed tended to put it in the King's power to impoſe taxes whenever he pleaſed, they durſt not however aſſert it in plain terms, but limited his power to caſes of neceſſity, whereof they nevertheleſs would have his Majeſty alone to be judge, which indeed came to the very ſame amount.

To this Mr. Hampden's counſel replied: 1. Theſe caſes were very rare, and granting his Majeſty had a power, in ſuch caſes, to impoſe extraordinary taxes, this neceſſity ought to be very evident. 2. His Majeſty, on ſuch a ſuppoſition, having exacted loans from his ſubjects, the parliament had declared them void, and the King, in his anſwer to the petition of right, acknowledged he had no power to demand them. 3. At this preſent juncture, there was no cauſe to apprehend any ſudden invaſion, ſince his Majeſty was in peace with all his neighbors. 4. The King himſelf did not think the danger imminent, ſince the writs ſent to the counties to fit out ſhips being dated the ſeventh of Auguſt, theſe ſhips were not to be at Portſmouth 'till the firſt of March following, and conſequently even his Majeſty was of opinion there was ſeven months time to prevent the danger, in which ſpace a parliament might eaſily be aſſembled.

I ſhall not any longer dwell on this topic, which would lead me too far, ſhould I relatet he objections, anſwers and replies of both parties. It ſuffices to make this general remark, that the counſel for Mr. Hampden pleaded expreſs laws, " Magna " Charta", the ſubſequent ſtatutes, and the petition of right. The King's counſel inſiſted chiefly on precedents and inſtances deduced from ſome former reigns, and on the impoſſibility, in certain caſes,

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cafes, of ſtrictly obſerving the laws: whence they infered, that the laws were not ſo general, but that they were limited by extraordinary caſes, and his Majeſty, being bound to defend the ſtate, ought to be the ſole judge of ſuch caſes. I find not that they indeavored to prove the kingdom to have then actually been in one of theſe extraordinary caſes, or in imminent danger.

Hampden caſt.

The cauſe having been many days debated, from the begining of November 'till Chriſtmaſs, and in the following terms, 'till May and June, judgment was given againſt Mr. Hampden, and he was condemned to pay the ſum he was taxed at. Thence forwards, no one would have recourſe to the law, ſince it would have been in vain, after ſo ſolemn a judgment (1).

King Charles's deſigns touching Scotland.

While indeavors were uſing in England to carry the prerogative-royal higher than ever, King Charles finally determined to execute the project he had formed with regard to Scotland, viz. to reduce the kirk to a perfect conformity with the church of England. This ſcheme was laid by King James, at his acceſſion to the crown of England: nay, before he left Scotland he had found means to reſtore epiſcopacy, as will preſently be evident. From that time, the biſhops were always protected and countenanced by James I, and Charles I, who gained the parliaments to their intereſt, and moreover exerted their prerogative in favor of the prelates; for with them the execution of their deſign was to begin. As the troubles which this affair occaſioned in Scotland, were the main cauſes of King Charles I's misfortunes and ruin, I think it indiſpenſibly neceſſary to trace them to their origin, and the rather, as they had great influence on the affairs of England. Beſide, tho' many foreign writers have treated of the differences between Charles I, and his Scotiſh ſubjects, I know not of any who has undertaken to explain this matter clearly, or handled it with impartiality.

The ſtate of epiſcopacy in Scotland from the reformation 1637.

The reformation was received in Scotland, by public authority, in the reign of Queen Mary, 1560, juſt before King Francis II's deceaſe, and while the Queen his widow was yet in France. The firſt who imbraced the reformed religion in Scotland, under the former reigns, were much perſecuted, even to the time I have been ſpeaking of, and yet their number failed not increaſing daily.

The prelates deemed themſelves bound in conſcience to perſecute the Reformed. They were at once their adverſaries and judges, and conſequently it was in a manner impoſſible but this conduct ſhould draw on them the ſufferers implacable hatred. Accordingly, the ſtates decree to admit the reformation had no ſooner paſſed than the biſhops loſt all their credit and authority. Very certainly, the plan whereon the new church's government was at firſt ſettled, was not any way favorable to epiſcopacy, but it was reſolved to conform to the Swiſs churches diſcipline. The Reformed had a too great averſion for biſhops to remain under their yoke, eſpecially as very few prelates agreed to the late alterations in religion. All done in their favor was, the council ordered that ſuch as would imbrace the reformation ſhould injoy their revenues, on condition they would maintain miniſters. This plainly ſhews that, tho' their revenues were left them, there was no intention to continue in their hands the church's government. It was not ſo in England, when the reformation was received in Edward VI's reign. Far from being prejudiced againſt biſhops, the Engliſh, on the contrary, could not but own it was by means of the leading prelates that the reformation was eſtabliſhed. There was therefore no motive, either of hatred or policy, to incline the Engliſh to throw of epiſcopal government, tho' they ſhould be ſuppoſed to conſider it as a matter of indifferency. But in Scotland, paſſions, policy and reaſon it ſelf required a deliverance from the yoke of biſhops, of whom the majority, to the very utmoſt of their ability, oppoſed the reformation. Thus were eſtabliſhed preſbyteries and national ſynods, or general aſſemblies, and to their care was commited the ſettling of church diſcipline.

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Originally, thoſe general aſſemblies had, or perhaps uſurped, a very great authority. It was even neceſſary their power ſhould be great, to inable them to defend the reformation againſt the inceſſant attacks of its adverſaries. Queen Mary, who arrived ſoon after in Scotland, was a zealous Papiſt, and many of the prime nobility were of like ſentiments: ſo the Romiſh faction was ſtill very ſtrong, and in condition to obſtruct the reformation's progreſs. On the other hand, the general aſſembly, then conſiſting wholly of miniſters, vigorouſly ſupported the new creed, ſpite of the Catholic party's moſt ſtrenuous efforts. Mean while, notwithſtanding the Reformed ardently labored to aboliſh epiſcopacy by public authority, they could not obtain of the parliament any expreſs act for that purpoſe. At length, in 1566, the general aſſembly ſolemnly approved the diſcipline of the Swiſs church, and of a parity among the miniſters. This was ſufficient to overthrow at once the ſpiritual power of the biſhops, but not to deprive them of their temporal privileges: ſo, from the year 1561, to Queen Mary's depoſition in 1567, the biſhops ſtate and condition were very uncertain. They injoyed their revenues, ſat in parliaments, but their ſpiritual juriſdiction was acknowledged by few, tho' they labored for its preſervation. The general aſſembly had declared for the Preſbyterian government, but the parliament was not yet come to any deciſion. Mean while, the prelates were in a very indifferent and dubious ſituation, ſince the people, who highly venerated the general aſſembly, could not, after they had been condemned there, acknowledge them for paſtors. Thus, nothwithſtanding their ſpiritual authority was not expreſly abrogated by the parliament, it was, as I may ſay, reduced to nothing, ſince they could not exerciſe it, the general aſſembly directing all eccleſiaſtical affairs. This has occaſioned warm controverſies about epiſcopacy, ſome affirming it to have been utterly aboliſhed in Scotland, and others, that it always ſubſiſted. One cannot but wonder at a diſpute about a fact of this nature, and it is no leſs ſurpriſing that the parliament of Scotland ſhould, for upwards of thirty years, have delayed uſing their authority to ſettle the church government. It is therefore abſolutely requiſite to explain the reaſon; otherwiſe it would be difficult to comprehend what occa-

Nalſon, p. 140.

(1) This cauſe was not only argued by the King's, and Mr. Hampden's counſel, but afterwards by the judges at the bench, and all of them (except Hutton and Crooke) argued, and gave their judgment for the King. Judge Crooke (ſays Whitelock in his Memoirs, p. 24. of his own knowledge) was reſolved to deliver his opinion for the King, and to that end had prepared his argument: but a few days before, upon diſcourſe with ſome of his relations, and moſt ſerious thoughts of the buſineſs, and being heartened by his lady, who told her huſband upon this occaſion, "That ſhe hoped he would do nothing againſt his "conſcience, for fear of any danger or prejudice to him or his family; and that ſhe would be contented to ſuffer want, or "any miſery with him, rather than be occaſion for him to do or ſay any thing againſt his judgment". Upon theſe, I ſay, and the like incouragements, but chiefly upon his better thoughts, he ſuddenly altered his purpoſe, and argued and declared his opinion againſt the King.

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sioned the troubles of Scotland, whereof we muſt neceſſarily treat ſomewhat largely. But before we deſcend to particulars, it will be needful to obſerve, that we muſt carefully diſtinguiſh the benefice from the office of a biſhop. By the benefice, I mean the revenues, lands, honors, privileges, in a word, all the temporalities annexed to the epiſcopal dignity. By the office I underſtand the ſpiritual juriſdiction and functions of a biſhop. If this diſtinction be not always borne in memory, it will not be poſſible to form a clear idea of the diſputes upon this ſubject.

It is certain that, from the year 1560, when the reformation was eſtabliſhed in Scotland, to the year 1569, the church of that kingdom was governed by Preſbyteries, Dioceſan and Provincial Synods, General Aſſemblies, and that they even appointed ſuperintendants, who continued 'till the year 1575. It is no leſs certain, that the general aſſemblies condemned and rejected epiſcopal government above thirty years, and, during that time, conſtantly demanded and earneſtly ſollicited the abolition of epiſcopacy, with reſpect both to temporals and ſpirituals. Nevertheleſs, from the begining of the reformation, 'till 1592, no expreſs act of parliament could be obtained, either for or againſt epiſcopacy, or to approve or reject the Preſbyterian government, if we except the interval between the years 1571 and 1575, of which mention ſhall be made hereafter.

Had the general aſſemblies confined their demands to the aboliſhing epiſcopacy, as to the ſpiritual functions, very probably, they would eaſily have obtained it: but after abolition of the epiſcopal office as far as in them lay, they were not ſatisfied with deſiring that their acts might be confirmed by parliament, but demanded alſo the name of biſhop might be aboliſhed, and the biſhops deprived of all temporal honors and privileges in general, as the right of ſiting in parliament, &c. But the court always oppoſed it ſtrenuouſly, becauſe the biſhopricks and abbies being filled by the King, he could almoſt depend on as many votes in parliament as there were biſhops and abbots. For the ſame reaſon, the court, by ſecret practiſes, hindered the parliament from paſſing any act to eſtabliſh Preſbytery, and to abrogate the ſpiritual juriſdiction of biſhops, becauſe it was perceived that this would tend to deprive them of their temporal honors. Not but that, in the actual practiſe of the church, Epiſcopacy was really aboliſhed, and Preſbytery eſtabliſhed; but however, as long as there was no expreſs act to aboliſh epiſcopacy, the biſhops and abbots could not be prevented from voting in parliament, which was a great advantage to the court: ſo the name and title of biſhops and abbots ſtill ſubſiſted. They held the lands annexed to their predeceſſors, tho' the office had actually ceaſed. This is ſo true, with reſpect to the abbots, as not to admit any diſpute. The abbies were in the poſſeſſion of laics, who ſat in parliament by the name and title of abbots. As to the biſhops, the matter is not ſo clear, becauſe the title of biſhop was confered on eccleſiaſtics. Had the court beſtowed the biſhopricks on laics, it would have given too much advantage to the general aſſembly, who deſired nothing more than a plauſible pretenſe to preſs the abolition of prelates temporalities. This demonſtrates that one may rationally affirm, there were, and were not, at the ſame time, biſhops in Scotland. Scotland had biſhops, if we conſider its having perſons ſo ſtiled, who held the lands and revenues of the Sees, and who, as ſuch, had a ſeat in parliament. It had none, with reſpect to the ſpiritual functions, which were aboliſhed by the general aſſembly's decrees, and by actual practiſe, tho' not expreſly repealed by parliament. All objections, replications, &c. in this diſpute, wholly turn upon the confuſion of the ſpiritual and temporal ſtates of the biſhops. Some very manifeſtly prove epiſcopacy to have all along ſubſiſted in Scotland, provided they confine the meaning of that word to temporals: but their proofs, with regard to ſpirituals, are extremely defective. Others evidently ſhew, that epiſcopacy was aboliſhed as to the ſpiritual functions, by virtue of acts paſſed by the general aſſembly. But they cannot prove it was aboliſhed, with reſpect to the temporal privileges, ſince the parliament had not yet made any deciſion. As neither can produce any expreſs act of parliament, at leaſt 'till ſuch a time, they alledge ſome from whence they indeavor to draw inferences to their advantage. But this requires a farther explication. For the readier comprehending this matter, we muſt neceſſarily diſtinguiſh the various circumſtances of Scotland from the reformation's original introduction, viz. in the reign of Mary; in that of James VI, during his minority; under the ſame Prince after aſſuming the government, according to the ſeveral miniſters or favorites, by whoſe counſels he was directed; and laſtly, under the ſame King James after his acceſſion to England: during all which time the biſhops ſtate and ſituation depended on the intereſts of thoſe who were in the adminiſtration.

Queen Mary's reign laſted 'till the year 1567. This Princeſs was a zealous Catholic, and yet, ſo long as her natural brother, the earl of Murray, had any credit with her, the reformation was not attacked: but, towards the cloſe of her government, under Bothwel's adminiſtration, the general aſſembly loſt ground. However, in 1566, they made the above-cited decree, to approve of the Swiſs church's diſcipline, and of a parity among the miniſters, which intirely deſtroyed epiſcopacy. But Mary, regardleſs of this decree, openly reſtored the archbiſhoprick of St. Andrew's, notwithſtanding the aſſembly's oppoſition.

The interval from the depoſing Queen Mary, in 1567, to 1573, was a time of troubles and diſcord, under the adminiſtration of diverſe regents, whoſe authority was not firmly eſtabliſhed; ſo that it was very difficult for the parliament effectually to ſettle eccleſiaſtical diſcipline. All can be ſaid is, that they rejected not what the general aſſembly had eſtabliſhed, tho' they did not thereto actually conſent. On the other hand, in 1572 and 1573, the regent, for ſome private views, cauſed ſome acts to be paſſed in favor of epiſcopacy, but which were afterwards repealed. Theſe were the acts, viz.

By the firſt, which is the forty-ſixth of the parliament held in 1572, it is declared, "The archbiſhops and biſhops have the authority, and are ordained to convene and deprive all inferior perſons, being miniſters, who ſhall not ſubſcribe the articles of religion, and give their oath for acknowledging and recognoſcing our ſovereign Lord and his authority, and bring a teſtimonial in writing thereupon, within a month after their admiſſion." Nalſon, p. 141.

By the forty-eighth act of the ſame parliament, it is declared, "That archbiſhops and biſhops have authority at their viſitations to deſign miniſters glebes."

By the fifty-fourth of the ſaid parliament, "archbiſhops and biſhops were authoriſed to nominate and appoint, at their viſitations, perſons in every parochin for making and ſeting the taxation, for upholding and repairing kirks and kirkyards, and to convene, try, and cenſure all perſons who ſhall be found to have applied to their own uſe the ſtones, timber, or any thing elſe pertaining to kirks demoliſhed.

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By the fifty-fifth of the parliament in 1573, "archbiſhops and biſhops were authoriſed to admoniſh perſons married, in caſe of deſertion, to "adhere, and in caſe of diſobedience, to direct "charges to the miniſter of the parochin to proceed to the ſentence of excommunication."

In theſe four acts appear ſome ſigns of the epiſcopal juriſdiction, or at leaſt, that the parliament did not look upon epiſcopacy as utterly aboliſhed. But, on the other hand, if the biſhops actually exerciſed their functions at that time, where was the neceſſity of the parliament's authoriſing them to act in moſt of the particulars ſpecified in theſe ſtatutes? But here is a yet more forcible objection againſt the biſhops: and that is, they who have thus cited theſe acts have curtailed them, and paſſed over in ſilence the ſuperintendants who were joined with the biſhops, whence is infered, that the biſhops were impowered only as the parliament's commiſſioners.

I next proceed to the time of King James's majority, or at leaſt of his aſſuming the government, tho' he was not actually a major. The earl of Morton having loſt his head in 1581, the duke of Lenox and earl of Arran ruled the young King as they pleaſed. They were afterwards expulſed by the Ruthens; but James ſoon recalled Arran, who became more powerful than ever. It is certain, this favorite's aim was to diſingage his royal maſter from the intereſt of England, and to countenance the duke of Guiſe's ſcheme to attack Queen Elizabeth by Scotland. It was therefore the favorite's buſineſs to curb the too great power of the general aſſembly, who ſtrongly oppoſed the execution of this project. In order to ſucceed, his readieſt way was, not only to protect the biſhops, but alſo to give them authority over the miniſters, that theſe might be humbler: and to that purpoſe, he, in the parliament of 1564, procured the four ſubſequent acts, viz.

Nalſon, p. 142.

The hundred and thirtieth ran: "That none of "his Majeſty's lieges and ſubjects preſume or take "upon hand to impugn the dignity and authority "of the three eſtates of this kingdom, whereby "the honor and authority of the King's Majeſty's "ſupreme court of parliament, paſſed all memory "of man, hath been continued, or to ſeek or "procure the innovation or diminution of the "power and anthority of the ſame three eſtates, "or any of them in time coming, under the pain "of treaſon."

By the hundred and thirty-firſt, "All judgments "and juriſdictions, as well in ſpiritual as temporal "cauſes, in practiſe and cuſtom, during the twenty-four years by-paſſed, not approved by the "King and three eſtates in parliament, are diſcharged; and it is declared, that none of his "Highneſs's ſubjects, of whatſoever quality, eſtate "or function they be, ſpiritual or temporal, preſume, or take upon hand to convocate, convene, "or aſſemble themſelves together for holding councils, conventions, or aſſemblies, to treat, conſult, or determinate in any matter of eſtate, "civil or eccleſiaſtical (except in the ordinary "judgments) without his Majeſty's ſpecial commandment, or expreſs licenſe had and obtained "to that effect."

By the hundred and thirty-ſecond, "biſhops are "authoriſed to try and judge miniſters guilty of "crimes meriting deprivation."

The hundred and thirty-third ordains, "That "miniſters, exerciſing any office beſide their calling, be tried and adjudged culpable by their ordinaries."

It is evident that the drift in theſe four acts was, to aboliſh the general aſſemblies with the preſbytery, and reſtore the epiſcopal government. But it muſt be obſerved;

1. Theſe acts were made during the tyrannical uſurpation of the earl of Arran, who had formed the project of admiting into Scotland a Papiſtic army: nor is it much to the biſhops credit that he ſhould deem them proper inſtruments to countenance that deſign. 2. The general aſſembly ſolemnly proteſted againſt theſe acts, maintaining, it was not in the King's or parliament's power to regulate or vary the government of the church, without the church's own concurrence; that it could not reaſonably be pretended that four biſhops, who were preſent in this parliament, and whoſe ſpiritual power was long ſince aboliſhed, and four laics, under the denomination of abbots, were legitimate repreſentatives of the whole church, or that their conſent to theſe acts ſhould be conſidered as the conſent of the national church. 3. Theſe four acts were repealed by the parliament of 1592.

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I muſt now proceed to another juncture, when King James, freed from the earl of Arran's tyranny, having relinquiſhed the chimerical projects ſuggeſted by that favorite, was better acquainted with his true intereſts. I mean the year 1587. Tho', at the begining of this year, Queen Elizabeth had beheaded Mary, King James's mother, he was ſoon comforted by the hopes of one day poſſeſſing the crown of England, which he was afraid of loſing, in caſe he continued to form projects againſt religion, as he had done during Arran's miniſtry. He p. 161. therefore, this ſame year, gave the royal aſſent to the act of annexation, whereby were adjoined to the crown, "all lordſhips and baronies pertaining to "whatſoever archbiſhops, or biſhops, abbots, "priors, nuns and monks; reſerving always to "archbiſhops, &c. and others poſſeſſors of great "benefices of the eſtate of prelates, and which be"fore had or hath vote in parliament, the princi"pal caſtles and fortalices."

It may from this act be infered, that the depriving biſhops of their lands, was depriving them withal of the right of ſiting in parliament, ſince that right was wholly founded on poſſeſſion of the baronies: nay, it ſeems that the title of biſhop began now to be confered on laics, which gave them only poſſeſſion of the chief caſtle appertaining to the ſee. At leaſt we find that, ſhortly after, the biſhoprick of Cathneſs becoming vacant, by the death of Robert earl of March, the King's uncle, the general aſſembly petitioned his Majeſty to confer that ſee on ſome eccleſiaſtic.

Finally, in 1592, the parliament repealed and Ib. p. 163. annulled not only the above-cited acts of 1583, but alſo ſuch as were contrary to the diſcipline eſtabliſhed, "approving, ratifying and confirming the aſ"ſemblies, preſbyteries and ſynods, with the diſci"pline and juriſdiction of the kirk, as moſt juſt "and godly, notwithſtanding whatſoever ſtatutes, "acts, canons, civil or municipal laws made in "the contrary. Farther, they abrogated all acts "granting commiſſion to biſhops, and other judges "conſtitute in eccleſiaſtical cauſes; and ordained "preſentation to benefices, to be directed to preſ"byteries, with power to give collation there"upon."

This act was confirmed in 1593, and the power of preſbyteries ſolemnly acknowledged, by the parliament in 1594, act one hundred and twenty-nine.

Was not all this ſufficient abſolutely to aboliſh Ibid. epiſcopacy? By the act of 1587 the biſhops were diſpoſſeſſed of their lands; and by that of 1592 they loſt all manner of juriſdiction. For how could the power of the preſbyteries and general aſſemblies, be conſiſtent with the epiſcopal juriſdiction? And yet, there were perſons who ſtill bore the name of biſhop, by reaſon of their holding caſtles formerly appertaining to the ſees; for it appears not on what

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what other ſcore they could be ſtiled biſhops: nay, very ſeemingly, diverſe of theſe ſees were in lay-hands; at leaſt, the abbies and priories were certainly ſo.

But matters did not long continue on the ſame footing. Whether the general aſſemblies uſurped too much authority, after they were freed from the biſhops, or for ſome other reaſons, King James laid new ſchemes, and determined on re-eſtabliſhing the prelates. Then, as at many other junctures, the court had ſuch great influence over the parliament, that in a manner whatever was required was inacted.

Nalſon, p. 164.

James therefore, in 1597, ſo managed, that "the privilege of a voice in parliament was granted to the whole kirk; and under that name to biſhops and abbots, even as in times of Papiſtry. As to the office and ſpiritual government of biſhops, the parliament remited them to the King and the aſſembly, intending not to derogate from the provincial and general aſſemblies, and other whatſoever preſbyteries and ſeſſions, nor from the diſcipline eſtabliſhed in the kirk."

This act evidences that the biſhops had loſt their right of ſeat in parliament, ſince there was occaſion for reſtoring it them. By virtue of the ſaid act, they reſumed their places in parliament, and even ſir Robert Spotſwood, a laic, took his ſeat there, as abbot of New-Abbey. The King deſired nothing more at that time, than to re-introduce to the parliament the biſhops and abbots. But he did not ſtop there, as will preſently appear.

Mean while, as the general aſſembly ſtill continued ſtrenuouſly oppoſing eccleſiaſtics promotion to poſts of authority in the ſtate, and as the people ſeemed more inclined to follow the general aſſembly's determinations than thoſe of the parliament, it was to be feared this diſſenſion would finally occaſion diſturbances in the realm. To prevent this inconvenience, James cauſed the general aſſembly, held at Montroſs, in the year 1600, to be preſſed ſo earneſtly to conſent to what the parliament of 1597 had granted the biſhops, that they were obliged either to comply, or break with him abſolutely. They therefore approved this act, but on certain conditions, the ſubſtance whereof was, that the biſhops ſhould act in parliament only as the kirk's commiſſioners or deputies, and be ſubject to the general aſſembly. The conditions impoſed on them were as follow, viz.

1. They ſhall obtain a commiſſion from the general aſſembly, to act in their name in parliament, and ſhall ſwear to obſerve the following articles.

2. They ſhall move nothing, without having expreſs order from the kirk, on pain of being deprived of their office.

3. They ſhall not conſent, no not by their ſilence, to any thing againſt the liberties of the kirk, under the ſame penalty.

4. They ſhall be accountable to each general aſſembly for their behavior in the diſcharge of their commiſſion ſince the laſt aſſembly; be obliged to demand the approbation, and ſubmit to the determination and cenſure of the aſſembly, without any appeal, on pain of being pronounced infamous and excommunicated.

5. They ſhall be ſatisfied with that portion of their benefices the King ſhall pleaſe to allot them, for their ſubſiſtence, that they may not be a burden to the miniſters who are already, or ſhall be hereafter ſettled in their benefices.

6. They ſhall not ſuffer their benefices to go to decay, or diſpoſe of any thing belonging thereto, without conſent of the King and the general aſſembly, and ſhall allow that inhibitions be directed to them for that purpoſe.

7. They ſhall exerciſe the functions of paſtors in their own congregations, and be ſubject to the cenſure of their own preſbyteries and the general aſſembly, like the reſt of the miniſters who are not commiſſioned.

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8. In the adminiſtration of diſcipline, and in every thing relating to the government of the kirk, they ſhall uſurp no power or juriſdiction beyond what is adjudged to other miniſters, on pain of forfeiting their office.

9. In preſbyteries and general and provincial aſſemblies, they ſhall demean themſelves in the ſame manner as other miniſters, and ſhall be liable to their cenſure.

10. None of thoſe who ſit in parliament ſhall be members of the general aſſemblies, unleſs they be expreſly deputed by their preſbyteries.

It is manifeſt, from theſe conditions, inſerted in the acts of parliament made to confirm that of 1597, what was the intention of the Montroſs aſſembly, in agreeing, thro' complaiſance to his Majeſty, that the biſhops ſhould ſit in parliament. The prelates imbraced what was for their advantage, viz. the aſſembly's conſent to the privilege granted them: but never performed any of the conditions. The court was then favorable to them; but it was ſtill more ſo, after King James's acceſſion to the crown of England.

Soon as James became King of England, he formed, as has been ſaid, the project of eſtabliſhing in the Scotiſh kirk the diſcipline and hierarchy of the church of England. To accompliſh this deſign, it was requiſite he ſhould reſtore the biſhops to all the rights they had injoyed before the reformation, and accordingly he reſolved to begin with this reſtoration. His power in the parliament was very great, during the laſt years of his being in Scotland; but it was nothing in compariſon of what it was after his acceſſion to the throne of England. It ſuffices to ſay, that this influence was in proportion to the means he had of diſpenſing to his Scotiſh ſubjects favors which he had not been able to confer on them in their country. We have ſeen, in the hiſtory of his reign, how he ſhowered on them his bounties, whereof the Engliſh could not forbear complaining. It is not therefore much to be wondered at that the members of the Scotiſh parliament ſhould be at his devotion. He made uſe of his credit, in the year 1606, and obtained the inſuing parliamentary ſtatutes, viz.

"The ancient and fundamental policy, conſiſting in the maintenance of the three eſtates of parliament, being of late greatly impaired, and almoſt ſubverted, eſpecially by the indirect aboliſhing of the eſtate of biſhops by the act of annexation: albeit it was never meaned by his Majeſty, nor by his eſtates, that the ſaid eſtate of biſhops, being a neceſſary eſtate of the parliament, ſhould any way be ſuppreſſed; yet, by diſmembering and abſtracting from them of their livings, being brought in contempt and poverty, the ſaid eſtate of biſhops is hereby reſtored, and and redintegrate to their ancient and accuſtomed honors, dignities, prerogatives, privileges, lands, teindes, rents, as the ſame was in the Reformed kirk, moſt amply and free, at any time before the act of annexation; reſcinding and anulling all acts of parliament made in prejudice of the ſaid biſhops in the premiſſes, or any of them, with all which hath followed, or may follow thereupon, to the effect they may peaceably injoy the honors, dignities, privileges and prerogatives competent to them, or their eſtate, ſince the reformation of religion." p. 143.

Thus far, however, it concerned only the temporalities, there not being in the act a ſingle word whence it might be infered, that the parliament reſtored

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restored the biſhops to their ſpiritual functions, or ancient juriſdiction. Indeed the general aſſembly pretended, that the King and parliament could make no alterations in the ſpirituals, without the kirk's conſent; but they had no power to hinder the King and parliament from beſtowing the crown lands on whom they pleaſed, or from admiting into the parliament ſuch as they thought proper. But King James's intention was not to ſtop there.

In 1609, his ſaid Majeſty, under color of confirming the act of 1606, obtained of the parliament a ſecond ſtatute, which, in confirming the former one, ſubjoined a clauſe, whereby the biſhops were intirely re-inſtated in their priſtine authority, privileges and juriſdiction. By virtue of this latter act it was that the biſhops took poſſeſſion of the kirk's government, notwithſtanding the Montroſs aſſembly's terms or conditions, which they little regarded, and preſumed were annulled by this ſtatute. But the general aſſembly formerly proteſted againſt this act, affirming the parliament have not power, without the kirk's conſent, to reſtore a ſpiritual office which hath been aboliſhed. They likewiſe proteſted againſt eccleſiaſtics being promoted to civil poſts, as pernicious to religion. Their proteſtation was rejected: nevertheleſs it was printed and diſperſed over the whole realm.

The general aſſembly's oppoſition had a great effect on the people, who loved not the biſhops, and had been fifty years uſed to the Preſbyterian government. They exclaimed, that the parliament had been gained to impoſe on them epiſcopal government, which was odious to the whole nation, not only without conſulting the kirk, but even quite contrary to its inclination. This oppoſition convinced King James, that, notwithſtanding the parliament's authority, he ſhould find it very difficult to reduce the Scots to obedience, ſo long as the general aſſembly oppoſed the prelates reſtoration. He reſolved therefore to cauſe a general aſſembly to be held at Glaſgow, in 1610, where he took care to gain a majority of votes, and whereof thoſe ſame prelates were the chief directors. The aſſembly, thus diſpoſed agreed, that the biſhops ſhould reſume all their ſpiritual functions, together with the kirk's government. After that, in 1612, James called a parliament, who, on the Glaſgow aſſembly's conſent, paſſed an act, whereby the biſhops were reſtored to all their ſpiritualities.

The prelates adverſaries, aſtoniſhed at this procedure, were forced to be ſilent, the torrent being too violent to be reſiſted. Beſide, the general aſſemblies becoming leſs neceſſary ſince the biſhops had the church's government, his Majeſty very rarely licenſed their convening, and when he did, it was after he had taken all neceſſary precautions to be aſſured that the biſhops would be directors and managers. In 1617, he moreover obtained of the parliament an act, whereby it was ordained, that the biſhops ſhould be elected by the chapters, and conſecrated with the accuſtomed rites, meaning thoſe introduced of late years. As, during the troubles in Scotland on account of religion, the people, as will preſently appear, loudly complained of the prelates reſtoration, the Glaſgow aſſembly's conſent, in 1610, was objected to them inceſſantly. For this reaſon, the firſt general aſſembly which King Charles was obliged to grant in 1638, found no better method to evade this objection, than to declare the Glaſgow aſſembly void originally.

Such was the ſtate of epiſcopacy in Scotland, from the reformation's introduction to the reign of Charles I, who, at his acceſſion to the throne, found it fully eſtabliſhed, tho' contrary to the bent of the nation in general, as in the ſequel manifeſtly appeared. James I, as has been obſerved, had formed the deſign of reducing the Scotiſh kirk to a like eſtabliſhment with the church of England. He had made therein a conſiderable progreſs, and Charles purſued the deſign with ſtill more ardor than his father. But, as hitherto, I have only treated of what regards the biſhops, it is requiſite, before we enter upon a relation of that kingdom's troubles, which firſt commenced in 1637, to mention the meaſures ſucceſſively taken by the two Kings to accompliſh their deſign.

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When King James had intirely reſtored epiſcopacy in Scotland, he reſolved to complete his work gradually. To that purpoſe, he began with the five articles mentioned in the hiſtory of his reign, which he cauſed to be approved by the general aſſembly of Perth, by means perhaps no leſs illegal than violent (1). The biſhops governed the preſbyteries, by making themſelves moderators, ſo that it was not poſſible to chuſe any for commiſſioners to the general aſſembly, but ſuch as they thought proper. However this be, the five articles being approved, his Majeſty, who by long experience was well acquainted with the genius and character of the Scots, judged it firſt of all intirely neceſſary to curb the petulancy and boldneſs of the miniſters, for fear they ſhould raiſe diſturbances in the kingdom. The people had for them a great veneration, which was even augmented after reſtoring the biſhops, becauſe theſe latter were much more ſedulous to maintain their grandure and authority, than gain the love of their flocks. Charles, in order to compaſs his ends, erected in Scotland a high-commiſſion, like that in England, but which, 'till then, was unheard-of in Scotland. As the Scots had never beſtowed on their Sovereign the title of ſupreme head of the church, as was done in England, there had been no occaſion to eſtabliſh in Scotland a high-commiſſion, to exerciſe, in his Majeſty's name, the ſupremacy. But James I, who was extremely prone to ſtretch his prerogative, readily believed, he had no leſs right to exerciſe the ſupremacy in Scotland than in England, tho' 'till then he had never even dreamed of any ſuch matter. Howſoever this may have been, by means of this new court, which was at firſt exceſſively rigid, excommunicating and depriving the miniſters for the leaſt offenſe, he kept them ſo in awe, that not one durſt move. This, with the favors heaped on ſuch as ſhewed a readineſs to countenance his deſigns, rendered him in a manner ſecure of ſucceſs in his undertaking, which advanced daily. Nothing was wanting to complete it, but making the Engliſh liturgy and canons be received in Scotland, which once effected, there would be no difference between the churches of both kingdoms. This was as eaſy to be accompliſhed as what had been done already: ſo his Majeſty having convened a general aſſembly at Aberdeen, it was repreſented to them; that divine ſervice was, in the Scotiſh kirk performed very indecently, every miniſter having liberty to compoſe public prayers, and uſe what expreſſions he pleaſed, which was liable to great inconveniencies: that it would therefore be proper to compile a liturgy, to be uſed in every church thro'out Scotland, to the end people might every where pray with one heart and one mouth. It muſt be obſerved, that it was not moved to receive the Engliſh liturgy, but only to compoſe one proper for the kirk of Scotland: whereupon diverſe members of the aſſembly believed, they might without danger agree,

(1) The articles were, kneeling at the ſacrament, communicating the ſick, private baptiſm, confirmation, keeping ſome feſtivals.

that

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that a common-prayer book ſhould be uſed, and the rather, as the reformed churches of Geneva, Swiſſerland, France and Germany had their ſeveral liturgies, tho' very different from that of the Engliſh. This motion being approved, the aſſembly appointed commiſſioners to compoſe the new liturgy, and this nomination may readily be preſumed to have been agreeable to his Majeſty's deſire. Theſe commiſſioners, of whom the majority were prelates, after imploying a conſiderable time in framing this liturgy, only copied that which was ſet forth in England, in the reign of Edward VI, and ſent it the King for his approbation.

The Palatinate, and Spaniſh match affairs ſo ingroſſed King James, during the latter years of his life, that he could not effectually think of finiſhing the work he had undertaken in Scotland. As he knew the Scots perfectly, and their ſtrong prepoſſeſſion for Preſbytery, he doubleſs thought proper to defer the execution of his deſign 'till he had compleated his two grand affairs. He was apprehenſive that, if unluckily any diſturbances ſhould occur in Scotland on account of the liturgy, it might divert him from what was then the chief object of his labor. I have in the hiſtory of his reign related how he was amuſed for many years, and therefore he could not finiſh what he had begun, but, being over-taken by death, left it to the care of his ſucceſſor.

Burnet. Mem. Ham.

Charles I was no leſs eager than his father, to eſtabliſh in Scotland the church of England's diſcipline. But his circumſtances, in the begining of his reign, admited not his applying himſelf to the finiſhing this affair ſo expeditiouſly as he wiſhed. His wars with Spain, and afterwards with France, his projects touching his prerogative, with his continual quarrels with the parliaments, demanded his whole application. Beſide, it was not proper in theſe junctures to rouze the Scots, who indeed ſeemed quiet and ſubmiſſive, but were nevertheleſs highly diſcontented; nor was his Majeſty thereof ignorant. He therefore waited 'till he had concluded peace with France and Spain, and rendered himſelf, as it were, abſolute by this diſſolution of three parliaments, by his reſolution never to call any more, and by eſtabliſhing his prerogative, concerning taxes, without the concurrence of parliament. Then it was he began to think ſeriouſly of compleating the Scotiſh kirk's reduction to a perfect conformity with the church of England.

Ruſhworth, Vol. II. p. 386. Annals, 614, &c.

He had not however been idle with reſpect to Scotland during theſe firſt years of his reign. Tho' he had delayed the execution of his deſign, it was ever in his thoughts, and he had taken ſome meaſures which ſeemed to warrant ſucceſs. 1. He had either continued or renewed the high-commiſſion, introduced by the King his father. 2. He had almoſt aboliſhed the general aſſemblies, by not allowing any ſince his acceſſion to the throne. 3. He had ſo ſupported and countenanced the biſhops, that they had intirely in their power all the clergy, whom they ruled with a very heavy hand. 4. He had gained a great number of the miniſters by means of benefices and eccleſiaſtical offices or dignities, which were granted only to thoſe on whoſe compliance he could depend. 5. He had ſo filled the Scotiſh council, in whoſe hands the adminiſtration of affairs is lodged during the Sovereign's abſenſe, that there was ſcarce a privy counſellor but what was ingaged to promote his deſigns.

Clarendon, Vol. I. p. 67.

6. In this council were diverſe prelates, and the archbiſhop of St. Andrews was veſted with the chancellorſhip, the principal office in all Scotland (1). 7. He had ſecured the lords of ſeſſion, that is, of the college of juſtice and, in a word, all who had places depending on the court. 8. He had charged Laud, archbiſhop of Canterbury, to hold continual correſpondence with the biſhops and council of Scotland, and take with them the neceſſary meaſures to accompliſh the deſign. It ſeemed therefore impoſſible his Majeſty ſhould meet with any oppoſition from a diſperſed people, without leaders, without ſupport, and deſtitute of their magiſtrates aſſiſtance.

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With all theſe advantages, Charles undertook to finiſh what ſtill remained to be done in Scotland. To that purpoſe, after a reviſal of the liturgy, tranſmited to the late King, he returned it to Scotland, with orders to have it received in the kirk: but, on the objection that this liturgy, being word for word the ſame with that of the church of England, the Scots might take offenſe at the impoſing on them the liturgy of another kingdom, he thought proper to make ſome alterations, and ordained that, inſtead of the Engliſh verſion of the Pſalms, and of the Epiſtles and Goſpels, the Scotiſh tranſlation ſhould be inſerted in the liturgy of Scotland. That done, he was of opinion it could not, with the leaſt ſhadow of reaſon be alledged by way of complaint, that he aimed at impoſing the Engliſh liturgy on the kirk of Scotland, tho' the ſole difference between them was only what is above hinted.

AN' 1637. Deſign to ſend the new liturgy into Scotland, put off. Ruſhworth, Vol. II. p. p. 386, &c. Annals. Nalſon. Clarendon.

While the liturgy was under reviſal, his Majeſty diſpatched away to Scotland a book of canons for the kirk's government, and theſe canons injoined a conformity to the liturgy, tho' it was not yet publiſhed, nor ſo much as known to the people. This was ſuch a groſs error, that it muſt be ſurpriſing King Charles and his miniſters could ever be thereof guilty. The pretenſe to introduce theſe new canons was, that the acts of the general aſſemblies not being printed, but contained in a number of huge MS. tomes, remained unknown to the people. On this account, Charles fancied they would be obliged to him for his care in extracting the chief and moſt material particulars in a moderate volume which might be in every one's hands. It ſeems ſometimes, that certain Princes imagine they have a ſovereign power, not only over the bodies, but likewiſe the intellectuals of their ſubjects, to make them credit the groſſeſt abſurdities. We have here two remarkable inſtances. Charles undertakes to perſuade the people of Scotland, that he pretends not to impoſe on them the Engliſh liturgy, tho' it is the very ſame, not only in ſubſtance but word for word, becauſe the verſion of the epiſtles and goſpels is different. On the other hand, he would have them believe, that the book of canons is no other than a bare abſtract from the acts of their general aſſemblies, tho' the reverſe is manifeſt. From the reformation's introduction to the Glaſgow aſſembly, in 1610, i, e, during fifty years, the general aſſemblies had always condemned and rejected epiſcopacy, and all their acts, not one excepted, ſuppoſed the Preſbyterian government: whereas, contrariwiſe, the book of canons ſuppoſed, in every article, the eccleſiaſtical hierarchy, and epiſcopal government. How then was it poſſible to perſuade the Scots, that this book of canons was abſtracted from the acts of their general aſſemblies? this was impoſing on them very unaccountably (2).

Charles ſends into Scotland the book of canons. Clarendon, Vol. I. p. 84.

(1) This office had never been in the hands of a churchman ſince the Reformation. He made likewiſe nine biſhops lords of ſeſſion, or privy counſellors. Clarendon, Vol. I. p. 67. Ruſhworth, Vol. II. p. 386.

(2) Lord Clarendon (Vol. I. p. 83, 85, 86.) juſtly obſerves, as ſomewhat ſtrange, that neither theſe canons, nor the liturgy, were communicated to the Scotiſh clergy, nor paſſed their approbation. They were compiled by ſome Scotiſh biſhops, and tranſmited from Scotland to archbiſhop Laud, Juxton, biſhop of London, and Wren of Norwich, who reviſed, and put the finiſhing hand to them.

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The liturgy being ready, Charles diſpatched it to Scotland, and appointed it to be read in all the churches of Edinburg on Eaſter-day, this year 1637: but, on farther conſideration, this order was revoked. His Majeſty was told, That it might be dangerous to ſurpriſe the people with reading the liturgy before they were prepared. That it was properer to defer it ſome months, in order to ſee whether, in that interval, the male-contents would attempt any oppoſition. In that caſe, they might be cruſhed before they had time to take juſt meaſures, and the bad ſucceſs of their attempt would only ſerve to farther his Majeſty's deſign. This reaſon appeared ſo plauſible, that Charles ordered reading the liturgy to be defered 'till Sunday the twenty third of July, the ſame year. During this whole interval, there was not in Edinburg any unuſual motion, nor the leaſt appearance that the King's orders would be at all oppoſed (1). To be ſtill ſecurer, the council eight days before, cauſed it to be publiſhed in every church of that city, that the liturgy would be read on the inſuing Sunday. No perſon ſtired the whole week, and all there was ſo quiet that the council doubted not of ſucceſs.

and afterwards the liturgy. Ib. p. 86. Ruſhworth, Vol. II. p. 387. Nalſon, p. 6. &c. Annals. p. 615.

The liturgy ordered to be read in the churches of Edinburg.

Neverthelefs next Sunday, the lord-chancellor, moſt of the grand counſellors, ſome biſhops, the lords of ſeſſion or judges of the realm, and the magiſtrates of Edinburg, repairing to St. Giles's church, the cathedral of that city, when the dean opened the book to read the liturgy, the meaner ſort of people, with claping of hands, execrations and outcries, raiſed ſo hideous a noiſe, that it was not poſſible to hear a word. Whereupon the biſhop of Edinburg, who was to preach, ſteping into the pulpit, with thoughts to appeaſe the people, was received with the ſame clamors and imprecations, and had not a ſtool, thrown at his head, been diverted by the hand of one preſent, the right reverend would have been in great danger of brayning. Nor did the lord-chancellor and judges meet with more reſpect. At laſt, the provoſt and bailiffs of the city came from their places, and with much difficulty thruſt out the inraged populace, and, ſhuting the doors, the Dean read the liturgy, tho' continually interrupted by the noiſe without, and volies of ſtones ſhowered in at the windows. The like tumults occurred in all the other churches of Edinburg, neverthelefs, not one perſon was either killed or wounded. The biſhop of Edinburg alone ran ſome hazard, as well in the church as in retiring to his abode. This firſt tumult was raiſed only by the rabble, no perſon of condition or name appearing therein. The magiſtrates of Edinburg openly diſavowed theſe diſorders, and promiſed the council to uſe their indeavors to diſcover and chaſtiſe its authors and abetors. They alſo offered to take order for the ſecurity of ſuch miniſters as ſhould be appointed to read the liturgy another time, and wrote to his grace of Canterbury to clear themſelves, intreating he would repreſent to his Majeſty their innocence.

Tumult there on this occaſion. Clarendon. p. 87. Ruſhworth, Vol. II. p. 388. Nalſon. p. 6, &c. Annals. Salmonet. Guthry.

Auguſt 19. Ruſhworth, Vol. II. p. 393.

Harveſt approaching, abundance of people left Edinburg, and went into the country. Mean while, the city magiſtrates prayed the council that the liturgy might not be read, they having obſerved the people were not yet diſpoſed to receive it: but in October, after the harveſt, ſo great a concourſe of people flocked to Edinburg, that it was eaſy to ſee a freſh ſtorm was gathering. The council therefore iſſued three proclamations. The firſt, to order all ſtrangers to depart the city within twenty four hours. A ſecond, for removing the ſeſſion (2) from Edinburg to Dundee (3). A third, for calling in and burning a ſeditious book, intitled, "A diſpute againſt the Engliſh Popiſh ceremonies, "obtruded upon the Kirk of Scotland". The firſt and laſt were not much regarded.

Preparations for another tumult. Ib. p. 400.

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The council's proclamations of no effect. October 17. Ibidem, p. 401, 402.

On the morrow, the eighteenth of October, multitudes flocked together tumultuouſly in Edinburg ſtreets, and ſeeing the biſhop of Galloway, as he was going to the council, a great croud followed him all the way with continual curſing, but however did him no hurt. They even beſet the council-houſe, demanding the biſhop's perſon, tho' it was in their power to have ſeized, nay, to have killed him, while he was in the ſtreet. The council, finding themſelves thus beſet, ſent for aſſiſtance to the magiſtrates; who anſwered, they were themſelves ſorrounded in their town-houſe by their own citizens, who threatened to tear them piecemeal, if they did not ſign a certain paper; which for fear of their lives they were forced to do. The paper contained theſe three particulars; viz. 1. That the magiſtrates ſhould join with the people in petitioning againſt the liturgy. 2. That by their authority they ſhould preſently reſtore to their pulpits Ramſey and Rollock, two miniſters, greatly beloved by the people. 3. That they ſhould reſtore to his place one Henderſon, another ſilenced reader. Upon this the earls of Traquaire and Wigton, of whom the firſt was lord-treaſurer, came to the town-houſe to adviſe with the magiſtrates, what was beſt to be done for the ſafety of the biſhop of Galloway, who was ſtill beſet. After this conſultation, the two earls, returning to the council, were inſulted by the populace. The earl of Traquaire was thrown down, his hat, cloak and white-ſtaff taken from him, the people crying out, "God "defend all thoſe who will defend God's cauſe, "and God confound the ſervice-book and all "the maintainers of it". Preſently after, the provoſt came to the council, and declared that, tho' he had uſed his utmoſt indeavors, it was not poſſible to appeaſe the people. At length, the lords of the council applied to ſome of the gentry, and others, who where now aſſembled to ſign the petition againſt the ſervice-book. Theſe perſons credit with the populace was greater than that of the magiſtrates, and did finally prevail with them to retire. This ſecond tumult, wherein no perſon was killed or wounded any more than in the firſt, yet ſeemed more important and dangerous, becauſe in the other none but the rabble were concerned, whereas in this it plainly appeared, the mutineers were contenanced by ſeveral lords and gentlemen, as well as by the better ſort of citizens.

A ſecond tumult at Edinburg. Ib. p. 402. Nalſon. p. 11, &c. Annals, Clarendon.

Ruſhworth, Vol. II. p. 403, 404. Nalſon, p. 12.

The tumult being appeaſed, a proclamation was publiſhed, forbiding any meetings in the ſtreets or elſewhere; a proclamation of no uſe, at a time when the council could not be ignorant how much their authority was contemned by thoſe whom they would have intimidated. Accordingly, ſo far were the male-contents from being terrified, that they ſent to the board their commiſſioners, requiring, that the ſilenced miniſters might be reſtored, and that they might have aſſurance for the punctual performance of what had been lately promiſed them by the magiſtrates. The council could eaſily ſee,

(1) Nor (ſays the ſame noble hiſtorian, Ib. p. 87.) was any thing done for the better adjuſting things in the time of this ſuſpenſion, but every thing left in the ſame ſtate of unconcernedneſs as it was before; not ſo much as the council being better informed of it; as if they had been ſure all men would have ſubmited to it for conſcience-ſake——He adds, that the earl of Traquaire adviſed this delay.

(2) The ſame as the term in England.

(3) The council and ſeſſion were removed for the preſent to Linlithgow, and after much vexation to Dundee. But the council ſat often at Dalkeith. See the proclamation in Ruſhwoth, Vol. II. p. 401.

by

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by this conduct, that the male-contents had no design to ſtop here. And in effect, very ſoon after, the lord chancellor received two petitions; one in the name of all the men, women, children and ſervants of Edinburg againſt the liturgy. The other from the nobility, gentry, and burgeſſes * of the ſame city, againſt the liturgy and book of canons.

* Alſo the miniſters.

Women and children petition the council againſt the ſervice-book. Ruſhworth, Vol. II. p. 405.

The firſt alledged, "That they had a long time "winked at ſome alterations, being put in hope "that no farther innovations ſhould follow. But "now, ſeeing they were like to be conſtrained to "imbrace another ſervice, not approved by church "and kingdom, and which had neither been agi-"tated nor received either by general aſſembly or "parliament; they therefore deſired, that they "might have the happineſs of injoying their reli-"gion, as it had been reformed in that land, and "authoriſed by his Majeſty.

Petition of the nobles, &c. Id. p. 406. Nalſon, p. 13, 14, &c. Annals.

In the ſecond, the petitioners complained, "That "whereas they were attending a gracious anſwer to "their former ſupplications againſt the ſervice-"book, they were ſurpriſed and charged by pub-"lic proclamation, to depart out of the town with-"in twenty-four hours thereafter, under pain of "rebellion; by which their fears of a more ſe-"vere and ſtrict courſe of proceeding were aug-"mented. Wherefore they were conſtrained to "remonſtrate that, in the book of common prayer, "drawn up and ſet forth by the archbiſhops and "biſhops, were ſown the ſeeds of diverſe ſuperſti-"tions, idolatry, and falſe-doctrine, contrary to "the religion eſtabliſhed in the realm, by diverſe "acts of parliament. That in the book of ca-"nons, &c. it was ordained, 'That whoſoever "ſhall affirm, that the form of worſhip in-"ſerted in the common-prayer and adminiſtra-"tion of the ſacraments, doth contain any thing "repugnant to the ſcriptures, or are corrupt, ſu-"perſtitious, or unlawful in the ſervice and worſhip "of God, ſhall be excommunicated, and not be "reſtored, but by the biſhop of the place, or "archbiſhop of the province.' That beſide it is "ordained, that 'where in any of the canons there "is no penalty expreſly ſet down, the puniſhment "ſhall be arbitrary, as the biſhop ſhall think fiteſt.' "All which canons were never ſeen or allowed in "any general aſſembly, but were impoſed con-"trary to order of law appointed in the realm "for eſtabliſhing conſtitutions eccleſiaſtical. Laſt-"ly, that the biſhops had not only begun to urge "the acceptance of thoſe things, by injunctions "given in provincial aſſemblies, but alſo by open "proclamation and charge of 'Horning' (1). "Wherefore the petitioners craved, that this mat-"ter might be put to the trial, and the prelates "be taken order with according to the laws of the "realm, and not ſuffered to ſit any more as judges "until the cauſe were tried and decided according "to juſtice."

The King ſends a proclamation of doubtful meaning. Ruſhworth, Vol. II. p. 408. Nalſon, p. 16. Annals, p. 623.

Charles judged it not proper to anſwer theſe petitions, being on the contrary determined to puniſh ſeverely the authors of the late tumults. However he commanded the privy-council to iſſue a proclamation on this occaſion, ſuppoſing, tho' without any foundation, it would be capable of ſatisfying the people. After mention in the proclamation of the lords petition, &c. it was ſaid, "His Majeſty, "in a juſt reſentment of that foul indignity †, hath "been moved to delay the ſignification of his "royal and gracious intentions, in giving to his "ſubjects ſuch ſatisfactory anſwers to their peti-"tions, as in equity might be expected from ſo "juſt and religious a Prince: but yet, his Majeſty "being unwilling that his loyal and faithful ſub-"jects ſhould be poſſeſſed with groundleſs and un-"neceſſary doubts and fears, his Majeſty is pleaſed, "out of his goodneſs to declare, that as he abhor-"eth all ſuperſtition of Popery, ſo he will be moſt "careful that nothing be allowed within his Ma-"jeſty's dominions, but that which ſhall tend to "advancement of true religion, as it is at preſent "profeſſed within his moſt ancient kingdom of "Scotland; and that nothing is or was intended to "be done therein, againſt the laudable laws of this "his Majeſty's native kingdom.

† Meaning the recent diſturbances at Edinburg.

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It muſt be obſerved that, according to his ſaid Majeſty, the true religion was that of the church of England. That by the religion 'at preſent profeſſed,' he underſtood that only which contained the hierarchy and epiſcopacy; and by his native kingdom's laws he meaned thoſe which were inacted after the King his father's acceſſion to the crown of England, and whereof I have already made mention. It is at leaſt certain the male-contents gave this ſenſe to his general expreſſions, whence they infered, he was very far from relinquiſhing the purſuit of what he had undertaken, and ſtill farther from pardoning the late diſorders at Edinburg. Wherefore, they reſolved to take meaſures, not only to ſecure themſelves from his Majeſty's reſentment, but likewiſe to cauſe all the innovations complained of to be aboliſhed (2).

Another proclamation. Feb. 19.

Some time after, the council having removed the ſeſſion to Sterling, Charles ſent them another proclamation, with orders to have it publicly read in the principal towns of Scotland. The proclamation was to this effect:

AN' 1638. Ruſhworth, Vol. II. p. 731. Annals, p. 623. Nalſon, p. 16.

"WE find our royal authority much injured by "ſome late petitions and declarations given "in to our council againſt the book of common-"prayer, and canons of the church, both in the "matter and in the carriage thereof; whereby "we conceive thoſe of our nobility, gentry and "others, who kept and aſſiſted theſe meetings, "for contriving and forming the ſaid petitions, to "deſerve and be liable to our high cenſure, both "in their perſons and fortunes; yet, becauſe we "believe that what they have done herein is out of "a prepoſterous zeal, we are graciouſly pleaſed "to diſpenſe therewith, and with what may be "their fault or error therein, to all ſuch as, upon "ſignification or declaration of our pleaſure, ſhall "retire themſelves as becometh good and dutiful "ſubjects. To which purpoſe, our will and plea-"ſure is, that you diſcharge all ſuch convocations "and meetings in time coming, under the pain of "treaſon: and alſo, that you command, charge, "and inhibit all our lieges and ſubjects, that none "of them preſume, nor take in hand, to reſort nor "repair to our burgh of Sterling, nor to any other "burgh where our council and ſeſſion ſits, 'till firſt "they declare their cauſe of coming to our coun-"cil, and procure their warrant to that effect. "And as concerning any petitions which ſhall here-"after be given us, upon this or any other ſubject, "we are likewiſe pleaſed to declare, we will not "ſhut our ears therefrom, ſo that neither the "form nor matter be prejudicial to our regal au-"thority."

Remark on this proclamation.

This proclamation was not ſufficient to ſatisfy the male-contents. Firſt, there was not a word concerning the ſubject of their petition, and by that they could perceive, his Majeſty had no deſign to

(1) Excommunicating and out-lawing.

(2) For many inſtances of ſtrange ſeverities, practiſed this ſummer, in the ſtar-chamber, read State-Trials, Fuller, Collier, Ruſhworth, &c.

ſuppreſs

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ſuppreſs the liturgy and canons. Secondly, Charles repreſented, as a ſignal condeſcenſion, the pardon he was pleaſed to grant for their fault in preſenting a petition without his leave: this ſhewed them that, according to the King's intention, obedience was their only courſe for the ſame. Thirdly, the King clearly intimated to them, he would receive no more petitions, ſince he declared, he would reject ſuch as ſhould, by the matter and form, be prejudicial to his authority. Was not this ſaying, he would reject all? In fine, they evidently perceived that their Sovereign, in forbiding all meetings, ſought only to diſunite and hinder them from concerting meaſures to obtain their deſires. In reality, I comprehend not how King Charles could flatter himſelf that ſuch a proclamation ſhould produce the effect he expected, and the rather, as there were not in Scotland forces ſufficient to ſupport his authority. The male-contents were not ſo ſtupid as to be ignorant of his Majeſty's deſign. So, on the morrow, the earls of Hume and Lindſay, accompanied by a numerous croud of nobles and people, came and publicly read in Sterling a proteſtation againſt the proclamation, the preſenſe and authority of the council not being capable of hindering it. The ſame proteſtation was publicly read in Lithgow and Edinburg, immediately after the proclamation had been there publiſhed.

Proteſtation of the male-contents. Feb. 19. Whitlock, p. 27.

In this proteſtation the male-contents ſaid, "They "had preſented a ſupplication on the twenty-third "of September, and another on the eighteenth of "October; as alſo a remonſtrance December the "nineteenth, againſt the ſervice-book, and the ca-"nons, as well as againſt the archbiſhops and "biſhops, as their parties, having the ſame day "preſented a declinator againſt them, to prevent "their being judges in their own cauſe. But the "council having refuſed to admit this declina-"tor, they found themſelves obliged to make the "following proteſtation.

Ruſhworth, Vol. II. p. 735. Annals. Nalſon, p. 11.

"1. That they might have immediate recourſe "to the King, to preſent their grivances, and in a "legal way to proſecute the ſame before the ordi-"nary competent judges.

"2. That the archbiſhops and biſhops could "not be reputed or eſteemed lawful judges, 'till "they had purged themſelves of ſuch crimes as were "laid to their charge.

"3. That no proclamation, nor any act of "council, paſſed in preſenſe of the archbiſhops and "biſhops, could any ways be prejudicial to the "ſupplicants.

"4. That neither they, nor any who had joined, "or ſhould join with them againſt innovations, "ſhould incur any danger in life, lands, or any "political or eccleſiaſtical pains, for not obſerving "ſuch acts, books, canons, rites, judicatures, pro-"clamations, introduced without or againſt the acts "of general aſſemblies, or acts of parliament, and "the ſtatutes of the kingdom.

"5. That if any inconveniences ſhould fall out "thereupon, they could not be imputed to them, "ſince the council refuſed to hear their juſt remon-"ſtrances.

"6. That their requeſts tended to no other end, "but to the preſervation of the true reformed reli-"gion, and the laws and liberties of his Majeſty's "kingdom."

The male-contents erect tables to manage their affairs.

King Charles and the Scotiſh council had hitherto flattered themſelves that the male-contents might be curbed by acts of authority. But this proteſtation plainly ſhewed they were too powerful to be forced to obedience, either by orders of the council, or by proclamations. They were perſuaded the King ſought only to ſurpriſe them, and deſigned not to deſiſt from his pretenſion. On the other hand, they had conceived extreme averſion to the biſhops, whom they regarded as authors of all the evils under which the church labored. The more they perceived his Majeſty averſe to their aſſembling themſelves to conſult in common about their affairs, the more plainly they diſcovered the neceſſity of their union, without which they would be infallibly cruſhed, one after another. So, before they could know what effect their proteſtation had upon the King, as they expected no good from court, they erected at Edinburg, which was at their own devotion, ſeveral tables (as they termed them) to manage their affairs. There were four principal ones: 1. Of the nobles. 2. Of the gentry. 3. Of the burroughs. 4. Of the miniſters.* Theſe tables conſulted of what they thought fit to be propoſed at the general table, conſiſting of commiſſioners ſelected from the other four tables. Never was Sovereign more punctually obeyed than this general table, by all who diſapproved the innovations introduced into the church within thirty or forty years, i. e. by in a manner the whole kingdom.

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Nalſon, p. 20. Ruſhworth, Vol. II. p. 734.

* The gentry alſo, according to their ſeveral ſhires, had many ſubordinate tables.

They ſubſcribe the covenant. Ruſhworth, Vol. II. p. 734. Nalſon, p. 20. Annals, p. 626.

The firſt produce of theſe tables was the famous covenant, or general band taken by the Scots, for maintenance of their religion from all innovations. For the better underſtanding what this covenant was, it muſt be obſerved that, in 1580, while the duke of Lenox and earl of Arran, King James's favorites, were ſuſpected of evil deſigns againſt the Proteſtant religion, the general aſſembly thought it neceſſary to draw up a confeſſion of Faith, and cauſed it to be ſubſcribed by all the ſubjects, and by the King himſelf, to whom they preſented a very humble petition on that occaſion. As James could not reject this requeſt, without confirming the peoples ſuſpicions, which might have been of dangerous conſequence, he did not only himſelf ſubſcribe the ſaid confeſſion of faith, but likewiſe injoined its being ſubſcribed to by perſons of all degrees. This paſſed in the years 1580 and 1581, and again in 1590,, with a new clauſe, whereby the ſubſcribers ingaged to maintain the true religion and the King's perſon.

Explication of the covenant.

It was this confeſſion of faith of 1580 which was revived this preſent year 1638, by order of the general table, and offered all ſorts of people to ſign. Hitherto, nothing of all this could give his Majeſty any juſt cauſe of complaint, at leaſt, as to the matter, ſince it was the ſame confeſſion which the King his father, and the whole kingdom, had ſigned in 1580 and 1581. It is true, as to the form, he could juſtly complain, that his approbation had not been required. But the tables, not ſatisfied with the bare confeſſion of faith, they likewiſe ſubjoined a certain obligation, whereby the ſubſcribers bound themſelves by oath, to maintain religion as it was in 1580, and to reject all the innovations introduced ſince into the church. This was directly contrary to King Charles's deſigns. Part of the oath which, being annexed to the confeſſion of Faith, was named the covenant, that is, contract, agreement, or league among the ſubſcribers, was as foliows:

Oath annexed to the covenant. Ruſhworth, Vol. II. p. 739.

"FInally, being convinced in our minds, and "confeſſing with our mouths, that the pre-"ſent and ſucceeding generations in this land are "bound to keep the foreſaid national oath and ſub-"ſcription inviolable: we noblemen, barons, gen-"tlemen, burgeſſes, miniſters and commons under "ſubſcribing, conſidering diverſe times before, "and eſpecially at this time, the danger of the "true Reformed religion, of the King's honor, "and of the public peace of this kingdom, by the "manifold innovations and evils generally con-"tained, and particularly mentioned in our late "ſupplications, complaints, and proteſtations, do hereby

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" hereby profeſs before God, his angels, and the " world, ſolemnly declare, that with our whole " hearts we agree and reſolve, all the days of our " life, conſtantly to adhere unto, and to defend " the foreſaid true religion, and forbearing the " practiſe of all novations, already introduced in " matters of the worſhip of God, or approbation " of the corruptions of the public government of " the kirk, or civil places and power of kirkmen, " 'till they be tried and allowed in free aſſemblies, " and in parliament, to labor by all means lawful " to recover the purity and liberty of the goſpel, " as it was eſtabliſhed and profeſſed before the fore- " ſaid novations. And becauſe, after due exami- " nation, we plainly perceive, and undoubtedly " believe, that the innovations and evils contained " in our ſupplications, complaints and proteſtations, " have no warrant of the word of God, are con- " trary to the articles of the aforeſaid confeſſions, " to the intention and meaning of the bleſſed Re- " formers of religion in this land, to the above- " written acts of parliament, and do ſenſibly tend " to the re-eſtabliſhing of the Popiſh religion and " tyranny, and to the ſubverſion and ruin of the " true Reformed religion, and of our liberties, " laws and eſtates; we alſo declare, that the " aforeſaid confeſſions are to be interpreted, and " ought to be underſtood of the foreſaid novations " and evils, no leſs than if every one of them " had been expreſſed in the foreſaid confeſſions; " and that we are obliged to deteſt and abhor " them, among other particular heads of Papiſtry " abjured therein: and therefore, from the know- " ledge and conſcience of our duty to God, to our " King and country, without any worldly reſpect " or inducement, ſo far as human infirmity will " ſuffer, wiſhing a farther meaſure of the grace of " God for this effect, we promiſe and ſwear by the " great name of the Lord our God, to continue " in the profeſſion and obedience of the foreſaid " religion; that we ſhall defend the ſame, and " reſiſt all theſe contrary errors and corruptions, " according to our vocation, and to the utmoſt of " that power which God hath put into our hands, " all the days of our life. And in like manner, " with the ſame heart, we declare before God and " men, that we have no intention or deſire to " attempt any thing which may turn to the diſ- " honor of God, or to the diminution of the " King's greatneſs and authority; but, on the " contrary, we promiſe and ſwear, that we ſhall, to " the utmoſt of our power, with our means and " lives, ſtand to the defenſe of our dread Sovereign " the King's Majeſty, his perſon and authority, in " the defenſe and preſervation of the foreſaid true " religion, liberties and laws of the kingdom; as " alſo to the mutual defenſe and aſſiſtance, every " one of us of another, in the ſame cauſe of main- " taining the true religion, and his Majeſty's au- " thority, with our beſt counſels, our bodies, " means, and whole power, againſt all ſorts of " perſons whatſoever, &c.

This covenant, like an alarm-bell, brought in all ſuch Scots as were diſſatisfied with the government, which was indeed almoſt the whole nation. It was univerſally ſubſcribed to by great and ſmall, the privy counſellors, judges, biſhops, and ſuch miniſters as were dignitaries in the church, only excepted. Theſe were, a little before, veſted with the whole authority, both in church and ſtate, the King verily believing, that to have for him thoſe who were in the public places and offices was ſufficent to awe all the reſt. But when the breach was once made, by publication of the covenant, the number, not the quality of adherents, was to be conſidered, and then the royaliſts were ſcarcely one in a thouſand; ſo that King, council, judges, and biſhops, were on a ſudden without authority and power. To urge the laws was in vain: the covenant was the ſole law the people would follow with reſpect to religion, as being bound by a ſolemn oath. Thus, the King's authority being no longer regarded, and his promiſes diſtruſted by the people, as tending, in their opinion, only to deceive them, it is not ſtrange that Charles's after-indeavors to extinguiſh the flame ſhould prove fruitleſs. I have dwelled the longer on the riſe of theſe Scotiſh troubles, becauſe it ſeemed to me abſolutely requiſite for the underſtanding what paſſed afterwards in England. For the ſame reaſon, I am alſo obliged to touch on the effects produced by the covenant in Scotland: but I ſhall indeavor to be as brief as poſſible.

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Tho' the ſtandard of rebellion was, as it were, erected in Scotland, and King Charles had little or no proſpect of freeing himſelf from theſe difficulties, he could not yet deſiſt from his project. He ſtill hoped the gathering ſtorm might, by ſome artifice, be diſpelled. He was ſo ſtrongly prepoſſeſſed in favor of the royal authority, that tho' he ſaw it little regarded, he fancied that his declaration and proclamations, couched moſtly under ambiguous terms, would be ſufficient to reduce the Scots to their duty. But he reflected not that, before the rupture, people were in a manner conſtrained to ſhut their eyes, and ſeem not to ſee what they ſaw: but that, the breach once made, the male-contents were too wiſe to be taken in his ſnares, and too daring or audacious to refrain from publiſhing the artifices deſigned purely for their amuſement. Charles likewiſe deceived himſelf in another particular. As the Scots inceſſantly pleaded their laws, he thought to ſilence them, by alledging, on his ſide, the laws inacted within forty years, not conſidering that theſe ſame laws were the main cauſe of their complaints, and what they wiſhed were abrogated: ſo, in urging theſe acts of parliament, whereby the innovations had been approved, he only confirmed their belief of his intending to ſupport them, and conſequently it was requiſite to uſe ſome violent means to make him deſiſt. His Majeſty had for him the laws in force, ſince they were never repealed; and the people believed, they might rightfully procure abolition of thoſe laws, impoſed on them by corruption, artifice, and violence, complaining, that theſe new laws were inacted in violation of the old. Thus, both ſides exclaimed againſt breach of the laws.

K. Charles's wrong meaſures with reſpect to Scotland.

The male-contents ſaid, " James and Charles " had eſtabliſhed epiſcopal government in the kirk, " contrary to her conſent, who ought to have been " conſulted in ſuch an affair, which concerned re- " ligion alone, and could be decided only by the " general aſſembly. But inſtead of following the " ſettled rules of the kirk, the biſhops were firſt " introduced into the parliament, and then, by " means of the biſhops, whatever was deſired was " inacted, tho' the King and parliament had no " right to appoint new offices, and new juriſdic- " tions in the kirk, without the conſent of the kirk " herſelf, repreſented by the general aſſembly, and " not by five or ſix biſhops, with as many lay- " abbots, who were allowed a ſeat in parliament. " To accompliſh this deſign, ſeveral other artifices " were uſed, as bribing the Glaſgow aſſembly, a- " boliſhing general aſſemblies, erecting a high- " commiſſion, inconſiſtent with the liberties of the " kingdom. In a word, the King had exerciſed, " and ſtill did exerciſe a power repugnant to the " privileges of the ſubjects, in impoſing upon them " a liturgy and canons, deteſted by almoſt the " whole nation, without aſking the conſent of kirk " or parliament. By this management, no leſs " violent than artful, the government of the kirk " was intirely altered, not only without the peoples

The male-contents reaſons. Annals, p. 660, &c. Nalſon, p. 174, &c.

" advice, but againſt their will, as plainly appear-
" ed by the great number of ſubſcribers to the co-
" venant, and the few who refuſed to ſign it.
" They thought themſelves therefore authoriſed,
" by virtue of their privileges, to demand the re-
" ſtoration of religion in its purity, ſuch as it was in
" 1580, and the abolition of all innovations. If
" the King complained, that this covenant was
" made without his participation and conſent, he
" ought to blame none but himſelf, ſince he had
" reduced them to this neceſſity, by refuſing to
" hearken to their moſt humble petitions. This
" covenant ſeemed contrary to law, only becauſe
" it was ſuppoſed the peoples privileges were not
" invaded, tho' the contrary was evident. Scot-
" land was a monarchy, conſiſting of a happy mix-
" ture of the King's prerogatives and the peoples
" privileges. This union was ſo abſolutely neceſ-
" ſary, that it was not poſſible to ſeparate theſe
" two things, without deſtroying the conſtitution
" of the government. It was very true, if the
" people would injoy their privileges, they were to
" pay all due obedience to the King: but it was
" no leſs true, that the King could require this obe-
" dience only as he protected the people in their
" liberties. If they ſhould be ſo ſenſeleſs as to pay
" a punctual obedience to laws advantageous to
" the crown, while the King made no ſcruple to
" ſubvert the conſtitution, by aſſuming abſolute
" power, they ſhould only ſupply him continually
" with arms, to reduce them to perfect ſlavery.
" In ſhort, the deſign of their covenant was not,
" as it was induſtriouſly inſinuated, to rob the
" King of his juſt rights, but to hinder him from
" ſtretching his prerogative beyond the limits of
" the law."

The King's reaſons. Annals, p. 630, &c. Nalſon, p. 169. &c.

King Charles on his ſide alledged; " the Scots,
" under the falſe pretenſe that their privileges were
" violated, were runing into open rebellion, by
" refuſing to pay the King due obedience. In
" ſigning a league directly contrary to the rights of
" the crown, they uſurped a power which was ſo
" far from being legal, that it was even repugnant
" to the laws. Their complaints in general about
" the breach of their privileges were groundleſs,
" ſince there was but one article in queſtion con-
" cerning religion, that is, not the doctrine but
" the diſcipline of the church. Epiſcopacy had
" been immemorially eſtabliſhed in the church of
" Scotland. It had indeed been under a ſort of
" eclipſe ſince the reformation, at a time when the
" regulation of the diſcipline was more conſidered,
" than the reformation of the doctrine. Preſbyte-
" rian government had been eſtabliſhed in the
" church of Scotland by general aſſemblies only,
" who were not Sovereigns, and whoſe decrees
" were of no force, 'till approved and confirmed
" by parliament. From 1561 to 1592, the par-
" liament never approved it, and if the parliament,
" held that year, had their reaſons to confirm it,
" the following parliaments had ſtronger to aboliſh
" it, and reſtore epiſcopal government. Herein
" nothing was done contrary to law or cuſtom,
" ſince no man could be ignorant that the parlia-
" ment, which repreſents the whole nation, has
" power to annul and repeal all former acts. The
" male-contents could not queſtion this maxim,
" without groſly contradicting themſelves, ſince
" their Preſbyterian government could be founded
" only on the act of parliament made in 1592,
" whereby were repealed all the ancient laws in
" favor of epiſcopacy. How then was it poſſible
" to ſhew, that the parliament of 1592 had power
" to aboliſh epiſcopacy, and that of 1612 no right
" to aboliſh Preſbyterian government? As to the
" general aſſemblies, to which was aſcribed abſo-
" lute power in matters of religion, this power was
" either natural or acquired. If natural, whence
" was it that, before the reformation, ſuch aſſem-
" blies, conſiſting only of preſbyters without biſhops,
" were never heard of? If it was an acquired power,
" they muſt have received it from the nation, that
" is, from the King and parliament. Conſequent-
" ly they were ſubject to the parliament, and their
" acts could not be valid but as confirmed by the
" parliament. If they had received the unlimited
" power aſcribed to them, where was the act which
" granted it, and why was it not produced? Nay,
" tho' ſuch act ſhould be produced, that would
" not be ſufficient, unleſs it was ſhewn withal to
" be irrepealable; otherwiſe it would be ſtill evi-
" dent they depended on the parliament, and con-
" ſequently their acts had not the force they pre-
" tended to give them, unleſs approved by par-
" liament, and the approbation unrepealed. Theſe
" general aſſemblies were firſt inſtituted at the re-
" formation, for the direction of affairs, and the
" eaſe of King and parliament in the examination
" of what was to be changed or altered with re-
" ſpect to religion: but it was too true, they had
" uſurped by degrees an authority very prejudicial
" to the crown, and improper for ſubjects. As to
" the liturgy, mentioned by the male-contents in
" ſo contemptuous a manner, as if it was intended
" to be introduced on purpoſe to lead the people
" gradually to Popery, he had but one thing to
" plead in its favor, namely, that it was compoſed
" by biſhops who ſuffered martyrdom for the
" Proteſtant religion, and therefore it was very im-
" pertinent to ſay ſuch perſons had a mind to re-
" ſtore Popery, when they were manifeſtly uſing
" their utmoſt indeavors to purge the public wor-
" ſhip of every thing tending that way. If the
" King his father and himſelf had deſired to intro-
" duce the liturgy into the church of Scotland, it
" was becauſe they believed it conducive to the edi-
" fication of the faithful, and to the baniſhing the
" indecency with which divine ſervice was perform-
" ed in that church, where every miniſter made
" what prayers he pleaſed, and often without any
" premeditation, which was liable to great incon-
" veniences. Herein he had nothing in view but
" the good and benefit of his ſubjects of Scotland,
" and it was injuring him in the higheſt degree to
" impute to him a deſign of introducing Popery,
" which on the contrary he abhored." As to the book of canons, he defended himſelf as above intimated, and therefore it is needleſs to enter on a repetition.

After having thus ſeen both parties reaſons, it will not be difficult to conceive the motives of their conduct, without my being obliged to diſplay them hereafter. I ſhall only add, that the male-contents, having reſolved to improve the King's friends imbecility, and the advantage given them by their covenant to aboliſh the innovations complained of, uſed not ſo much the juſteſt and moſt legal means, as thoſe they judged propereſt for their purpoſe. On the other hand, Charles conſtantly adhered to the acts of parliament, whereby theſe pretended innovations were eſtabliſhed, feigning not to ſee, in that reſpect, the leaſt cauſe of complaint againſt himſelf, or the King his father.

King Charles diſpatches into Scotland marquis Hamilton. May. Burnet's Mem. of Hamilton. p. 38, &c. Ruſhworth, Vol. II. p. 745, &c.

Matters having reached the point above-mentioned, by the almoſt univerſal ſubſcription of the covenant, Charles concluded on ſending marquis Hamilton into Scotland, to repreſent his perſon, under title of his high-commiſſioner. He preſumed that this Scotiſh grandee, being inveſted with ſo eminent a character, would, by his credit and induſtry, reduce the people to a compliance, without giving them any real ſatisfaction, being yet extremely loath to drop his project. The tables having thereof notice, doubted not but his Majeſty's aim

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aim was to amuſe and ſurpriſe them, and therefore they uſed all poſſible means to divert the impending danger. I ſhall not deſcend to particulars, but content myſelf with ſaying, that the high-commiſſioner was received by the male-contents coldly and diſreſpectfully, nay, that they contrariwiſe prepared to oppoſe him vigorouſly, in caſe he offered to aſſert his authority.

Burnet's Mem. of Hamilton. Nalſon, p. 635.

Mean while his Majeſty having diſpatched away to Scotland a ſhip fraught with arms (1) for Edinburg caſtle, the tables determined on making thereof ſeizure, as apprehending Charles intended to ſurpriſe them, while he ſhould amuſe them with negociations. This reſolution could not be executed, becauſe the King's party, having notice, inſtantly unladed the veſſel, and tranſported the arms to Dalkeith, where the council then reſided. For this reaſon, the tables ſet a guard near the caſtle gate to prevent theſe arms from entering. At the ſame time the male-contents received two ſhips laden with arms for their ſervice. This affront his Majeſty would not eaſily digeſt: but the male-contents deemed it not prudent to be expoſed to a ſurpriſe, on pretenſe that the rupture between the King and them was not yet complete.

The high-commiſſioner, being come to Edinburg, offered to the male-contents conſideration theſe three propoſitions: viz.

Ruſhworth, Vol. II. p. 750.

1. What they ſhould expect to hear, in the King's name, for accommodating their grievances?

2. What might be expected from them, for returning to their former obedience?

3. That they ſhould renounce and deliver up their late covenant.

To which they anſwered,

1. That they inſiſted on a general aſſembly, and a parliament.

Id. p. 732, 753. Annals, p. 636.

2. That they could not return to his Majeſty's obedience, ſince they had never departed from it.

3. That they would ſooner renounce their baptiſm than their covenant (2).

The marquis had brought with him a declaration, which however he was to make uſe of but in caſe of neceſſity, becauſe King Charles was not diſpoſed to promiſe the leaſt condeſcenſion to the Scots, unleſs conſtrained. But the marquis ſoon perceived it was not poſſible to bring the male-contents to obedience, without amuſing them at leaſt with hopes that his Majeſty would have ſome regard to their grievances. He therefore thought proper to publiſh the declaration, tho' it evidently appeared, by the very expreſſions, that the King would not properly be liable to any kind of obligation. What follows is the moſt material part of the declaration, and ſhews wherein conſiſted King Charles's condeſcenſion:

His Majeſty's declaration. Ruſhworth, Vol. II. p. 735. Annals, p. 639.

"And for farther clearing of ſcruples, we do "hereby aſſure all men: that we will neither now "nor hereafter, preſs the practiſe of the ſervice-"book, or the foreſaid canons, nor any thing of "that nature, but in ſuch 'a fair and legal way, "as ſhall ſatisfy all our loving ſubjects,' that we "neither intend innovations in religion or laws; "and, to this effect, have given order to diſcharge "all acts of council there anent. And for the "high-commiſſion, we ſhall ſo rectify it, 'with "the help and advice of our privy-council,' that "it ſhall never repugn the laws, nor be a juſt grie-"vance to our loyal ſubjects; and what is farther "fiting to be agitated in general aſſemblies and "parliaments, for the good and peace of the kirk, "and peaceable government of the ſame, in eſta-"bliſhing the religion 'at preſent poſſeſſed,' ſhall "likewiſe be taken into our royal conſideration, "in a free aſſembly and parliament, which "ſhall be indicted and called with our beſt conve-"nience."

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Charles muſt have been wrongly informed of the Scots diſpoſition, to imagine that a declaration with ſo many reſtrictions and ambiguous expreſſions ſhould be capable of contenting them. This declaration was no ſooner proclaimed at Edinburg market-croſs, but the tables cauſed a reply, in form of a proteſtation, to be publicly read in the ſame place, the ſubſtance whereof was:

Proteſtation againſt it.

1. That no proclamation or declaration could ſettle their fears, nor ſecure them from the re-entry of any evil or innovation.

Ruſhworth, Vol. II. p. 758. Annals, p. 641. Nalſon, p. 39.

2. That they poſitively inſiſted on a general aſſembly and a parliament, which the King did not promiſe to call.

3. That the proclamation did not mention their complaints and grievances, but under the name of diſorders, faults and miſdemeanors, &c.

4. That the King took it for granted, he had abundantly and ſufficiently ſatisfied their fears, by his two former proclamations, and by his preſent declaration.

5. That this proclamation ſuppoſed them guilty of unlawful combination, or rebellion.

6. That it did not diſallow nor diſcharge any of the innovations complained of, but left liberty to any prelate or perſon to practiſe the ſame.

7. That it plainly evidenced his Majeſty's intentions of preſſing the practiſe of thoſe innovations in a legal way, that is, according to thoſe laws which were the ſubject of their complaints.

8. That his Majeſty did not promiſe to aboliſh but only to rectify the high-commiſſion, with the advice of his privy-council, implying the King's power, with conſent of his council, to eſtabliſh any judicatory within his kingdom, without conſent of the three eſtates convened in parliament.

The marquis returns to court. He uſes ſundry artifices to break the male-contents meaſures.

The high-commiſſioner, being better informed of the Scotiſh affairs, by ocular demonſtration, judged it expedient to go perſonally and acquaint his royal maſter. He repaired therefore to court, and ſpeedily returned with a power to call a general aſſembly and a parliament: but as for the aſſembly, he would previouſly be aſcertained what perſons it ſhould be compoſed of; and what was to be debated. This limitation the tables rejected, as tending to render uſeleſs the aſſembly. They likewiſe told him, if the King refuſed to convene a general aſſembly, they believed they were ſufficiently authoriſed to call one themſelves.

Burnet's Mem. p. 61. Ruſhworth, Vol. II. p. 762. Nalſon, p. 45.

He offers eleven propoſitions which are rejected.

Seemingly, Charles's high-commiſſioner had orders to grant a general aſſembly, if it could not be avoided, but however to imploy his utmoſt efforts, either that the tables ſhould deſiſt from their demand, or at leaſt, if he granted an aſſembly, to clog the favor with conditions which ſhould prevent his Majeſty's ſchemes from receiving any prejudice. It was doubtleſs in obedience to this order, that he tendered to the tables eleven articles, as ſo many conditions on which he was willing to call the aſſembly. As in all probability, he had very expert ſpies, he was tolerably well acquainted with what the tables intended to do in order to reap great advantages by a general aſſembly, and theſe eleven conditions ſolely tended to render their meaſures ineffectual. The tables, being compoſed of the

Ruſhworth, Vol. II. p. 762. Nalſon, p. 46. Annals.

Ibid.

(1) Two hundred muſkets, and ſo many pikes, with a ſmall quantity of powder. Annals, p. 635.

(2) After this, they ſet new guards upon the caſtle, doubled the watch; and hearing that the lord commiſſioner was, next Sunday, to have divine ſervice at the King's palace at Holy-rode houſe, they ſent him word, that whoſoever ſhould read the Engliſh ſervice in that chapel, ſhould never read more, and that there were a thouſand men ready to diſturb it. Ibid, p. 636.

ableſt

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ableſt head-pieces in Scotland, readily diſcovered the high-commiſſioner's drift. So they replied to theſe eleven articles, ſo as to ſhew him it would be very difficult to ſurpriſe them. Nevertheleſs he was not diſcouraged, and, under color of complying with the male-contents, reduced the eleven conditions to theſe two, which however contained the ſubſtance of the eleven and tended to the ſame purport.

He reduces them to two.

Ruſhworth, Vol. II. p. 762. Nalſon, p. 48.

" 1. That no layman ſhould have voices in " chuſing miniſters to be ſent from the ſeveral " Preſbyteries to the general aſſembly, nor any but " the miniſters of the ſame Preſbytery.

" 2. That the aſſembly ſhould not go about to " determine things eſtabliſhed by act of parlia- " ment, otherwiſe than by remonſtrance, or peti- " tion, to the parliament".

Explication of theſe two propoſitions.

To comprehend the end and motive of the firſt of theſe conditions, it muſt be obſerved, that it was very plainly perceived in Scotland, ſince the Glaſgow aſſembly in 1610, how eaſily Charles could ſecure a majority of votes among the miniſters, whether by fears or hopes, or by preſent and real favors. For this reaſon the male-contents had reſolved not to let the miniſters have the ſole direction of religious affairs, and therefore had erected four tables, whereof that of the miniſters, which was but the third, could not determine any matter without concurence of the other three, and the general table's approbation. Moreover, when the tables had demanded a general aſſembly, they had at the ſame time reſolved, that this aſſembly ſhould be compoſed not only of the miniſters, but alſo of lay-elders, who ſhould be perſons of authority, and whoſe number ſhould exceed that of the miniſters. In ſhort, they deſigned the miniſters, who were to be ſent to the aſſembly, ſhould be elected not only by the miniſters themſelves of each Preſbytery, but alſo by the lay-elders. Marquis Hamilton, who had intelligence of their intention, laid therefore a double ſnare for them, in the former of his two conditions. The firſt ſnare conſiſted in that, feigning to be ignorant of their deſign to ſend lay-elders to the general aſſembly, he ſuppoſed it was to be compoſed of miniſters only. The ſecond conſiſted in that he pretended, the nomination of theſe miniſters for the aſſembly ſhould be made by the miniſters alone, without the lay-elders participation. He thereby indeavored to break ſuch meaſures as the tables had judged neceſſary to ſecure themſelves from the court-articles.

With regard to the ſecond condition, it is evident that, by things already eſtabliſhed by acts of parliament, he underſtood all the innovations complained of, which had been introduced ſince the year 1606, and which for the moſt part were, as was obſerved, founded upon acts of parliament. So, by this ſecond condition, he broke, ſtill more directly than by the firſt, thoſe meaſures the tables might take, to have theſe innovations examined and declared ſuch by the general aſſembly. Wherefore the tables rejected theſe two conditions, regarding them as ſo many traps to inſnare them, ſince they could not accept them without being at the King's mercy. This affair was arrived at ſuch a point that the tables were ſatisfied the innovations complained of were really innovations, and of their right to require their abolition. The buſineſs was only to deviſe procuring the ſatisfaction they demanded. On the other hand, King Charles did not in the leaſt doubt the validity of the acts of parliament whereby theſe pretended innovations were eſtabliſhed: and he poſſibly ſtill leſs queſtioned his power to introduce the liturgy and canons. But his concern was to find the propereſt means to maintain his own and the parliament's authority, and to diſpel the ſtorm which was gathering in Scotland.

The tables reject them.

State of affairs in Scotland.

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Marquis Hamilton, clearly perciving he had to deal with men who were on their guard, and that it would be difficult to ſurpriſe them, reſolved to take a ſecond journey to England, to acquaint his Majeſty with the ſtate of affairs. By puting the male-contents in hope that their gracious Sovereign would grant ſuch a general aſſembly as they deſired, he, with great difficulty obtained, that the election of commiſſioners ſhould be delayed 'till his return, which was fixed to the twenty firſt of September. During his abſenſe, the tables expecting only new ſnares, or freſh delays from the court (1), reſolved that a general aſſembly ſhould be held, either with the King's permiſſion, if he would grant it, or without his conſent, and that the election of commiſſioners ſhould be the twenty ſecond of September. In this interval, they ſent to all the Preſbyteries, directions, in eight articles, not to chuſe any ſuſpected miniſter, and to elect every where lay-elders, who ſhould be perſons of authority, and more numerous than the miniſters. In a word, they laid all practicable meaſures to have an aſſembly at their devotion, wherein they perfectly ſucceeded, Charles's party being every where ſo weak, that they were not in condition to oppoſe it with any ſucceſs.

Hamilton returns to England. Aug. 25. Ruſhworth, Vol. II. p. 765, 710. Nalſon. p. 48.

The high-commiſſioner, being returned to Scotland with new inſtructions, inſtantly ordered a proclamation to be publiſhed, containing in ſubſtance theſe three principal articles:

New proclamation. Sept. 22.

" 1. That his Majeſty revoked the ſervice- " book, the book of canons, the high-commiſſion, " and the five articles of Perth.

Ruſhworth, Vol. II. p. 759. Nalſon, p. 52.

" 2. That for the future none of his ſubjects, " whether eccleſiaſtical or civil, ſhould be liable " to the trial and cenſure of the parliament, or " general aſſembly.

" 3. That perſons of all ranks ſhould be required " to ſign the confeſſion of faith of 1580, with the " oath he had annexed, but very different from that " of the covenant".

After publiſhing this proclamation, the high-commiſſioner ſummoned a general aſſembly to meet, at Glaſgow, the twenty firſt of November, this year 1638, and a parliament, at Edinburg, the fifteenth of May, next year 1639.

The high-commiſſioner convenes both aſſembly and parliament.

It was not without reaſon that the male-contents expected from his Majeſty ſome new ſnare. Tho' the confeſſion of faith which Charles ordered to be ſigned, was exactly the ſame with that prefixed to the covenant, the oath annexed by the King imported, that they ſwore to maintain the religion at preſent profeſſed, which was utterly deſtroying the oath of the covenant, whereby the ſubſcribers were bound to reject all the innovations introduced ſince 1580. This deceit was ſo palpable, and ſo very detrimental to King Charles's affairs, that his council, to prevent its ill effects, were obliged to publiſh a declaration, that the meaning of that oath was, that they ſwore to maintain the religion profeſſed in the year 1580. But notwithſtanding this, the tables cauſed a proteſtation againſt the proclamation to be publicly read, to ſhew, as they pretended, that his Majeſty acted not with ſincerity; that, by certain ambiguous clauſes, reſtrictions, and additions, he took away with one hand, what he gave with the other, and reſerved to himſelf a

Difference between the King's covenant, and that of the male-contents. Ruſhworth, Vol. II. p. 761, 762, 781. Ib. p. 772. Nalſon, p. 56. Burnet's Mem. of Hamilt.

(1) This, it ſeems, was the grand deſign of the court, as appears by one of the King's letters to the high-commiſſioner, " In " a word (ſays his Majeſty to him) gain time by all the honeſt means you can, without forſaking your grounds". Burnet's Mem. of Hamilt. p. 56.

liberty

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liberty to maintain, at a more convenient ſeaſon, the innovations he ſeemed to depart from.

Attempts to get the King's covenant ſigned. Ruſhworth, Vol. II. p. 786.

During the interval between publiſhing this proclamation, and the general aſſembly, the high-commiſſioner and council uſed all poſſible indeavors to make all ſorts of people ſign the confeſſion of faith as ſent by his Majeſty, and the tables, on their part, forgot nothing to oppoſe it. But at this juncture there occured a matter of great importance, which muſt not be omited. Many grandees, barons, gentlemen, miniſters, burgeſſes, who were not commiſſioners to the general aſſembly, preſented to the Preſbytery of Edinburg an information againſt David Lindſey, biſhop of Edinburg, and at the ſame time againſt all the other prelates. The ſubſtance of this information, which contained ſeveral articles, ſome whereof were doubtleſs greatly agravated, was, that Lindſey and his brethren had not performed the conditions required of them by the Montroſs aſſembly. The deſign of this information was to prevail with the Preſbytery to ſummon, as they did accordingly, the biſhops to appear before the aſſembly, which was to be held at Glaſgow: for as the abolition of epiſcopacy was now determined on, it was neceſſary that the general aſſembly ſhould have ſome ground or pretenſe to proſecute and try the biſhops; and for this the information was intended.

Information againſt the biſhops brought to the Preſbytery of Edinburg. Ib. p. 787. Nalſon, p. 83, 93, &c. Burnet's Mem. of Hamil.

The intent of it.

What paſſed in the general-aſſembly at Glaſgow. Nalſon, p. 95, &c. Ruſhworth, Vol. II. p. 842, &c. Burnet's Mem. of Hamilt.

The general aſſembly met, at Glaſgow, on the day appointed, conſiſting of ſuch members as the tables had deſired, or rather preſcribed. The King's party was ſo weak that they durſt not make any oppoſition, and the matters to be debated had been directed by the tables, who had ſent their inſtructions to the commiſſioners. In a word, as in the aſſembly of 1610, and thoſe inſuing, King James had ſo managed as to have every thing tranſacted as he pleaſed, the tables had now taken the ſame precautions to get annulled whatſoever they did not approve. Wherefore marquis Hamilton's grand aim was viſibly to raiſe conteſts and diſputes which ſhould afford him occaſion to diſſolve the aſſembly.

Nalſon, p. 98, &c. Nov. 21, 22. Burnet's Mem. of Hamilt. p. 99. Annals.

The firſt day paſſed in peruſing Charles's commiſſion. The ſecond day, a letter from his Majeſty, containing nothing extraordinary, was read. Then the aſſembly proceeded to the choice of a moderator: but at the ſame time Dr. Hamilton preſented, from the biſhops, a declinator, that is, a proteſtation againſt the legality of that aſſembly, and the high-commiſſioner would have this declinator read firſt. But it was objected, there was no aſſembly without a moderator, and conſequently it was neceſſary to begin with his election. The high-commiſſioner, finding he could not prevail, proteſted againſt the refuſal to read the declinator before the choice of a moderator, and ordered his proteſtation to be entered. Before the moderator was choſen, the high-commiſſioner entered a ſecond proteſtation, that this choice ſhould prejudice neither the King's prerogative, nor any law of the kingdom, nor bar his Majeſty from taking legal exceptions, either againſt the perſon elected, or the election it ſelf. After that, they unanimouſly choſe for moderator Mr. Alexander Henderſon, a miniſter.

Ruſhworth, Vol. II. p. 847.

Nov. 23.

The third day, the high-commiſſioner urged, that the biſhops declinator might be read. But he was told, the aſſembly was not formed 'till the commiſſions of elections were examined, and ſuch commiſſioners as were preſent, known to be duly authoriſed. This affair was of more importance than at firſt view it appears. As the declinator contained reaſons to ſhew that the election of all the commiſſioners, or at leaſt of the majority, was null, it was eaſy to perceive, that theſe reaſons would come too late after the commiſſioners power ſhould be allowed, and they admited for members of the aſſembly. The high-commiſſioner not being able to obtain his deſire, entered a third proteſtation on that head, and a fourth, the ſame day, againſt the choice of Mr. Archibald Johnſton, for clerk-regiſter of the aſſembly, becauſe he had been clerk of the general table at Edinburg.

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Ruſhworth, Vol. II. p. 847.

The fourth day, the commiſſions of elections were examined. But the high-commiſſioner firſt entered a fifth proteſtation, to take exception againſt their elections in his own due time.

Nov. 24.

The commiſſions examination, not being ended the fourth day, was continued the fifth. It may be imagined, that the elections which were agreeable to the inſtructions of the table were generally approved, and that means were not wanting to weaken or intirely reject thoſe which were otherwiſe.

Nov. 25, 26.

The ſixth day, the twenty ſeventh of November, was at length read the biſhops declinator, wherein, by diverſe reaſons, they pretended to prove the aſſembly's illegality. After reading the declinator, the high-commiſſioner cauſed to be read ſome other proteſtations, ſent him from ſeveral places, againſt the lay-elders right of voting at the general aſſemblies, and elections of the miniſters by laymen.

Nalſon, p. 99, 112. Annals.

The ſeventh day, November twenty eight, it was moved in the aſſembly to debate, whether the biſhops cauſe ſhould be judged, notwithſtanding their declinator. As, after ſeveral ſpeeches on this ſubject, the moderator was going to put the queſtion, the high-commiſſioner roſe up and ſaid, ſince they pretended to aſſume a right to judge the biſhops, he could not give his conſent, nor ſtay any longer with them. Then after a tedious harangue, wherein he repreſented his royal maſter's gracious conceſſions in his laſt declaration, he diſſolved the aſſembly in the name, and by the authority of his Majeſty; alledging theſe four principal reaſons.

The high-commiſſioner diſſolves the aſſembly. Nalſon, p. 115. Burnet's Mem. of Hamilt. Annals.

1. Lay-elders were introduced into the aſſembly to vote there, which, ſuppoſing there were ſuch a law, or cuſtom, had been diſcontinued for more than forty years.

His reaſons. Ruſhworth, Vol. II. p. 849, &c. Nalſon, p. 117.

2. The miniſters, choſen commiſſioners, were elected by lay-elders, contrary to cuſtom and practiſe.

3. The few commiſſioners choſen contrary to the inſtructions of the tables, had been thrown out by mere cavils.

4. The cited biſhops were to be tried by perſons who had already declared againſt them.

Remark on this matter.

It may, with regard to theſe reaſons be obſerved, that the high-commmiſſioner was not ignorant, before the aſſembly's convention, of the manner of electing the commiſſioners, or that the biſhops cauſe was to be brought before the general aſſembly. Conſequently theſe reaſons would have been as ſtrong to hinder the aſſembly from meeting, as they were to diſſolve it, the ſeventh day: but he was unwilling to give the male-contents the advantage of juſtly complaining that he had amuſed them with the hopes of an aſſembly, which he intended not to hold. He expected to find in the aſſembly's procedure cauſes or pretenſes to diſſolve it, and his frequent proteſtations were ſo many expedients, to uſe which he intended at a proper ſeaſon. But as, moſt ſeemingly, he had Charles's expreſs order to diſſolve the aſſembly, in caſe they ſhould take upon them to try the biſhops, and as this was properly the very firſt motion made, it was not in his power to ſtay for other pretenſes. He was forced therefore to uſe the ſame reaſons for diſſolving the aſſembly, as might have ſerved to hinder its meeting.

Charles found not in the aſſembly ſuch prompt

obedience as he expected; tho' he had little reaſon for thoſe expectations, conſidering how the Scots ſtood affected. It was eaſy to foreſee, that the covenanters, who had reſolved to hold an aſſembly, even ſhould not his Majeſty have given his conſent, were not diſpoſed to break up, after a ſeven days ſeſſion, without having finiſhed any affair. They had a mind utterly to aboliſh epiſcopacy, with all the innovations introduced into the kirk during the laſt forty years; and, after all the ſteps they had taken, it was not likely they would ſuddenly relinquiſh their projects, and return to petitions and ſupplications, which thitherto had proved ſo ineffectual. They ſaw moreover, that the King imployed means to prevent his conſenting to their deſires, or if he feigned to have any condeſcenſion for them, it was only to gain time, and that he reſerved to himſelf the power of maintainnig the innovations, at a more favorable juncture. This at leaſt was their firm belief, and the ſudden diſſolution of an aſſembly ſo earneſtly deſired confirmed them in it: wherefore they were unwilling to neglect ſuch a fair opportunity. They had the whole kingdom on their ſide, and knew that the great diſcontents which reigned in England would not admit Charles's making any conſiderable efforts againſt Scotland. On theſe accounts it was that the aſſembly of Glaſgow continued their ſeſſion by their own authority, notwithſtanding their diſſolution in the King's name, and a proclamation publiſhed next day (1), to which they were contented to anſwer, as uſual, by proteſtation. Thus had King Charles the mortification to ſee his authority contemned, and the acts of parliament, procured by his father to introduce the hierarchy into the kirk, ſerve for foundation to a Scotiſh rebellion. Hence Sovereigns ſhould learn not to introduce any innovations but what are abſolutely neceſſary. It is certain, the reformation had been eſtabliſhed in Scotland on the Preſbyterian plan, in the ſame manner as in Swiſſerland, Geneva, France, Germany and the United Netherlands; that this ſame government ſubſiſted there 'till James VI acceded to England: that this Prince was poſſeſſed with the deſign of introducing epiſcopal government, and that Charles his ſon and ſucceſſor was no leſs eager to purſue the ſame project. The queſtion is not to know, whether epiſcopal government be good or bad in itſelf; but ſuppoſing it good and even excellent, the point is to know, whether the church of Scotland could not be without it, and whether Charles I, had ſufficient reaſon to hazard the peace of that kingdom, and his own, in order to ſupport a deſign, the execution whereof was not abſolutely neceſſary.

The aſſembly refuſe to break up. Nalſon, p. 120. Ruſhworth, Vol. II. p. 865. Burnet's Mem. of Hamilt.

Nalſon, p. 121, 129. Ruſhworth, Vol. II. p. 854. &c.

The general aſſembly, having continued their ſeſſion, contrary to the King's order, loſt no time to begin and finiſh what had been reſolved at the tables. Here follows a ſhort liſt of ſome of their acts, which will ſhew how much they indeavored to aboliſh, as far as in them lay, all innovations.

Acts of the aſſembly after its diſſolution.

Ruſhworth. Vol. II. p. 132. Annals. p. 716.

" Act bearing the aſſemblies proteſtations againſt " the diſſolution thereof.
" Act annulling the ſix aſſemblies holden at " Linlithgow 1606, and 1608, at Glaſgow 1610, " at Aberdeen 1616, at St. Andrews 1617, at " Perth 1618.
" Act declaring the nullity of the oath exact- " ed, by prelates, from ſuch as are inſtituted to " benefices.
" Act condemning the ſervice book.
" Act condemning the book of canons.
" Act condemning the high-commiſſion.
" Two Acts containing the depoſition and ex- " communication of fourteen biſhops.
" Act clearing the meaning of the confeſſion of " faith, made Anno 1580, as abjuring and removing " epiſcopacy.
" Act declaring the five articles of Perth to have " been abjured, and to be removed.
" Act reſtoring Preſbyteries, provincial and ge- " neral aſſemblies to their conſtitution of miniſters " and elders, and their power and juriſdiction con- " tained in the book of policy.
" Act concerning the power of Preſbyteries, " admiſſion of miniſters, and chuſing their mode- " rators.
" Act againſt the profanation of the Sabbath, " for want of afternoon's exerciſe.
" Act againſt thoſe who ſpeak or write againſt " the covenant, or the aſſembly.
" Act condemning chapters, arch-deans, preach- " ing deacons, and ſuch like Popiſh traſh.
" Act condemning all civil offices in the perſons " of miniſters ſeparate to the goſpel, as to be juſti- " ces of peace, ſit in ſeſſion or council, to vote or " ride in parliament.
" Act appointing the commiſſioners to attend " the parliament, and articles, which they are " to repreſent in the name of the kirk to the " eſtates.
" Act diſcharging printers to print any thing " anent acts of proceeding of the aſſembly, with- " out a warrant under the ſecretary's hand.
" Act ordaining the covenant to be ſubſcribed, " with the aſſemblies declaration.
" Act diſcharging all ſubſcription to the cove- " nant, ſubſcribed by his Majeſty's commiſſioner, " and the lords of the council.
" Act renewing the privileges of yearly general " aſſemblies, and oftener (" pro re nata ") and " appointing the third Wedneſday in July 1639, " in Edinburg, for the next general aſſembly.
" Act that none be choſen ruling-elders to ſit " in Preſbyteries provincial, or general aſſemblies, " but thoſe who ſubſcribe the covenant ".

Theſe acts evidence that Charles was not in the wrong when he ſaid, " the general aſſemblies of " Scotland had uſurped a kind of ſovereignty in " religious affairs," ſince this is ſeen boldly to annul, by their authority, things eſtabliſhed by acts of parliament. But, as I ſaid, in the diſpute between this Prince and his Scotiſh ſubjects, the concern was not to examine the parties right, but to uſe the moſt effectual means to attain their reſpective ends. This was the courſe taken by the general aſſembly of Glaſgow. As the parliament was to meet next May, and they knew they ſhould be ſupported, they were willing to give the parliament occaſion to aboliſh all the innovations complained of, on the foundation of its being the kirk's univerſal ſentiment. It muſt be farther remarked, concerning this aſſembly, that before the ſeſſions began, the tables had uſed their utmoſt indeavors to hinder ſigning the confeſſion of faith of 1580, with the obligatory clauſe annexed by the King. But as this did not prevent its being ſubſcribed by many, the aſſembly of Glaſgow thought proper to explain the confeſſion, and decide, that it virtually contained the abolition of epiſcopacy, tho' the biſhops were not mentioned. So by this explication, they who had ſigned the confeſſion by Charles's order, had ſubſcribed the abolition of epiſcopal government. The high-commiſſioner, hearing the aſſembly of Glaſgow were upon this explication, made haſte and publiſhed

The aſſembly declares epiſcopacy to be aboliſhed by the confeſſion of faith of 1580. A contrary explication. Nalſon. p. 132, 134 &c.

(1) Which made their ſiting any longer treaſon. Nalſon, p. 123.

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lished a quite different one, wherein he attempted to prove, that episcopacy subsisted in 1580, and consequently, signing the confession of that year could not be deemed abjuring episcopacy. A very long and particular answer was made to this explication. But without entering on a discussion of the facts alledged on both sides, I shall only observe, that what I before advanced touching the ambiguity in the name of bishops, must be chiefly applied to these two papers. The marquis very well proved that the name, title, temporal rights of the bishops, were not abolished by the parliament, 'till the year 1580; but he very lamely proved, that 'till then the kirk of Scotland had been governed by bishops. The benefice had subsisted 'till that year, but the office was abolished, if not by act of parliament, at least by the custom and practise of the kirk. Contrariwise, the authors of the answer evidently shewed, that episcopacy, as to the office, was abolished by the general assembly, as far as lay in their power, and by the practise of the kirk: but they could not prove that the order of bishops was abolished 'till the year 1592.

An' 1639. Two parties in England.

Hitherto I have attempted to shew the rise of the Scotish troubles, to make it the better conceived, how far the English ought to have been concerned in the war which presently after brake out between the King and his subjects of Scotland. There were two parties in England, the courtiers, with all rigid episcopalians, who, being most fervently attached to the hierarchy, firmly believed, the Scots were in the wrong to reject so obstinately this hierarchy, established thirty years by acts of parliament. Salmonet. These looked on the Scots as rebels, and as such wished to see them chastised. The other party consisted of Puritans, under which denomination were included not only the Church Puritans, but also the State-Puritans, that is, all those who disliked the government, and thought the King assumed a power which belonged not to him. This party, tho' without posts or imployments, and continually oppressed, was however abundantly superior in number to the other, as plainly appeared afterwards. These, far from disapproving the Scots conduct, said, that the Kings, James and Charles, having manifestly introduced innovations into the kirk, the Scots could not be justly blamed for desiring things might be restored to their former state. When, therefore, the history of these troubles is read, the authors are to be distinguished. Some represent the conduct of the Scots as a real rebellion, flowing from a settled design of breaking all the bands of subjection and obedience to the King, and of utterly destroying monarchial government. Others, on the contrary, speak of the King's behavior to the Scots as really tyrannical, and pretend he had no less design to render himself absolute in Scotland than in England.

Charles resolves on a war with Scotland. Burnet's Mem. of Hamil. p. 113. Clarendon. Warwick's Mem.

Charles's party in Scotland was very weak, and consequently he had no other way than to use English troops to reduce the Scots to obedience. Accordingly, he took this course (1). No sooner had he notice, that the general assembly of Glasgow continued their session by their own authority, and that the people approved their conduct, he determined on levying a body of forces in England, to reduce the male-contents of Scotland to their duty. But as the English might naturally ask, by what reason were they bound to venture their lives in defense of the King's interests in Scotland, he thought this objection should be obviated, by supposing the Scots to have already levied an army for the invasion of England. Thence he infered, it was incumbent on him to provide for the kingdom's defense, by raising sufficient forces to repel the attacks of his adversaries. There was little probability that the Scots should think of invading England, if they were left unmolested; but it was necessary to excite the English by a dread of some imaginary danger.

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He supposes it a defensive war.

His Majesty thought not proper to call a parliament to inable him to raise the forces he wanted. Experience had taught him, that he was not to expect any great assistance from parliaments, except he would alter his maxims, and redress the peoples grievances, which was not his design. On the contrary, he flattered himself, that he should easily reduce the Scots, and then be still more absolute in England. He chose therefore to suppose a defensive war, and on that supposition summoned the nobility to attend him at York, the first of April following, each with as many horse as he could raise, and to inform the court, within a fortnight, of what number could be brought. Thus did the Kings of England formerly prepare to withstand the invasions wherewith they were menaced. But the ancient manner and this widely differed, in two respects. First, there were certain crown-lands, whose possessors were obliged to find the King troops, according to the frontiers which were threatened. Most of these lands lay in the northern counties, because of the neighborhood of Scotland, which was the only quarter whence land invasions were to be apprehended: but the tenants of such lands lying in Kent or Suffex, were not obliged to furnish troops for defense of the northern borders against the Scots; or the tenants in the north, to defend the southern frontiers when menaced from France. Whereas Charles I, without any distinction of counties, or making the least difference between those who did, and those who did not hold these crown-lands, directed his summons to all the nobles in general. Again, this method of raising troops was anciently practised only when the realm was actually invaded, or in danger of being so, or at least, when there was a war proclaimed, and judged necessary for the nation's safety. But King Charles was contented to suppose only, tho' contrary to all appearance, that the Scots intended to invade England, and under color of defending the kingdom, his real design was to attack the Scots, on account of his own interests.

Summons the lords to bring troops to York. April 9. Clarendon, p. 91, 93, Rushworth, Vol. III. p. 910. Burnet's Mem. of Hamil.

Remark on these summons.

His Majesty demands money of the clergy. Rushworth, Vol. II. p. 797, 819, &c. Annals, p. 738, 767.

But, as having troops was not sufficient, without money to subsist them, Charles used two ways, beside those already in practise, as ship-money and others, to increase his revenues. The first was to demand voluntary contribution of the clergy, by means of the archbishop of Canterbury. Laud wrote, for that purpose, a circular letter to the bishops and all the clergy, to exhort them to contribute liberally for defense of the kingdom, which was in extreme danger of a Scotish invasion. He added, by way of postscript, that his Majesty expected from the clergy a larger sum than what they were wont to give in the usual way. The second means his Majesty used was, to set his Queen upon writing to the Catholics, to incite them to aid their Prince on this urgent occasion: these two methods brought in very near what Charles expected.

The Queen writes to the Catholics on the same account. Rushworth, Vol. II. p. 820.

Beside the cavalry to be brought by the nobility to York, all the courtiers were obliged to find such a number of foot, horse, dragoons, beasts of draught,

(1) This was the course marquis Hamilton had from the begining advised him to take; namely, to send his fleet quickly with two thousand land soldiers in it, and send down arms to the northern counties of England; to garison Berwick with fifteen hundred men, and Carlisle with five hundred; and to come himself in person with a royal army. Burnet's Mem. of Hamil. p. 54, 82, 98.

and

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and a certain quantity of ammunition. The whole amounted to nineteen thouſand four hundred and eighty three foot, twelve hundred and thirty three horſe (1), beſide the troops of the nobility, and thirteen hundred and fifty horſes for the carriages. Moreover, Charles equiped a ſquadron of ſixteen warlike ſhips, the command whereof was given to marquis Hamilton, who was come back to his Majeſty.

Rushworth, Vol. II. p. 820.

Charles ſet out for York the twenty-ſeventh of March *, and on the ninth of April, iſſued a proclamation, to revoke ſundry monopolies, licenſes, and commiſſions, which he had granted by his letters patent. But, very ſeemingly, this was only to amuſe the people, and the proclamation was not executed, ſince, next year, he publiſhed another, to revoke thoſe very monopolies which ſhould have been aboliſhed by this. On the twenty-ninth of May, King Charles reviewed his army, which conſiſted of nineteen thouſand ſix hundred and fourteen men, beſide five thouſand on board the fleet, his own guards, and the gariſons of Berwick and Carliſle.

The counties are obliged to find troops. Rushworth, Vol. II. p. 826, &c.

*His coronation-day. Vol. III. p. 904, 926.

Nalſon, p. 207, 208. Burnet.

Charles arrives at York.

Proclamation to aboliſh monopolies. Rushworth, Vol. III. p. 886, 915, 925.

Annals, p. 216.

While Charles was making his preparations, the male-contents were not idle. They had likewiſe got together a body of forces (2); but their hopes were not ſo much grounded on their army as on their friends in England, and even at court. Some have ſuſpected marquis Hamilton, one of Charles's chief favorites, of not having, at this juncture, faithfully ſerved his maſter. As it was the King's intereſt to exaſperate the Engliſh againſt the Scots, and perſuade them, that theſe laſt were in manifeſt rebellion, it was the Scots intereſt on the contrary to ſhew, they had never any ill deſign againſt England, and if they took arms it was purely in their own defenſe. They knew the war's ſucceſs depended on the aſſiſtance England ſhould frankly concede to its Prince, and not on the aid he ſhould forcibly extort in virtue of his prerogative. And therefore their friends in England had adviſed them to have in view two things eſpecially: Firſt, to clear themſelves as fully as poſſible from the crime of rebellion, which his Majeſty laid to their charge. Secondly, to avoid whatſoever might excite the Engliſh to ingage in the war, for fear of giving King Charles the advantage of being able to ſay, they were undertaking an offenſive war. They punctually followed theſe two advices, the former, by diſperſing in England, by means of their emiſſaries, a great number of papers, wherein they ſet forth, with all poſſible clearneſs, the cauſes of their diſcontents, and the King's intentions. They forgot not to inſinuate, that it concerned England no leſs than Scotland, to oppoſe the arbitrary power aſſumed by the King, as well in eccleſiaſtical as civil affairs. They followed the ſecond advice, by obeying with intire ſubmiſſion a proclamation publiſhed by his Majeſty in Scotland, to forbid the Scotiſh army to approach within ten miles of the borders of England. By this obedience they evidently ſhewed, the war was not offenſive on their ſide. It is not unlikely, that ſome of their friends had counſelled King Charles to iſſue this proclamation, on purpoſe to afford them opportunity to give this proof of it.

The Scots prepare for their defenſe. They have friends at court. Rushworth, Vol. III. p. p. 822.

The King led into ſundry errors. Annals, Nalſon, p. 174. &c. Annals. p. 739, &c. Rushworth, Vol. III. p. 937, 965. Coke.

But this was not the only advantage the Scots reaped from the counſels given this Prince by their ſecret friends. He was perſuaded, that their obedience to his proclamation was the effect of their fear; and was thereby induced to ſend another proclamation to Edinburg, commanding the Scots to lay down their arms on point of being declared guilty of treaſon, offering however pardon to all who ſhould comply with his orders, and return to their duty. Nothing could be more prejudicial to him, in Scotland, than ſuch a proclamation, which ſhewed he required a ſpeedy obedience without any conditions; but the magiſtrates of Edinburg would not ſuffer it to be publiſhed. The ſame notion, that the Scots were intimidated, cauſed him to commit another error, in ſending the earl of Holland, with three thouſand foot and a hundred horſe, into Scotland by way of Kelſey. Leſley, the Scotiſh general, having intelligence of Holland's march, detached againſt him five or ſix thouſand foot and five hundred horſe, who made him ſtop ſhort. He ſent however a trumpet, commanding them to retire, according to their promiſe. It was anſwered, he would do better to withdraw himſelf; and indeed he found it requiſite to take their advice. The earl of Holland's ingreſs, which proved abortive, freed the Scots from their promiſe of not approaching the borders, and on the morrow, Leſley marched towards Kelſey, upwards of twelve thouſand ſtrong.

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Nalſon, p. 224.

Ib. p. 231. Rushworth, Vol. III. p. 935, &c. Annals. Clarendon.

Charles begins to miſtruſt his friends. Nalſon, p. 231. Vane's letter. p. 231.

King Charles then began to perceive that the obedience of the Scots was not owing to their fear, and hitherto he followed wrong counſels. Wherefore he ſuddenly determined to ſtand on the defenſive, and that very day wrote to marquis Hamilton, who was in the Frith with the warlike ſquadron, ordering him not to begin hoſtilities, tho' he had been ſent there to take all poſſible advantages over the Scots. But this reſolution was taken ſomewhat too late, after what he had juſt done, at leaſt if he had no other deſign than to make the public believe he had undertaken the war only in his own defenſe. But he had a ſtronger reaſon not to ingage too far: for, on notice of the Scots approach, moſt of his generals had adviſed him not to give battle, tho' he was much ſuperior in number of troops, which he could aſcribe only to their unwillingneſs to hazard their lives in his quarrel.

Nalſon, p. 232. Burnet. p. 139.

The Scots ſue for peace. June 6. Nalſon, Ibid. Clarendon, Annals, p. 97. Rushworth, Vol. III. p. p. 938.

The two armies were ſo near each other, that a battle was daily expected, tho' in reality, both ſides were alike reſolved to ſtand on the defenſive. But, when it was leaſt thought on, lord Dumfermling, a Scot, came to the King's camp with a trumpet, and preſented to his Majeſty, in name of the Scots, a very humble petition, intreating him to appoint commiſſioners to negociate a peace. Charles replied, he had ſent a proclamation to Edinburg, whereby he offered his ſubjects of Scotland the free injoyment of their religion and laws, with a pardon to ſuch as ſhould return to their duty: that this proclamation had been rejected with contempt; but he deſired it might be publiſhed in the Scotiſh army, after which he would be graciouſly pleaſed to hear their petitions. Lord Dumfermling returning with this anſwer, the Scotiſh general ordered the proclamation to be publicly read in the army, which done, his Majeſty appointed ſix commiſſioners to treat with the Scots (3).

(1) Upon the review taken by the King, the foot were found to be in all 19614. The horſe 1800, and the dragoons 1460. Thomas Howard earl of Arundel was general, Robert Devreux earl of Eſſex, lieutenant-general, and Henry Rich earl of Holland, general of the horſe. See Ruſhworth, Vol. III. p. 926. Nalſon, Vol. I. p. 207.

(2) And ſeized Edinburg and Dunbarton caſtles; and applied to the King of France. Nalſon, p. 197, 201. Warwick.

(3) The King's commiſſioners were, the earl of Arundel lord-general, the earl of Eſſex lieutenant-general, the earl of Holland general of the horſe, the earls of Saliſbury and Berkſhire, Mr. ſecretary Coke, and ſir Henry Vane. The Scotiſh deputies were, the earls of Rothes and Dumfermling, the lord Loudon, ſir William Douglaſs ſheriff of Tivinale, Mr. Alexander Henderſon, and Archibald Johnſton. Nalſon, Vol. I. p. 233, 234.

In

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In the conference held the eleventh of June, between the commiſſioners of both parties, the Scots deſired three things; viz.

Their demands. Nalſon, p. 234.

" 1. That the acts of the late aſſembly at " Glaſgow ſhould be ratified in the inſuing par- " liament.

" 2. That all matters eccleſiaſtical might be " determined by the aſſemblies of the kirk, and " matters civil by parliament.

" 3. That his Majeſty's ſhips, and forces by " land be recalled; that all perſons, ſhips, and " goods arreſted be reſtored; and that all excom- " municate perſons, incendiaries, and informers " againſt the kingdom, who had cauſed theſe " commotions for their own private ends, might be " returned to ſuffer their deſerved cenſure and " puniſhment".

King Charles hereupon deſiring the Scots to give in writing the reaſons and grounds of their demands, lord Loudon, one of the Scotiſh deputies, ſaid, Their deſires were only to injoy their religion and liberties according to the kingdom's eccleſiaſtical and civil laws, and that they would not inſiſt on any point which was not ſo warranted; humble offering all civil and temporal obedience to his Majeſty, which could be required or expected of loyal ſubjects. Charles anſwered, If this was all deſired, the peace would ſoon be concluded: and indeed, he inſtantly granted what lord Loudon demanded, in the very ſame words, and on the ſame terms.

Ibid. 236. Ruſhworth, Vol. III. p. 942. Annals.

Then the Scotiſh deputies gave in writing the reaſons and grounds of their three demands, and added, it was alſo deſired, that parliaments might be held at ſet times, once at leaſt in two or three years, by reaſon of his Majeſty's abſenſe, which hindered his ſubjects in their complaints and grievances to have immediate acceſs to his Majeſty. They took occaſion likewiſe to declare in this paper, that it had always been far from their thoughts to refuſe due obedience to their native King, or to make any invaſion upon England. They ſaid, theſe were calumnies, the authors whereof they moſt humbly deſired might be made a public example.

Nalſon, p. 237.

It was the fifteenth of June before King Charles returned his anſwer, which muſt have imbaraſſed him. He had filled all England with complaints concerning the horrible rebellion of the Scots, and yet theſe ſame people, whom he would have to be deemed rebels, deſired only to injoy their religion and liberties. On the other hand, he had levied a great army, and prepared a fleet, on pretext to defend England againſt the invaſion the Scots were mediating: but they never harbored any ſuch thought. At laſt, he gave his anſwer to this effect.

June 17.

The King's anſwer. Nalſon, p. 238. Ruſhworth, Vol. III. p. 944. Annals. Burnet's Mem. of Hamilton, 141.

" 1. That he could not ratify or approve the " acts of the general aſſembly at Glaſgow.

" 2. That, notwithſtanding, he was pleaſed to " confirm and make good whatſoever his com- " miſſioner had granted and promiſed in his name.

" 3. That, according to the petitioners deſire, " all matters eccleſiaſtical ſhould be determined " by the kirk, and matters civil by the parlia- " ment.

" 4. That a free general aſſembly ſhould be " held at Edinburg the ſixth day of Auguſt, and " a parliament at the ſame place, the twentieth of " Auguſt next inſuing.

" 5. That upon the Scots diſarming and diſbanding " their forces, and diſcharging all their pretended " tables and conventions, and reſtoring to every one " whatſoever had been taken and detained from " them ſince the late pretended general aſſembly, " his Majeſty would preſently after recal his fleet, " and retire his land-forces, and cauſe reſtitution to " be made to all perſons of their ſhips and goods, " detained and arreſted ſince the aforeſaid aſſem- " bly".

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Upon this anſwer, the ſeven following articles were finally agreed on, the ſeventeenth of June, wherein however was no mention of the principal reaſons of the quarrel, becauſe theſe matters were to be examined by the general aſſembly and parliament of Scotland. So, notwithſtanding theſe articles were termed Articles of Pacification, it could not but be a very doubtful peace, ſince nothing was yet decided touching the grounds of the war.

Articles agreed on.

Articles of peace. Nalſon, p. 239. Ruſhworth, Vol. III. p. 945.

" 1. The forces of Scotland to be diſbanded and " diſſolved, within eight and forty hours after " the publication of his Majeſty's declaration be " agreed upon.

" 2. His Majeſty's caſtles, forts, ammunitions " of all ſorts, and royal honors to be delivered after " the ſaid publication, ſo ſoon as his Majeſty can " ſend to receive them.

" 3. His Majeſty's ſhips to depart preſently after " delivery of the caſtles, with the firſt fair wind, " and in the mean time no interruption of trade or " fiſhing.

" 4. His Majeſty is graciouſly pleaſed to cauſe " to be reſtored all perſons, goods and ſhips, " detained and arreſted ſince the firſt day of laſt " November.

" 5. There ſhall be no meetings, treatings, " conſultations, or convocations of his Majeſty's " lieges, but ſuch as are warranted by act of par- " liament.

6. All fortifications to deſiſt, and no farther " working therein, and they to be remited to his " Majeſty's pleaſure.

" 7. To reſtore to every one of his Majeſty's " good ſubjects their liberties, lands, houſes, goods " and means whatſoever, taken or detained from " them by whatſoever means ſince the aforeſaid " time".

June 18. Nalſon, p. 240, 247. Whitelock, p. 31.

Purſuant to theſe articles, the Scots diſbanded their troops, but in ſuch a manner, if we may credit King Charles's partiſans, that they could eaſily re-aſſemble them in caſe of neceſſity (1). This ſeems to me very probable, ſince it is certain, the readineſs ſhewn by the two parties to ſtrike up a pacification was a mutual occaſion of diſtruſt (2).

Charles nominates the earl of Traquair for his high-commiſſioner.

As the general aſſembly and parliament were to meet in Auguſt, King Charles appointed the earl of Traquair to repreſent his perſon, in quality of high-commiſſioner. This noble perſonage, who was treaſurer of Scotland, was intirely devoted to him, and it was with him that the Scotiſh biſhops and archbiſhop Laud, before the rupture, held a ſtrict correſpodence, in order to accompliſh his Majeſty's deſigns. King Charles gave him the ſubſequent inſtructions, ſigned with his own hand.

(1) The King juſtly performed the articles on his part; but the Scots kept part of their forces in body, and all their officers in pay. Whitlock, p. 31.

(2) Charles, during his ſtay in Scotland, gained James earl of Montroſs to his ſide, and much lenified the earls of Loudon and Lothian. Nalſon, Vol. I. p. 244.

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Lord Traquair's inſtructions. Nalſon, p. 245, &c. Ruſhworth, Vol. III. p. 949. Annals, p. 783.

Inſtructions given to the earl of Traquair, lord high-commiſſioner for Scotland.

" AT the firſt meeting of the aſſembly, before
" it be brought in diſpute who ſhall preſide,
" you ſhall appoint him who was moderator in the
" laſt aſſembly, to preſide in this 'till a new mode-
" rator be choſen.

" We allow that lay-elders ſhall be admited
" members of this aſſembly; but in caſe of the elec-
" tion of commiſſioners for Preſbyteries, the lay-
" elders have had voice, you ſhall declare againſt
" the informality thereof; as alſo againſt lay-elders
" having voice in fundamental points of religion.

" At the firſt opening of the aſſembly, you ſhall
" ſtrive to make the aſſembly ſenſible of our good-
" neſs, that notwithſtanding all that is paſſed,
" whereby we might have been juſtly moved not
" to hearken to their petitions, yet we have been
" graciouſly pleaſed to grant a free general aſſem-
" bly, and for great and weighty conſiderations,
" have commanded the archbiſhops and biſhops
" not to appear at this aſſembly.

" You ſhall not make uſe of the aſſeſſors in
" public, except you find you ſhall be able to carry
" their having vote in the aſſembly.

" You ſhall labor to your utmoſt, that there be
" no queſtions made about the laſt aſſembly; and
" in caſe it come to the worſt, whatever ſhall be
" done in ratification, or with relation to the for-
" mer aſſembly, our will is, that you declare the
" ſame to be done as an act of this aſſembly, and
" that you conſent thereto only upon theſe terms,
" and no ways as having any relation to the for-
" mer aſſembly.

" You ſhall by all means ſhun the diſpute about
" our power in aſſemblies; and if it ſhall be urged
" or offered to be diſputed, whether we have the
" negative voice, or the ſole power of indicting,
" and conſequently of diſſolving, except you ſee
" clearly that you can carry the ſame in our favor,
" ſtop the diſpute; and rather than it be decided
" againſt us, ſtop the courſe of the aſſembly until
" we be advertiſed.

" For the better facilitating our other ſervices,
" and the more peaceable and plauſible progreſs
" in all buſineſſes recommended to you, we allow
" you at any time you ſhall find moſt convenient,
" after opening the aſſembly, to declare that, not-
" withſtanding our own inclination, or any other
" conſiderations, we are contented, for our peoples
" full ſatisfaction, to remit epiſcopacy, and the
" eſtate of biſhops to the freedom of the aſſem-
" bly; but ſo, as no reſpect be had to the deter-
" mination of the point in the laſt aſſembly.

" But in giving way to the aboliſhing epiſco-
" pacy, be careful that it be done without the
" appearing of any warrant from the biſhops,
" and if any offer to appear for them, you are
" to inquire for their warrant, and carry the
" diſpute ſo, as the concluſion ſeem not to be
" made in prejudice of epiſcopacy as unlawful,
" but only in ſatisfaction to the people for ſetling
" the preſent diſorders, and ſuch other reaſons of
" ſtate: but herein you muſt be careful that our
" intentions appear not to any.

" You ſhall labor, that miniſters depoſed by
" the laſt aſſembly, or commiſſions flowing from
" them, for no other cauſe but ſubſcribing the
" petition or declinator againſt the laſt aſſembly,
" be, upon their ſubmiſſion to the determination
" of this aſſembly, reponed in their own places;
" and ſuch other miniſters as are depoſed for no
" other faults, that they be tried of new; and
" if that cannot be, ſtrive that commiſſions
" may be directed from this aſſembly, for trying
" and cenſuring them, according to the nature of
" their proceſs. CHARLES I AN' 1639.

" That, immediately upon the concluſion of this
" aſſembly, you indict another at ſome convenient
" time, as near the expiring of the year as you
" can, and if you find that Aberdeen be not a place
" agreeable, let Glaſgow be the place; and if that
" cannot give content, let it be elſewhere.

" The general aſſembly is not to meddle with
" any thing that is civil, or which formerly hath
" been eſtabliſhed by act of parliament, but upon
" his Majeſty's ſpecial command or warrant.

" We will not allow of any commiſſioner from
" the aſſembly, nor any ſuch act as may give
" ground for continuing the tables or conventi-
" cles.

" In caſe epiſcopacy be aboliſhed at this aſſem-
" bly, you are to labor that we may have the
" power of chuſing ſo many miniſters, as may
" repreſent the fourteen biſhops in parliament; or
" if that cannot be, that fourteen others, whom
" we ſhall preſent, be agreed to, with a power
" to chuſe the lords of the articles for the nobility
" for this time, until the buſineſs be farther conſi-
" dered upon.

" We allow that epiſcopacy be aboliſhed, for
" the reaſons contained in the articles; and the
" covenant 1580, for ſatisfaction of our people,
" be ſubſcribed, provided it be ſo conceived,
" that thereby our ſubjects be not forced to abjure
" epiſcopacy, as a point of Popery, or contrary
" to God's law, or the proteſtant religion; but
" if they require it to be abjured, as contrary to
" the conſtitution of the church of Scotland,
" you are to give way to it rather than to make
" a breach.

" After all aſſembly-buſineſs is ended, and im-
" mediately before prayers, you ſhall, in the faireſt
" way you can, proteſt, that, in reſpect of his
" Majeſty's reſolution of not coming in perſon,
" and that his inſtructions to you were upon ſhort
" advertiſement, whereupon many things may have
" occured wherein you have not had his Majeſty's
" pleaſure; and for ſuch other reaſons as occaſion
" may furniſh, you are to proteſt, that in caſe
" any thing hath eſcaped you, or hath been con-
" deſcended upon in this preſent aſſembly, preju-
" dicial to his Majeſty's ſervice, that his Majeſty
" may be heard for redreſs thereof in his own time
" and place (1).

At Berwick the 27th of July, 1639.

Farther inſtructions to the earl of Traquair.

Right truſty,

" WE have hitherto commanded Hamilton
" to anſwer ſeveral of your letters, but that
" of the ſixteenth of Auguſt being of more weight
" than any of your former, we have thought fit to
" anſwer it ourſelf.

" And whereas you ſay, that nothing will ſatisfy
" them, except in terminis, the laſt aſſembly be
" named and ratified, or that way be given to
" the diſcharging epiſcopacy, as abjured in that
" church, as contrary to the confeſſion of faith
" 1580, and the conſtitutions of the ſame, you
" being yet in ſome hope that the word abjured
" may be got changed, and that in drawing up
" the words of the act, it be only condemned as
" contrary to the conſtitution of the church: we in
" this point leave you to your inſtructions, they

Ruſhworth, Vol. III. p. 953. Annals, p. 784. Nalſon, p. 254.

(1) Hence it is evident, that Charles was deſirous of reſerving a means to diſavow his commiſſioner. Rapin.

" being

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" being full, if you conſider what we have ſaid " concerning epiſcopacy, and ſubſcribing the con- " feſſion of faith 1580, we thinking it fit to declare " hereupon unto you, that let their madneſs be " what it will, farther than we have declared " in our inſtructions, in theſe points, we will not " go.

" For the ſervice-book, and book of canons, tho' " we have been and are content they be diſcharged, " yet we will never give our voice nor aſſent that " they be condemned, as containing diverſe heads of " popery and ſuperſtition; in like manner, tho' " we have been and are content that the high- " commiſſion be diſcharged, yet we will never " acknowledge that it is without law, or deſtruc- " tive to the civil and eccleſiaſtical judicatories " of that our kingdom: nor that the five articles " of Perth, tho' diſcharged with our approbation, " be condemned, as contrary to the aforeſaid con- " feſſion. As concerning the late aſſemblies, we " cannot give our conſent to have them declared " null, ſince they were ſo notoriouſly the acts of " our father of happy memory; it ſeeming ſtrange " that we having condeſcended to the taking away " theſe things they complained of, which were " done in thoſe aſſemblies, they will not be content " therewith, without laying an aſperſion on our " father's actions. Wherefore if the aſſembly " will, in deſpite of your indeavor, conclude con- " trary to this, you are to proteſt againſt their " proceedings in theſe points, and be ſure not to " ratify them in parliament.

" Concerning the yearly indiction of general aſ- " ſemblies, and the confeſſion of faith, we com- " manded Hamilton, in his of the ſixteenth, to " anſwer that point to this effect, that we think " it infinitely to our prejudice that we ſhould con- " ſent to tie ourſelf for the keeping yearly of their " aſſemblies, not needing to repeat the reaſons, " they being well enough known to you; ſeeing " at Berwick it was conceived upon debate of that " point, that your having power to indict a new " one within the year, would ſave that diſpute, " which you are by all means to eſchew. But if " this will not give ſatisfaction, you are by no " means to give your aſſent to any ſuch act, nor to " ratify the ſame in parliament.

" The article in your inſtructions, which is only " that the covenant 1580 ſhall be ſubſcribed, you " muſt have eſpecial care of, and how you proceed " therein; that the bond be the ſame which was " in our father's time, " mutatis mutandis"; and " that you give your aſſent no other ways to " the interpretations thereof, " than may ſtand " with our future intentions well known to you"; " nor is the ſame otherwiſe to be ratified in par- " liament.

" Thus you have our pleaſure fully ſignified in " every particular of your letter; which you will " find no ways contrary to our reſolution taken at " Berwick, and our inſtructions given to you there. " But if the madneſs of our ſubjects be ſuch, " that they will not reſt ſatisfied with what we " have given you power and authority to con- " deſcend to, which nothwithſtanding all their inſo- " lencies we ſhall allow you to make good to " them, we take God to witneſs, that what miſery " ſoever ſhall fall to that country hereafter, it is no " fault of ours, but their own procurement. And " hereupon we do command you, that if you cannot " compoſe this buſineſs according to our inſtruc- " tions, and what we have now written, that you " prorogue the parliament 'till next ſpring; and " that you think upon ſome courſe how you may " make publicly known to all our ſubjects, what " we had given you power to condeſcend to. And " becauſe it is not improbable, that this way may " produce a preſent rupture, you are to warn and " aſſiſt Ruthven for the defenſe of the caſtle of " Edinburg; and to take in general the like care " of all our houſes and forts in that kingdom; " and likewiſe to advertiſe all ſuch as are affected " to our ſervice, that timouſly they may ſecure " themſelves; and ſo we bid you heartily fare- " well".

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It is plain from theſe inſtructions, that the King had ſome private intentions, to which the earl of Traquair was privy. The following letter may help to diſcover part of theſe intentions, at leaſt with reſpect to the biſhops.

His Majeſty's letter to the archbiſhop of St. Andrews.

Right truſty, and well beloved counſellor, and reverend father in God, we greet you well.

" YOUR letter, and the reſt of the biſhops " (ſent by the elect of Cathneſs) to my lord " of Canterbury, hath been by him communicated " to us: and after ſerious conſideration of the con- " tents thereof, we have thought fit ourſelf to " return this anſwer to you for direction accord- " ing to our promiſe, which you are to commu- " nicate to the reſt of your brethren. Ruſhworth, Vol. III. p. 951. Nalſon, p. 248. Annals, p. 785.

" We do in part approve of what you have ad- " viſed, concerning the prorogating of the aſſem- " bly and parliament, and muſt acknowledge it " to be grounded upon reaſon enough, were reaſon " only to be thought on in this buſineſs: but con- " ſidering the preſent ſtate of our affairs, and " what we have promiſed in the articles of paci- " fication, we may not (as we conceive) without " great prejudice to ourſelf and ſervice, condeſcend " thereunto, wherefore we are reſolved (rather neceſ- " ſitated) to hold the aſſembly and parliament at " the time and place appointed; and for that end " we have nominated the earl of Traquair our " commiſſioner, to whom we have given inſtruc- " tions, not only how to carry himſelf at the ſame, " but a charge alſo to have a ſpecial care of your " lordſhips, and thoſe of the inferior clergy, who " have ſuffered for their duty to God, and obe- " dience to our commands. And we do hereby " aſſure you, that it ſhall be ſtill one of our " chiefeſt ſtudies, how to rectify and eſtabliſh the " government of that church aright, and to repair " your loſſes, which we deſired you to be moſt " confident of.

" As for your meeting to treat of the affairs of " the church, we do not ſee at this time how that " can be done; for within our kingdom of Scot- " land we cannot promiſe you any place of ſafety; " and in any other of our dominions we cannot " hold it convenient, all things conſidered; where- " fore we conceive, that the beſt way would be " for your lordſhips to give in, by way of pro- " teſtation or remonſtrance, your exceptions againſt " this aſſembly and parliament to our commiſſio- " ner, which may be ſent by any mean man, ſo he " be truſty, and deliver it at his entring into the " church; but we would not have it to be either " read or argued in this meeting, where nothing " but partiality is to be expected, but to be repre- " ſented to us by him; which we promiſe to take " ſo into conſideration as becometh a Prince ſen- " ſible of his own intereſt and honor, joined with " the equity of your deſires; and you may reſt " ſecure, that tho' perhaps we may give way for " the preſent, to that which will be prejudicial " both to the church and our own government, " yet we ſhall not leave thinking in time how to " remedy both.

" We muſt likewiſe intimate unto you, that we " are ſo far from conceiving it expedient for you,

" or

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" or any of my lords of the clergy, to be preſent at " this meeting, as we do abſolutely diſcharge your " going thither; and for your abſenſe, this ſhall " be to you, and every of you, a ſufficient war- " rant. In the interim, your beſt courſe will be " to remain in our kingdom of England, 'till ſuch " time as you receive our farther order, where we " ſhall provide for your ſubſiſtance; tho' not in " that meaſure as we could wiſh, yet in ſuch a way " as you ſhall not be in want.

" Thus you have our pleaſure briefly ſignified " unto you, which we doubt you will take in good " part. You cannot but know, that what we " do in this, we are neceſſitated to; ſo we bid " you farewell".

Whitehall, Aug. 6. 1639. C. R.

The late peace very uncertain.

I have already hinted, that the late peace between King Charles and his Scotiſh ſubjects did not properly conſiſt in the ſeven articles of pacification, ſince there was no mention there of the true ground of the quarrel, but only of what paſſed after the rupture. Indeed, both parties agreed to lay down their arms; but the peace could not be ſaid to be concluded, ſo long as the motives of difference ſtill ſubſiſted. If the Scots demands and the King's anſwer be conſidered, ſuch ambiguity on both ſides will appear, that the peace muſt have been deemed very doubtful. The Scots reduced their demands to this, " That they might injoy " their religion and liberties, according to the " eccleſiaſtical and civil laws of the kingdom, " offering in return all obedience to his Majeſty, " which could be required or expected of loyal " ſubjects". The King granted this their deſire, in the ſame words, and on the ſame conditions. But there was a palpable ambiguity as well in the demand, as in the anſwer. The Scots underſtood by the laws of the kingdom, thoſe which were in force before King James's acceſſion to England, and all the innovations by them complained of; but Charles had in view ſuch as were lately inacted. The condition was no leſs equivocal, for the obedience promiſed by the Scots, related to the obſervance of the ancient laws, but that expected by the King, was founded on the late laws. Both parties muſt have perceived the equivocation in what was to be the foundation of the peace, ſince neither of the parties could be ignorant of what had occaſioned the breach. But however, both ſides feigned not to perceive it, in order to be freed from their perplexity in recurring to hoſtilities. The Scots had flattered themſelves that, conſidering the diſcontents which reigned in England, Charles would not be able to levy forces to reduce them to obedience. But, contrary to their expectation, they beheld him approach their borders, at the head of twenty thouſand men, while they had not above twelve thouſand, without reckoning his fleet, which interrupted their commerce. It was therefore their intereſt, by all means to labor avoiding a deciſion of the quarrel by arms. The loſs of a battle would have certainly reduced them to ſlavery: beſide, their friends in England diſſuaded them from runing any hazard, and made them hope they ſhould, very ſpeedily, put it out of the King's power to hurt them. For theſe reaſons, they were contented with the general demand of their religion and liberties, in order to gain time, knowing, that when matters came to be diſcuſſed, they ſhould find means to include all their pretenſions in this general demand. Nor was Charles on his ſide, leſs imbaraſſed. Tho' he had an army ſuperior in number of troops, he was apprehenſive of treacheries, or at leaſt, that his Engliſh ſubjects would not chearfully venture their lives for his ſake: ſo that the loſs of a battle would not only have occaſioned the loſs of Scotland, but even put his affair in England in a very faſtidious ſituation. Therefore, tho' he could not poſſibly be ignorant of what the Scots underſtood by their religion and laws, finding they did not explain themſelves more clearly, he took them at their word, in a belief that, at a more convenient ſeaſon, it would be in his power to give theſe terms the ſenſe which to him ſeemed moſt natural. It may therefore be affirmed, that his peace, which yet decided nothing, was concluded on very uncertain foundations, and that both parties, when they laid down, were in much the ſame ſtate as when they took up their arms. But it was eaſy to foreſee a time would come, when it would be neceſſary to explain what hitherto remained in obſcurity.

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Clarendon, p. 98, 99. Ruſhworth, Vol. III. p. 1019.

The biſhops failed not, purſuant to his Majeſty's counſel, to preſent a declinator or proteſtation to the high-commiſſioner (1), who receiving it publicly, as he entered the church, was contented with ſending it to the King, without communicating it to the aſſembly (2). King Charles was deſirous to have in his hands ſuch a paper, that he might uſe it upon occaſion, or at a properer juncture.

The biſhops declinator. Aug. 10, 11. Nalſon, p. 246. Ruſhworth, Vol. III. p. 952.

In the general aſſembly, held at Edinburg by his Majeſty's order, the high-commiſſioner had ſufficient intereſt to hinder any mention of the former aſſembly at Glaſgow. Nevertheleſs, there paſſed diverſe acts very little to King Charles's likeing, to which however the high-commiſſioner gave his conſent.

Acts of the general aſſembly. Auguſt. Nalſon, p. 252.

" The firſt contained the cauſes of thoſe evils " which had lately happened in the kirk of Scot- " land." Theſe cauſes, being ſix in number, were in ſubſtance: " 1. Preſſing the ſervice-book, " the books of canons and of conſecration and " ordination, and the high-commiſſion. 2. The " five articles of Perth. 3. Changing the kirk " government into epiſcopal government. 4. The " civil imploies confered on kirkmen. 5. The " keeping and authoriſing the aſſemblies in 1606, " 1608, 1610, 1616, 1617, 1618. 6. The " want of lawful and free general aſſemblies." It was therefore ordained by this act, that all theſe abuſes ſhould be aboliſhed, and the kirk reſtored to its former ſtate. To this act the high commiſſioner conſented verbally, and promiſed to have it ratified in the inſuing parliament. Likewiſe another act paſſed for better obſerving the Sabbath.

Ruſhworth, Vol. III. p. 958.

After which followed a ſupplication of the general aſſembly to the commiſſioner, deſiring that a book intitled The large Declaration; and written by the * dean of Durham, a Scot, * againſt his country-men, might be called in. To this the commiſſioner gave no other anſwer, but that he would " impart " the ſame to his Majeſty."

Id. p. 960. Nalſon, p. 253. * Dr. Balcanquel.

Then was preſented to the high-commiſſioner another ſupplication from the aſſembly, and the lords of the privy council, wherein they petitioned, that it might be injoined, by act of council, that the confeſſion and covenant ſhould be ſubſcribed by all his Majeſty's ſubjects in Scotland, of what rank and quality ſoever. The high-commiſſioner, by advice of the council, anſwered, that he thought himſelf bound in conſcience to approve of the covenant and, as earl of Traquair, would ſubſcribe

Annals Ruſhworth, Vol. III. p. 961, 962.

(1) The earl of Traquair. The King is always preſent in the general aſſembly, by himſelf or commiſſioner.

(2) The King in his letter to archbiſhop Spotſwood, ordered him to give in a proteſtation againſt the aſſembly, but that it ſhould not be read or argued in the meeting, where, as he ſays, nothing but partiality was to be expected. Ruſhworth, Vol. III. p. 952.

it

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it as heartily as any ſubject in the kingdom; but as the King's commiſſioner he could not do it, except a clauſe was added, that this covenant was the ſame with that ſubſcribed by King James VI, in the years 1580, 1581, and 1590. Whereupon the aſſembly made a new act, injoining all the kirk's members in general to ſign the covenant, with this clauſe prefixed to the ſubſcribers names:

p. 964.

"We ſubſcribe this covenant according to the "explanation it hath received from the general "aſſembly, that is, as declaring the five articles "of Perth, the government of the kirk by biſhops, "and the beſtowing of civil places on kirkmen, "to be unlawful within this kirk."

Ibid. Annals.

The aſſembly then concluded on preſenting to his Majeſty a petition, praying him to cauſe theſe acts to be ratified by parliament. That done, they appointed the laſt Tueſday in July 1640, for holding another general aſſembly at Aberdeen, without conſulting the high-commiſſioner.

Remark on theſe acts. Nalſon, p. 255.

The acts paſſed in this aſſembly plainly ſhew what the Scots underſtood by their religion, viz. that profeſſed in 1580. The aſſembly had likewiſe determined, contrary to Charles's pretenſions, that epiſcopacy was aboliſhed (1) by the confeſſion of faith of the year 1580, tho' the biſhops were not even mentioned. Whereas, Charles pretended, the national religion to be that actually profeſſed ſince the year 1606, and afterwards eſtabliſhed by diverſe parliamentary ſtatutes and general aſſemblies. Contrariwiſe, the Edinburg aſſembly declared, that the aſſemblies held from 1606, to 1618, were void, and thereby annulled the acts of parliament by which they were confirmed and ratified. As to the covenant, the ſame aſſembly, in pretending to admit the clauſe annexed by the earl of Traquair, had rendered it of no effect, by ſuch additional explication. Traquair was loudly blamed for not ſtoutly oppoſing this interpretation; nay, when he came to render Charles account of his commiſſion, a Scotiſh biſhop (2) accuſed him of treaſon, and offered to ſuffer as a traitor, if he made not good his accuſation.

Ruſhworth, Vol. III. p. 955.

Annals, p. 790.

Acts of the Scotiſh parliament.

By what had paſſed in the aſſembly, King Charles ſaw plainly what he was to expect from the parliament which met after the aſſembly ſeparated. Before ratification of the aſſembly's acts was propoſed, they preſented to the high-commiſſioner ſome acts, which ſhewed they were no leſs reſolved on maintaining the peoples privileges, and guarding againſt the artifices by which the court had for forty years cauſed the parliament to paſs what they pleaſed. I have mentioned elſewhere the manner of chuſing lords of the articles in the Scotiſh parliament, but it is neceſſary to explain this matter ſomewhat more clearly, for the better underſtanding how advantageous this method was grown to his Majeſty. Ever ſince the reign of David Bruce, i. e. for about three hundred years, it had been cuſtomary in Scotland, that when the parliament met, there were elected a certain number of nobles, biſhops, barons, and burgeſſes, who were ſtiled Lords of the Articles. The buſineſs of this ſelect commitee was to examine and prepare the bills which were to be moved in parliament; and as they had power to reject ſuch as they did not judge neceſſary or convenient, it rarely occurred that thoſe they admited were ever thrown out. The manner of election, ſettled at a juncture when the bad conſequences could not be foreſeen, was thus: The body of the nobility nominated eight biſhops, theſe biſhops named eight lords, the ſixteen elect biſhops and lords choſe eight barons §, theſe twenty-four elected eight burgeſſes. This cuſtom ſubſiſted without many inconveniencies, 'till James VI attempted to reſtore epiſcopacy. That Prince, as we have ſeen, began with reſtoring the biſhops and lay-abbots to their ſeats in parliament; and thereby had at his command the votes of all the church's repreſentatives. So the nobility, in chuſing eight biſhops, could name only ſuch as were devoted to the Sovereign, from whom they received their benefices. Theſe eight biſhops made it their chief care to name eight lords on whom the King might rely. The ſixteen never failed chuſing eight barons of the ſame party, and conſequently the eight burgeſſes, elected by the twenty-four, were alſo court devotees. By this means, King James obtained of the parliament the above-cited acts, to reſtore epiſcopal government in the kirk, notwithſtanding the general aſſemblies vigorous efforts. This alſo occaſioned the complaint, publicly diſperſed in writing, that Charles I, in his journey to Scotland, had practiſed illegal methods to obtain the two acts touching religion, whereof I have made mention. It is ſaid that, among the eight lords then choſen by the biſhops, three were ſuſpected of Popery.

Annals, p. 789.

Whitlock, p. 31. Ruſhworth, Vol. II. p. 182. § Lairds.

p. 182.

As ſince that time the face of affairs had been greatly changed in Scotland, and the King had no longer any power there, the parliament, which met by his Majeſty's order, at Edinburg, in 1639, reſolved to prevent the inconveniencies flowing from election of lords of the articles. To that purpoſe, they preſented to the high-commiſſioner an act, declaring null and void whatever ſhould be done in parliament, before the ancient method of electing lords of the arches ſhould be altered. This act was founded not only on the above-hinted inconveniencies, but chiefly on the parliament's diſpoſition utterly to aboliſh the order of biſhops, whence followed a neceſſity to alter the manner of chuſing lords of the articles. Beſide, in all appearance, the parliament was willing to obviate thereby Charles's demand, that fourteen miniſters or lay-abbots of his chuſing might ſupply the biſhops places.

Whitlock, p. 31.

Beſide this act, which was very material at this juncture, the parliament preſented alſo ſeveral others, all tending to leſſen the King's prerogative.

"2. By the ſecond it was inacted, that the coin "ſhould not be meddled with, but by advice of "parliament.

Ruſhworth, Vol. III. p. 1027. Annals.

"3. By the third, that no ſtranger ſhould be "intruſted with keeping any caſtles, nor other "perſon put in them, but by advice of the eſtates." This was becauſe Charles had lately made two Engliſhmen governors of Edinburg and Dunbarton caſtles.

"4. That no patent of honor be granted to any "ſtranger, but ſuch as have a competency of land-"rent in Scotland.

"5. That no commiſſion of juſticiary or lieu-"tenancy may be granted but for a limited time.

"6. They proteſted againſt the precedency of "the lord-treaſurer, and lord privy-ſeal, becauſe, "as they alledged, the ſame was not warranted "by a poſitive law."

There were others of a like nature, all prejudicial to the King, but which it is needleſs to inſert. It may reaſonably be preſumed that the high commiſſioner did not believe himſelf ſufficiently authoriſed to give his conſent to all theſe acts, without acquainting his Majeſty.

Charles prorogues the parliament; Ruſhworth, Vol. III. p. 955.

King Charles, perceiving what courſe his affairs were taking in the Scotiſh parliament, readily comprehended, from theſe introductuory proceedings, that his commiſſioner would be little able to follow

(1) They not only aboliſhed it, but alſo determined, that it was unlawful in the church of Scotland. Ruſhworth, Vol. III. p. 955.
(2) The archbiſhop of St. Andrews, and the biſhops of Roſs, and Brichen. Annals, p. 790.

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his inſtructions, and therefore ordered him, by letter only, to prorogue the parliament 'till the ſecond of June 1640, and if he met with oppoſition, to declare, that the members who ſhould continue to aſſemble were guilty of high-treaſon. This order being ſignified to the parliament, met not with that compliance Charles had perhaps expected. They however brake up, but in ſuch a manner as was no leſs diſagreeable to the King, than if they had continued their ſeſſion. Before they parted, they made a declaration, importing; that the earl of Traquair had not power to prorogue the parliament on his Majeſty's letter, without conſent of the parliament itſelf: that this order was owing to miſ-informations, the parliament not having given the King any offenſe, or cauſe of complaint: that hitherto parliaments were never prorogued without their own conſent, and conſequently this prorogation was contrary to the uſage of the kingdom. They complained moreover, that Traquair and the council had ſeveral ways violated the privileges of parliament, during this preſent ſeſſion. They finally declared that, tho' they might legally remain aſſembled, notwithſtanding the prorogation, they were willing to break up, in order to give the King a proof of their obedience; but however thought proper to leave a commitee of ſome of each eſtate, to preſent a remonſtrance to his Majeſty, and attended his gracious anſwer, and to aſſure the King on all occaſions of the parliament's ſincere intention to pay him all due obedience. The declaration concluded with a proteſtation, that if any outrages and inſolencies ſhould be commited, they could not be imputed to them, ſince they were conſtrained to uſe the propereſt means to ſecure kirk and ſtate from the impending miſery and confuſion.

whereat they are diſguſted.

Declaration againſt it. p. 955, 956, 1044. Annals.

They break up, but leave a commitee.

Charles refuſes the commitee's deputies audience. Ruſhworth, Vol. III. p. p. 956, 1031.

The commitee, purſuant to that power given them by the parliament, ſent the earl of Dunfermling and lord Loudon to preſent a remonſtrance to his Majeſty. But Charles refuſed to give theſe deputies audience, as coming without warrant from the high-commiſſioner, and without communicating to him the occaſion of their journey. After their departure, his Majeſty ſent for the earl of Traquair, and ordered him to report to the council what had paſſed in Scotland ſince the pacification. It was on his ſaid lordſhip's report, and without hearing what the Scots had to ſay in their juſtification, that the council of England unanimouſly declared, it was abſolutely neceſſary to reduce the Scots to their duty by force of arms. Mean while, as this reſolution ſeemed ſomewhat too precipitate, ſince it was not yet known what the Scots might plead in their defenſe, Charles, perceiving how prejudicial this haſty proceedure might be to his affairs, permited the Edinburg commitee to ſend their deputies. But this was more for decency, than to ſee whether there would be any reaſon to alter the reſolution already taken; Charles not being ignorant of what could be alledged on this occaſion.

The council of England reſolves on a war with Scotland. p. 992, 1032, &c. Burnet's Mem. of Hamil.

An' 1640. Other deputies come from Scotland. They preſent his Majeſty two petitions. Ibid.

Purſuant to his Majeſty's permiſſion, ſoon after arrived four deputies, viz. the earl of Dunfermling, lord Loudon, ſir William Douglaſs, and Mr. Robert Berkley, and preſented to him two petitions. The firſt was from the late general aſſembly, held at Edinburg, who, after thanking him for being pleaſed to conſent that eccleſiaſtical affairs ſhould be determined in the aſſembly of the kirk, prayed him to ratify their conſtitutions by the parliament. By the other petition, the four deputies deſired to be heard before ſome of the counſellors of both kingdoms, and that the earl of Traquair's report to the council of England might be given them in writing under his hand. Charles thought not proper to grant either of theſe articles: however, he appointed a commitee of the council to hear them, to which the deputies would not agree, ſaying, they were ſent to his Majeſty to juſtify the Scotiſh parliament's proceedings, and not to the council of England, who had not over the Scots any juriſdiction. To remove this objection, his Majeſty vouchſafed to hear them perſonally, in preſenſe of the commitee he had appointed. Lord Loudon made a long ſpeech in vindication of their tranſactions in Scotland; for that was the ſole motive of the deputation. But the King, feigning to believe, and being very willing to ſuppoſe they were come to treat with him of agreement, objected to them, that their powers were inſufficient, ſince they could neither offer nor accept any terms. Some few days after, the council of England declared, that the Scotiſh deputies had power only to juſtify the proceedings of their countrymen. And indeed, they had been ſent only for that purpoſe, and not to treat with the King (1).

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Charles uſes artifice. Ruſhworth, Vol. III. p. 992, 1033, &c.

It was reſolved, as I ſaid, in the council of England, to reduce the Scots to obedience by force. It is neceſſary therefore to ſhew upon what this reſolution was founded. Tho' King Charles was not by any means pleaſed with the general aſſembly of Edinburg's acts, he had no reaſon however to complain, ſince they were approved by his high-commiſſioner, authoriſed for that purpoſe by a commiſſion under the great ſeal. Wherefore being deſirous to hinder theſe acts from being ratified by the parliament, judged it properer to ground the breach occaſioned by the Scotiſh parliament's prorogation, on the proceedings of the parliament, than on thoſe of the aſſembly. He complained therefore,

Reaſons alledged by Charles for his breaking with Scotland. Ruſhworth, Vol. II. p. 1034, &c. Nalſon. p. 273, &c.

" That under pretenſe of his having promiſed a " free parliament, they had carried that freedom ſo " far as to imagine, that it was not to be limited " with their own conditions, ſubſcribed by lord " Loudon, which were to injoy their religion and " liberties, according to the eccleſiaſtical and civil " laws of their kingdom; for it was evident, that " the parliament had far exceeded the bounds eſta- " bliſhed by the laws.

" 2. If they object, that they aſſume this liberty " by our allowing the covenant, and commanding " our former high-commiſſioner, the lord marquis " of Hamilton, and other our ſubjects, to ſubſcribe " it; the anſwer is very ready, that there is a great " difference between the covenant and band ſub- " ſcribed by our commandment, and their band; " for that covenant and band was made by our late " father King James, of bleſſed memory, 1580, " and obligeth thoſe who ſwear to it, that they " ſhould mutually aſſiſt one another, as they ſhould " be commanded by the King, or any authoriſed " by him: but this new band was made without " our conſent, and by it they ſwear, mutually to " aſſiſt one another, not excepting the King. Nei- " ther can the earl of Traquair's ſubſcription or al- " lowance of the covenant be any warrant for their " rebellious courſes, ſeeing they did humbly ſup- " plicate, 'that they might be allowed and war-

(1) During theſe commiſſioners ſtay in England, many ſecret counſels were held with them by the diſcontented Engliſh; chiefly by the favorers of Preſbytery, and thoſe who had ſuffered in the ſtar-chamber, or high-commiſſion. The earls of Eſſex, Bedford, Holland, lord Say, Meſſieurs Hampden, and Pym, and others of great intereſt and quality, were deep in with them. Whitlock, p. 32. Lord Savil in particular, with great vehemence, preſſed them to ingage in a new war, and among other motives, brought them ingagements in writing from moſt of the greateſt peers in England, to join with them, and aſſiſt them when they ſhould come into England with an army. But theſe ingagements were diſcovered at the treaty of Rippon to have been a baſe forgery. Burnet's Mem. of Hamil. p. 165. Hiſt. of the Stuarts, p. 141, &c.

" ranted

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" ranted to ſubſcribe it:' which clearly evinces, " that what they did before, and of themſelves, " without warrant of authority, was neither laud- " able nor warrantable. Beſide, it appears by " what is prefixed to the earl of Traquair's ſub- " ſcription, that by the covenant, he meaned the " ſame with that of 1580.

" 3. Since the parliament, they have, without " any authority or commiſſion from us, taken upon " them to levy and raiſe forces in ſeveral parts of " the kingdom; and have aſſigned them a ren- " dezvous, and a day to be in a redineſs to march.

" 4. They have made proviſions of great " quantities of artillery, munition and arms, " from foreign parts, which they have ready in " magazine to make uſe of againſt us their So- " vereign.

" 5. They have of themſelves laid taxes and " impoſitions of ten marks in every hundred upon " all and every our ſubjects, according to their " ſeveral revenues; and this they have exacted with " the greateſt rigor and tyranny that can be ima- " gined.

" 6. They have cauſed to be framed and pub- " liſhed, ſundry falſe, ſeditions and ſcandalous pa- " pers and pamphlets; and among others, one in- " titled, 'An information from the eſtates of the " kingdom of Scotland, to the kingdom of Eng- " land, &c.' which we have cauſed to be burned " by the hand of the hangman.

" 7. They have refuſed lord Eſtrick, governor " of our caſtle at Edinburg, timber, and other " materials neceſſary for reparation of the works " lately fallen down there, notwithſtanding our " expreſs commandment by our letters to them, " upon their allegiance to furniſh them.

" 8. They have commited ſundry outrages and " violences upon the perſons of ſome of the gariſon " at Edinburg, who came out of the caſtle to buy " victuals.

" 9. They have begun to raiſe works and for- " tifications againſt the ſaid caſtle, thereby to " block up that our royal fort, and to render it " unuſeful. And they have fortified ſundry other " places in that our kingdom, and particularly " Inſgarvy, where they have mounted diverſe pieces " of ordnance.

" 10. They have lately impriſoned the lord of " Southeſk, and ſundry others of quality, for not " adhering to them, and for their fidelity to us.

" 11. The magiſtrates of Edinburg have, upon " ſundry occaſions, refuſed to yield us due obedi- " ence, alledging, that 'they have delivered up " the power of governing the town into the hands " of the commitee of the pretended tables,' by " which they have not only voluntarily diſabled " themſelves to ſerve us, but have incurred the " guilt of high-treaſon, by confering upon any that " power of government which they derive and hold " from us alone."

Nine of theſe eleven articles were trifling. As after prorogation of the parliament, the Scots had great reaſon to apprehend that Charles intended to renew the war, the precautions they took for their defenſe could not be deemed a juſt cauſe of invad- ing them, tho' their fears had been vain. At leaſt, all theſe proceedings could have been eaſily repaired by the concluſion of a good peace. But the moſt material article, whereon his Majeſty chiefly inſiſted, was:

" 12. A letter communicated to him by the " earl of Traquair, and which had been intercept- " ed by his lordſhip. It was written to the King " of France, by the chiefs of the male-contents, " to deſire his aſſiſtance. The letter ſellows, " with this indorſement, 'Au Roy,' which, as " his Majeſty obſerved, is in France always un- " derſtood from thoſe ſubjects only to their natural " Prince."

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SIR,

" YOUR Majeſty being the refuge and ſanc- " tuary of afflicted Princes and ſtates, we " have found it neceſſary to ſend this gentleman, " Mr. Colvil, to repreſent unto your Majeſty the " candor and ingenuity, as well of our actions and " proceedings as of our intentions, which we deſire " to be ingraven and written to the whole world " with a beam (1) of the ſun, as well as to your " Majeſty. We therefore moſt humbly beſeech " you (Sir) to give faith and credit to him, and to " all he ſhall ſay on our part, touching us and our " affairs; being moſt aſſured (Sir) of an aſſiſtance " equal to your wonted clemency heretofore, and " ſo often ſhewed to this nation, which will not " yield to any other whatſoever the glory of being " eternally,

The Scotiſh male-contents letter to the King of France. Ruſhworth, Vol. III. p. 1038. Nalſon, p. 277.

SIR,

Your Majeſty's moſt humble,
moſt obedient, and
moſt affectionate ſervants,

Rothes. Montroſe. Leſley. Marre.
Montgomery,
Loudon. Forreſter.

This letter, tho' no date appears, was written before the peace. At leaſt, lord Loudon, who was commited to the tower on that account, affirmed it, and I find not that he was ever contradicted. On the other hand, Charles, who pretended to re- ceive great advantages from this letter, never ſaid it was penned ſince ſigning the articles of pacifica- tion. Whence it may be infered, either the ſubſcri- bers forgot to date it, or the date was not ſervice- able to his Majeſty who produced it. However this be, tho' the letter was never ſent to France, ſince it was put into Traquair's hands in Scotland, Charles, who had reſolved on renewing the war, made great uſe of it to vindicate his conduct. He pretended, the Scots deſigned to introduce a fo- reign army into their country to invade England, and therefore he was indiſpenſibly obliged to defend his Engliſh ſubjects. But it will be ſeen hereaf- ter, that he reaped not from it all the advantages he wiſhed.

The uſe King Charles made of this letter. Clarendon, p. 103.

On this foundation however, he determined to renew the war with Scotland. But tho' he alledged many reaſons, as we have ſeen, it is certain his chief motive was the abolition of epiſcopacy, to which he could not conſent. Could this ſingle point have been adjuſted, the reſt were not conſiderable enough to oblige the two parties to take arms again. So, the whole queſtion of right between Charles and the Scots was reduced to this: Whether James and Charles could alter the Scotiſh kirk's govern- ment, notwithſtanding the ſame kirk's oppoſi- tion; and whether the Scots might demand the abo- lition of epiſcopacy, eſtabliſhed on the ruins of

True cauſe of the war.

(1) It is in the original Raye (which ſignifies a Thornback) inſtead of Rais or Rayon, for which reaſon it ſeems, after the letter was ſigned by ſix of the covenanting lords, it was rejected by the lord Maitland, becauſe it was falſe French; and ſo it was laid aſide, and never again taken into conſideration, but one taking up the letter brought it to Traquair. Mem. of duke Hamil. p. 161.——It was ſaid, however, that the Scots were incouraged to take arms from cardinal Rich- lieu, by his chaplains, Chamberlain, and Con, Scots; and by letters which a page of his brought to ſeveral in England and Scotland. Whitlock, p. 33. Coke, p. 325.

Preſbytery

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Presbytery, on pretense of the artifices practised by the court to get these acts passed.

Ship-money levied. Rushworth, Vol. III. p. 968. 985. Nalson, p. 258, &c. Annals.

The war being resolved, Charles took all possible measures to have a numerous army, by taxing, as usual, each county to find a certain number of troops. On the other hand, a sea-fight between the Spaniards and Dutch, near the coast of England, furnished King Charles with a pretense to renew his warrants for the payment of ship-money. As on this occasion the Dutch, who were the aggressors, had shewed little regard to the sovereignty of the sea which Charles assumed, his Majesty loudly complained of the affront he had received, and on this foundation seemed bent to equip a powerful fleet to preserve the dominion of the sea, and defend the kingdom. Wherefore he ordered ship-money, as well as the arrears of that tax, to be levied with great severity. The sheriff of Northamptonshire (1) having sent to court a petition of the county against ship-money, the council reprimanded him very sharply, commanding him to do his office, on pain of exemplary punishment. On the other hand, sir John Finch, being made lord-keeper on the death of lord Coventry, delivered to the judges a speech, exhorting them to use in their circuits all their authority to promote this tax. So, it was evident Charles was resolved to compass his ends, follow who would, and that this imposition was grown by degrees a standing tax upon the people.

Clarendon, p. 104.

Nalson, p. 286. Rushworth, Vol. III. p. 985. Annals.

* Algernoon Percy. Northumberland made general, and Strafford lieutenant general. Rushworth, Vol. III. p. 983. Annals, p. 797.

Finally, his Majesty nominated the earl of Northumberland * for general of the army against Scotland, and gave him for lieutenant-general Thomas lord Wentworth, deputy of Ireland, lately created earl of Strafford. As he always dreaded the correspondents the Scots had in England, and for that reason durst not trust his council with all his affairs, he appointed a secret council, consisting of three persons only, namely, the archbishop of Canterbury, marquis Hamilton, and the earl of Strafford (2). These three intirely directed the King's most important affairs, and were the persons who, after mature deliberation, counselled him to call a parliament. But as his Majesty objected to them that, before the subsidies, which the parliament should grant, could be payed, he should be reduced to great straits, the secret council provided against this inconvenience, by advising him to borrow of each of his counsellors, or others who should be willing to lend, the sums he should want to supply his present occasions. The earl of Strafford alone subscribed twenty thousand pounds. The counsellors example being followed by some other lords, King Charles was inabled to make preparations for the war, before he had received any parliamentary assistance. So, the parliament was called for the thirteenth of April, and a few days after his Majesty issued a proclamation, to revoke the same patents which had served to establish monopolies, tho' they had been once before called in to no manner of purpose.

The 'secret council. Whitlock, p. 32.

Nalson, p. 280. Annals.

Charles calls a parliament; Rushworth, Vol. III. p. 1103.

which meets. April 3,

The parliament being assembled at Westminster, on the day appointed, Charles went to the house of peers, and spake thus to both houses.

My lords and gentlemen,

Charles's speech to the parliament. Rushworth, Vol. III. p. 1114. Nalson, p. 306. Annals.

"THERE was never a King who had a "more great and weighty cause to call his "people together than my self. I will not trouble "you with the particulars; I have informed my "lord-keeper, and commanded him to speak, and "desire your attention."

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Then sir John Finch, lord-keeper, began:

My lords, and you the knights, citizens, and burgesses of the house of commons,

"You are here this day assembled, by his Ma- "jesty's gracious writ and royal command, to hold "a parliament, the general, ancient and greatest "council of this renowned kingdom. By you, as "by a select choice and abstract, the whole king- "dom is presented to his Majesty's royal view, "and made happy in the beholding his excellent "and sacred person. All of you, not only the "prelates, nobles and grandees, but in your per- "sons, who are of the house of commons, every "one, even the meanest of his Majesty's subjects, "are graciously allowed to participate and share in "the honor of those counsels, which concern the "great and weighty affairs of the King and king- "dom. You come all armed with the votes and "suffrages of the whole nation: and I assure my- "self your hearts are filled with that zealous and "humble affection to his Majesty's person and go- "vernment, which so just, so pious and so gra- "cious a King hath reason to expect from all his "subjects. I doubt not, but you rejoice at this "day's meeting, and methinks you should do so "too; and good reason you have to do so, and "with all humbleness of heart to acknowledge the "great goodness of his Majesty, who sequestering "the memory of all former discouragements in pre- "ceding assemblies, is now, of a fatherly affection "to his people, and a confidence that they will not "be failing in their duty to him, who is pleased "graciously to invite you and all his loving sub- "jects to a sacred unity of hearts and affections, "in the services of him and of the common-wealth, "and in the execution of those counsels which tend "only to the honor of his Majesty, and to the "good and preservation of you all. His Majesty's "kingly resolutions are seated in the ark of his "sacred breast, and it were a presumption of too "high a nature for any Uzziah, uncalled, to touch "it: yet his Majesty is now pleased to lay by the "shining beams of his Majesty, as Phœbus did to "Phaeton, that the distance between sovereignty "and subjection should not bar you of that filial "freedom of access to his person and counsels; only "let us beware how, with the son of Clymene, we "aim not at the guiding of the chariot, as if that "were the only testimony of fatherly affection: and "let us ever remember, that tho' the King some- "times lays by the beams and rays of his Majesty, "he never lays by Majesty itself.

"In former parliaments, you have been advised "with, for the preventing and diverting of those "dangers which, by foreign and more remote "counsels, might have tended to the dishonor "and ruin of this nation; therein his Majesty's "great wisdom and providence hath for many "years eased you of that trouble, his Majesty "having, with great judgment and prudence, not "only seen and prevented our danger, but kept "up the honor and splendor of the English "crown, of which at this day we find the happy "and comfortable experience, Almighty God hav- "ing vouchsafed such success to his Majesty's "counsels, that our fleece is dry, when it raineth

(1) Not Northumberland, as our author mistakes.

(2) The affairs of state were principally managed by the archbishop of Canterbury, the earl of Strafford, and lord Cottington. To these were added the earl of Northumberland, for ornament, the bishop of London, for his place, being lord-treasurer, the two secretaries, Vane and Windebank, for service and intelligence; only marquis Hamilton, by his skill and interest, meddled just so far, and no farther, than he had a mind. These persons made up the commitee of state, reproachfully after called the Junto, and enviously then in the court, the cabinet-council. Clarendon, Vol. I. p. 117.

"blood

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" blood in all the neighbor ſtates. But what " availeth this the kingdom? " Si foras hoſtem " non inveniat, ſi modo domi inveniat ". You " are now ſummoned to counſels and reſolutions " which more nearly concern you, to prevent a " danger and a diſhonor which knock at our " gates, and which move from ſuch whom " we had little reaſon to ſuſpect it. It is well " known upon what happy and ſolid counſels one " of our wiſeſt Kings made a match with Scot- " land, for his eldeſt daughter. We cannot forget " (I am ſure we ſhould not) the bleſſed ſucceſs " which waited upon thoſe counſels, when the " crown of England deſcended upon King James, " of ever bleſſed and famous memory, who with " the fulneſs of joy to all true Engliſh hearts made " his entry not by bloodſhed. The wall of ſepa- " ration was thereby taken away; and that glo- " rious King, to make his word good " faciam " eos in gentem unam," made all England re- " joice, and Scotland I am ſure had no reaſon " to be ſorry for it. They participated of Eng- " liſh honors; the wealth and revenue of this " nation they ſhared in, and no good thing was " with-holden from them, ſuch was the largeneſs " of heart in that moſt excellent King, and ſuch " was the comfort we took in this fraternity, or " rather unity: When both of us had but one " brazen wall of fortification to look unto, the " ſea, and all things ſo equally and evenly car- " ried between us, that " Tros Tyriuſque nullo " diſcrimine habentur." His Majeſty, our moſt " gracious Sovereign, became heir, as well to his " father's virtues as to his kingdoms, " Paca- " tumque regit," &c. and in his gracious " and tender affection to that nation, hath given " as many indulgent teſtimonies of love and " benignity as they could expect. Thus " became we both like a land flowing with milk " and honey; peace and plenty dwelled in our " ſtreets, and we have had all our bleſſings " crowned with the ſweet hopes of perpetuity. " God found out for my lord the King a com- " panion meet for him, his royal conſort, our moſt " gracious Queen, who, as ſhe is not to be paral- " leled for her perſon and virtue, ſo hath ſhe made " his Majeſty and the whole kingdom moſt happy " and bleſſed in the ſweeteſt pledges of their love, " and our hopes, which ever ſtood like olive- " branches about the throne or table. But which " I ſorrow for, " Civiles furores patriæ nimia " infelicitas," and when his Majeſty had moſt " reaſon to expect a greatful return of loyalty and " obedience from all the Scotiſh nation, ſome " men of Belial, ſome Zeba, hath blown the " trumpet there, and by their inſolencies and rebel- " lious actions drawn many after them, to the utter " deſertion of his Majeſty's government; his Ma- " jeſty's and his kingly father's love and bounty " to that nation quite forgot; his goodneſs and " piety unremembered.

" They have led a multitude after them into " a courſe of diſloyalty and rebellious treaſon, ſuch " as former times have not left in mention, not " this preſent age can any where equal; they have " taken up arms againſt the Lord's Anointed, their " rightful Prince, and undoubted Sovereign, and " following the wicked counſels of ſome Achitopel, " they have ſeized on the trophies of honor, and " inveſted themſelves with regal power and autho- " rity. Such, and ſo many acts of diſloyalty and " diſobedience, as (let their pretenſes be what they " will) no true Engliſh, or Chriſtian heart but " muſt acknowledge them to be the effects of foul " and horrid treaſon.

" The laſt ſummer his Majeſty, at his own " charge, and at the vaſt expenſe of many of his " faithful and loving ſubjects of England, went " with an army, and then they took upon them " the boldneſs to out-face and brave his royal " army, with another of their own raiſing; yet " for all this, his Majeſty's goodneſs was not leſ- " ſened by that, nor could his gracious nature forget " what he was to them, nor what they were to " him; but conſidering with himſelf they were " ſuch " quos nec vincere, nec vinci, glorioſum " fuerat," out of his piety and clemency, choſe " rather to paſs by their former miſcarriages, upon " their humble proteſtations of future loyalty and " obedience, than by juſt vengeance to puniſh " their rebellions.

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" But his Majeſty (who is ever a-wake for the " good and ſafety of all his ſubjects) hath ſince too " plainly diſcovered, that they did but prevari- " cate with him to divert the ſtorm which hung " over their heads, and, by gaining time, to pur- " chaſe themſelves more advantage, for purſuing " their rebellious purpoſes.

" For, ſince his Majeſty came from Berwick, it " is come to his certain knowledge, that, inſtead of " performing that loyalty and obedience which, by " the laws of God, of nature and nations, they owe " unto him, they have addreſſed themſelves to fo- " reign ſtates, and treated with them to deliver them- " ſelves up to their protection and power (as, by " God's great providence and goodneſs, his gracious " Majeſty is able to ſhew under the hands of the " prime ring-leaders of that faction) than which no- " thnig could be of more dangerous conſeqeunce to " this and his Majeſty's other kingdoms. Whoſoever " they be who do, or ſhall wiſh England ill, " they may know it to be of too tough a com- " plexion and courage, to be aſſailed in the face, " or to be ſet upon at the fore-door: and therefore " it is not unlikely but they may (as in former " times) find out a poſtern-gate.

" There were heretofore two of them, Scotland " and Ireland, and both of them had their ſeveral " defenſes.

" Ireland, thro' his Majeſty's juſt and prudent " government, is not only reduced from the diſ- " temper of former times, but ſettled in ſuch a " condition of peace and, during his Majeſty's " happy reign, ſo altered and civiliſed, that, inſtead " of being a charge to him (as it was to his pre- " deceſſors) it hath yielded to him ſome revenue, " and his ſubjects there do daily give very accep- " table teſtimonies of their loyal and dutiful affec- " tion, both to his perſon and government. And " now lately, at the parliament aſſembled, they " have not only, with full and free conſent, made " his Majeſty a chearful aid towards his preſent " preparations to reduce his diſaffected ſubjects in " Scotland to their due obedience, but they have " alſo profeſſed and promiſed, that they will be " ready with their perſons and eſtates, to the utter- " moſt of their ability, for his Majeſty's future " ſupply, as his great occaſions, by the continuance " of his forces againſt that diſtemper, ſhall require; " ſo that the hopes of hurting England that way, " are quite extinct.

" Scotland then only remains, whither (as to a " weak and diſtempered part of the body) all " the rheums and fluxes of factious humors make " way.

" His Majeſty hath taken all theſe and much " more into his princely conſideration, and to avoid " a manifeſt and apparent miſchief, threatened to " this and his other kingdoms, hath reſolved, by " the means of a powerful army, to reduce them " to the juſt and modeſt conditions of obedience.

" It is a courſe his Majeſty takes no delight in, " but is forced unto it; for ſuch is his Majeſty's " grace and goodneſs to all his ſubjects, and ſuch

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" it is and will be to them (how undutiful and " rebellious ſoever they now are) that if they put " themſelves into a way of humility becoming " them, his Majeſty's piety and clemency will ſoon " appear to all the world. But his Majeſty will " not indure to have his honor weighed at the com- " mon beam, nor admit any to ſtep between him " and his virtue; and therefore as he will, upon no " terms, admit the mediation of any perſon what- " ſoever; ſo he ſhall judge it as high preſumption " in any perſon to offer it, and as that which he " muſt account moſt dangerous to his honor, to " have any conceit, that the ſollicitation of others " can, by any poſſibility, better incline him to " his people than he is, and ever will be, out " of his own grace and goodneſs.

" The charge of ſuch an army hath been " thoroughly adviſed, and muſt needs amount " to a very great ſum, ſuch as cannot be imagined " to be found in his Majeſty's coffers, which how " epmty ſoever, have neither yet been exhauſted " by unneceſſary triumphs, or ſumptuous buildings, " or other magnificence whatſoever, but moſt " of his revenue, and whatſoever, hath come " from his ſubjects, hath been by him imployed " for the common good and preſervation of the " kingdom, and, like vapors ariſing out of the " earth and gathered into a cloud, are fallen in " ſweet and refreſhing ſhowers upon the ſame " ground. Wherefore his Majeſty hath now at " this time called this parliament, the ſecond means " under God's bleſſing to avert theſe public cala- " mities threatened to all his kingdoms, by the " mutinous behavior of them.

" And as his Majeſty's predeceſſors have ac- " cuſtomed to do with your fore-fathers, ſo his " Majeſty now offers you the honor of working " together with himſelf, for the good of him and " his, and for the common preſervation of your " ſelves and your poſterity.

" Counſels and deliberations which tend to bene- " fit or profit, may indure diſputes and debates, " becauſe they ſeem only accompanied with per- " ſuaſions; but deliberations which tend to pre- " ſervation are waited upon by neceſſity, and " cannot indure either debate or delay; of ſuch " nature are the bleeding evils which are now to " be provided againſt.

" This ſummer muſt not be loſt, nor any mi- " nute of time foreſtowed, to reduce them of Scot- " land, leſt by protraction here they gain time " and advantage to frame their parties with foreign " ſtates.

" His Majeſty doth therefore deſire, upon theſe " preſſing and urgent occaſions, that you will for " a while lay aſide all other debates, and " that you would paſs an act for ſuch and ſo " many ſubſidies, as you in your hearty affection " to him, and to your common good, ſhall " think fit and convenient for ſo great an action, " and withal that you would haſten the payment " of it, as ſoon as may be: and his Majeſty aſſures " you all, that he would not have propoſed any " thing out of the ordinary way, but that ſuch is " the ſtraitneſs of time, that unleſs the ſubſidies be " forthwith paſt, it is not poſſible for him to put " in order ſuch things, as muſt be prepared before " ſo great an army can be brought into the field.

" And indeed had not his Majeſty, upon the " credit of his ſervants, and ſecurity out of his own " eſtate, taken up and iſſued between three and " four hundred thouſand pounds, it had not been " poſſible for his Majeſty to have provided thoſe " things to begin with which were neceſſary for " ſo great an enterpriſe, and without which we " could not have ſecured Berwick and Carliſle, " or avoided thoſe affronts which the inſolency " of that faction might have put upon us, by injur- " ing the perſons and fortunes of his loyal ſubjects " in the northern parts. Charles I An' 1640.

" To avoid all queſtion and diſpute which may " ariſe, touching his Majeſty's taking of tonage " and poundage, his Majeſty has commanded me " to declare unto you, that he hath taken it only " de facto, according to the example of former " Kings, from the death of their paſſed prede- " ceſſors, until the parliament had paſſed an act " for it themſelves. That, in like manner, his " Majeſty deſires not to claim it, but by grant " of parliament; for this purpoſe, his Majeſty hath " cauſed a bill to be prepared in the ſame form " as it paſſed to his royal father of bleſſed me- " mory, adding only words to give it him from " the firſt of his Majeſty's reign.

" This, and the bill of ſubſidies, his Majeſty " expects (for the preſſing reaſons before delivered " unto you) may be diſpatched with all ſpeed, " which his Majeſty commanded me to tell you " he ſhall graciouſly accept, as the welcome " pledges of your loving, happy, and dutiful " affection to him, his perſon and government.

" And his Majeſty is graciouſly pleaſed to give " you his royal word, that afterwards he will give " you time for conſidering ſuch petitions as you " ſhall conceive to be good for the common- " wealth, even now before you part, according " as the ſeaſon of the year, and the great affairs " in hand will permit; and what is now omited, " his Majeſty will give you time to perfect towards " winter, when your own leiſure and conveniency " may better attend it, he knowing well that theſe " ſubſidies can be of little uſe, without that more " ample ſupply which his Majeſty expects upon " the happy concluſion of this ſeſſion, and therein " his Majeſty is graciouſly pleaſed (according to " the ancient way of parliaments) to ſtay 'till your " juſt grievances be heard and redreſſed.

" And his Majeſty aſſures you, that he will go " along with you for your advantage, thro' all " the gracious expreſſions of a juſt, a pious, and " gracious King, to the end there may be ſuch " a happy concluſion of this parliament, that it " may be a cauſe of many more meetings with " you. I have now delivered what I have in com- " mand from his Majeſty ".

When the lord-keeper had ended his ſpeech, the King ſaid,

My lords,

" YOU ſhall ſee he had ſpoken nothing hyper- " bolically, or nothing but what I ſhall make " good, one way or other. The King's ſpeech.

" And becauſe he did mention a letter by my " ſubjects in Scotland, who did ſeek to draw in " foreign power for aid, here is the original letter, " which I ſhall command him to read unto you.

" And becauſe it may touch a neighbor of " mine, whom I will ſay nothing of but that which " is juſt (God forbid I ſhould) for my part, I " think it was never accepted of by him. Indeed " it was a letter to the French King, but I know " not that ever he had it; for by chance I inter- " cepted it as it was going unto him; and therefore " I hope you will underſtand me right in that".

His Majeſty delivering the letter to the lord keeper, his lordſhip began to read it, and obſerved as follows.

" The ſuperſcription of the letter is this, AU " ROY. For the nature of which ſuperſcription, " it is well known to all who know the ſtile of " France, that it is never written by any French- " man to any, but to their own King; and there- " fore The lord-keeper goes on.

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" fore being directed (AU ROY) it is to their " own King, for ſo in effect they do by that ſu- " perſcription acknowledge.

Then his lordſhip having read the letter both in French and Engliſh, the King added as follows.

" Of theſe gentlemen who have ſet their hands " to this letter, here is one, and I believe you " would think it very ſtrange if I ſhould not lay " him faſt; and therefore I have ſigned a warrant " to lay him cloſe priſoner in the Tower.

Charles concludes the diſcourſe.

" My lords, I think (but that I will not ſay " poſitively, becauſe I will not ſay any thing here, " but what I am ſure of) I think I have the gen- " tleman who ſhould have carried the letter, faſt " enough; but I know not, I may be miſtaken".

Glanvile choſen ſpeaker. Ruſhworth, Vol, III. p. 1121.

His Majeſty being withdrawn, the commons returned to their houſes, and choſe ſerjeant Glanville for their ſpeaker.

The parliament meddles not with the Scotiſh affairs. Whitelock, p. 33. Annals. p. 822.

Charles imagined the parliament would have taken fire at hearing the letter written by the Scotiſh lords to the King of France: and therefore immediately after the commons had preſented their ſpeaker, and appointed their commitees, lord Cottington reported to the upper-houſe, that, by his Majeſty's command, he and ſecretary Windebank, with the attorney-general, had examined lord Loudon in the Tower, and that Loudon owned the letter to be his hand-writing, but alledged, it was penned before the pacification and never ſent (1). However, neither the lords nor commons would interpoſe in this affair. Some days after, Charles ſent a meſſage to the commons by ſecretary Windebank, repreſenting to them the affronts and indignities he had received from the Scots: but the ſecretary's ſpeech was heard with great coldneſs, without producing any apparent effect. Inſtead of concerning themſelves with the affairs of Scotland, the commons eagerly received a petition from the county of Hertford, complaining of ſundry grievances, as ſhip-money, monopolies, ſtar-chamber, high-commiſſion, &c. Sundry ſpeeches, not very favorable to his Majeſty, were made on this occaſion. Next day were read petitions from diverſe counties on the ſame ſubject; after which Mr. Pym roſe up and, reducing the peoples grievances to three heads, the privileges of parliament, innovations in religion, propriety of goods and eſtates, made a long ſpeech to ſhew, that in all theſe things the nation rights had been violated.

April 16. Ruſhworth, Vol. III. p. 1127.

Ibid. p. 1128---1148. Nalſon, p. 319. &c. April 17.

Ruſhworth, Vol. III. p. 1136.

On the eighteenth, it was moved to ſend for the ſtar-chamber rolls, to examine the proceſs againſt ſir John Elliot and others. Then, it was ordered that the court-rolls, containing Mr. Hampden's trial for refuſing to pay ſhip-money, ſhould be laid before the houſe. On the twentieth, the ſpeaker being examined, anſwered, that he had refuſed to put the queſtion by his Majeſty's expreſs command; whereupon it was immediately voted to be a breach of privilege. On the twenty firſt, both houſes were ordered to attend the King at Whitehall, where, in his Majeſty's preſenſe, the lord-keeper addreſſed them in this manner.

p. 1137. Annals.

The houſes ſent for to Whitehall.

My lords and gentlemen,

The lord keeper's ſpeech to both houſes. Ruſhworth, Vol. III. p. 1137. Nalſon, p. 324.

" YOU may well remember, upon the begining " of this parliament, his Majeſty commanded " me to deliver unto you the cauſes of calling it, " which was for the aſſiſtance and ſupply of his " Majeſty in ſo great, weigthy and important " affairs as ever King of England had to require " at his ſubjects hands. CHARLES I AN' 1640.

" I am now to put you in mind what I then " ſaid unto you, and withal to let you know that " ſuch and ſo great are his Majeſty's occaſions at " this time, that if the ſupply be not ſpeedy, it " will be of no uſe at all: for the army is now " marching, and doth ſtand his Majeſty in at " leaſt one hundred thouſand pounds a month, and " if there be not means uſed to go on with this " as is fiting, his Majeſty's deſign will be loſt, " and the charge all caſt away. It is not a great " and ample ſupply, for perfecting the work, " which his Majeſty doth now expect, but it is " ſuch a ſupply, as without which the charge " will be loſt, and the deſign fruſtrated, being " builded upon thoſe weighty reaſons which tend " to the infinite good of the kingdom, and preſer- " vation of you all.

" This done, his Majeſty will give you ſcope " and liberty to preſent your juſt grievances unto " him, and he will hear them with a gracious ear, " and give them ſuch anſwer, as you and all the " kingdom ſhall have reaſon to joy therein.

" His Majeſty taketh notice of one particular, " and that is concerning ſhip-money, wherein his " Majeſty hath commanded me to declare thus " much unto you; firſt, his Majeſty never had it " in his royal heart to make an annual revenue " of it, nor ever had a thought to make the leaſt " benefit or profit of it; but whatſoever he did " or intended in it was for the common good of " you all; for the honor, glory and ſplendor of " this nation, and that every one of us are made " ſharers and partakers in the benefits, fruits, and " ſucceſſes of it, which otherwiſe you would have " felt the woes of. He hath been ſo far from " making the leaſt benefit of it, that he hath " expended great ſums of mony out of his own " coffers to work with, to thoſe neceſſary ends I " have named unto you.

" The accompts of ſuch monies ſo received have " been brought to the council-table, the monies " delivered to ſir William Ruſſel, treaſurer of the " navy, and by them all it may appear, whether " there hath been a fulneſs and clearneſs of truth " in the diſburſements thereof, for the good and " ſafety of the kingdom.

" It is true, his Majeſty had once intended this " year not to have taken that courſe, but an " army, which his Majeſty, ſo juſt a King, for " the preſervation of the kingdom, hath now taken " into conſideration; and I muſt tell you, that " his Majeſty prizeth nothing more than his honor, " and he will not loſe for any earthly thing his " honor in the leaſt; they cannot make thoſe ex- " preſſions of love, duty and affection to him, " which the graciouſneſs of his nature will not " exceed in.

" Of all his kingdoms, this ought to be the " neareſt and deareſt unto him; yet for his king- " dom of Ireland, the laſt parliament before this, " the very ſecond day of the parliament they gave " him ſix ſubſidies: they relied upon his gracious " words, the ſucceſs was that before the end of " the parliament they had all they deſired granted, " and had it with advantage. This laſt parliament " there, it is well known unto you all, what a " chearful ſupply they have given unto his Ma- " jeſty, for their hearts went with it; and let " it not be apprehended, that ſubſidies there are of

(1) There were (ſays Burnet) ſome ill-inſtruments about the King, who adviſed him to proceed capitally againſt Loudon, which is believed went very far. However, marquis Hamilton, with the King's permiſſion, tried to gain Loudon to the King, and finding him pliant, they came to a private agreement, and Loudon was inlarged and permited to go down to Scotland, having promiſed to do the King ſervice. See Burnet's Memoirs, p. 170, 171.

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" a ſmall value; there is not a ſubſidy granted " but it is worth fifty or ſixty thouſand pounds, at " the leaſt: conſider that kingdom, what propor- " tion it holdeth with this of England, and you " will find that it is as conſiderable a gift as hath " been given in many years. It hath wrought this " effect, that certainly his Majeſty will make it " apparent to all the world, what a good con- " ſtruction, and how graciouſly he doth eſteem " and interpret this act of theirs. I have directed " hitherto my ſpeech to you who are of the houſe " of commons; now I ſhall addreſs myſelf to " your lordſhips.

" It is true, the proper and natural ſupply pro- " ceeds from the houſe of commons, yet in aid at " this time his Majeſty hath called you hither, " and hopeth he ſhall not find the houſe of com- " mons backward to his deſires, nor your lord- " ſhips to concur with them.

" To you of the houſe of commons, I did for- " get one thing of an objection which might per- " haps be made, that tonage and poundage is " given towards the maintenance of a fleet at ſea; " let me tell you that tonage and poundage was " never intended but for ordinary preſervation of " the ſea, not that it ſhould be to defend the do- " minion of the narrow ſeas, when the navies of " all the Princes of Chriſtendom are ſo increaſed " as they are. It is fit for his Majeſty (as things " now ſtand) to have ſuch a ſtrength at ſea, as " may be a terror to others abroad.

" His Majeſty was once reſolved, that no ſhip- " ing writs ſhould be iſſued out this year; but he " was inforced for your good, and the good of " the kingdom, and for his honor, upon neceſſary " and weighty reaſons, to ſend forth writs, and " thoſe reaſons were theſe.

" It was of neceſſity for his Majeſty to prepare " an army to reduce his diſaffected ſubjects of " Scotland to their due obedience. This very year " all the neighboring Princes are preparing with " great fleets of ſhips, ſo as it is time for his Ma- " jeſty to put himſelf into a ſtrength that he may " be able to preſerve the dominion of the narrow " ſeas, without which this kingdom will be loſt, " he not able to maintain his right of being the " moderator of the ſea, whereby there may be " freedom and commerce of trade, which adds " exceedingly to the flouriſhing of this kingdom. " Another reaſon for ſhiping-writs this year is, " that thoſe of Algiers are grown to that inſolence, " that they are provided of a fleet of ſixty ſail of " ſhips, and have taken diverſe ſhips, and one " called the Rebecca of London (well known to " the merchants upon the Exchange) taken upon " the coaſt of Spain, worth at leaſt two hundred " and ſixty thouſand pounds. And therefore the " writs having gone out upon thoſe weighty reaſons, " before it was poſſible the parliament could give " any ſupply to provide for thoſe things, his Ma- " jeſty cannot this year forbear it, but he doth ex- " pect your concurrence in the levying it for the " future. I ſhall ſpeak that unto you, by his Ma- " jeſty's command, which may comfort any Eng- " liſh heart: his Majeſty hath no thoughts of in- " riching himſelf by the monies coming in upon " theſe writs; he doth deſire but to live as it be- " hoveth a King of England, able to defend you " and this nation in honor and in luſter, which " is famous abroad, and glorious at home, and to " live but like ſuch a King as every true Engliſh " heart deſireth their King ſhould be. Charles I An' 1640.

" Be maſters of your own way, ſettle it ſo ſecure " and ſo ſafe, that it may never come to the leaſt " benefit and advantage to himſelf, but for the " common good and thoſe neceſſary ends wherein " you ſhall all ſhare in your plenty, peace, honor, " and whatſoever any Engliſhman can glory in. " His Majeſty commands me to tell you, you " ſhall propound nothing wherein you may receive " all ſecurity for the property of your goods, and " nothing for ſecuring your own liberties, wherein " he will not moſt readily liſten unto you; and " be as willing to grant, as you to aſk. His Ma- " jeſty doth now offer unto you the reaſons, occa- " ſions, and the way to make this the moſt bleſſed " and moſt happy parliament ever was, and which " may produce ſuch effects, that the King may " delight in his people, and the people in their " King. And he layeth before you not only the " counſel to do ſo; but he will tell you the way, " and that is, by puting an obligation of truſt and " confidence upon him, which ſhall more ſecure " you than all you can invent, or fears or jealouſies " can imagine to be provided for; it is a courſe " that good manners, duty, and reaſon ſhould " require of you to take into conſideration."

This ſpeech was not capable of hindering the commons from proceeding in the examination of grievances, and thereby they perverted the order preſcribed them by his Majeſty. He was extremely troubled to ſee the time paſs away to no purpoſe, and that the commons ſhould ſo little regard him, as not to rely on his promiſe, of hearkening to their grievances when the affair of ſupply ſhould be ended. In ſhort, perceiving the commons were not much moved by whatever he could repreſent to them, he ſo managed, that the lords demanded a conference, where they indeavored to ſhew, that the affair of ſupply ought to precede that of grie- vances. This conference ſerved only to retard Charles's affairs. The commons taking offenſe, that the lords ſhould meddle with what did not be- long to them, voted it a breach of privilege (1). Several days were imployed in this conteſt, and many conferences held, wherein, contrary to the King's expectation, much time was loſt. Where- fore, on the ſecond of May, the King ſent a meſ- ſage to the commons for a poſitive anſwer concern- ing the ſupply he expected. But as they made no haſte to anſwer, on the fourth of May his Majeſty ſent ſir Henry Vane, ſecretary of ſtate, with the following meſſage:

Charles offended at the commons procedure.

He cauſes the lords to demand a conference. Clarendon, p. 106. Ruſhworth, Vol. III. p. 1144, 1147. April 27.

p. 1153.

" His Majeſty (the better to facilitate your re- " ſolutions) this day has thought fit to let you " know, that of his grace and favor he is pleaſed, " upon your granting twelve ſubſidies to be pre- " ſently paſſed, and to be paid in three years, with " a proviſo that it ſhall not determine the ſeſſions, " his Majeſty will not only, for the preſent, for- " bear the levying any ſhip-money, but will give " way to the utter aboliſhing it, by any courſe " which your ſelves ſhall like beſt." The King's meſſage. May 14. Nalſon, p. 341. Clarendon, p. 133. Ruſhworth, Vol. III. p. 1154.

The commons having taken this offer into con- ſideration, great debates inſued, many thinking the King's demand exorbitant (2). However, lord Clarendon, who was then a member of the houſe, affirms that, notwithſtanding the clamors of thoſe who oppoſed the court, the houſe was inclined by degrees to give the King ſome ſatisfaction. But as p. 107, 108.

(1) So high a breach (ſays lord Clarendon, p. 106.) that they could not proceed upon any other matter, until they firſt received ſatisfaction from the houſe of peers.

(2) Whitlock (Mem. p. 34.) ſays, ſir Henry Vane eſcaped not without cenſures. " That his commiſſion from the King was " but to demand ſix ſubſidies, and that his miſtake in requiring twelve ſubſidies, was on purpoſe to raiſe the houſe to animoſity." Which (adds he) took effect, but whether intended ſo or not, is hard to judge. See Nalſon, Vol. I. p. 353.

they

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they could not come to a reſolution the firſt day, ſir Henry Vane was deſired to acquaint his Majeſty, that they hoped to return him a reply on the morrow. Mean while, it was maliciouſly told Charles, that the commons ſought only to gain time, in order to vote next day againſt the war with Scotland (1). Unfortunately, Charles gave intire credit to this information, the falſhood whereof he perceived not 'till it was too late to repair his error. So, next day, going to the houſe of lords, and ſending for the commons, he made the following ſpeech, addreſſing himſelf to the lords only:

King Charles wrongly informed. Nalſon, p. 343. Annals.

May 5.

Charles's ſpeech at diſſolving the parliament. Ruſhworth. Nalſon.

My lords,

"THERE can no occaſion of my coming to this houſe be ſo unpleaſing to me as this, at this time. The fear of doing that which I am to do this day, made me not long ſince come into this houſe, where I expreſſed as well my fears, as the remedy which I thought neceſſary for the eſchewing of what is to follow.

"I muſt confeſs and acknowledge that you, my lords of the higher houſe, did give me ſo willing an ear, and with ſuch affection did ſhew yourſelves, that certainly I may ſay, that if there had been any means to have given a happy end to this parliament, you took it; ſo that it was neither your lordſhips fault nor mine, that it is not ſo. Therefore, in the firſt place, I muſt thank you, my lords, for your good indeavors.

"My lords, I hope you remember what, the firſt day of the parliament, my lord-keeper ſaid to you in my name, and what likewiſe he ſaid in the Banqueting-houſe in Whitehall, and what lately I ſaid unto you in this place myſelf. I name all this unto you, not doubting that you do not well remember it, but to ſhew you, that I never ſaid any thing in way of favor to my people, but (by the grace of God) I will punctually and really perform it.

"I know that they have inſiſted very much on grievances; I will not ſay but there may be ſome, tho' I will confidently affirm, that there are not by many degrees ſo many as the public voice doth make them. Wherefore I deſire you to take notice, now eſpecially at this time, that out of parliament I ſhall be as ready (if not more willing) to hear and redreſs any juſt grievances, as in parliament.

"There is one thing much ſpoken of, I mean as to matters of religion; concerning which, albeit I expreſſed my ſelf fully the laſt day in this place, yet I think it fit again, on this occaſion, to tell you, that as I am concerned, ſo I ſhall be moſt careful to preſerve that purity of religion, which, I thank God, is ſo well eſtabliſhed in the church of England, and that, as well out of as in parliament.

"My lords, I ſhall not trouble you long with words, it being not my faſhion; wherefore to conclude, what I offered the laſt day to the houſe of commons, I think it is very well known to you all; as likewiſe how they accepted it, which I deſire not to remember, but wiſh they had remembered, how at firſt they were told by my lord-keeper, that delay was the worſt kind of denial; yet I will not lay this fault on the whole houſe of commons; I will not judge ſo uncharitably of thoſe, whom, for the moſt part, I take to be loyal and well-affected ſubjects, but it hath been the malicious cunning of ſome few ſeditiouſly affected men, which hath been the cauſe of this miſunderſtanding. CHARLES I AN' 1640.

"I ſhall now and as I have begun, in giving you thanks for your affections ſhewn unto me at this time, deſiring you to go on and aſſiſt me in the maintaining of that regal power which is truly mine. As for the liberty of the people, that they now ſo much ſtartle at; know, my lords, that no King in the world ſhall be more careful in the propriety of their goods, liberty of their perſons, and true religion, than I ſhall.

"And now, my lord-keeper, do as I have commanded you."

The lord-keeper then added,

"My lords, and you the gentlemen of the houſe of commons, the King's Majeſty doth diſſolve this parliament."

Next day, officers were ſent by the council to ſearch lord Brook's pockets and ſtudy for papers, he being ſuſpected of holding intelligence with the Scots. Henry Bellaſis, eſq; and ſir John Hotham, were examined in council, and commited to the Fleet, for refuſing to anſwer to queſtions concerning things done in parliament. John Crew, eſq; who had been chairman of the commitee for the affairs of religion, refuſing to deliver to the houſe of commons clerk ſuch petitions and papers as he had received, was ſent to the Tower.

Some members of the houſe of commons impriſoned. May 6. Nalſon, p. 344. Ruſhworth.

Lord Clarendon acknowledges that Charles had no ſooner diſſolved the parliament, but he was heartily ſorry for it (2). Nevertheleſs, he publiſhed the following declaration to juſtify his conduct. p. 111.

His Majeſty's declaration to all his loving ſubjects, of the cauſes which moved him to diſſolve the laſt parliament.

"THE King's moſt excellent Majeſty well knoweth, that the calling, adjourning, proroguing and diſſolving of parliaments, are undoubted prerogatives inſeparably annexed to his Imperial crown; of which he is not bound to render any account, but to God alone, no more than of his other regal actions. Nalſon, p. 345. Ruſhworth, Vol. III. p. 1160.

"Nevertheleſs, his Majeſty (whoſe piety and goodneſs have made him ever ſo order and govern all things, that the clearneſs and candor of his royal heart may appear to all his ſubjects, eſpecially in thoſe great and public matters of ſtate which have relation to the weal and ſafety of his people, and the honor of his royal perſon and government) hath thought fit (for avoiding and preventing all ſiniſter conſtructions and miſinterpretation, which the malice of ſome ill-affected perſons to his crown and ſovereignty, hath or may practiſe, to infuſe into the minds and ears of his good and faithful ſubjects) to ſet down by way of declaration, the true cauſes, as well of his aſſembling, as of his diſſolving the late parliament.

"It is not unknown to moſt of his Majeſty's loving ſubjects, what diſcouragements he hath formerly had, by the undutiful and ſeditious carriage of diverſe of the lower houſe, in preceding aſſemblies of parliaments, enough to have made him averſe to thoſe ancient and accuſtomed ways of calling his people together; when

(1) Lord Clarendon (ubi ſupra) ſays, ſir Henry Vane, and the ſollicitor general made a worſe repreſentation of the humor and affection of the houſe than it deſerved, and undertook to know, that if they came together again, they would paſs ſuch a vote againſt ſhip-money, as would blaſt that revenue, and other branches of the receipt.

(2) The ſame noble hiſtorian ſays; He conſulted, the ſame day, or the next, whether he might, by his proclamation, recal them to ſit again. Tho' lord Clarendon lays the blame upon ſir Henry Vane, yet Whitlock (ubi ſupra) ſays, it was chiefly by Laud's, and the ſecret council's advice, that the parliament was diſſolved. Dugdale ſays, the Queen was the cauſe of it. View of the Troubles, p. 61.

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" when, inſtead of dutiful expreſſions towards his " perſon and government, they vented their own " malice and diſaffections to the ſtate, and, by their " ſubtil and malignant courſes, indeavored nothing " more than to bring into contempt and diſorder all " government and magiſtracy.

" Yet his Majeſty, well conſidering that but few " were guilty of that ſeditious and undutiful beha- " vior, and hoping that time and experience had " made his loving ſubjects ſenſible of the diſtemper " the whole kingdom was like to be put into, by " the ill-governed actions of thoſe men; and his " Majeſty being over-deſirous to tread in the ſteps " of his moſt noble progenitors, was pleaſed to iſſue " forth his writs under the great ſeal of England " for a parliament, to be holden the thirteenth day " of April laſt. At which day his Majeſty, by " the lord-keeper of his great ſeal, was graciouſly " pleaſed to let both houſes of parliament know " how deſirous he was, that all his people would " unite their hearts and affections in the execution " of thoſe counſels which might tend to the honor " of his Majeſty, the ſafety of his kingdoms, and " the good and preſervation of all his people: and " withal, how confident he was, that they would " not be failing in their duties and affections to him, " and to the public.

" He had laid open to them the manifeſt and " apparent miſchiefs threatened to this and all his " other kingdoms, by the mutinous and rebellious " behavior of diverſe of the Scotiſh nation, who " had by their examples drawn many of his ſub- " jects there into a courſe of diſloyalty and diſobe- " dience, not fit for his Majeſty, in honor, ſafety, " or wiſdom to indure.

" How (to ſtrengthen themſelves in their diſloyal " courſes) they had addreſſed themſelves to foreign " ſtates, and treated with them to deliver them- " ſelves up to their protection and defenſe, as was " made apparent under the hands of the prime ring- " leaders of that rebellious faction.

" Theſe courſes of theirs, tending ſo much to " the ruin and and overthrow of this famous monar- " chy, united by the deſcent of the crown of Eng- " land upon his Majeſty and his father, of bleſſed " memory, his Majeſty (in his great wiſdom, and " in diſcharge of the truſt repoſed in him by God, " and by the fundamental laws of both kingdoms, " for the protection and government of them) re- " ſolved to ſuppreſs, and thereby to vindicate that " ſovereign power intruſted to him,

" He had by the laſt ſummer's trial found, that " his grace and goodneſs was abuſed, and that, con- " trary to his expectation, and their faithful pro- " miſes, they had (ſince his being at Berwick, and " the pacification there made) purſued their former " rebellious deſigns; and therefore it was neceſſary " now for his Majeſty, by power, to reduce them " to the juſt and modeſt condition of their obedi- " ence and ſubjection, which whenever they ſhould " be brought unto, or ſeeing their own errors " ſhould put themſelves into a way of humility and " obedience becoming them, his Majeſty ſhould " need no other mediator for clemency and mercy " to them, than his own piety and goodneſs, and " the tender affection he hath ever borne to that his " native kingdom.

" This being of ſo great weight and conſequence " to the whole kingdom, and the charge of an " army, fit to maſter ſuch a buſineſs, amounting to " ſuch a ſum as his Majeſty hath no means to raiſe, " having not only emptied his own coffers, but " iſſued between three and four hundred thouſand " pounds, which he borrowed of his ſervants upon " ſecurity out of his own eſtate, to provide ſuch " things as were neceſſary to begin ſuch an action " with; his Majeſty, after the example of his pre- " deceſſors, reſorted to his people in their repre- " ſentative body, the parliament, whom he deſired " (with all the expreſſions of grace and goodneſs " which could poſſibly come from him) that, taking " into ſerious and dutiful conſideration the nature " of theſe bleeding evils, and how dangerous it " was to loſe the leaſt minute of time, leſt there- " by thoſe of Scotland ſhould gain the opportunity " to frame their parties with foreign ſtates; that " they would for a while lay aſide all other debates, " and paſs an act for the ſpeedy payment of ſo " many ſubſidies as might inable his Majeſty to " put in readineſs, for this ſummer's expedition, thoſe " things which were to be prepared, before ſo great " an army could be brought into the field.

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" For farther ſupply, neceſſary for ſo great an " undertaking, his Majeſty declared, that he ex- " pected it not 'till there might be a happy con- " cluſion of that ſeſſion, and 'till their juſt griev- " ances might be firſt graciouſly heard and re- " lieved.

" Wherein as his Majeſty would moſt willingly " have given them the precedence before matter of " ſupply, if the great neceſſity of his occaſions " could have permited; ſo he was graciouſly pleaſ- " ed, for their full aſſurance and ſatisfaction " therein, to give them his royal word, that (with- " out determining the ſeſſion upon granting the " ſubſidies) he would give them, before they part- " ed, as much time as the ſeaſon of the year, and " the great affairs in hand would permit, for con- " ſidering all ſuch petitions as they conceived to " be good for the common-wealth, and what they " would not now finiſh, they ſhould have full time " to perfect towards winter: his Majeſty graciouſly " aſſuring them, that he would go along with them " for their advantage thro' all the expreſſions of a " gracious and pious King, to the end there might " be ſuch a happy concluſion of that, as might be " the cauſe of many more meetings with them in " parliament.

" From their firſt aſſembling, until the twenty- " firſt of April, the houſe of commons did nothing " could give his Majeſty any content or confidence " in their ſpeedy ſupplying him; whereupon he " commanded both the houſes to attend him in " the Banqueting-houſe at Whitehall, in the after- " noon of that twenty-firſt of April, where (by the " lord keeper) his Majeſty put them in mind of " the end for which they were aſſembled, which " was for his Majeſty's ſupplies: that if it were " not ſpeedy it would be of no uſe unto him, part " of the army then marching at the charge of " above a hundred thouſand pounds a month; which " would be all loſt if his Majeſty was not preſent- " ly ſupplied, ſo that it was impoſſible to be longer " forborne.

" Yet his Majeſty then expreſſed, that the ſup- " ply he for the preſent deſired was only to inable " him to go on with his deſign for three or four " months, and that he expected no farther ſupply " 'till all their juſt grievances were relieved.

" And becauſe his Majeſty had taken notice of " ſome miſ-apprehenſions about the levying " ſhip-money, his Majeſty commanded the lord " keeper to let them know, that he never had any " intention to make a revenue of it, nor had " ever made any, but that all the money collected " had been paid to the treaſurer of the navy, and " by him expended, beſide great ſums of money " every year out of his Majeſty's own purſe.

" That his Majeſty had once reſolved, this year, " to have levied none, but that he was forced to " alter his reſolution, in regard he was of neceſſity " to ſend an army for reducing thoſe of Scotland, " during which time it was requiſite the ſeas ſhould " be well guarded.

" And

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" And beſide, his Majeſty had knowledge of the " great fleets prepared by all neighboring Princes " this year, and of the inſolencies commited by " thoſe of Algiers, with the ſtore of ſhips they had " in readineſs.

" And therefore, tho' his Majeſty, for this pre- " ſent year, could not forbear it, but expected their " concurrence in the levying it, yet for the future, " to give all his ſubjects aſſurance, how juſt and " royal his intentions were, and that all his aim " was but to live like their King, able to defend " himſelf and them; to be uſeful to his friends, " and conſiderable to his enemies; to maintain the " ſovereignty of the ſeas, and ſo make the king- " dom flouriſh in trade and commerce: he was " graciouſly pleaſed to let them know, that the " ordinary revenue, now taken by the crown, could " not ſerve the turn: and therefore that it muſt be " by ſhip-money, or ſome other way, wherein he " was willing to leave it to their conſiderations, " what better courſe to find out, and to ſettle it " how they would (ſo the thing was done) which " ſo much imported the honor and ſafety of the " kingdom.

" And his Majeſty, for his part, would moſt " readily and chearfully grant any thing they could " deſire, for ſecuring them in the propriety of their " goods and eſtates, and in the liberty of their " perſons: his Majeſty telling them, it was in " their power to make this as happy a parliament " as ever was, and to be the cauſe of the King's " delighting to meet with his people, and his peo- " ple with him.

" That there was no ſuch way to effect this, as " by puting obligations of truſt and confidence upon " him, which as it was the way of good manners " with a King, ſo it was a ſafer and ſurer courſe " for themſelves, than any their own jealouſies and " fears could invent; his Majeſty being a Prince " who deſerved their truſt, and could not loſe the " honor of it; and a Prince of ſuch a gracious na- " ture as diſdained his people ſhould overcome him " by kindneſs.

" He had made this good to ſome other ſubjects " of his, and, if they followed his counſel, they " ſhould be ſure not to repent it, being the peo- " ple who were neareſt and deareſt unto him, " and ſubjects whom he did and had reaſon to " value more than the ſubjects of any his other king- " doms.

" His Majeſty having thus graciouſly expreſſed " himſelf unto them, he expected the houſe of com- " mons would have, next day, taken into conſi- " deration the matter of ſupply, and laid aſide all " other debates 'till that was reſolved on, according " to his deſire.

" But, inſtead of giving any anſwer therein, ſuch " as the preſſing and urgent occaſions required, " they fell into diſcourſes and debates about their " pretended grievances, and raiſed up ſo many and " of ſo ſeveral natures, that in a parliamentary " way they could not but ſpend more time than his " Majeſty's great and weighty affairs could poſſibly " afford.

" His Majeſty foreſeeing, in his great wiſdom, " that they were not in the way to make this a " happy parliament (which he ſo much deſired " and hoped) that nothing might be wanting on " his part to bring them into the right way, for " his honor, the ſafety of the kingdom, and their " own good, he reſolved to deſire the aſſiſtance of " the lords of the higher houſe, as perſons in rank " and degree neareſt to the royal throne; and who, " having received honor from him and his royal " progenitors, he doubted not would, for thoſe " and many other reaſons, be moved in honor and " dutiful affection to his perſon and crown, to diſ- " poſe the houſe of commons to expreſs their du- " ties to his Majeſty, in expediting the matter of " ſupply for which they were called together, and " which required ſo preſent a diſpatch. CHARLES I AN' 1640.

" For this purpoſe, his Majeſty, in his royal " perſon, came again to the lords houſe, on Wed- " neſday the twenty-fourth day of April, where " himſelf declared to the lords the cauſe of his " coming, which was to put them in mind of what " had been by the lord-keeper, in his name, de- " livered to both houſes the firſt day of the parlia- " ment, and after at Whitehall; how, contrary " to his expectation, the houſe of commons, hav- " ing held conſultation in matter of religion, pro- " perty of goods, and liberty of parliament, and " voted ſome things concerning thoſe three heads, " had thereby given them the precedence before the " matter of his ſupply. That his neceſſities were " ſuch, they could not bear delay; that whatever " he had, by the lord-keeper, promiſed he would " perform, if the houſe of commons would truſt " him.

" For religion, that his heart and conſcience went " together with the religion eſtabliſhed in the church " of England: and he would give order to his arch- " biſhops and biſhops, that no innovation in matter " of religion ſhould creep in.

" For the ſhip-money, that he never made, nor " intended to make any profit to himſelf of it, " but only to preſerve the dominion of the ſeas; " which was ſo neceſſary that, without it, the " kingdom could not ſubſiſt: but for the way and " means, by ſhip-money or otherwiſe, he left it to " them.

" For property of goods and liberty of parlia- " ment, he ever intended his people ſhould injoy " them; holding no King ſo great as he who was " King of a rich and free people; and if they had " not property of goods and liberty of perſons, " they would be neither rich nor free.

" That, if the houſe of commons would not " firſt truſt him, all his affairs would be diſordered, " and his buſineſs loſt. That tho' they truſted " him in part at firſt yet, before the parliament " ended, he muſt totally truſt them; and in con- " cluſion, they muſt, for execution of all things, " wholly truſt him.

" Therefore, ſince the matter was no more than, " who ſhould be firſt truſted; and that the truſt of " him firſt, was but a truſt in part, his Majeſty " deſired the lords to take into their conſiderations " his and their own honor, the ſafety and welfare of " this kingdom, with the great danger it was in, " and that they would by their advice diſpoſe the " houſe of commons, to give his ſupply the prece- " dence before the grievances.

" His Majeſty being departed, the lords took " into ſerious conſideration what his Majeſty had " commended to their care, and forthwith laying " aſide all other debates, their lordſhips delivered " their votes in theſe words: 'We are of opinion, " that the matter of his Majeſty's ſupply ſhould " have precedence, and be reſolved of, before any " other matter whatſoever. And we think fit, " there ſhall be a conference deſired with the " houſe of commons, to diſpoſe them there- " unto."

" Accordingly, the next day, being Saturday " the twenty-fifth of April, a conference was had " in the Painted-chamber by a commitee of both " houſes, where the lord-keeper (by the lords com- " mand) told the houſe of commons of his Majeſty's " being the day before in perſon in the higher- " houſe; how graciouſly he had expreſſed himſelf " in matter of religion, property of goods, and " liberty of parliament; and that he would therein " graciouſly hear and relieve them, and give them

" what

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" what in reaſon could be deſired, with the effect " of what elſe had been graciouſly delivered unto " them by his Majeſty; as well touching his con- " ſtant zeal and affection to the religion eſtabliſhed " in the church of England, as touching the ſhip- " money.

" By all the proceedings herein declared, it is " evident to all men, how willing and deſirous " his Majeſty hath been to make uſe of the ancient " and noble way of parliaments, uſed and inſtituted " by his royal predeceſſors for the preſervation " and honor of this famous monarchy; and that, " on his Majeſty's part, nothing was wanting " that could be expected from a King, whereby " this parliament might have had a happy conclu- " ſion, for the comfort and content of his Ma- " jeſty's ſubjects, and for the good and ſafety of " this kingdom.

" On the contrary, it is apparent, how thoſe of " the houſe of commons (whoſe ſiniſter and mali- " cious courſes inforced his Majeſty to diſſolve this " parliament) have vitiated and abuſed that ancient " and noble way of parliament, perverting the " fame to their own unworthy ends, and forgeting " the true uſe and inſtitution of parliaments.

" For whereas theſe meetings and aſſemblies of " his Majeſty with the peers and commons of this " realm were, in their firſt original, and in the " practiſe of all ſucceeding ages, ordained and held " as pledges and teſtimonies of affection between " the King and his people; the King for his part " graciouſly hearing and redreſſing ſuch grievances " as his people, in humble and dutiful manner, " ſhould repreſent unto him; and the ſubjects " on their part (as teſtimonies of their duty) ſup- " plying his Majeſty upon all extraordinary occa- " ſions, for ſupport of his honor and ſovereignty, " and for preſerving the kingdom in glory and " ſafety.

" Thoſe ill-affected members of the houſe of " commons, inſtead of an humble and dutiful way " of preſenting their grievances to his Majeſty, " have taken upon them to be the guiders and di- " rectors in all matters which concern his Ma- " jeſty's government, both temporal and eccleſia- " ſtical: and (as if Kings were bound to give ac- " count of their regal actions, and of their manner " of government to their ſubjects aſſembled in par- " liament) they have, in a very audacious and in- " ſolent way, entered into examination and cenſur- " ing of the preſent government, traduced his Ma- " jeſty's adminiſtration of juſtice, rendered, as " much as in them lay, odious to the reſt of his " Majeſty's ſubjects, not only the officers and mi- " niſters of ſtate, but even his Majeſty's very govern- " ment, which hath been ſo juſt and gracious, that " never did this or any other nation injoy more " bleſſings and happineſs than hath been, by all his " Majeſty's ſubjects, injoyed ever ſince his Ma- " jeſty's acceſs to the crown: nor did this kingdom " ever ſo flouriſh in trade and commerce as at this " preſent, or partake of more peace and plenty in " all kinds whatſoever.

" And whereas, the ordinary revenues of the " crown not ſufficing to defray extraordinary charges, " it hath ever been the uſage in all parliaments, to " aid and aſſiſt the Kings of this realm with free " and fiting ſupply, towards the maintenance of " their wars, and for making good their royal un- " dertakings; whereby the kingdom intruſted to " their protection, might be held up in ſplendor " and greatneſs.

" Theſe ill-affected perſons of the houſe of com- " mons, have been ſo far from treading in the ſteps " of their anceſtors, by their dutiful expreſſions in " this kind, that contrarily they have introduced a " way of bargaining and contracting with the King; " as if nothing ought to be given him by them, " but what he ſhould buy or purchaſe of them, " either by quiting ſomewhat of his royal preroga- " tive, or by diminiſhing and leſſening his reve- " nues; which courſes of theirs, how repugnant " they are to the duty of ſubjects, how unfit for his " Majeſty in honor to permit and ſuffer, and what " hazard and diſhonor they ſubject this kingdom " to, all men may eaſily judge who will but equal- " ly and impartially weigh them. Charles I An' 1640.

" His Majeſty hath been, by this means, re- " duced to ſuch ſtraits and extremities that, was " not his care of the public good and ſafety the " greater, theſe men (as much as in them lies) " would quickly bring ruin and confuſion to the " ſtate, and render contemptible this glorious mo- " narchy.

" But this frowardneſs and undutiful behavior of " theirs, cannot leſſen his Majeſty's care of pre- " ſerving the kingdoms intruſted to his protection " and government, nor his gracious and tender af- " fection to his people, for whoſe good and com- " fort his Majeſty, by God's gracious aſſiſtance, " will ſo provide, that all his loving ſubjects may " ſtill injoy the happineſs of living under the bleſſed " ſhade and protection of his royal ſcepter.

" In the mean time, to the end all his Majeſty's " loving ſubjects may know how graciouſly his Ma- " jeſty is inclined to hear and redreſs all the juſt " grievances of his people, as well out of parlia- " ment as in parliament, his Majeſty doth hereby " farther declare his royal will and pleaſure, that " all his loving ſubjects, who have any juſt cauſe " to preſent, or complain of any grievances or op- " preſſions, may freely addreſs themſelves by their " humble petitions to his ſacred Majeſty, who will " graciouſly hear their complaints, and give ſuch " fiting redreſs therein, that all his people ſhall " have juſt cauſe to acknowledge his grace and " goodneſs towards them; and to be fully ſatisfied, " that no perſons or aſſemblies can more prevail " with his Majeſty than the piety and juſtice of his " own royal nature, and the tender affection he doth " and ſhall ever bear to all his people and loving " ſubjects."

After reading this declaration, the inſerting it here at length will perhaps be thought needleſs, ſince it contains nothing but what was related before. However, it is of uſe to ſhew, that King Charles and his adverſaries agreed as to facts, and diſputed only on the right and conſequences.

Charles continues the convocation. Clarendon, p. 116. Ruſhworth, Vol. III. p. 1172. Nalſon, p. 364.

Tho' the parliament was diſſolved, King Charles continued the convocation, under the title of ſynod. Since the Reformation, it had been always cuſtomary to aſſemble the clergy at the ſame time with parliaments, and this aſſembly of the clergy was ſtiled convocation, and ever commenced and cloſed with the parliament. Charles, not thinking himſelf bound to a ſtrict obſervance of this cuſtom, diſſolved the parliament, and continued the convocation, contrary to the opinion of ſeveral (1), who believed that he thereby exceeded his power. But the national judges determined that, notwithſtanding the parliament's diſſolution, the convocation ſubſiſted, except diſſolved by the royal writ. The convocation therefore continued a month longer, and in that time did two things which gave occaſion to great complaints in the inſuing parliament. Firſt, they made certain canons, whereby all eccleſiaſtics and graduates,

Nalſon, p. 372, 542, &c.

(1) Dr. Browning, Dr. Hacket, and other members of this convocation (in all thirty-ſix) proteſted againſt the continuance of its ſeſſion. Fuller, B. XI p. 169.

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graduates, in the univerſities, were injoined to take the following oath (1).

Oath injoined by the convocation. Id. p. 374. Ruſhworth, Vol. III. p. 1186. Annals, p. 845.

"I A. B. do ſwear, that I approve the doctrine and diſcipline, or government eſtabliſhed in the church of England, as containing all things neceſſary to ſalvation: and that I will not indeavor, by my ſelf or any other, directly or indirectly, to bring in any Popiſh doctrine, contrary to that which is ſo eſtabliſhed: nor will I ever give my conſent to alter the government of this church, by archbiſhops, biſhops, deans, and archdeacons, &c. as it now ſtands eſtabliſhed, and as by right it ought to ſtand; nor yet ever to ſubject it to the uſurpations and ſuperſtitions of the See of Rome. And all theſe things I do plainly and ſincerely acknowledge and ſwear, according to the plain and common ſenſe and underſtanding of the ſame words, without any equivocation, or mental evaſion, or ſecret reſervation whatſoever. And this I do heartily, willingly, and truly upon the faith of a Chriſtian. So help me God in Jeſus Chriſt."

Objections againſt this oath. Nalſon, p. 396, 398. Ruſhworth, Vol. III. p. 1205, &c. Annals.

This oath was thought very ſtrange, for ſeveral reaſons. 1. It was not liked that the clergy ſhould take upon them to injoin oaths, which, according to the general opinion, belonged to the parliament only. The et cætera after the word archdeacons, offended many, becauſe thoſe who ſwore could not tell what they were to underſtand by this abbreviation. 3. The preſcribing ſuch an oath was affirmed to be a confinement, and tying-down of the civil legiſlature, ſince thereby the government was deprived of the liberty of making any alteration in church-diſcipline, which nevertheleſs might be altered without any danger to ſalvation. 4. It was objected, that the perſon was to declare, "he "took the oath moſt willingly," tho' he was conſtrained thereto under very ſevere penalties.

The clergy give his Majeſty a ſubſidy. Nalſon. Whitelock.

The ſecond thing the convocation did before they brake up, was granting his Majeſty, for the Scotiſh war, a ſubſidy of four ſhillings in the pound, for ſix years. This proceeding, which tended to diminiſh the parliament's power, was no leſs diſliked than the former. It is true that, to juſtify it, a precedent was alledged; for it muſt be obſerved that, in this reign, examples or precedents, in favor of the crown, were regarded as ſo many ſtatutes. The clergy, it ſeems, in the year 1585, after having granted Queen Elizabeth a ſubſidy approved in parliament, made a voluntary addition of two ſhillings in the pound, which her ſaid Majeſty accepted without conſulting the parliament. But, beſide that this was a ſingle precedent, the difference between Elizabeth's and Charles I's times was very great. In that Queen's days, every one was pleaſed with the government. It was almoſt generally believed that her Majeſty was not capable of making any ill uſe of theſe unuſual favors, but imployed the money given her ſolely for the kingdom's benefit. In Charles I's time, the caſe was widely different. This Prince was not at all confided in. It was experimentally known, that he would draw from the leaſt precedent conſequences deſtructive of parliamentary liberties, and in a word, the number of male-contents was infinite: nay, King Charles ſeemed to do whatever lay in his power to increaſe it, or at leaſt ſhewed no regard: and what ſtill more inflamed the peoples diſcontent, was their ſeeing the Popiſh recuſants not only tolerated, but moreover protected, countenanced, and conſidered as the beſt ſubjects. They reſorted publicly to maſs at Somerſet-houſe, and returned thence in great multitudes, as if their churches had been allowed by authority. At London was reſident a public agent from Rome, viz. count Rozetti, who openly went to court in great ſtate, and whoſe houſe was the grand rendezvous for Catholics. The Queen had prevailed with her conſort to receive this agent as a ſort of nuncio, and by that, as well as by the avowed protection ſhe afforded thoſe of her creed, ſhe ſo drew upon herſelf the peoples hatred, that they were even wanting in that outward reſpect they ought to have paid her.

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The people diſcontented.

Papiſts countenanced. Clarendon, p. 116, 117.

The Scots incite the Engliſh againſt their King. Nalſon, p. 395.

Theſe flames of diſcontent were fomented by the Scots, who, ſeeing themſelves on the point of being attacked, were extremely diligent, by means of their emiſſaries, to inſenſe the people againſt King Charles. In juſtifying their own conduct, they forgot not inſinuating to the Engliſh, that the tyranny which was intended to be eſtabliſhed in Scotland, was in order to introduce the like into England: and that if the King labored to ſupport the hierarchy, erected in the kirk of Scotland by his father and himſelf, it was not ſo much for the ſake of epiſcopal government, as in order to eſtabliſh in that kingdom a deſpotiſm, which would be one day fatal to the Engliſh; nay, that there was great danger, that after the accompliſhment of his deſigns, he would reſtore Popery in his kingdoms, ſince he could refuſe nothing to his Queen, Laud, and the other enemies of reformation. Charles himſelf, by his conduct, rendered theſe inſinuations ſo plauſible, that beſide the Preſbyterians, who were very numerous, many church of England men could not but be under a dread that his Majeſty's zeal for the church was only to ingage them to be ſubſervient to his more hidden deſigns. Howſoever this be, the kingdom was full of ſuſpicions, fears, jealouſies and diviſions, ſo that if the King had been well-informed, he might eaſily have perceived that very few ſerved him willingly and chearfully, in the war he was undertaking againſt Scotland. This he was fully convinced of ſoon after.

Charles uſes ſundry ways to raiſe money. Nalſon, p. 377, 389.

Charles, thus ingaged in a war with Scotland without having received any ſupply from the parliament, was greatly ſtraitened. He even foreſaw, that it would not be poſſible for him to ſupport his army, except he had recourſe to extraordinary methods to raiſe money. Accordingly, he made uſe of the following expedients, to ſupply in part what he had expected from the parliament. 1. He ordered, that the counties ſhould advance coat and conduct money for their reſpective troops (2). 2. He bought upon credit of the Eaſt-India merchants all their pepper, and ſold it again for ready money. 3. He took forty thouſand pounds worth of bullion the merchants had brought into the mint to be coined, which ſum was afterwards punctually repaid

Ib. p. 391. Ruſhworth, Vol. III. p. 1216.

(1) The canons, ſeventeen in all, with the oath, were voted, nemine contradicente, except Godfrey Goodman biſhop of Glouceſter, who did not reliſh the oath. Wherefore he was ſuſpended; but afterwards he ſubmited, took the oath, and in a letter to archbiſhop Laud ſays, he was incouraged to diſſent by biſhop Montague; tho' at that inſtant he could have proved that Montague did viſit, and hold correſpondence, with the Pope's agent, &c. Ruſhworth, Vol. III. p. 1187. Nalſon, Vol. I. p. 371.

(2) Theſe troops were preſſed out of the militia of each county. Their allowance was eight pence a day; and their whole number amounted to 16,800. There were forces raiſed in the ſame manner to go by ſea. What number of theſe were furniſhed by each county, ſee in Nalſon, Vol. I. p. 381, 386.

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repaid (1). 4. He would have borrowed two hundred thouſand pounds of the city of London, but had the mortification to meet with a denial. He was thereat ſo nettled that he reſolved on this revenge. The city, having ſome time before ſettled a colony at Londonderry in Ireland, had obtained from him a patent for certain lands in that country. On the Londoners refuſing to lend him money, the lord mayor and ſheriffs were cited before the ſtar-chamber, to anſwer to the charge of having abuſed the patent, by uſurping more lands than his Majeſty had granted to the city. Upon this charge, whether well or ill-grounded, the Londoners were condemned to forfeit their rights, and grievouſly fined; but upon payment of the fine, their patent was reſtored (2) They had afterwards, in their turn, but too many opportunities of retaliating. On the other hand, the writ to levy ſhip-money having been ſent to the city of London, as well as to all the other towns in England, it appeared that the lord mayor and city-council had neglected levying this tax, or at leaſt they had not diſtrained any one perſon for non-payment, according to the tenor of the writ. For this reaſon, the council ſent this order to the attorney-general, viz.

Annals, p. 846.

Nalſon, p. 391. Ruſhworth, Vol. III. p. 1181, 1182, 1203.

At Whitehall, July 5, 1640. Preſent, &c.

Order from the council againſt London. Ruſhworth, Vol. III. p. 1203.

"WHereas the lord mayor of London, and the two ſheriffs, did this day appear before his Majeſty and the board, to give account of their proceedings upon the writ for the ſhip-buſineſs this preſent year: foraſmuch as it did appear that, beſide all former neglects in the execution of that writ, his Majeſty having reſpited the information againſt them for the ſame; yet they have not ſince diſtrained any one perſon according to the ſaid writ. It was this day ordered by his Majeſty, with the advice of the board, that his Majeſty's attorney-general ſhall forthwith prefer an information in the ſtar-chamber againſt the lord mayor, and ſheriffs of London and Middleſex, for their contempt and default in the execution of the ſaid writ; and ſhall forthwith proceed againſt them, 'de die in diem,' until the cauſe be ready for hearing: and if upon examination of the ſaid cauſe, his Majeſty's attorney-general ſhall find ſufficient cauſe againſt any of the aldermen, that then he do prefer one other information againſt the ſaid aldermen; and in like manner do proceed againſt them apart."

Thus did King Charles, inſtead of relinquiſhing this deteſted impoſt, continue exacting it with great rigor, tho' his affairs were then at a criſis which ſhould have inſpired him with a dread that, in caſe the ſucceſs of the Scotiſh war anſwered not his expectations, he ſhould be little able to ſupport himſelf: but, very ſeemingly, he thought he was quite ſure of victory.

The Engliſh routed in defending the paſs of the Tine. Auguſt 28. Nalſon, p. 400, 425.

Part of the army deſigned againſt Scotland was now upon the frontiers, under conduct of lord Conway, general of the horſe, while the reſt lay incamped near York. The earl of Northumberland, who was to command in chief under his Majeſty, remained ſick at London, and the earl of Strafford, lieutenant-general, had not been able to ſet out early enough, he being a moſt neceſſary member of the King's ſecret council. Lord Conway, being advanced as far as Newcaſtle, with three thouſand foot and fifteen hundred horſe, was informed that Leſley, general of the Scots (3), was preparing to march at the head of twenty-two thouſand men, in order to enter England. And, in effect, he paſſed the Tweed the twentieth of Auguſt, the very day King Charles ſet out from London for York, where he arrived on the twenty-third. Leſley, purſuing his march, came the twenty-ſeventh to Newburn, on the north-ſide of the Tine, four miles from Newcaſtle. At his arrival, he found lord Conway poſted with his troops on the ſouth-ſide of the river, where he had raiſed breaſt-works over againſt the two fords, to oppoſe his paſſage. It is needleſs to enter on a detail of this action. It ſuffices to ſay, the Scots forced the paſſage of the Tine, after a fight very faintly maintained by the Engliſh. Lord Conway was ſeized with ſuch a panic that he next day evacuated Newcaſtle and retreated to Durham, where not deeming himſelf yet ſecure, he haſted to join the King's army, which was advanced to Northampton. Charles's troops had no ſooner quited Newcaſtle, but the Scots entered, and found there the artillery and ſtores ordered thither by the King, who deſigned that place for the magazine of his army.

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Clarendon, p. 112, 114. Nalſon, p. 411, 426. Ruſhworth, Vol. III. p. 1221.

Auguſt 28. Ib. p. 1237. Annals.

Newcaſtle taken by the Scots. Nalſon, p. 427.

The Scots entrance into England, and the loſs of Newcaſtle, diſconcerted all Charles's meaſures. Tho' this firſt action had not coſt him above three or four hundred men, yet did this inconſiderable check produce great effects, all to that Prince's diſadvantage. 1. The earl of Strafford's having been ſomewhat too harſh in his expreſſions to the officers and ſoldiers, who were returned from the rout at Newburn, diſguſted the whole army, and thereby put the vanquiſhed, in their own vindication, upon magnifying the reſolution and number of the Scotiſh troops. This could not but produce a very ill effect in the King's army, which before was not too well diſpoſed. 2. The Engliſh malecontents were more at eaſe, and ſpake more boldly againſt the government, knowing it was no proper ſeaſon to ſilence them. 3. The Scots miſſed not this opportunity to ſhew the Engliſh, by as moderate a conduct as the juncture could allow, that their deſign in entering England, was not to injure the inhabitants, but only to procure acceſs to his Majeſty, in order to lay their grievances before him. By this means they ſeparated, as far as poſſible, the King's cauſe from that of the people of England, which did King Charles unſpeakable prejudice. 4. The conſternation cauſed by the Newburn defeat, and contrariwiſe the moderation of the Scots, who, notwithſtanding the ſucceſs of their arms, affected to deſire only ſome good accommodation, inclined the whole nation to a peace. None but the court-party imployed their utmoſt efforts, tho' in vain, to inſpire the Engliſh with a deſire of revenge. 5. As in King Charles's then circumſtances, with an army of enemies before him, and numberleſs male-contents every where elſe throughout the kingdom, as well as in his own army, it was not poſſible for him to raiſe money by the ſame methods he had thitherto practiſed, there reſulted a general opinion, that a parliament was abſolutely neceſſary. To this it was that the Scots and Engliſh male-contents deſired to lead him, tho' againſt his will, knowing

Great alteration in Charles's affairs. Annals. Clarendon, p. 114. Ruſhworth, Vol, III. p. 1240.

Artifice of the Scots.

They juſtify themſelves to the Engliſh. p. 1223. Append. p. 283. Nalſon, 412, &c. Annals.

(1) The bullion of the mint was ordered to be ſeized; but the merchants repreſenting to his Majeſty, and council, the great prejudice it would be to his Majeſty's honor, reputation and intereſt, both at home and abroad, the deſign was laid aſide, and 40,000 l. taken up of the merchants concerned in the mint, upon credit of the cuſtoms. There was likewiſe a deſign to debaſe the coin, but it was laid aſide by the remarks of ſir Thomas Rowe, in a ſpeech at the council-table. Nalſon, p. 391.——Theſe ſeveral methods, and particularly a voluntary loan of ſome lords of the council, and other gentlemen, brought the King in 300,000 l. Clarendon, Vol. I. p. 111.

(2) They offered, by way of compoſition, to build for the King, a ſtately palace in St. James's park, and to pull down Whitehall, and make a ſtately way by the Thames ſide, ſtrait from Charing-Croſs to Weſtminſter-hall. Whitlock, p. 35.

(3) To maintain their army, the Scots impoſed a tax of the tenth penny upon all the rents of Scotland. Nalſon, Vol. I. p. 408.

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it was ſcarce poſſible that a new parliament ſhould be diſpoſed in his favor.

The Scots had in England more correſpondents than the King had 'till now imagined, but he perceived it not before his affairs were on the decline. They had diſperſed two manifeſtoes, of which one was intitled, "Six Conſiderations of the Lawfulneſs "of their Expedition into England," and the other, "Intentions of the Scots and their Army manifeſted "to their Brethren in England." In theſe two papers, they were extremely careful to ſhew, that the motive of their armament and entry into England, was not to invade that kingdom, but only to defend themſelves againſt ſome particular perſons, their ſworn enemies, among whom they named, as the principal, the earl of Strafford, and archbiſhop of Canterbury. They ſaid, in their preſent ſituation, their country being blocked up by ſea and land, and their trade interrupted, it was not poſſible to expect any longer the coming of their enemies to attack them, without being expoſed to certain ruin. They compared themſelves to a man who, when his houſe is beſet, and his enemies ready to aſſault it, ſallies out himſelf and attacks them in hopes of averting, by a vigorous effort, the impending ruin. They maintained, it was the King who had violated the peace, and, having granted that the general-aſſembly ſhould regulate the kirk's affairs, and its regulations be ratified in parliament, had, without any lawful cauſe, prorogued the parliament, before what the general aſſembly had judged neceſſary was confirmed: nay, he had denied audience to the parliament's deputies, and tho' he had agreed that other deputies might be ſent him, it was only to amuſe them, ſince the war with Scotland had been already determined in council, and the parliaments of Ireland and England convened in order for ſupplies. They carefully repreſented the juſtice and equity of the late parliament of England, in denying King Charles money for a war ſo notoriouſly unjuſt. In ſhort, for it would be endleſs to enumerate all the particulars contained in theſe two papers, their aim was to demonſtrate to the people of England, 1. The juſtice of their cauſe. 2. The artifices of their enemies to ſurpriſe them. 3. The neceſſity they were under of taking arms in their own lawful defenſe, and to prevent their ruin. 4. They ſaid, notwithſtanding their entry into England, the war was defenſive on their part. 5. That they intended not to offer any injury or violence, or inrich themſelves with ſpoils of the Engliſh, but only to procure acceſs to his Majeſty, to preſent their grievances, which was denied them, except they would abſolutely ſurrender themſelves up to the mercy of their adverſaries. 6. They called God to witneſs, this was their intention, and the better to gain belief they made uſe of the ſtrongeſt expreſſions and moſt ſolemn oaths. 7. Finally, they did not forget inſinuating to the Engliſh, that they had the ſame cauſe to maintain, ſince the liberties of England were equally in danger with thoſe of Scotland.

Theſe manifeſtoes, which were doubtleſs owing to the counſels of ſome of the Engliſh male-contents, produced ſuch effect upon the people, the army, and even on ſuch of the lords as were not wholly devoted to the court, that Charles might very eaſily ſee how difficult it would be to ſupport the war, and to what danger he would be expoſed, if he hazarded a battle at ſuch a juncture. Nothing was more diſadvantageous to this Prince than the extreme deſire expreſſed by the Scots to terminate the diſpute by ſome wholeſome agreement, which ſhewed their aim was not to make war upon the Engliſh; whereas it was Charles's intereſt to ingage them both in a national quarrel. Wherefore the Scots failed not to improve the advantage of their moderate conduct. As ſoon as they were maſters of Newcaſtle, they ſent a very humble petition to the King, beſeeching him to give ear to their complaints, and cure their evils, by advice of the Engliſh parliament. Charles, who was preſſed on all ſides, had already ſummoned the nobility to meet him at York, the twenty-fourth of September, to tender their advice upon the preſent ſituation of his affairs. He therefore told the Scots, that their petition was expreſſed in ſuch general terms, that he could not give them a poſitive anſwer: but if they would ſpeak more plainly, and declare the particulars of their demands, he would give ſuch anſwers as the peers, who were to meet at York, ſhould think proper. Thereupon they ſent him their demands, the eighth of September, viz.

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The Scots ſue for peace. September 4. Nalſon, p. 432. Charles ſummons the nobility to York. September 7. Clarendon, p. 116. Ruſhworth, Vol. III. p. 1256, 1257.

"1. That his Majeſty would be graciouſly "pleaſed to command, that the laſt acts of par- "liament may be publiſhed in his Highneſs's name, "as our Sovereign Lord, with the eſtates of par- "liament convened by his Majeſty's authority.

The Scots demands. p. 1258. Nalſon, p. 433.

"2. That the caſtles of Edinburg and other "ſtrengths of the kingdom of Scotland may, "according to the firſt foundation, be furniſhed "and uſed for our defenſe and ſecurity.

"3. That our countrymen in his Majeſty's do- "minions of England and Ireland may be freed "from cenſure for ſubſcribing the covenant, and "be no more preſſed with oaths and ſubſcriptions, "unwarrantable by your laws, and contrary to "their national oath and covenant, approved by "his Majeſty.

"4. That the common incendiaries, who have "been the authors of this combuſtion, may receive "their juſt cenſure.

"5. That all our ſhips and goods, with all the "damage thereof, may be reſtored.

"6. That the wrongs, loſſes and charges, which "all this time we have ſuſtained, may be re- "paired.

"7. That the declarations made againſt us, as "traitors, may be recalled in the end, by the "advice and counſel of the ſtates of England "convened in parliament. His Majeſty may be "pleaſed to remove all gariſons from the bor- "ders, and any impediments which may ſtop free "trade."

By this latter article it appears, how careful the Scots were to loſe no opportunity of gaining to their intereſt the people of England. Of this they gave the following inſtance. As the Londoners had all their coals from Newcaſtle, and could not any how be without that trade, the Scots were no ſooner maſters of Newcaſtle, but they wrote to the lord mayor and aldermen of London, "That knowing "how neceſſary the free traffic of coals was for "their city, and other places of England, they "had, as a teſtimony of greateſt reſpect and good- "will to the city of London, ſent two noblemen "to aſſure the maſters of ſhips, who, poſſeſſed "with needleſs fears, were haſtening out of the "river, that their purpoſe was not to ſtop, but "to uſe their beſt means to continue that trade."

They gain the Londoners affection. Sept. 9. Nalſon, p. 435. Ruſhworth, Vol. III. p. 1259.

This letter anſwered the Scots expectations. Preſently after, it was openly diſcourſed about London of petitioning his Majeſty that he would pleaſe to ſummon a parliament. The privy-council, left by Charles at London, having ſome notice of this deſign, indeavored to obſtruct it, by a letter directed to the lord mayor and aldermen: but they could not ſucceed. So a petition was reſolved on, and ſent to the King at York by ſome of the aldermen and common-council. It runs thus:

Nalſon, p. 436.

Moſt gracious Sovereign,

"BEING moved with the duty and obedience "which, by the laws, your petitioners owe un- "to your ſacred Majeſty, they humbly preſent to "your

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" your princely and pious wiſdom, the ſeveral preſ-
" ſing grievances following: viz.

" 1. The preſſing and unuſual impoſitions upon
" merchandiſe, importing and exporting, and the
" urging and levying of ſhip-money, notwithſtand-
" ing both which, merchants ſhips and goods have
" been taken and deſtroyed, both by Turkiſh and
" other pirates.

" 2. The multitude of monopolies, patents and
" warrants, whereby trade in the city and other
" parts of the kingdom is much decayed.

" 3. The ſundry innovations in matters of reli-
" gion.

" 4. The oath and canons lately injoined by the
" late convocation, whereby your petitioners are in
" danger to be deprived of their miniſters.

" 5. The great concourſe of Papiſts, and their
" inhabitations in London, and the ſuburbs, where-
" by they have more means and opportunity of
" ploting and executing their deſigns againſt the re-
" ligion eſtabliſhed.

" 6. The ſeldom calling, and ſudden diſſolutions
" of parliaments, without the redreſs of your ſub-
" jects grievances.

" 7. The impriſonment of diverſe citizens for
" non-payment of ſhip-money and other impoſitions,
" and the proſecution of many others in the ſtar-
" chamber, for not conforming themſelves to com-
" mitees in patents of monopolies, whereby trade
" is reſtrained.

" 8. The great danger your ſacred perſon is
" expoſed to in the preſent war, and the various
" fears which ſeized upon your petitioners, and
" their families by reaſon thereof, which griev-
" ances and fears have occaſioned ſo great a ſtop
" and diſtraction in trade, that your petitioners can
" neither buy, ſell, receive, nor pay as formerly,
" and tends to the utter ruin of the inhabitants of
" this city, the decay of navigation and cloathing,
" and the manufactures of this kingdom.

" Your humble petitioners, conceiving that the
" ſaid grievances are contrary to the laws of this
" kingdom, and finding by experience that they
" are not redreſſed by the ordinary courſe of juſ-
" tice, do therefore moſt humbly beſeech your moſt
" ſacred Majeſty, to cauſe a parliament to be ſum-
" moned with all convenient ſpeed, whereby they
" may be relieved in the premiſſes.

And your petitioners, &c.

Within few days, this petition was followed by another from twelve peers, in behalf of themſelves and diverſe others;

Petition from twelve peers. Nalſon, p. 473. Ruſhworth, Vol. III. p. 1260. Annals.

Moſt gracious Sovereign,

" THE ſenſe of that duty and ſervice which
" we owe to your ſacred Majeſty, and our
" earneſt affection to the good and welfare of this
" your realm of England, have moved us in all
" humility to beſeech your royal Majeſty, to give
" us leave to offer to your moſt princely wiſdom,
" the apprehenſion which we and other your faith-
" ful ſubjects have conceived of the great diſtem-
" pers and dangers now threatening the church,
" ſtate, and your royal perſon, and the fiteſt means
" by which they may be prevented.

" The evils and dangers, whereof your Majeſty
" may be pleaſed to take notice, are theſe:

" 1. That your ſacred Majeſty is expoſed to
" hazard and danger in the preſent expedition a-
" gainſt the Scotiſh army, and, by occaſion of
" the war, your revenue is much waſted, your
" ſubjects burdened with coat and conduct-money,
" billeting ſoldiers, and other military charges,
" and diverſe rapines and diſorders commited in ſe-
" veral parts in this your realm, by the ſoldiers
" raiſed for that ſervice, and your whole kingdom
" become full of fear and diſcontent.

Charles I An' 1640.

" 2. The ſundry innovations in matters of re-
" ligion; the oath and canons lately impoſed upon
" the clergy, and other your Majeſty's ſubjects.

" 3. The great increaſe of Popery, and im-
" ploying of Popiſh recuſants, and others ill-affect-
" ed to the religion by law eſtabliſhed, in places
" of power and truſt, and eſpecially commanding
" men and arms both in the field and other coun-
" ties in this realm; whereas, by the laws, they
" are not permited to have arms in their own
" houſes.

" 4. The great miſchief which may fall upon
" this kingdom, if the intentions which have been
" credibly reported of bringing in Iriſh forces ſhall
" take effect.

" 5. The urging of ſhip-money, and proſecu-
" tion of ſome ſheriffs in the ſtar-chamber for not
" levying it.

" 6. The heavy charge of merchandiſe to the
" diſcouragement of trade, the multitude of mono-
" poliſts or other patentees, whereby the commo-
" dities and manufactures of the kingdom are much
" burdened, to the great and univerſal grievance
" of your people.

" 7. The great grief of your ſubjects by the in-
" termiſſion of parliaments in the late former diſ-
" ſolving of ſuch as have been called, with the
" hoped effects which otherwiſe they might have
" procured.

" For a remedy whereof, and prevention of the
" danger which may inſue to your royal perſon,
" and to the whole ſtate, we do, in all humility
" and faithfulneſs, beſeech your moſt excellent Ma-
" jeſty, that you would be pleaſed to ſummon a
" parliament, within ſome ſhort and convenient
" time, whereby the cauſe of theſe, and other great
" grievances which your poor petitioners now lie
" under, may be taken away, and the authors and
" counſellors of them may be there brought to ſuch
" legal trial and condign puniſhment, as the na-
" ture of the offenſe does require; and that the
" preſent war may be compoſed by your Majeſty's
" wiſdom without blood-ſhed, in ſuch manner as
" may conduce to the honor and ſafety of your
" Majeſty's perſon, the content of your people,
" and continuance of both your kingdoms againſt
" the common enemy of the reformed reli-
" gion (1).

Francis Bedford.	Say and Seal.
Ro. Eſſex.	Ed. Howard.
William Hartford.	Bullingbrook.
Warwick.	Mandevile.
Earl of Briſtol.	Brook.
Mulgrave.	Pagett.

Petition of a like nature by the gentry of Yorkſhire. Sept. 20. Ruſhworth, Vol. III. p. 1264. Nalſon, p. 439.

Charles having, preſently after, convened the Yorkſhire gentry, propoſed to them payment of the trained-bands for two months. This propoſition being accepted, the gentlemen prepared a ſuitable addreſs to inform his Majeſty of their conſent: but withal they intreated he would indeavor to compoſe differences with the Scots, and to ſummon a parliament. The earl of Strafford, being deſired to preſent the addreſs, denied, except the clauſe about calling a parliament was expunged; alledging, he knew the King fully deſigned it. But the

(1) His Majeſty's anſwer to this petition was: " That before the receipt thereof, he well foreſaw the danger which threat-
" ened himſelf and crown, and therefore reſolved to ſummon all the peers to his preſenſe, the 24th of September, and with
" them to conſult, what in this caſe is fiteſt to be done for his honor, and the ſafety of the kingdom, where the petitioners,
" with the reſt, might offer any thing conducing to theſe ends." Whitlock's Memoirs, p. 36.

gentlemen

CHARLES I AN' 1640.

Charles determines on calling a parliament. Clarendon, p. 115, 121.

gentlemen were unwilling to omit theſe words, and delivered their addreſs themſelves.

King Charles perceiving, by the petitions preſented him, that it was the nation's fervent deſire a parliament ſhould be convened, doubted not it would be the firſt advice the peers, when aſſembled, would give him. He reſolved therefore to prevent ſuch advice, by ſummoning a parliament to meet on the third of November, for fear, if he delayed it any longer, he might be thought to have done it by compulſion. The great council of the peers being aſſembled at York, the twenty-fourth of September, his Majeſty addreſſed them as follows:

King Charles's ſpeech to his great council of peers. Annals. Nalſon, p. 442. Ruſhworth, Vol. III. p. 1275.

My lords,

"UPON ſudden innovations, where the dangers are near and inſtant, it hath been the "cuſtom of my predeceſſors to aſſemble the great "council of the peers, and by their advice and "aſſiſtance to give a timely remedy to ſuch evils, "which could not admit a delay ſo long as muſt "of neceſſity be allowed for the aſſembling of the "parliament.

"This being our condition at this time, and an "army of rebels lodged within this kingdom, I "thought it moſt fit to conform myſelf to the prac-"tiſe of my predeceſſors in like caſes; that, with "your advice and aſſiſtance, we might juſtly pro-"ceed to the chaſtiſement of theſe inſolencies, and "ſecuring of my good ſubjects.

"In the firſt place, I muſt let you know, that "I deſire nothing more than to be rightly under-"ſtood of my people. And to that end, I have "of myſelf reſolved to call a parliament; having "already given order to my lord-keeper to iſſue "the writs inſtantly, ſo that the parliament may "be aſſembled by the third of November next: "whither if my ſubjects bring thoſe good affections "which become them towards me, I ſhall not fail "on my part to make it a happy meeting. In "the mean time, there are two points wherein I "ſhall deſire your advice, which indeed were the "chief cauſe of your meeting.

"Firſt, What anſwer to give to the petition of "the rebels, and in what manner to treat with "them. Of which, that you may give a ſure judg-"ment, I have ordered that your lordſhips ſhall "be clearly and truly informed of the ſtate of the "whole buſineſs, and upon what reaſons the ad-"vices which my privy-council unanimouſly gave "me, were grounded.

"The ſecond is, How my army ſhall be kept "on foot and maintained, until the ſupplies of a "parliament may be had. For ſo long as the "Scotiſh army remains in England, I think no "man will counſel me to diſband mine: for that "would be an unſpeakable loſs to all this part of "the kingdom, by ſubjecting them to the greedy "appetite of the rebels, beſide the unſpeakable "diſhonor which would thereby fall upon this "nation."

It is reſolved to treat with the Scots. p. 1276. Annals.

When King Charles had thus ſpoken to their lordſhips, he commanded to be read the reaſons which had induced his council to adviſe the levying an army againſt the Scots, and the Scots petition preſented him ſince their taking Newcaſtle, as alſo the royal anſwer, and their particular demands. Then, the earl of Traquair, by his Majeſty's order, explained theſe demands to the peers, and labored to ſhew, how ſome of them ſubverted the fundamental laws of Scotland, others the King's juſt prerogative and dignity, and of which many were to the detriment of his Majeſty's profit, and prejudice of diverſe good ſubjects there. The reſult of their lordſhips deliberations was, that certain of themſelves ſhould be ſent as commiſſioners, to treat with the Scots, and indeavor to conclude a pacification. Purſuant to this reſolution, ſixteen peers were choſen for commiſſioners (1), to whom Charles added as aſſiſtants, the earls of Traquair, Morton, and Lanerick ſecretary of Scotland,* ſir Lewis Steward, and ſir John Burroughs. It was farther agreed, that the treaty ſhould begin at Rippon (2) the firſt of October, and that the earl of Lanerick ſhould ſignify to the Scots this reſolution.

CHARLES I AN' 1640.

Commiſſioners appointed. Idem. Nalſon, p. 443.

* Mr. Rapin forgets ſir Henry Vane.

This article being diſpatched, King Charles deſired the lords to conſider of means to ſupport his army during the treaty. It is ſomewhat unaccountable his Majeſty ſhould undertake this war without having any ſupply from the parliament, and ſhould be ſo ill-provided for the payment of his army, that within a month after opening the campain, he was unable to furniſh its maintenance. For my part, I cannot deviſe any other reaſon of this conduct, except that, for the ſupport of this war, he had depended upon ſuch means as were no longer in his power to imploy. However this be, the earl of Strafford having informed their lordſhips of the number of troops his Majeſty had on foot, namely, about twenty four thouſand men, declared that the payment of this army amounted to ſixty thouſand pounds per month, and that to keep the army together for three months, no leſs would ſerve than the ſum of two hundred thouſand pounds. He added, if the army ſhould diſband, all Yorkſhire would be loſt in two days, and the whole kingdom indangered. Whereupon it was reſolved that, a letter ſubſcribed by all the peers preſent, ſhould be ſent to the city of London for lending the two hundred thouſand pounds, upon ſuch ſecurity as ſhould be agreed on, each of the peers offering to become bound.

Another reſolution to borrow 200,000 l. of the Londoners. Ruſhworth, Vol. III. p. 1278, 1279, 1302.

Ibid. Nalſon, p. 445.

The Scots having appointed their commiſſioners to treat with the Engliſh, the negociation commenced, at Rippon, the firſt of October (3). But before the chief point of the treaty was conſidered, certain preliminary articles were to be ſettled, which the Scots propoſed, as abſolutely neceſſary to a happy concluſion. They repreſented therefore, that their army had ſtoped at Newcaſtle and Durham, and as the negociation might hold ſome time, it was neceſſary, before all things, to provide for the ſubſiſtence of their troops during the treaty. This was the principal article on which they inſiſted, as a preliminary to the treaty. There were likewiſe other articles, the mention whereof I deem not very needful, ſince it will preſently appear what was the main point by the preliminaries agreed on. I ſhall only add, that the Scots would never ſuffer the earl of Traquair to aſſiſt at the treaty, becauſe he was one of thoſe they termed incendiaries, againſt whom they demanded ſevere juſtice. Finally, after many debates, the commiſſioners of both nations agreed

The treaty begins at Rippon. Clarendon, p. 122, &c.

Preliminaries demanded by the Scots. Nalſon, p. 450. Ruſhworth, Vol. III. p. 1287.

p. 1286. Annals, p. 856.

(1) His Majeſty choſe the earls of Hertford, Bedford, Pembroke, Saliſbury, Eſſex, Holland, Warwick, Briſtol, and Berkſhire; the lord viſcount Mandevile; the lords Paget, Wharton, Dunſmire, Brook, Savile, Paulet, and Howard of Eſcrick. Clarendon, Vol. I. p. 122. Ruſhworth, Vol. III. p. 1276.

(2) York was named firſt, but the Scots refuſed to treat there, "as not ſecure for their commiſſioners, ſo long as the "earl of Strafford commanded there in chief, who had proclaimed them traitors in Ireland, before the King had done it in "England." This was the firſt public appearance of the Scots enmity againſt Strafford, and it is ſtrange it ſhould not be more regarded. Whitlock, p. 36.

(3) The Scotiſh commiſſioners were, the earl of Dunfermling, lord Loudon, ſir Patric Hephurne, ſir William Douglaſs, Mr. Smith, Mr. Wedderburn, Mr. Henderſon, Mr. Johnſton, Ruſhworth, Vol. III. p. 1282.

the ſixteenth of October, on the following preliminaries.

Preliminary articles touching the Scotiſh army. Nalſon, p. 457. Ruſhworth, Vol. III. p. 1293.

" 1. That the Scotiſh army ſhall have for a " competent maintenance, the ſum of eight hun- " dred and fifty pound per diem; and that the " payment thereof ſhall continue for two months, " in caſe the treaty ſhall ſo long laſt; which pay- " ment to be made weekly upon the Friday of " every week.

" 2. The days of the army's returning to " be numbered within the days of the allowed " maintenance.

" 3. That the Scotiſh army ſhall content them- " ſelves with the aforeſaid maintenance, and ſhall " neither moleſt Papiſts, prelates, nor their adhe- " rents, nor any other perſons of whatſoever qua- " lity.

" 4. That the inhabitants of the ſaid counties " ſhall alſo have liberty to return peaceably to " their own dwelings, and ſhall be refuſed no cour- " teſy, it being always preſuppoſed, that the fit " lodging of their army ſhall be allowed.

" 5. That the army be furniſhed with coals in " a regular way, and not at the pleaſure of the " ſoldiers.

" 6. That there be a proviſion of forage, at the " prices to be ſet down in a table, which muſt alſo " contain the particular prices of all ſorts of vic- " tuals, and other neceſſaries for the army, to be " indifferently agreed upon by perſons nominated " on both ſides.

" 7. That free trade and commerce between " both nations be reſtored, and not to be inter- " rupted, but upon the warning of three months: " but no victuals, arms, nor ammunition to be im- " ported into Newcaſtle, &c.

" 8. That victuals and other neceſſaries for the " army be free of cuſtom; and that his Majeſty's " cuſtom of coals and other ware be left free to be " levied by his own officers.

" 9. That there be a freedom to furniſh neceſ- " ſaries for both armies, and liberty to be granted " for milling, brewing, &c.

" 10. That the arrears of the contributions due " to the Scotiſh army, be completely paid to the " ſixteenth of October.

" 11. That there be a ceſſation of arms, ac- " cording to the particulars to be agreed upon.

" 12. As for ſecuring the ſum of eight hundred " and fifty pounds per diem, above ſpecified, there " is a commitee appointed, who have power to " treat with Northumberland, the biſhoprick of " Durham, Newcaſtle, and (if need require) with " Cumberland and Weſtmoreland, about the pay- " ment of it.

" 13. The lords will, before their going from " York, ſettle a commitee, who ſhall have charge " to ſee the contribution orderly raiſed and paid; " and that there ſhall likewiſe be a commitee no- " minated, to whom either the Scotiſh commiſſi- " oners, or the commitees of the country, may " weekly give account of the carriage of the bu- " ſineſs."

The treaty removed to London. Ruſhworth, Vol. III. p. 1303, 1305. Nalſon, p. 461.

The Scots had the addreſs to prolong ſigning theſe preliminaries 'till the ſixteenth of October, after which, it ſtill remained to agree on the conditions of truce. It was therefore almoſt impoſſible to enter into a diſcuſſion of the articles, which were to be the chief ſubject of the treaty, before the third of November, the day appointed for the parliament's meeting. The peers, as well thoſe at Rippon as thoſe at York, being indiſpenſibly obliged to repair to London, it would have been needleſs to begin the negociation at Rippon. Wherefore the Engliſh commiſſioners, whether of themſelves, or by the Scots ſuggeſtion, propoſed to his Majeſty the treaty's removal from Rippon to London; and King Charles was under a neceſſity of conſenting to it, tho' he plainly perceived the Scots expected to find many friends in London, and even in the parliament, as was actually the caſe. One may venture to ſay that, on occaſion of this treaty, this Prince commited three capital errors. Firſt, The King's errors. in ſummoning the parliament to meet at Weſtminſter, ſince he could not be ignorant how much the city of London was diſſatisfied with his adminiſtration, and conſequently ready to countenance ſuch reſolutions as the parliament might take againſt it; whereas, had he ſummoned the parliament to meet Nalſon, p. 461. at York, or in any other place at a diſtance from London, he would thereby have in part diſconcerted the Scots and Engliſh male-contents meaſures: of this error, he had afterwards but too much Clarendon, p. 129. cauſe to be ſenſible. Secondly, removing the treaty to London, where the Scots had their principal correſpondents. Thirdly, in taking ſo ſhort a time for the parliament's convention, ſo that he had only the month of October to conclude a peace with the Scots; a ſpace ſcarcely ſufficient to agree with them on the preliminaries and terms of the ceſſation, before the King and peers would be obliged to depart York and repair to London. Had he not been in ſuch haſte to fix the parliament's meeting to the third of November, he might have either concluded his treaty with the Scots, by granting what he could not have helped, or at leaſt left them without excuſe, had they obſtinately perſiſted in any unreaſonable demands. Whereas, not being able to finiſh the negociation at Rippon, he was forced to remove the conferences to London, a city well-affected to the Scots, and where they could, better than any where elſe, take juſt meaſures, whether with the chief inhabitants, or with their friends in the parliament. King Charles was ſufficiently convinced of theſe errors, when it was too late to retrieve them.

Not to omit in this hiſtory any thing which to me ſeems material, I thought proper to add here the earl of Briſtol's proceſs at the entrance of King Charles's reign; not being foreign to the purpoſe. Contrariwiſe, this proceſs, with the earl's anſwers, may be of great ſervice towards illuſtrating the cloſe of James I's reign, touching the negociation of Prince Charles's marriage with the Spaniſh Infanta, and reſtitution of the Palatinate. It may furniſh ſome conſiderable idea of Charles I's and the duke of Buckingham's characters. It could not be inſerted in any other place, without a too great interruption of the thread of our hiſtory.

Proceedings againſt the earl of BRISTOL.

Proceedings againſt the earl of Briſtol.

THE earl of Briſtol *, who had been embaſſador in Spain, to negociate Prince Charles's marriage with the Spaniſh Infanta, was put under confinement, at his return to England, without being once admited to approach the King's preſenſe. However, while King James lived, the duke of Buckingham, who was the cauſe of Briſtol's diſgrace, feigned a willingneſs to adjuſt his affair, if he would but anſwer ſome queſtions or objections, before commiſſioners appointed by his Majeſty.

* John Digby.

Proceedings againſt the earl of Briſtol.

Majeſty. The earl anſwered thoſe queſtions, but his reconciliation was not thereby at all advanced. On the contrary, he found himſelf much farther from it by the death of King James, and Charles I's acceſſion to the crown. Briſtol, perceiving himſelf in a very indifferent ſituation, wiſhed to come off, if poſſible, without wounding or impairing his honor. To this purpoſe, he applied to lord Conway, ſecretary of ſtate, deſiring his interceſſion for him with his Majeſty. Diverſe letters paſſed between thoſe two noblemen upon that ſubject, and finally, during King Charles's ſecond parliament, in 1626, the earl received from lord Conway what follows: viz.

My lord,

Ruſhworth, Vol. I. p. 234, &c.

"I Received a letter from your lordſhip, dated "the fourth of this month, written in anſwer "to a former letter, which I directed to your "lordſhip, by his Majeſty's commandment. This "laſt letter, according to my duty, I have ſhewed "unto his Majeſty, who hath peruſed it, and hath "commanded me to write back to you again, that "he finds himſelf nothing ſatisfied therewith. The "queſtions propounded to your lordſhip from his "Majeſty, were plain and clear; Whether you did "rather chuſe to ſit ſtill, without being queſtioned "for any errors paſſed in your negociation in Spain, "and injoy the benefit of the late gracious pardon "granted in parliament, whereof you may have "the benefit? or whether, for the clearing of your "innocency (whereof your ſelf, and your friends "and followers are ſo confident) you will be con-"tent to wave the advantage of that pardon, and "put your ſelf into a legal way of examination for "the trial thereof? His Majeſty's purpoſe thereby, "is not to prevent you of any favors the law hath "given you: but if your aſſurance be ſuch as your "words and letters import, he conceives it ſtands "not with that public and reſolute profeſſion of "your integrity to decline your trial. His Majeſty "leaves the choice to your ſelf, and requires from "you a direct anſwer, without circumlocution, or "bargaining with him for future favors before-"hand; but if you have a deſire to make uſe of "that pardon, which cannot be denied you, nor "is any way deſired to be taken from you, his Ma-"jeſty expects you ſhould at the leaſt forbear to "magnify your ſervice, and out of an opinion of "your innocency, caſt an aſperſion upon his Ma-"jeſty's juſtice, in not affording you that preſent "fulneſs of liberty and favor, which cannot be "drawn from him, but in his good time, and ac-"cording to his good pleaſure.

"Thus much I have in commandment to write "to your lordſhip, and to require your anſwer "clearly and plainly, by this meſſenger ſent on "purpoſe for it, and ſo remain,

Your lordſhips humble ſervant,

Whitehall, 24, March, 1626. Edw. Conway.

The earl of Briſtol's anſwer.

My lord,

"I Have received your letter of the twenty-"fourth of March, the twenty-eighth, and I "am infinitely grieved to underſtand, that my "former anſwer to yours of the fourth of March, "hath not ſatisfied his Majeſty, which I will in-"deavor to do in this, to the beſt of my under-"ſtanding; and, to that end, ſhall anſwer to the "particular points of your preſent letter, with the "greateſt clearneſs I am able.

"Firſt, Whereas you ſay in your letter, that the "queſtion propounded to me was plain and clear, "viz. Whether I would chuſe to ſit ſtill, without "being queſtioned for any errors paſſed in my ne-"gociation with Spain, and injoy the benefit of "the late gracious pardon, whereof I may take "the benefit? Or whether, being content to wave "the advantage of that pardon, I ſhall put my "ſelf into a legal way of examination for the trial "thereof, &c.

Proceedings againſt the earl of Briſtol.

"Firſt, Your lordſhip may be pleaſed to re-"member, your laſt propoſition was, whether I "deſired to reſt in the ſecurity I was in, which you "now expreſs, whether I will chuſe to ſit ſtill?

"Secondly, Your propoſition was, whether I "would acknowledge the gracious favor of his "Majeſty who now is, who had been pleaſed not "to queſtion my actions, when it is beſt known to "your lordſhip that, by a commiſſion of the lords, "I was queſtioned upon twenty articles, diverſe "involving felony and treaſon. Altho' it be true, "that when I had ſo anſwered, as I am confident "their lordſhips would have cleared me, I was ſo "unhappy, as their lordſhips never met more about "that buſineſs.

"But now your propoſition is, whether I will "now chuſe to ſit ſtill without being farther que-"ſtioned for errors paſſed, whereas before it was "required I ſhould acknowledge that I have not "been queſtioned at all, which is a different thing. "But confering both your letters together, and "gathering the ſenſe and meaning, by making the "latter an explanation of the former, which I "could have wiſhed your lordſhip would have more "clearly explained, I returned unto your lordſhip "this plain and direct anſwer.

"That, underſtanding by the ſecurity I am in, "and ſiting ſtill, and not being farther queſtioned, "I am reſtored to the bare freedom and liberty "of a ſubject and peer: for a man being called in "queſtion by his Majeſty, if after his Majeſty ſhall "be pleaſed, out of his goodneſs, that he reſt "quiet and ſecure, and that he ſhall not be farther "queſtioned, I conceive it is not apparent that his "liberty naturally revolveth unto him when, by "his Majeſty's grace, he is pleaſed to declare, he "ſhall not be farther queſtioned, but may live in "farther ſecurity. So that underſtanding your "letter in this ſort (for no direct anſwer can be "made, until the ſenſe of the queſtion be truly "ſtated) I do moſt humbly acknowledge and ac-"cept his Majeſty's grace and favor, and ſhall not "wave any thing that ſhall come to me by the "pardon of the 21 Jac. Regis, nor by the pardon "of his Majeſty's coronation; and am ſo far from "bargaining, as you are pleaſed to expreſs it, for "future favor (tho' I hope my humble and ſub-"miſſive courſes of petitioning his Majeſty, nei-"ther hath, nor ſhall deſerve ſo harſh an expreſ-"ſion) that I ſhall not preſume ſo much as to preſs "for any favor, until my dutiful and loyal behavior "may move his Majeſty's royal and gracious heart "thereunto, but receive with all humbleneſs this "my freedom and liberty; the which I ſhall only "make uſe of in ſuch ſort as I ſhall judge may be "moſt agreeable to his Majeſty's pleaſure.

"As for the ſecond part of your letter, wherein "you ſay, that if I deſire to make uſe of that "pardon, his Majeſty expects that I ſhould at leaſt "forbear to magnify my ſervices; or out of an "opinion of my own innocency caſt an aſperſion "upon his Majeſty's juſtice. To this point I an-"ſwer, that as I hope I ſhall never err in that ſort "of immodeſty of valuing my ſervices, which I "acknowledge to have been accompanied with in-"finite weakneſs and diſabilities; ſo I truſt it ſhall "not diſpleaſe, that I make uſe, to my own com-"fort, and the honor of my poſterity, of thoſe "many written teſtimonies which my late moſt "bleſſed maſter hath left me of his gracious ac-

"ceptance

Proceedings againſt the earl of Briſtol.

" ceptance of my ſervices for the ſpace of twenty " years. So likewiſe I hope the modeſt avowing " of my innocency will not be thought to caſt any " aſperſion upon his Majeſty's honor or juſtice. I " muſt freely confeſs unto your lordſhip, I am " much afflicted to ſee inferences of this nature " made, both in your lordſhip's laſt letter and in " this. For if it ſhall be infered as a thing re- " flecting upon the King's honor, that a man " queſtioned, ſhall not indeavor to defend his own " innocency before he be convicted; it will be im- " poſſible for any man to be ſafe; for the honor of " his Majeſty is too ſacred a thing for any ſubject, " how innocent ſoever, to conteſt againſt. So like- " wiſe, God forbid that it ſhould be brought into " conſequences (as in your former letter) as a tax " upon the government and juſtice of his late Ma- " jeſty, and his Majeſty who now is, that I ſhould " have ſuffered ſo long time, not being guilty. " For as I never have been heard ſo much as to " repine of injuſtice in their Majeſties in all my " ſufferings, ſo I well know, that the long con- " tinuance of my troubles may well be attributed " unto other cauſes, as to my own errors of paſſion, " or other accidents; for your lordſhip may well " remember, that my affairs were almoſt two years " ſince upon the point of a happy accommodation, " had it not been interrupted by the unfortunate " miſtaking of the ſpeeches I uſed to Mr. Clark.

" I ſhall conclude by intreating your lordſhip's " favor, that I may underſtand from you, as I " hope for my comfort, that this letter hath given " his Majeſty ſatisfaction; or if there ſhould yet " remain any ſcruple, that I may have a clear and " plain ſignification of the King's pleaſure, which " I ſhall obey with all humility,

Your lordſhip's humble ſervant,
BRISTOL.

Some fews days after, the earl of Briſtol, being informed that the houſe of commons were ill-affected to the duke of Buckingham, was of opinion it imported him to improve that juncture. To this end, he petitioned the upper houſe, that he, being a peer of this realm, had not received a ſummons to parliament, and deſired their lordſhips to mediate with his Majeſty, that he might injoy the liberty of a ſubject, and the privilege of his peerage, after near two years reſtraint, without being brought to a trial: and if any charge be brought in againſt him, he prayed that he might be tried by parliament.

On this petition, it was reſolved in a commitee of the peers, that a writ of ſummons might be ſent to the earl of Briſtol.

His grace of Buckingham thereupon ſignified to the houſe, that, on the earl of Briſtol's petition to the King, his Majeſty had ſent him his writ of ſummons: and withal, ſhewed their lordſhips the copy of a letter from his Majeſty to the ſaid earl, viz.

" We have received your letter addreſſed unto " us by Buckingham, and cannot but wonder that " you ſhould, thro' forgetfulneſs, make requeſt to " us of favor, as if you ſtood evenly capable of it, " when you know what your behavior in Spain de- " ſerved of us, which you are to examine by the " obſervations we made, and know you well re- " member; how, at our firſt coming into Spain, " taking upon you to be ſo wiſe as to foreſee our " intention to change our religion, you were ſo far " from diſſuading us, that you offered your advice " and ſecreſy to concur in it; and in many other " conferences preſſing to ſhew how convenient it " was to be a Roman Catholic; it being impoſſible " in your opinion, to do any great action otherwiſe: " and how much wrong, diſadvantage, and diſ- " ſervice you did to the treaty, and to the right " and intereſt of our dear brother and ſiſter, and " their children; what diſadvantage, inconvenience, " and hazard you intangled us in by your artifices, " puting off and delaying our return home; the " great eſtimation you made of that ſtate, and the " low price you ſet this kingdom at; ſtill main- " taining that we, under color of friendſhip to " Spain, did what was in our power againſt them, " which they ſaid, you very well know: and laſt " of all, your approving of thoſe conditions, that " our nephew ſhould be brought up in the Em- " peror's court, to which ſir Walter Aſhton then " ſaid, that he durſt not give his conſent for fear of " his head: you replying unto him, that, without " ſome ſuch great action, neither marriage nor " peace could be had."

Proceedings againſt the earl of Briſtol.

The lord-keeper to the earl of Briſtol.

My very good lord,

" BY his Majeſty's commandment, I herewith " ſend unto your lordſhip your writ of ſum- " mons for the parliament; but withal to ſignify " his Majeſty's pleaſure herein farther, that how- " ſoever he gives way to the awarding of the writ, " yet his meaning is thereby, not to diſcharge any " former directions for reſtraint of your lordſhip's " coming hither, but that you continue under the " ſame reſtriction as you did before; ſo as your " lordſhip's perſonal attendance is to be forborne, " and therein I doubt not but your lordſhip will " readily give his Majeſty ſatisfaction. And ſo I " commend my ſervice very heartily unto your " lordſhip, and remain,

Your lordſhip's aſſured friend and ſervant,

Dorſet Court, March 31, 1626. Tho. Coventry, C. S.

The earl of Briſtol's anſwer to the lord-keeper.

May it pleaſe your lordſhip,

" I Have received your lordſhip's letter, of the " thirty-firſt of March, and with it his Ma- " jeſty's writ of ſummons for the parliament. In " the one his Majeſty commandeth me that, all " excuſes ſet aſide, upon my faith and allegiance, " I fail not to come and attend his Majeſty; and " this under the great ſeal of England. In the other, " as in a letter miſſive, his Majeſty's pleaſure is in- " timated by your lordſhip, that my perſonal at- " tendance ſhould be forborne: I muſt crave leave " ingenuouſly to confeſs unto your lordſhip, that I " want judgment rightly to direct myſelf in this " caſe; as likewiſe that I am ignorant how far this " may trench upon the privileges of the peers of " this land, and upon mine and their ſafety here- " after: for if the writ be not obeyed, the law " calleth it a miſpriſion, and highly fineable, " whereof we have had late examples; and a " miſſive letter, being avowed or not, is to be " doubted would not be adjudged a ſufficient diſ- " charge againſt the great ſeal of England. On " the other ſide, if the letter be not obeyed, a " peer may, 'de facto,' be commited upon a " contempt, in the interim, and the queſtion cleared " afterwards; ſo that in this caſe it is above my " abilities. I can only anſwer your lordſhip, that " I will moſt exactly obey; and to the end I may " underſtand which obedience will be, in all kinds, " moſt ſuitable to my duty, I will preſently re- " pair to my private lodging at London, and " there remain until in this, and other cauſes, I " ſhall have petitioned his Majeſty, and underſtand " his farther pleaſure. For the ſecond part of your " lordſhip's letter, where your lordſhip ſaith, 'That " his Majeſty's meaning is not thereby to diſcharge " any former directions, for reſtraint of your lord- " ſhip's coming hither, but that you continue under

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Proceedings againſt the earl of Briſtol.

" the ſame reſtriction as before ; ſo that your lord-
" ſhip's perſonal attendance here is to be forborne :'
" I conceive your lordſhip intendeth this touching
" my coming to parliament only , for as touching
" my coming to London, I never had at any time
" one word of prohibition, or colorable pretenſe
" of reſtraint ; but, on the contrary, having his
" late Majeſty's expreſs leave to come to London,
" to follow my affairs, out of my reſpect to his
" Majeſty, then Prince, and to the duke of Buck-
" ingham, I forbore to come until I might know,
" whether my coming would not be diſagreeable
" unto them. Whereunto his Majeſty was pleaſed
" to anſwer, both under the hand of the duke, and
" Mr. ſecretary Conway, that he took my reſpect
" unto him herein in very good part, and would
" wiſh me to make uſe of the leave the King had
" given me. Since which time I never received
" any letter or meſſage of reſtraint ; only his Ma-
" jeſty, by his letter bearing date June the laſt,
" commandeth me to remain as I was in the
" time of the King his father, which was with
" liberty to come to London to follow my own
" affairs as I pleaſed, as will appear unto your
" lordſhip, if you will afford me ſo much favor as
" to peruſe them. I have writ thus much unto
" your lordſhip, becauſe I would not, thro' miſ-
" underſtanding, fall into diſpleaſure by my coming
" up, and to intreat your lordſhip to inform his
" Majeſty thereof : and that my lord Conway, by
" whoſe warrant I was only reſtrained in the late
" King's time, of famous memory, may produce
" any one word which may have ſo much as any
" colorable pretenſe of debaring my coming up to
" London. I beſeech your lordſhip to pardon my
" deſire to have things clearly underſtood ; for the
" want of that formerly hath cauſed all my troubles ;
" and when any thing is miſinformed concerning
" me, I have little or no means to clear it ; ſo that
" my chief labor is to avoid miſunderſtanding. I
" ſhall conclude with beſeeching your lordſhip to
" do me this favor, to let his Majeſty underſtand,
" that my coming up is only rightly to underſtand
" his pleaſure, whereunto I ſhall in all things moſt
" dutifully and humbly conform myſelf. And ſo,
" with my humble ſervice to your lordſhip, I
" recommend you to God's holy protection, and
" remain,

Your lordſhip's moſt humble ſervant,

Sherborn, April 12, 1626. BRISTOL.

The earl of Briſtol's ſecond petition preſented to the houſe of lords, April 19, 1626.

The humble petition of John earl of Briſtol,

Humbly ſhewing unto your lordſhips,

" THAT he hath lately received his writ of
" parliament, for which he returneth unto
" your lordſhips moſt humble thanks, but jointly
" with it a letter from my lord-keeper, com-
" manding him, in his Majeſty's name, to forbear
" his perſonal attendance ; and altho' he ſhall ever
" obey the leaſt intimation of his Majeſty's pleaſure,
" yet he moſt humbly offereth unto your lordſhips
" wiſe conſiderations, as too high a point for him,
" how far this may trench upon the liberty and
" ſafety of the peers, and the authority of their
" letters patent, to be in this ſort diſcharged by a
" letter miſſive of any ſubject, without the King's
" hand ; and, for your lordſhips due information,
" he hath annexed a copy of the ſaid lord-keeper's
" letter, and his anſwer thereunto.

" He farther humbly petitioneth your lordſhips,
" that having been, for the ſpace of two years,
" highly wronged in point of his liberty, and of
" his honor, by many ſiniſter aſperſions which have
" been caſt upon him, without being permited to
" anſwer for himſelf ; which hath been done by
" the power and induſtry of the duke of Bucking-
" ham, to keep him from the preſenſe of his
" Majeſty and the parliament, leſt he ſhould diſ-
" cover many crimes concerning the ſaid duke.

" He therefore moſt humbly beſeecheth, that he
" may be heard both in the point of his wrong,
" and of his accuſation of the ſaid duke ; wherein
" he will make it appear, how infinitely the ſaid
" duke hath both abuſed their Majeſties, the ſtate,
" and both houſes of parliament. And this he is
" moſt confident will not be denied, ſince the court
" of parliament never refuſeth to hear the pooreſt
" ſubject ſeeking for redreſs of wrongs, nor the
" accuſation againſt any, be he ever ſo powerful :
" and herein he beſeecheth your lordſhips to me-
" diate to his Majeſty, for the ſuppliant's coming
" to the houſe, in ſuch ſort as you ſhall think fiting ;
" aſſuring his Majeſty, that all he ſhall ſay, ſhall
" not only tend to the ſervice of his Majeſty and
" the ſtate, but highly to the honor of his Ma-
" jeſty's royal perſon, and of his princely virtues :
" and your ſuppliant ſhall ever pray for your lord-
" ſhips proſperity."

Proceedings againſt the earl of Briſtol.

The lord-keeper thereupon delivered to the houſe of peers this meſſage from his Majeſty.

" That his Majeſty hath heard of a petition,
" preſered unto this houſe by the earl of Briſtol, ſo
" void of duty and reſpects to his Majeſty, that
" he hath great cauſe to puniſh him : that he hath
" alſo heard with what duty and reſpectfulneſs to
" his Majeſty their lordſhips have proceeded there-
" in, which his Majeſty conceiveth to have been
" upon the knowledge they have, that he hath
" been reſtrained for matters of ſtate ; and his
" Majeſty doth therefore give their lordſhips thanks
" for the ſame, and is reſolved to put the cauſe
" upon the honor and juſtice of their lordſhips
" and this houſe. And thereupon his Majeſty
" commanded him (the lord-keeper) to ſignify to
" their lordſhips his royal pleaſure, that the earl
" of Briſtol be ſent for as a delinquent, to anſwer
" in this houſe his offenſes, commited in his nego-
" ciations before his Majeſty's being in Spain, and
" his offenſes ſince his Majeſty's coming from Spain,
" and his ſcandaliſing the duke of Buckingham im-
" mediately, and by reflection his Majeſty, with
" whoſe privity, and by whoſe directions the duke
" did guide his actions, and without which he did
" nothing. All which his Majeſty will cauſe to
" be charged againſt him before their lordſhips in
" this houſe.

Their lordſhips appointed a commitee to attend his Majeſty, and to tender him their humble thanks for the truſt and confidence he had placed in the honor and juſtice of their houſe.

Monday, May the firſt, the gentleman-uſher brought the earl of Briſtol to the bar, according to their lordſhips order ; and the lord-keeper acquainted him, that the King had commanded his attorney-general to charge the earl of Briſtol, before their lordſhips, with high-treaſon, and other offenſes and miſdemeanors of a very high nature, that they might proceed in a legal courſe againſt him, according to the juſtice and uſual proceedings of parliament.

Articles of accuſation againſt the earl of Briſtol, preſented to the upper-houſe by the King's attorney-general.

I. Offenſes done and commited by the earl of Briſtol, before his Majeſty's going into Spain, when he was Prince.

I. THAT the ſaid earl, being truſted and im-
ployed by the ſaid late King, as his em-
baſſador to Ferdinando, then and now Emperor of Germany,

Proceedings against the earl of Briſtol.

Germany, and to Philip IV, then and now King of Spain, in Annis 1621, 22, 23: and having commiſſion, and particular and ſpecial direction, to treat with the ſaid Emperor and King of Spain, for the plenary reſtoring ſuch parts of the dominions, territories and poſſeſſions of the count Palatine of Rhine, who married with the moſt excellent lady Elizabeth, his now royal conſort, the only daughter of the ſaid late King James; which were then wrongfully and in hoſtile manner taken, and poſſeſſed with and by the armies of the ſaid Emperor and King of Spain, or any other; and for the preſerving and keeping ſuch other parts thereof as were not yet loſt, but were then in the protection of the ſaid late King James, and to the uſe of the ſaid count Palatine and his children: and alſo to treat with the ſaid King of Spain for a marriage to be had between the moſt high and excellent Prince Charles, then Prince of Wales, the only ſon and heir-apparent of the ſaid King James, and now our moſt Sovereign Lord, and the moſt illuſtrious lady Dona Maria, Infanta of Spain, ſiſter to the now King of Spain: he the ſaid earl, contrary to his duty and allegiance, and contrary to the truſt and duty of an embaſſador, at Madrid in the kingdom of Spain, to advance and farther the deſigns of the ſaid King of Spain againſt our ſaid Sovereign Lord, his children, friends and allies, falſely, willingly and traiterouſly, and as a traitor to our late Sovereign Lord the King, by ſundry letters and other meſſages ſent by the ſaid earl from Madrid, in the year aforeſaid, to King James and his miniſters of ſtate of England, did confidently and reſolutely inform, adviſe and aſſure the ſaid late King, that the ſaid Emperor and King of Spain would really, fully and effectually make reſtitution and plenary reſtoration to the ſaid count Palatine, and his children, of the ſaid dominions, territories and poſſeſſions of the ſaid count Palatine, and of the ſaid electoral dignity: and that the ſaid King of Spain did really, fully and effectually intend the ſaid marriage between the ſaid lady his ſiſter and the ſaid Prince, our now Sovereign Lord, according to articles formerly propounded between the ſaid Kings; whereas, in truth, the ſaid Emperor and King of Spain, or either of them, never really intended ſuch reſtitution as aforeſaid: and whereas the ſaid King of Spain never really intended the marriage according to thoſe articles propounded, but the ſaid Emperor and King of Spain intended only, by thoſe treaties, to gain time to compaſs their own ends and purpoſes, to the detriment of this kingdom (of all which the ſaid earl of Briſtol neither was nor could be ignorant) the ſaid late King James, by entertaining thoſe treaties, and continuing them upon thoſe falſe aſſurances given him by the ſaid earl, as aforeſaid, was made ſecure, and loſt the opportunity of time, and thereby the ſaid dominions, territories and poſſeſſions of the ſaid count Palatine, and the electoral dignity become utterly loſt; and ſome parts thereof were taken out of the actual poſſeſſion of the ſaid King James, unto whoſe protection and ſafe-keeping they were put, and commited to the ſaid count Palatine; and the moſt excellent lady Elizabeth his wife, and their children, are now utterly diſpoſſeſſed and bereaved thereof, to the high diſhonor of our ſaid late Sovereign Lord King James, to the diſheriſon of the ſaid late King's children, and their poſterity, of their ancient patrimony, and to the diſadvantage and diſcouraging of the other Princes of Germany, and other Kings and Princes in amity and league with his Majeſty.

II. That the ſaid earl of Briſtol, being embaſſador for his late Majeſty King James, as aforeſaid, 'in Annis ſupradictis,' and having received perfect, plain and particular inſtructions and directions from his ſaid late Majeſty, that he ſhould put the King of Spain to a ſpeedy and punctual anſwer, touching the treaties aforeſaid: and the ſaid earl, well underſtanding the effect of thoſe inſtructions and directions ſo given unto him, and taking preciſe knowledge thereof, and alſo knowing how much it concerned his late Majeſty in honor and ſafety (as his great affairs then ſtood) to put theſe treaties to a ſpeedy concluſion, yet nevertheleſs, he, the ſaid earl, falſely, willingly and traiterouſly, contrary to his allegiance, and contrary to the truſt and duty of an embaſſador, continued thoſe treaties upon generalities, without effectual preſſing the ſaid King of Spain to particular concluſions, according to his Majeſty's directions as aforeſaid; and ſo the ſaid earl intended to have continued the ſaid treaties upon generalities, and without reducing them to certainties and to direct concluſions, to the high diſhonor of his ſaid late Majeſty, and to the extreme danger and detriment of his Majeſty's perſon, his crown and dominions, confederates and allies.

Proceedings againſt the earl of Briſtol.

III. That the ſaid earl of Briſtol, being embaſſador for his ſaid late Majeſty as aforeſaid, in the years aforeſaid, to the intent to diſcourage the ſaid late King James for the taking up arms, entering into hoſtility with the ſaid King of Spain, and for reſiſting him and his forces from attempting the invaſion of his ſaid late Majeſty's dominions, and the dominions of his ſaid late Majeſty's confederates, friends and allies, the ſaid King of Spain, having long thirſted after univerſal monarchy in theſe weſtern parts of the world, hath many times, both by words and letters to the ſaid late King and his miniſters, extolled and magnified the greatneſs and power of the ſaid King of Spain, and repreſented to his ſaid late Majeſty the ſuppoſed dangers which would inſue unto him, if a war ſhould happen between them; and affirmed, and inſinuated unto his ſaid late Majeſty, that if ſuch a war ſhould inſue, his ſaid late Majeſty, during the reſt of his life, muſt expect neither to hunt, nor hawk, nor eat his meat in quiet: whereby the ſaid earl of Briſtol did cunningly and traiterouſly ſtrive to retard the reſolutions of the ſaid late King to declare himſelf an enemy to the ſaid King of Spain, (who, under color of treaties and alliances, had ſo much abuſed him) and to reſiſt his arms and forces, to the loſs of opportunity of time, which cannot be recalled, or regained, and to the extreme danger, diſhonor and detriment of this kingdom.

IV. The ſaid earl of Briſtol, upon his diſpatch out of this realm of England, in his embaſſage aforeſaid, having communicated with diverſe perſons of London, within this realm of England, before his going into Spain, in and about his embaſſage concerning the ſaid treaty, for the negociation whereof the ſaid earl purpoſely was ſent; and he the ſaid earl being then told, there was little probability, that theſe treaties would or could have any good ſucceſs, he the ſaid earl acknowledged as much; and yet nevertheleſs, contrary to his duty and allegiance, and to the faith and truth of an embaſſador, he the ſaid earl ſaid and affirmed, that he cared not what the ſucceſs thereof would be, for he would take care to have his inſtructions, and purſue them punctually; and howſoever the buſineſs went, he would make his fortune thereby; or uſed words at that time to ſuch effect; whereby it plainly appeareth, that the ſaid earl, from the begining herein, intended not the ſervice or honor of his late Majeſty, but his own corrupt and ſiniſter ends, and for his own advancement.

V. That, from the begining of his negociation, and throughout the whole management thereof by the ſaid earl of Briſtol, and during his ſaid embaſſage, he the ſaid earl, contrary to his faith and duty to God, the true religion profeſſed by the church

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church of England, and the peace of this church and ſtate, did intend and reſolve, that if the ſaid marriage ſo treated of as aforeſaid ſhould, by his miniſtry, be effected, that thereby the Romiſh religion and profeſſors thereof ſhould be advanced within this realm, and other his Majeſty's realms and dominions, and the true religion and profeſſors thereof diſcouraged and diſcountenanced. And, to that end and purpoſe, the ſaid earl, during the time aforeſaid, by letters unto his late Majeſty, and otherwiſe, often counſelled and perſuaded his ſaid late Majeſty to ſet at liberty the Jeſuits and Prieſts of the Romiſh religion, who, according to the good, religious and public laws of this kingdom, were impriſoned or reſtrained, and to grant and allow to the Papiſts and profeſſors of the Romiſh religion free toleration, and ſilencing all the laws made, and ſtanding in force againſt them.

VI. That, by the falſe informations and intelligence of the ſaid earl of Briſtol, during the time aforeſaid, unto his ſaid late Majeſty, and to his Majeſty who now is (being then Prince) concerning the ſaid treaties, and by the aſſurances aforeſaid given by the ſaid earl, his ſaid late Majeſty, and the Prince, his now Majeſty, being put in hopes, and by the ſaid long delay uſed, without producing any effect, their Majeſties being put into jealouſies, and juſt ſuſpicion, that there was no ſuch ſincerity uſed towards them as they expected, and, with ſo many anſwers from the earl, had on their part been undertaken, the ſaid Prince, our now gracious Sovereign, was inforced, out of his love to his country, to his allies, friends and confederates, and to the peace of Chriſtendom, who all ſuffered by thoſe intolerable delays, in his own perſon to undertake his long and dangerous journey into Spain, that thereby he might either ſpeedily conclude thoſe treaties, or perfectly diſcover that, on the Emperor's and King of Spain's part, there was no true and real intention to bring the ſame to concluſion, upon any fit and honorable terms and conditions, and did abſolutely and ſpeedily break them off: by which journey, the perſon of the ſaid Prince, being then heir-apparent to the crown of this realm, and in his perſon the peace and ſafety of this kingdom, did undergo ſuch apparent and ſuch inevitable danger, as at the very remembrance thereof the hearts of all good ſubjects do even tremble.

II. Offenſes done and commited by the ſaid earl, during the time of the Prince's being in Spain.

VII. THAT, at the Prince's coming into Spain, during the time aforeſaid, the earl of Briſtol, cunningly, falſely and traiterouſly moved and perſuaded the Prince, being then in the power of a foreign King of the Romiſh faith, to change his religion, which was done in this manner. At the Prince's firſt coming to the ſaid earl, he aſked the Prince, for what he came thither? The Prince at firſt, not conceiving the earl's meaning, anſwered, you know as well as I. The earl replied, Sir, ſervants can never ſerve their maſters induſtriouſly, altho' they may do it faithfully, unleſs they know their meanings fully: give me leave therefore to tell you, what they ſay, in the town, is the cauſe of your coming; that you mean to change your religion, and to declare it here, and yet cunningly to diſguiſe it. The earl added farther; Sir, I do not ſpeak this, that I will perſuade you to do it, or that I will promiſe you to follow your example, tho' you will do it; but, as your faithful ſervant, if you will truſt me with ſo great a ſecret, I will indeavor to carry it the diſcreeteſt way I can. The Prince, being moved at this unexpected motion, again ſaid unto him; I wonder what you have ever found in me, that you ſhould conceive I would be ſo baſe and unworthy as, for a wife, to change my religion. The ſaid earl replying, he deſired the Prince to pardon him, if he had offended it was but out of his deſire to ſerve him. Which perſuaſions of the ſaid earl were the more dangerous, becauſe the more ſubtil; whereas it had been the duty of a faithful ſervant to God and his maſter, if he had found the Prince ſtaggering in his religion, to have prevented ſo great an error, and to have perſuaded againſt it, ſo to have avoided the dangerous conſequence thereof to the true religion, and to the ſtate, if ſuch a thing ſhould have happened.

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VIII. That afterwards, during the Prince's being in Spain, the ſaid earl, having conference with the ſaid Prince about the Romiſh religion, he indeavored falſely and traiterouſly to perſuade the Prince to change his religion, and to become a Roman Catholic, and to become obedient to the uſurped authority of the Pope of Rome: and, to that end and purpoſe, the ſaid earl traiterouſly uſed theſe words unto the ſaid Prince, that the ſtate of England never did any great thing but when they were under the obedience of the Pope of Rome: and that it was impoſſible they could do any thing of note otherwiſe.

IX. That, during the time of the Prince's being in Spain, the Prince conſulting and adviſing with the ſaid earl, and others, about a new offer made by the King of Spain, touching the Palatine's eldeſt ſon, to marry with the Emperor's daughter, but then he muſt be bred up in the Emperor's court; the ſaid earl delivered his opinion, that the propoſition was reaſonable; whereat when ſir Walter Aſton, then preſent, falling into ſome paſſion, ſaid, that he durſt not for his head conſent to it; the earl of Briſtol replied, that he ſaw no ſuch great inconvenience in it; for that he might be bred up in the Emperor's court in our religion. But when the extreme danger, and, in a manner, the impoſſibility thereof was preſſed unto the ſaid earl, he ſaid again, that, without ſome great action, the peace of Chriſtendom would never be had; which was ſo dangerous and ſo deſperate a counſel, that one near the crown of England ſhould be poiſoned in his religion, and become an unfriend to our ſtate, that the conſequences thereof, both for the preſent and future times, were infinitely dangerous; and yet hereunto did his diſaffection to our religion, the blindneſs in his judgment, miſled by his ſiniſter reſpects, and the too much regard he had to the houſe of Auſtria lead him.

III. Offenſes done and commited by the ſaid earl, after the Prince's coming from Spain.

X. THAT when the Prince had clearly found himſelf and his father deluded in theſe treaties, and hereupon reſolved to return from the court of Spain; yet becauſe it behoved him to part freely, he left the powers of the deſponſories with the earl of Briſtol, to be delivered upon the return of the diſpenſation from Rome, which the King of Spain inſiſted upon; and without which, as he pretended, he would not conclude the marriage. The Prince, foreſeeing and fearing leſt, after the deſponſories, the Infanta, who ſhould then be his wife, might be put into a monaſtery, wrote a letter back to the ſaid earl from Segovia, thereby commanding him not to make uſe of the ſaid powers, until he could give him aſſurance, that a monaſtery ſhould not rob him of his wife; which letter the ſaid earl received, and with ſpeed returned anſwer thereto in England, perſuading againſt this direction, yet promiſing obedience thereunto. Shortly after which the Prince ſent another letter to the ſaid earl into Spain, diſcharging him of his father's command. But his late Majeſty, by the ſame meſſenger, ſent him

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him a more expreſs direction, not to diſpatch the deſponſories, until a full concluſion was had of the other treaty of the Palatinate with this of the marriage; for his Majeſty ſaid, That he would not have one daughter to laugh, and leave the other daughter weeping. In which diſpatch, altho' there were ſome miſtaking, yet in the next following the ſame was corrected, and the earl of Briſtol tied to the ſame reſtriction, which himſelf confeſſed in one of his diſpatches afterwards, and promiſed to obey punctually the King's command therein; yet nevertheleſs, contrary to his duty and allegiance, in another letter ſent immediately after, he declared, That he had ſet a day for the deſponſories, without any aſſurance, or ſo much as treating of thoſe things which were commanded to him as reſtrictions; and that ſo ſhort a day, that if extraordinary diligence, with good ſucceſs in the journey, had not concurred, the Prince's hands might have been bound up; and yet he neither ſure of a wife, nor any aſſurance given of the temporal articles. All which, in his high preſumption, he adventured to do, being an expreſs breach of his inſtructions; and, if the ſame had not been prevented by his late Majeſty's vigilancy, it might have turned to the infinite diſhonor and prejudice of his Majeſty.

XI. Laſtly, That he hath offended in a high and contemptuous manner, in prefering a ſcandalous petition to this honorable houſe, to the diſhonor of his Majeſty of bleſſed memory deceaſed, and of his ſacred Majeſty who now is, which are no way ſufferable in a ſubject towards his Sovereign; and in one article of that petition ſpecially, wherein he gives his now Majeſty the lie, in denying and offering to falſify that relation which his Majeſty affirmed, and thereunto added many things of his own remembrance to both houſes of parliament.

* Robert Heath.

* The King's attorney-general.

The earl of Briſtol, on the attorney-general's accuſing him of high-treaſon, returned this anſwer: viz.

"That he had exhibited his petition to the "houſe, April nineteen, that he might come up "and be heard in his accuſation of the duke of "Buckingham, and that thereupon he, being a "peer of this realm, is now charged with treaſon: "that he had heretofore informed the late King "of the duke's unfaithful ſervice, and thereupon "the duke labored that he might be ſhut up in "the Tower, preſently upon his return out of "Spain: that he importuned the late King, that "he might be heard before himſelf, and his Ma"jeſty promiſed it, "I pray God (ſaid he) that "the promiſe did him no hurt, for he died ſhortly "after." And for the King's promiſe, he vouched "the lord-chamberlain for a witneſs; and he de"ſired the lords to take notice, that their houſe "was poſſeſſed already of his ſaid petition, and of "his accuſation of the ſaid duke; and therefore "deſired firſt, that they would receive his charge "againſt the duke and lord Conway, and not to "invalidate his teſtimony againſt him by the King's "charge againſt him; and that he might not be "impeached 'till his charge, of ſo high a nature, "be firſt heard.

So he tendered to the houſe the articles againſt Buckingham, which the clerk received, and he withdrew: his petition, exhibited the nineteenth of April, was read; and the lords reſolved upon the queſtion, that the ſaid earl's charge againſt the duke of Buckingham and lord Conway ſhould be read inſtantly.

Briſtol being ſoon after again called in to the bar of the lords houſe, concerning his articles againſt Buckingham, expreſſed himſelf to the following purport: Proceedings againſt the earl of Briſtol.

Firſt, He craved pardon of their lordſhips for his earneſt ſpeeches the other day, confeſſing them to have been in paſſion, ſaying, unexpected accuſation of treaſon would warm any honeſt heart, but would hereafter amend it. Then he returned their lordſhips humble thanks for their manner of proceeding againſt him; and deſired to know, from Mr. Attorney, whether that was his whole charge or not. Mr. Attorney replied; he had commandment to open no more againſt him; peradventure, upon opening the charge, ſome particulars might ariſe, and be urged, but no new matter ſhould.

Then the earl deſired to know of Mr. Attorney, who was the relator to his charge, and that he might underſtand who was his accuſer. Mr. Attorney ſaid, That the King himſelf, out of his own mouth, had given him directions for his own relation againſt him, and corrected many things which were added. Hereunto the earl ſaid, he would not conteſt with his Majeſty, neither did it beſeem him ſo to do; neither eſteemed he his life or his fortunes ſo much as to ſave them by conteſting with his Sovereign; and therefore would make no reply, were it not that his religion and honor were jointly queſtioned with his life; but that being to deſcend to his poſterity, for their ſakes he was a moſt humble ſuitor to his Majeſty, that he would not take indignation at his own juſt defenſe, yet would he be ready to make any humble ſubmiſſion to his Majeſty; and heartily deſired ſome means might be made, that he might make it perſonally to himſelf, wherein he would ſubmit himſelf moſt willingly to ſome ſuch act of humiliation and ſubmiſſion (not wronging his innocency) as never ſubject did towards his Sovereign: and alſo that his Majeſty would be pleaſed to ſet himſelf in his throne of juſtice, and declare out of his royal juſtice, that he would have the duke and him upon equal terms, and that neither of their cauſes ſhould be advanced before the other's.

Theſe were his humble petitions, which he beſought their lordſhips to preſent unto his Majeſty, and to take it into their conſiderations, of how dangerous a conſequence it would be, if the King ſhould be accuſer, judge, witneſs, and ſhould have the confiſcation. As touching the charge againſt him, he ſaid, He had once anſwered it all, except that of his petition; and he doubted not but to clear himſelf, before their lordſhips, of every particular thereof: that he expected not to have heard of this again, having once anſwered it: he rather expected to have been charged with ſome practiſe with Spain againſt the ſtate; or the receipt of ten or twenty thouſand pounds, for the perſuading and procuring of the delivery up of ſome town, of which the crown was in poſſeſſion, as might be the town of Fluſhing, the Brill, or the like; or for being the means of lending the King's ſhips to a foreign nation, and that againſt thoſe of our own religion; or for revealing his Majeſty's higheſt ſecrets, which none above two or three dares know; or for treating the greateſt affairs (1), as it were by his own authority, without formal inſtructions in the points; for having taken rewards, or been corrupted by a foreign Prince; or to have broken his inſtructions in any eccleſiaſtical point; or, as the law calleth it, to have commited an overt-act of diſloyalty; and not to be charged, after ſeven embaſſages, with diſcourſes and inferences.

(1) Of all this the public voice loudly accuſed Buckingham. Rapin.

Then

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Then he deſired their lordſhips he might have a copy of his charge in writing, time allowed him for his anſwer, and counſel aſſigned him to plead his cauſe; and ſaid, there was a great difference between the duke of Buckingham and him; for the duke was accuſed of treaſon only, and yet at large, and in the King's favor, and he, being accuſed but of that which he had long ſince anſwered, was a priſoner: and therefore he moved, that they might be put in equal condition.

And as touching lord Conway, inaſmuch as he had given in articles againſt him, he deſired his lordſhip, he might not meddle in that particular buſineſs, or uſe the King's name againſt him, ex officio: he alſo beſought their lordſhips to be ſuitors to his Majeſty on his behalf, that all the particular diſpatches of his own embaſſages, and ſir Walter Aſton's, might be brought thither, and that he might make uſe of them for his defenſe, as his evidence. Then he requeſted their lordſhips, not to think it tedious for him to proceed, and lay open his caſe unto them; which being granted, he ſaid thus.

That he had the honor to ſerve the late King his maſter, of happy memory, for the ſpace of twenty years, and a long time as a counſellor, and in ſeven foreign embaſſages; in all which time, in point of his negociation, he had never received one check or rebuke, 'till the duke of Buckingham's return from Spain; and therefore he would thence begin his preſent narration.

The very day his Majeſty departed from Spain, he was pleaſed to tell him, that he had no ways offended him, but did him the honor to truſt him with the cuſtody of the powers for his marriage; and, after his return into England, wrote unto him ſome letters, which did in no kind expreſs any diſtruſt or diſpleaſure againſt him. About the ſame time, he wrote to his Majeſty ſeveral letters, as in duty he was bound, not for any earthly reſpect whatſoever, to conceal from him the true eſtate of his affairs; in which letters he ſet down, truly and honeſtly, that he conceived the diſtaſtes grown there between the King of Spain and his miniſters, and the duke of Buckingham, would diſorder and utterly overthrow all his affairs, if his wiſdom prevented it not; 'hinc illæ lachrymæ:' the duke of Buckingham got a ſight and knowledge of thoſe letters; and fearing leſt the earl, at his return, ſhould diſcover to his ſaid late Majeſty his practiſes and miſdemeanors in Spain, he reſolved, that his acceſs to the King was no ways to be admited, and therefore labored and indeavored, that he might be commited to the Tower preſently upon his arrival; and conceiving that the lord marquis Hamilton, in regard of his friendſhip with the earl, and the alliance which was then intended between them, might oppoſe his courſe, he earneſtly preſſed him therein, and moved him to deal with my lord chamberlain to the ſame purpoſe, vowing, that there was no hurt intended the earl, but only he feared that, if he ſhould be admited to the King, he would croſs and diſturb the courſe of affairs. But they were ſo honorable, that neither of them would condeſcend thereunto; and ſo that intention of his took no effect.

This deſign of the duke not taking, he fell upon other things, indeed to have frightened the earl out of his country and honor; and thereupon laid ſome great and ſiniſter aſperſions upon him in both houſes of parliament, thinking thereby to have terrified him, that he ſhould not return, ſaying, that if he kept not himſelf where he was, and laid hold on thoſe great offers which he heard were made him in Spain, it would be worſe with him.

" Here Briſtol requeſted the lord chamberlain, " that he would be pleaſed, upon his honor, to " deliver what he knew of the matter. Where- Proceedings againſt the earl of Briſtol.
" upon the lord chamberlain atteſted the truth of " what the earl had ſaid concerning the duke of " Buckingham, marquis Hamilton, and himſelf.

Then the earl of Briſtol proceeded and ſaid, that the knowledge of theſe aſperſions, caſt upon him in the parliament, came firſt to him at Bourdeaux in France, where he was coming home at leiſure, in the company of his wife and family, having formerly ſent a poſt on purpoſe to lord Conway, to know if his ſpeedy return would be any way uſeful to his Majeſty's ſervice: who anſwered him, that he might very well return at leiſure with his family. And in the mean time, he was fallen upon by the duke of Buckingham in parliament, in ſuch ſort as your lordſhips well remember, of whoſe declaration, he ſaid, he would boldly affirm to their lordſhips, that there was ſcarce any one thing concerning him in it which was not contrary to, or different from the truth.

From Bourdeaux the earl took poſt, making haſte, for that he hoped to clear his honor in parliament before it ſhould break up; and being arrived at Calais, he ſent over to have one of the King's ſhips, for which there was public order given: but altho' both wind and weather were as fair as could be, and the King's ſhips lay at Boulogne, having carried over count Mansfield, and might every day within three hours have been with him, yet the ſhip came not in eight days expectance; ſo that the earl, fearing the parliament would be diſſolved, was inforced to paſs the ſea in a boat with ſix oars, as he did, having with him thirty or forty thouſand pounds-worth of the King's jewels.

Upon his landing at Dover, hoping that if his arreſt ſhould have been defered 'till his coming to London, he might have got directly to the King's preſenſe, which the duke reſolved was by no means to be admited; the earl was there, by a letter of lord Conway's, delivered him by a ſervant of his, in his Majeſty's name, commanded to retire himſelf to his houſe, and not to come to the court, or the King's preſenſe, until he ſhould have anſwered to certain queſtions, which his Majeſty would appoint ſome of the lords of the council to aſk him. Hereupon he ſent preſently to his Majeſty, who ſent him word, that his reſtraint was neither for any ill meaning to him, nor that it ſhould laſt long, but was intended for his good, to keep the parliament from falling violently upon him. And the ſame reaſon the duke alledged to ſome of his friends; and all thoſe his troubles, which have followed upon his firſt reſtraint, have been procured by the duke's art, under color of favor. But the earl, having received his meſſage from the King, became a moſt humble ſuitor to his Majeſty, that he would expoſe him to the parliament; for that if he had not ſerved him honeſtly in all things, he deſerved no favor, but to be proceeded againſt with all ſeverity. And in this particular he preſſed the King, as far as could ſtand with duty and good manners; but received anſwer from his Majeſty, that there ſhould but few more days paſs, before he would put an end to his affairs. And about this time the parliament was diſſolved.

He ſtill continued his ſollicitation to be admited to the King's preſenſe, who ſent him word, and confirmed it by oath, that as ſoon as he ſhould have anſwered the queſtions which the commiſſioners were to propound to him, he would both ſee him and hear him, and wondered that he ſhould ſo much doubt thereof. He then ſollicited with all earneſtneſs to have the queſtions ſent him, which was promiſed ſhould be within few days. In the interim, his Majeſty, being deſirous that the buſineſs ſhould have been accommodated, ſent ſecretly to him, by a gentleman (who is ready to depoſe it) this meſſage;

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"That he ſhould write a fair letter to the duke, "and leave the reſt to him." Hereupon the duke ſent a gentleman (one Mr. Clark) with fair propoſitions, offering to procure him whatſoever he could reaſonably pretend; only he muſt not be admited to the King's preſenſe for ſome time; and that the duke would have the diſpoſing of his vice-chamberlain's place, having been therein formerly ingaged. The earl told the gentleman, that to condeſcend to any ſuch courſe, was jointly to confeſs himſelf faulty in ſome kind, which he would not do for any reſpect in the world; and let him know the great wrong which the duke had already done him; and therefore it would be more honorable for him to procure him ſome reparation, than to preſs him farther. Moreover, not by way of meſſage, but by way of information of the ſaid Mr. Clark, he let him know, how fit it were for the duke not to preſs theſe things, who could not but be conſcious of his own faults, and know his innocency; and withal ſhewed him a paper which he had made ready for the King, containing the particulars wherein the duke had diſparaged him.

Mr. Clark making the duke herewith acquainted, the duke wrote a letter next day to the earl, bearing date 7 Julii, telling him, that he had willingly intended the accommodation of his affairs; but by what he had now ſaid to Mr. Clark, he was diſobliged, unleſs he ſhould be pleaſed to relent it. Whereupon the earl anſwered with that directneſs he thought befiting him in point of honor. The courſe of mediation was interrupted, and the duke ſo far inſenſed, that he ſwore he would have him queſtioned for his life. In the interim (which the earl deſired might be known to the lords) his late Majeſty was ſo far from thinking him a delinquent, or any way diſhoneſt, that he was often heard to ſay and ſwear, that he held him an honeſt man, and he would anſwer for him, that he had neither commited felony nor treaſon: and this diverſe are ready to depoſe. The which he well confirmed, for that he gave general leave to all gentlemen of the court, privy counſellors, and to his ſecretary of ſtate, to have free acceſs unto him; yea, even ſo far as to admit of viſits and intercourſes with Spaniſh embaſſadors, and Padre Maeſtre, as is beſt known to lord Conway, by whoſe letter he received his Majeſty's leave in that particular.

Then he reſumed the ſtate of his buſineſs where he left it, which was in the hands of the commiſſioners, and they were to frame interrogatories for him; the which, altho' they had promiſed ſhould be ſent within a few days, yet ſuch art was uſed, that ſix or ſeven weeks paſſed in the framing them, to the end that his Majeſty's progreſs beginning, there might be no means for farther clearing the buſineſs: and ſo ſuppoſing that, for the anſwering the twenty interrogatories of ſo high a nature, the earl would take ſome time, they cauſed the ſaid interrogatories to be delivered to him within a few days before the progreſs began; but he uſed ſo much diligence, that he made ready to anſwer in Perſonâ, tho' it were in the nature of a delinquent. To which his Majeſty anſwered moſt graciouſly, that out of his favor, and for that he would not do him wrong, he would not admit it, but that he would ſend his anſwer, and he would inſtantly put an end to his buſineſſes; as will appear by letters. Hereupon the duke was put into a great ſtrait how to keep him any longer from his Majeſty, but deſired that only a few queſtions more might be aſked of him; which the King, upon great urging and inſtance, condeſcended to, ſo that the queſtions might be preſently ſent him: but herein were ſuch artifices uſed, that the bringing any was delayed until the King had begun his progreſs; and then within a day or two, lord Conway ſent him word, that he had order indeed for ſending him ſome more queſtions, but, out of his affection to him, he forbore ſending them, unleſs he ſhould preſs for them. Whereupon the earl inſtantly wrote to him, that they might be ſent him. Lord Conway made him anſwer by his letter, that he wiſhed rather the courſe of mediation might be purſued, for that would but farther exaſperate; but if he would needs have the queſtions they ſhould be ſent him. Whereupon he ſent to ſollicit his lordſhip for them with all earneſtneſs, inſomuch as to petition his late Majeſty twice, that the ſaid queſtions might be ſent: but when the turn was ſerved of keeping him from the King's preſenſe, the ſaid queſtions were never more heard of to this day.

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So likewiſe the earl having ſent his anſwer to all the commiſſioners, who moſt of them made it not nice to declare, that they were fully ſatisfied; and when it was perceived that the commiſſioners would certainly clear him, and that he thereby ſhould be reſtored to his Majeſty's favor, they were never more permited to meet: a proceeding which, as he conceived, their lordſhips would think hardly to be paralleled, that a commiſſion ſhould be appointed to condemn, if there had been cauſe, but not to clear.

After the progreſs was ended, he began again to ſollicit his Majeſty, and wrote particularly to the duke of Buckingham. Whereupon the duke was pleaſed to ſend four or five propoſitions, which he deſired he ſhould acknowledge; the which propoſitions contained nothing but what had been already propounded and ſatisfied in the former interrogatories: and if he would make his acknowledgment, he then promiſed to imploy his force and power with the King and Prince, that he ſhould be admited to kiſs their hands, and be received into their gracious favor; but otherwiſe, in a menacing ſort, that he ſhould lay his hands upon his breaſt, and ſo that would be beſt for him. And in the preface of the ſaid propoſitions, he writeth theſe words which follow, "It is an aſſertion not granted, "that the earl of Briſtol, by his anſwer hath ſatiſ"fied either the King, the Prince, or me, of his "innocency." A preſumptuous commination for any ſubject.

But theſe propoſitions were ſo unjuſt, that he wrote to the duke, that inſtead of an acknowledgment, he had ſent him an anſwer to them; to which, if either himſelf, or any man living was able to reply, he would ſubmit himſelf to any thing ſhould be demanded. But this no way ſatisfied the duke, altho' it did his late Majeſty, who, in the duke's preſenſe, ſaid, "I were to be accounted a "tyrant, to injoin an innocent man to confeſs faults "of which he was not guilty." And thereupon ſent him word, that he ſhould make his anſwer, but acknowledge nothing wherein he was not faulty. And altho' he had received this meſſage from the King's own mouth, as will be depoſed, yet the duke, at the ſame time, wrote to him, that the concluſion of all had been treated with his Majeſty, was, that he ſhould make the acknowledgment in ſuch manner, as was ſet down in this paper. And it was likewiſe at this time his Majeſty ſent him word, that he would hear him concerning the duke of Buckingham, as well as he had heard the duke concerning him. This was not long before his Majeſty's ſickneſs; and in the interim, as he had heard by ſeveral ways, the King ſuffered much, and was infinitely preſſed by the duke concerning the ſaid earl and his affairs; and this he ſaid, was the ſuffering he had ſpoken of to their lordſhips the other day.

The earl craved leave of their lordſhips, to ſpecify ſome other particulars, whereby it ſhould appear, that his Majeſty was in no kind ill-opinioned

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of him to his dying day, viz. that ſeveral perſons will depoſe, they have heard his Majeſty ſay, that he eſteemed him an honeſt man; and that he was pleaſed to accept of toys, by way of preſent, from him, graciouſly, and in good part; and at laſt was likewiſe pleaſed to permit his coming to London, and to follow his own affairs; and that his pleaſure was ſignified to him by the duke's own letter. Whereupon he determined to come to London, intimating to the duke his intention of going to his lodgings in Whitehall; but the duke was therewith inſenſed again, and ſaid, he miſtook the King's meaning, which was, that he might privately follow his own buſineſs. And this, he ſaid, was the true ſtate and conditions when it pleaſed God to take unto his mercy his late moſt gracious Majeſty.

On King Charles's coming to the crown, he ſaid, he wrote a moſt humble letter to his Majeſty, imploring his grace and goodneſs, and deſiring the duke's mediation. But he was pleaſed to anſwer, by his letter of 7 May 1625; that the reſolution was to proceed againſt him, without a plain and direct confeſſion of the point which he had formerly required him to acknowledge; and in a courtly manner of menace told him, that he would take the freedom to adviſe him, to bethink himſelf in time what would be moſt for his good. But in the interim, his Majeſty was graciouſly pleaſed that his writ of parliament ſhould be ſent him; and thereupon he wrote to the duke of the receipt of the ſaid writ, but that he ſhould do nothing but what he ſhould underſtand to be moſt agreeable to his Majeſty's pleaſure. Whereunto the duke anſwered, in his letter of May, in this manner: "I have acquainted his Majeſty with your requeſt towards "him, touching your ſummons to the parliament, "which he taketh very well, and would rather have "you make excuſe for your abſenſe, notwithſtanding "your writ, than to come yourſelf in perſon." Whereupon he ſent humbly to deſire a letter of leave, under his Majeſty's hand, for his warrant; but, inſtead thereof, he received from lord Conway an abſolute prohibition, and to reſtrain and confine him in ſuch ſort as he had been in the late King's time: and altho' indeed he was abſolutely ſet free, he could never get cleared by lord Conway, tho' he ſent him all the papers to examine; and when he could make no farther reply, he ſaid, he conceived he was under reſtraint, and that his liberty expired with the late King's death; when indeed reſtraint may expire, but liberty is natural. After this, he continued for the ſpace of three quarters of a year in the country without moving, in which time he was removed from thoſe places and offices he held during his late Majeſty's life; and the greateſt part of his eſtate being laid out in their Majeſty's ſervice, by their particular appointment, he could never be admited ſo much as to the clearing of accounts. Yet hereof he never made the leaſt complaint: but, againſt the time of his Majeſty's coronation, he thought it fit to lay hold on that occaſion, when Princes do acts of grace and favor, to be a moſt humble ſuitor to his Majeſty for his grace and goodneſs; and addreſſed his letters to the duke of Buckingham, from whom he received a letter, all written in his own hand, and therein a letter incloſed from his Majeſty, ſo different from ſome gracious meſſages which he had received from his Majeſty, ſince the ſaid earl returned into England, upon the occaſion of a great ſickneſs, and likewiſe from his ſpeeches ſeveral times delivered to his wife, to wit, that he had never offended him, and that for his faults he no ways held them criminal, but to be expiated by any eaſy acknowledgment; that he confeſſed he knew not what judgment to make of the ſaid letter, neither hath preſumed hitherto to make any anſwer thereto; altho', by reducing the occaſion of ſpeeches and circumſtances to his Majeſty's memory, he no way doubteth but he ſhall be able to give his Majeſty ſuch ſatisfaction to every particular, that his Majeſty would not remain with the leaſt ſcruple in any one point.

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After this, he ſaid, that his writ of parliament was detained; whereupon he addreſſed himſelf to the lord-keeper, that he would be a ſuitor to his Majeſty for him in that behalf: which diligence not taking effect, by petition he became a ſuitor to their lordſhips for their honorable mediation to his Majeſty, and thereupon his writ of parliament was awarded: but the duke of Buckingham upon that took occaſion, as he had publiſhed copies of the ſaid letter over all the kingdom, to read it likewiſe to that honorable houſe, as was beſt known to their lordſhips, and the writ was accompanied with a prohibition from the lord-keeper; whereupon he addreſſed himſelf for juſtice to that honorable houſe (being poſſeſſed of his cauſe by his petition) for both redreſs of his own wrongs, and likewiſe of complaints againſt the duke for many crimes. And that honorable houſe being poſſeſſed of his cauſe by his petition, there is prefered againſt him a ſucceeding complaint, amounting as high as treaſon (as it is pretended) altho' he for diverſe years hath not been queſtioned; yet ſince his complaint againſt the duke he hath been fetched up like a priſoner, and brought into the houſe as a delinquent; and the duke, of whom he hath complained for his great crimes, is admited ſtill to ſit in the houſe as one of his judges. The which, with all he hath formerly ſaid, together with his life, fortunes and honor, he did with all willingneſs, humility and duty, ſubmit to the juſtice and honor of that houſe.

Then the lords aſked him, when he would bring in his anſwer? He promiſed to anſwer as ſoon as might be, but knew not how far he ſhould have occaſion to uſe his ancient diſpatches. The lord-keeper told him, that mr. attorney might help him by leting him know it. mr. attorney ſaid, that his charge ſhould in nothing look farther back than to the year 1621, which he deſired might be recorded.

Whereupon the earl thanking their lordſhips for their patience, he was carried away by mr. Maxwell, the gentleman-uſher, in whoſe houſe and cuſtody he remained.

Then were read the earl's articles againſt the duke and lord Conway: viz.

Articles of the earl of Briſtol, whereby he chargeth the duke of Buckingham, bearing date the firſt day of May, 1626.

I. THAT the duke of Buckingham did ſecretly combine with count Gondomar, embaſſador for the King of Spain, before his, the ſaid embaſſador's, laſt return into Spain, in the ſummer, anno 1622, to carry his Majeſty (then Prince) into Spain, to the end he might be informed in the Roman religion, and thereby have perverted the Prince, and ſubverted the true religion eſtabliſhed in England: from which miſery this kingdom (next under God's mercy) hath by the wiſe, religious and conſtant carriage of his Majeſty been almoſt miraculouſly delivered, conſidering the many bold and ſubtil attempts of the ſaid duke in that kind.

II. That mr. Porter was made acquainted therewith, and ſent into Spain; and ſuch meſſages at his return framed as might ſerve for a good ground to ſet on foot this conſpiracy: the which was done accordingly, and thereby the King and Prince highly abuſed, and their conſents thereby firſt got to the

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the ſaid journey, that is to ſay, after the return of the ſaid mr. Porter, which was about the end of December, or begining of January 1622, whereas the ſaid duke had ploted it many months before.

III. That the ſaid duke, at his arrival in Spain, nouriſhed the Spaniſh miniſters, not only in the belief of his own being Popiſhly affected, but did (both by abſenting himſelf from all exerciſes of religion, conſtantly uſed in the earl of Briſtol's houſe, and frequented by all other Proteſtant Engliſh, and by conforming himſelf to pleaſe the Spaniards in diverſe rites of their religion, even ſo far as to kneel and adore their ſacrament) from time to time give the Spaniards hope of the Prince's converſion: the which converſion, he indeavored to procure by all means poſſible, and thereby cauſe the Spaniſh miniſters to propound far worſe conditions for religion than had been formerly, by the earl of Briſtol and ſir Walter Aſton, ſettled and ſigned under their Majeſties hands, with a clauſe in the King of Spain's anſwer of December 12, 1622, that they held the articles agreed upon ſufficient, and ſuch as ought to induce the Pope to grant the diſpenſation.

IV. That the duke of Buckingham having ſeveral times, in preſenſe of the earl of Briſtol, moved and preſſed his late Majeſty, at the inſtance of Conde Gondomar, to write a letter to the Pope; and to that purpoſe having once brought a letter ready drawn, wherewith the earl of Briſtol, by his Majeſty, being made acquainted, did ſo ſtrongly oppoſe the writing any ſuch letter, that, during the abode of the ſaid earl of Briſtol in England, the ſaid duke could not obtain it; yet not long after the earl was gone, he procured ſuch a letter to be written from his ſaid late Majeſty to the Pope, and to have him ſtiled Sanctiſſime Pater.

V. That the Pope being informed of the duke of Buckingham's inclination and intention in point of religion, ſent the ſaid duke a particular bull in parchment, to perſuade and incourage him in the perverſion of his Majeſty, then Prince.

VI. That the ſaid duke's behavior in Spain was ſuch, that he thereby ſo inſenſed the King of Spain, and his miniſters, as they would admit of no reconciliation, nor farther dealing with him. Whereupon the ſaid duke, ſeeing that the match would be now to his diſadvantage, indeavored to break it, not for any ſervice to the kingdom, nor diſlike of the match in itſelf, nor for that he found (as ſince he had pretended) that the Spaniards did not really intend the ſaid match, but out of his particular ends, and his indignation.

VII. That after he intended to croſs the marriage, he put in practiſe diverſe undue courſes; as namely, making uſe of the letters of his Majeſty (then Prince) to his own ends, and not to what they were intended; as likewiſe concealing diverſe things of high importance from his late Majeſty, and thereby overthrew his Majeſty's purpoſes, and advanced his own ends.

VIII. That the ſaid duke, as he had with his ſkill and artifices formerly abuſed their Majeſties, ſo to the ſame end he afterwards abuſed both houſes of parliament, by his ſiniſter relation of the carriage of affairs, as ſhall be made appear almoſt in every particular which he ſpake to the ſaid houſes.

IX. As for ſcandal given by his perſonal behavior, as alſo the imploying his power with the King of Spain for procuring favors and offices, which he beſtowed upon baſe and unworthy perſons for the recompenſe and hire of his luſt. Theſe things, as neither fit for the earl of Briſtol to ſpeak, nor indeed for the houſe to hear, he leaveth to your lordſhips wiſdom, how far you will be pleaſed to have them examined; it having been indeed a great infamy and diſhonor to this nation, that a perſon of the duke's great quality and imployments, a privy-counſellor, and embaſſador, eminent in his maſter's favor, and ſolely truſted with the perſon of the Prince, ſhould leave behind him, in a foreign court, ſo much ſcandal as he did by his ill behavior.

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X. That the duke had been in great part the cauſe of the ruin and misfortune of the Prince Palatine, and his eſtates, inaſmuch as thoſe affairs had relation to this kingdom.

XI. That the duke of Buckingham hath, in his relations to both houſes of parliament, wronged the earl of Briſtol in point of his honor, by many ſiniſter afperſions which he hath laid upon him, and in point of his liberty by many undue courſes, thro' his power and practiſes.

XII. That the earl of Briſtol did reveal to his late Majeſty, both by word and letter, in what ſort the ſaid duke had diſſerved him, and abuſed his truſt: and that the King, by ſeveral ways, ſent him word, that he ſhould reſt aſſured he would hear the ſaid earl, but that he ſhould leave it to him to take his own time. And thereupon, few days before his ſickneſs, he ſent the earl word, that he would hear him againſt the ſaid duke, as well as he had heard the ſaid duke againſt him. Which the duke himſelf heard; and not long after his bleſſed Majeſty ſickened and died, having been in the interim much vexed and preſſed by the ſaid duke.

Articles of the earl of Briſtol againſt lord Conway, bearing date 1 May 1626.

I. THAT lord Conway is ſo great a ſervant of the duke of Buckingham's, that he hath not ſtuck to ſend the earl of Briſtol plain word, that if buſineſſes could not be accommodated between him and the duke, he muſt then adhere and declare himſelf for the ſaid duke; and therefore unfit to be a judge in any thing which concerneth the duke or earl.

II. That the ſaid lord Conway profeſſeth himſelf to be a ſecretary of the duke of Buckingham's creation, and ſo acknowledgeth it under his own hand: and altho' that he be the King's ſecretary of ſtate, and a privy-counſellor, he uſually begineth his letters to the duke, Moſt gracious patron.

III. That as a creature of the ſaid duke's, the ſaid lord Conway hath been made the inſtrument of keeping the earl of Briſtol from the King's preſenſe, and of impriſoning him by warrants only under his own hand; for which he cannot (as the earl conceiveth) produce any ſufficient warrant.

IV. That, by the ſpace of twelve months laſt paſſed, the ſaid lord Conway hath been the cauſe of the earl's reſtraint, only by miſinforming his Majeſty, and procuring a letter of reſtraint upon undue grounds: and when it was made apparent to him, that the ſaid earl was reſtored to his liberty, freely to follow his own affairs, by his late Majeſty of bleſſed memory, he replied, that the liberty given him by his Majeſty expired with the King's death.

V. That the earl of Briſtol's mother lying ſick upon her death-bed, deſired for her comfort to ſee her ſon, and to give him her laſt bleſſing: whereupon the earl wrote to lord Conway, deſiring him to move the King for his leave; which he, puting off from day to day, told the perſon imployed that, by reaſon of the duke's ſickneſs, he could not find opportunity to get the duke's leave to move the King: and having ſpoken with the duke, he made a negative anſwer in the King's name: whereupon, when the earl acquainted the King by ſome of his bed-chamber, his Majeſty was in a very great anger, ſwearing the ſecretary had never moved

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moved him, and that to deny the ſaid earl leave was a barbarous part; and thereupon ſent him preſently leave, which the ſecretary hearing, ſent afterwards a letter of leave, but with diverſe clauſes and limitations, differing from the leave ſent him from the King's own mouth.

VI. That having the buſineſſes of the earl of Briſtol in his own hands, and the earl being commanded by the King to addreſs himſelf, in his occaſions, to his lordſhip, he would never deliver any meſſage from the ſaid earl, without acquainting the ſaid duke, and receiving his directions, and, in a noble manner of freeneſs, ſtuck not to ſend him word.

VII. That the earl of Briſtol having received, from lord Conway, twenty interrogatories in his late Majeſty's name, drawn up by a commiſſion of the lords appointed to ſearch into the proceedings and imployments of the ſaid earl, in which ſearch more than two months were expended, diverſe of the ſaid interrogatories involving felony and treaſon; and his Majeſty having been pleaſed to aſſure the ſaid earl, both by meſſage and letters, that, upon ſatisfaction given to himſelf and the commiſſioners by his anſwers, he would preſently put an end to the earl of Briſtol's buſineſs. The earl of Briſtol having ſo fully anſwered, as would admit of no reply; and that many of the commiſſioners declared themſelves to be fully ſatisfied; the ſaid lord Conway (being ſecretary in the commiſſion, to whom it properly belonged to call the lords to aſſemble) perceiving the earl of Briſtol was like to be cleared, never moved for any farther meeting, neither have they ever been permited to meet until this day, whereby the troubles of the earl of Briſtol have been kept on foot until this preſent, and the ſaid earl's impriſonment hath been inlarged twenty months. And by the aritfices of the ſaid duke of Buckingham, and the ſaid lord Conway (as ſhall be made appear) the ſaid earl hath been inſenſibly involved and ſtaulked into the troubles he is now in, which he doubteth not but your lordſhips will judge to be a very conſiderable caſe.

VIII. That for a color of keeping the earl from his late Majeſty's preſenſe, it being pretended, after the anſwer to the twenty interrogatories, that there were ſome few queſtions more to be added, whereunto when he ſhould have anſwered, his Majeſty ſwore ſolemnly, that without any delay he ſhould be admited to his preſenſe, and that within two or three days he ſhould have the ſaid queſtions ſent him; lord Conway, notwithſtanding he acknowledged under his hand, that he had received his Majeſty's directions for ſending the ſaid articles, and was often thereunto ſollicited on behalf of the ſaid earl, would never ſend the ſaid queſtions, and at laſt anſwered, That he had no more to do with the earl's buſineſſes.

IX. That the earl of Briſtol, being ſet free by his late Majeſty to come to London, to follow his own affairs as he pleaſed, had thereupon his writ of parliament ſent him, without any letter of prohibition; but the earl of Briſtol, out of his great deſire to conform all his actions to that which he ſhould underſtand would beſt pleaſe his Majeſty, ſent to know, whether his going or ſtay would be moſt agreeable to his Majeſty? Who was pleaſed to anſwer, by a letter from my lord duke of Buckingham, That he took in very good part the ſaid earl's reſpect to him; but wiſhed him to make ſome excuſe for the preſent: the which accordingly he did, and moved, That he might have a letter, under the King's hand, to warrant his abſenſe; but under color of this letter of leave, upon the earl of Briſtol's own motion and deſire, lord Conway ſent a letter from his Majeſty, abſolutely forbiding his coming to parliament, and therein likewiſe was inſerted a clauſe "That the "earl ſhould remain reſtrained as he was in the "time of his late Majeſty"; and ſo thereby a color of reſtraint under his Majeſty's hand was got, which could never be procured in his late Majeſty's time; whereby the earl of Briſtol hath been unduly reſtrained ever ſince, without being able to procure any redreſs, or to make lord Conway willing to underſtand his caſe, altho' he ſent him all the papers, whereby he might clearly ſee that the earl was not under reſtraint in his late Majeſty's time; but never other anſwer could be procured from him, but that he judged the ſaid earl to be under reſtraint, and that his liberty was expired by the late King's death, as is aforeſaid.

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X. That lord Conway, knowing the match for marrying the King of Bohemia's eldeſt ſon with the Emperor's daughter, and his being bred in the Emperor's court, was allowed and propounded by his late Majeſty: and that his Majeſty, by his letters to his ſon-in-law, declareth, That he thinketh it the faireſt and cleareſt way for the accommodation of his affairs, and that he will take ſufficient care for his breeding in true religion: and notwithſtanding that the ſaid earl received a copy of the ſaid letter by the ſaid late King's order, with other papers, ſeting down all had been done in the ſaid buſineſs, and his Majeſty's aſſent thereunto from lord Conway himſelf; yet hath he ſuffered all to be charged, as a crime, againſt the earl of Briſtol, both in the twentieth interrogatory, and in his Majeſty's laſt letter, that he ſhould conſent to breeding the young Prince in the Emperor's court. And farther, in the interrogatory he allegeth, it is an agravation againſt the ſaid earl, That breeding the ſaid Prince in the Emperor's court infered to the perverſion of his religion, when he knew that the ſaid breeding was never thought nor ſpoken of by the King, nor any other, but with that expreſs clauſe and condition, That he ſhould be bred in his own religion, and have ſuch tutors and ſervants as his father ſhould appoint.

XI. That lord Conway had been the cauſe of all the earl of Briſtol's troubles, by his dubious and intraping diſpatches, and infering, that the ſaid earl hath failed in his directions, when it ſhall be made appear, that his diſpatches contained no ſuch directions as he hath alleged were given.

The houſe, not being diſpoſed to commit the earl to the Tower, let him remain where he was before, with the gentleman-uſher; and farther ordered, That the King's charge againſt the earl of Briſtol be firſt heard, and then the charge of the ſaid earl againſt the duke; yet ſo, that the earl's teſtimony againſt the duke be not prevented, prejudiced, or impeached.

Next day, the lord-keeper delivered a meſſage from his Majeſty to the houſe of peers: viz.

Meſſage from the King to the houſe of lords.

"THAT his Majeſty taketh notice of the "articles exhibited againſt the duke of Buck-"ingham by the earl of Briſtol; and he ob-"ſerveth, that many of them are ſuch as him-"ſelf is able to ſay more, of his own know-"ledge, than any man, for the duke's ſincere "carriage in them: that one of them, touching "the narrative made in parliament in the "twenty-firſt of King James, trencheth as far "upon himſelf as the duke; for that his Ma-"jeſty went as far as the duke in that declara-"ration; and that all of them have been cloſed "in the earl's own breaſt now for theſe two years, "contrary to his duty, if he had known any crime "of that nature by the duke; and now he vents "it by way of recrimination againſt the duke, whom

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" whom he knows to be a principal witneſs to " prove his Majeſty's charge.

" And therefore, that his Majeſty gave them " thanks, that they gave no way to the earl of " Briſtol's unreaſonable motion, of puting the " duke under the ſame reſtraint they had put the " earl, thereby ecſhewing what the earl aimeth at, " to alter their dutiful proceeding towards his Ma- " jeſty: that thereby they had made his Majeſty " confident that, as they have, ſo they will put " a difference between his Majeſty's charge againſt " one who appeareth as a delinquent, and the recri- " mination of the earl of Briſtol againſt his Ma- " jeſty's witneſs; and they will not equal them by " a proceeding pari paſſu."

Mean time, King Charles, not being very ſure of the lords, indeavored to take the earl's cauſe out of the upper-houſe, and to proceed by way of indictment in the King's-Bench; but to this their lordſhips would not conſent, for which they alleged ſeveral reaſons, which were confirmed by the judges, who declared, "That a peer of the realm, " impeached for treaſon, was to be tried in par- " liament."

The upper-houſe being willing to ſecure the earl of Briſtol from being over-powered by the duke of Buckingham's exorbitant authority, aſked the judges opinion upon the two following queſtions:

" 1. Whether the King could be a witneſs in " caſe of treaſon?

" 2. Admiting that he could, yet, whether he " might be ſo in the preſent caſe, i. e. when the " King is the informer?

Before the judges brought in their anſwer, this meſſage and command came from the King to them, that in this general queſtion they ſhould not deliver any opinion, but if any particular point occurred, they, upon mature deliberation, might give their advice.

About mid-May, the earl of Briſtol gave in his anſwer to the articles brought againſt him: at delivering which he made this ſpeech.

The earl of Briſtol's ſpeech, by way of introduction, before he gave in his anſwer.

" I AM not inſenſible upon what diſadvantages " I come to trial in this caſe. For, firſt; I " am fallen into his Majeſty's heavy diſpleaſure, and " am to incounter with a potent adverſary, highly " in favor, and am accuſed for treaſon; for which " all counſel and friends abandon me, as a man " infected with the plague: I am become bound " and under reſtraint; whereas a man who is to " incounter for his life and honor, and with a " ſtrong adverſary, had need to come upon equal " terms.

" But as to the matter, I find myſelf charged with " diverſe articles of high-treaſon; but looking into " them with the eyes of my beſt underſtanding, " with the opinion alſo of my counſel lately aſ- " ſigned me, and taking them apart one article " from another, I find not any thing in them " like treaſon, or which hath ſo much as the ſhew " or countenance of a fault, either in act or words; " only by laying all things together, and by wreſt- " ing the wreſts with a ſtrained conſtruction, di- " rectly contrary to the true ſenſe and meaning of " them, and the occaſion whereupon they were " ſpoken, it is informed, and that by way of in- " ference only, that the intent was evil, and the " matter to prove the intent to be evil depends " upon two props, viz. ill-affection to religion, " and too much affection to Spain; which if I " ſhall clear, the inference grounded upon theſe " props, will fall of itſelf.

" Therefore I crave leave of your lordſhips, before " I give my anſwer to the charge, that I may give " you an account of theſe two particulars; and " I humbly beſeech you that what I ſhall ſpeak " in my juſt defenſe may not be conceived to " proceed of vain oſtentation. Proceedings againſt the earl of Briſtol.

" And firſt for religion: I was in my childhood " bred in the Proteſtant religion, and rather after " the ſtricter manner than otherwiſe. When I " grew in years fit, I traveled into France, Italy, " and Rome itſelf: in all which travels, I can " produce ſome whom I conforted withal, who " will witneſs with me, that I ever conſtantly uſed " the religion I profeſſed, without the leaſt preva- " rication, no man being able to charge me that ſo " much as out of curioſity I ever was preſent at " any of the exerciſes belonging to the Roman " religion, or did the leaſt act of conformity to " any of their rites or ceremonies.

" Secondly, after my return home, I was received " into the ſervice of his late Majeſty, of bleſſed " memory, whom I ſerved ſome years as a gentle- " man of his privy-chamber, and carver, in which " time none of his Majeſty's ſervants received the " holy ſacrament, frequented ſermons, and other " exerciſes of our religion, more than I.

" Thirdly, in that time of my youth, not to " avoid idleneſs, but out of affection to religion, " I tranſlated that excellent book of our faith, and " great points of our religion, written by Monſieur " Moulins; which his late Majeſty, having ſome- " times after ſeen, approved ſo well, that he would " needs have it printed; which accordingly was " printed in the name of Mr. Sampford, my " chaplain, to whom I gave the honor: but it " was my own act, as Mr. Sampford will not " deny, tho' to this hour I never had before " ſpoken it.

" Fourthly, about ſeven or eight and twenty " years of my age, I was imployed embaſſador " into Spain, in that great buſineſs of the treaty " of the marriage; and whereas others before me " carried with them but one chaplain, I had two, " viz. Mr. Sampford and Mr. Boſwel; and at " my arrival at the court of Spain, I cauſed it to " be publiſhed, that ſuch a day (God willing) I " propoſed to have a communion, to the end " that ſuch Engliſh as were in the town might " reſort thither: whereat the duke de Lerma, and " other the great miniſters of Spain, took offenſe, " and told me, they might well perceive I brought " no good affection to the buſineſs I came about, " who would ſo publicly and avowedly in that " court, where never the like was done, proclaim " there a communion; and with high expreſſions " perſuaded me to decline it. Whereunto I an- " ſwered, I came to do my maſter's ſervice, which " I would heartily and effectually indeavor, but " would not omit my ſervice to God, no tho' by " my maſter commanded. At the communion " were preſent one hundred perſons, ſome of them " brothers, kinſmen, and near dependants upon " ſome of their lordſhips, whom I ſee there in my " eye. This I did in Spain; the like I did in " Germany, in the Emperor's court, in my em- " baſſage thither.

" Fifthly, I had in my ſeveral imployments, into " Spain and Germany, above five hundred perſons " of all qualities attending upon me, and never " one perverted in religion; my children carefully " inſtructed and bred in the ſame religion. I had " conſtantly every Sabbath a ſermon in my houſe, " ſacrament and other exerciſes of our religion fre- " quented.

" Sixthly, a foul-mouthed Shimei railed againſt " our late King and religion in Spain. How I " cauſed that to be revenged by a near kinſman " of my own, is well known.

" Seventhly

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" Seventhly, one of the Engliſh dying in the " town of Madrid, of whoſe religion there was " ſome queſtion made; and the King's chaplains " telling me, that they at the day of his death " had been with him, and taken account of his " faith, and that he died a Proteſtant: I cauſed " him to be brought home to my houſe, and " there buried according to our rites; whereat " much ado was made, and it was threatened, " that the inquiſitors and other officers would " come and fetch him out, and bury him after " their manner: I ſtood upon it, and that it " was the King of England's houſe, and openly " proteſted, that whoſoever ſhould come thither " with ſuch intent, I would ſhoot at him with a " piece; and exhorted all my people, that if ſuch " attempts ſhould be, they ſhould rather, than " ſuffer ſuch a diſhonor to our religion, die with " me in that quarrel, and hoped ſuch Engliſh as " were in the town would do the like.

" Eighthly, there having been a monaſtery for " Engliſh Jeſuits founded and ſettled at Madrid, " before my coming thither, and the Engliſh arms " ſet up, I labored to ſuppreſs it, and having " written thereof to the late King, his Majeſty " adviſed me not to run my head againſt the rock, " for it was an impoſſible thing for me to do. " Yet I undertook it, and it pleaſed God ſo to " bleſs my indeavors, that I abſolutely diſſolved " and overthrew it. For which the biſhop of " Wincheſter, Montague (now with God) wrote " to me, by his Majeſty's direction, a letter of " his Majeſty's gracious acceptance of ſo great a " ſervice; telling me, beſide the ſervice I had " done to the church and commonwealth, it ſhould " remain a trophy of honor to me and my poſterity " for ever: and the King himſelf, with his own " hand, wrote to me, begining his letter, 'Good-" fortune Digby; your good luck in our ſervice " well deſerves that ſtile.'

" Ninthly, in all negociations in Spain, in point " of religion, I ever ſtraitened my inſtructions.

" Tenthly, the match with Spain was not moved " by me; I ever adviſed a Proteſtant match, and " ſhewed many reaſons, both of conſcience and " ſtate; but if with a Catholic, then rather with " Spain than France, ſo as good conditions might " be made for religion, as appears by a letter I " wrote, and delivered to the Prince, at his firſt " going upon the imployment; for which I had " like then to have been ruined for being a Puritan, " as I am now for being a Papiſt, and all by one " and the ſame hand.

" Eleventhly, and I appeal to the teſtimony of " Dr. Maſon and Dr. Wren, the King's chaplains " with me in Spain; and to Mr. Sampford, " Mr. Boſwel, and Mr. Frewin my own chaplains " there: and that ſuch Papiſts as have been my " ancient acquaintance and friends, being men of " worth, well known to many of their lordſhips, " may be examined upon oath, whether I have not " in all places, as well in Spain as in England, and " at all times upon fit occaſions, avowed myſelf " a Proteſtant, without the leaſt prevarication? " Or whether I did ever any the leaſt act which " was not ſuitable to the ſame profeſſion? And " that Mr. Frewin and Mr. Wake, my own chap-" lains, may give their teſtimonies, whether in the " time of ſeveral dangerous ſickneſſes, which I " had of late years fallen into, I have not in the " time of ſuch my ſickneſſes (when no man can be " ſuppoſed to diſſemble with the world, being ready " to leave it) made before them a confeſſion of my " faith, and made my peace with God, reſolving " to die as befited a Proteſtant, and good Chriſtian. " This I tell your lordſhips, was my religion I was " bred in, have ever profeſſed and lived in, and " was reſolved by God's grace to die in; and yet " was ſo unhappy, by reaſon of imployment, to " be diſtaſteful to many good men, that I have " been ſuſpected even by them, not well knowing " me: and this hath been the riſe the duke hath " now taken againſt me. Then for my love to " Spain, I wonder from whence that opinion ſhould " grow, ſince I was there hated and ſhamed, as " the man whom, of all others, they deſired to " have the leaſt to do withal, having ſtood ever " ſtricter in point of religion than, by my in-" ſtructions, I might have done; as after the ca-" pitulation concluded on, they underſtood by ſome " intelligence, which cauſed their hatred towards " me.

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" Sure I am, I ſhewed it not by the ſervice I did " them; for diverſe years together there was not " a letter ſent by that King to any other ſtate " whereof the King my maſter had not a copy " before, or by that time it came to the place " whither it was directed. There was not any " great action on foot, whereof I had not the " private inſtructions, and ſent them hither; nor " any expedition by ſea or land, wherein I had " not ſome miniſters, or intelligencers, who gave " me, for ſome time, advertiſements of their " actions, and moſt private intentions, whereof I " advertiſed his Majeſty. I uſed ſuch induſtry, as " to get all the papers of that King's private " cabinet into my hands; took copies and notes of " ſuch of them as I thought uſeful; and upon every " of them ſet my private mark before they were " conveyed back again, to the end, that if I ſhould " have had occaſion to have charged him with any " thing mentioned in the ſame papers, I might " have let him ſee I knew it, by telling him in " what paper it was, and mark'd with ſuch a " mark.

" There was not a port in Spain whoſe depth I " cauſed not to be ſounded, not a fort whereof I " knew not the ſtrength, both for the gariſon, " munition, and other matters of advantage and " diſadvantage; inſomuch as if it ſhould pleaſe " the King to appoint a commitee of the lords to " take account of me, I ſhould, by the ſtores I " gathered there, and brought with me, make it " appear, I was as uſeful a ſervant to his Majeſty " in a war, as in a peace. Whereas, at his Ma-" jeſty's coming out of Spain, the powers of the " deſponſories were to be depoſited in ſome man's " hands: and the duke, upon pretenſe of doing " me honor, but intending to break my neck by " it, moved they might be left with me, and the " King of Spain was contented; and ſo they were " put into my hands; not as an attorney only for " the Prince, but the King of Spain having taken " the ſubſtitution of them by his ſecretary of ſtate, " entered in legal form; whereby that King was " then become intereſted in them by their occupa-" tion, as well as the Prince by granting them; " and becoming the Inſtrumentum ſtipulatum, " wherein they were both intereſted, they were " depoſited in my hands, as an indifferent perſon, " truſted between the King of Spain and the Prince, " with a declaration of the truſt. And now the " duke was returned out of Spain, he ploted my " ruin, and put it in execution in this manner. " He concealed that the powers were to expire at " Chriſtmaſs, and procured his Majeſty to write a " letter (not a direct command) but expreſſing a " deſire, that the deſponſories ſhould not be 'till " one of the days in Chriſtmaſs, intending thereby " to draw me into a dilemma, that if I proceeded " in the match, this letter ſhould, as now it is, " have been inforced againſt me, as a breach of in-" ſtructions: if I had not proceeded, then I had " broken my truſt between the Prince and King of

" Spain,

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" Spain, overthrown the marriage ſo long ſought " and labored, it being the main ſcope of my em- " baſſage, contrary to expreſs warrant, and that " upon a letter I muſt needs know to be a miſtake. " And when I had written into England, to have " a direct warrant in the point, the duke then ſee- " ing that plot would not take, he dealed with di- " verſe great lords, as was well known to ſome of " their lordſhips, there preſent, to have me, on " my arrival in England, commited to the Tower, " before I ſhould ever come to ſpeak with the " King; which the Spaniſh embaſſador, here in " England, having got private notice of, gave ad- " vertiſement thereof to that King; who thereupon " foreſeeing my danger, and conſulting with his " council and divines, what was fit for him in ho- " nor and conſcience to do in that caſe, they re- " ſolved, that, ſeeing my ſufferings grew by being " an honeſt man, and indeavoring to perform the " truſt repoſed in me by that King as well as the " Prince; that King was bound, both in honor " and conſcience, not only to preſerve me from " ruin, but to make me a reparation for any loſs " I ſhould ſuſtain by occaſion of the truſt. Where- " upon, at his departure going to court to take his " leave, Conde Olivares told me what was ploted " againſt me in England; and in reſpect of the " danger, by reaſon of the greatneſs of my adver- " ſary, perſuaded me to ſtay there, and in his ma- " ſter's name made an offer, not in ſecret, but in " preſenſe of ſir Walter Aſton."

Ruſhworth, Vol. I. p. 113.

Here the earl of Briſtol explained wherein thoſe offers conſiſted; viz. in a blank ſigned by his Catholic Majeſty, wherein the earl might ſet down his own conditions, both in point of title and fortune. But all this he refuſed, as well as a large ſum of money offered by the ſaid King Philip. Briſtol concluded thus.

" Upon what grounds and hope came I to in- " counter with thoſe dangers? Not upon hope of " my greatneſs in court, and ſtrength of friends " there to bolſter out a bad cauſe; no ſure, my " ſtrength was too weak, and my adverſaries too " powerful. But I knew my conſcience was clear, " and my cauſe good, and truſt in God Almighty. " And to him now, and to their lordſhips judg- " ments, recommend myſelf and my cauſe."

Anſwer of the earl of Briſtol, to the articles of accuſation brought againſt him by his Majeſty's attorney-general.

I. THE firſt article he denieth; and becauſe the matters contained in the ſaid article conſiſt of ſeveral parts; viz. the loſs of the ſaid Palatinate, and the match with the lady of Spain, and of the ſeveral imployments, as of one extraordinary embaſſage to the Emperor, and another to the King of Spain, in the years 1621, 22, and 23; he humbly craveth leave of this moſt honorable court to ſeparate the buſineſſes, and diſtinguiſh the times.

And begining with the Palatinate firſt, to give account of his embaſſage to the Emperor, and ſo to make as brief a deduction as he could of the whole carriage in that buſineſs, from the begining of his imployment, to the time he left it. In his embaſſage to the Emperor, he propounded all things faithfully according to his inſtructions, and the anſwers which he returned to his late Majeſty, of bleſſed memory, were the very ſame, and no other, than ſuch as were given by the Emperor under his hand and imperial ſeal; the which, according to his duty, he faithfully ſent to his ſaid Majeſty, and withal did honeſtly and truly advertiſe his ſaid Majeſty, what he underſtood and thought then upon the place; but was ſo far from giving to his Majeſty any ill-grounded hopes in that behalf, that he wrote to the lords of the council here in England, from Vienna, 26 July 1624, in ſuch ſort as followeth.

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" I Am farther to move your lordſhips, that there " may be a diſpatch made preſently into Spain, " to his Majeſty's embaſſador, Mr. Cottington, " that they deal effectually for the repairing and " ripening of the buſineſs againſt my coming; that " they uſe ſome plain and direct language, leting " the miniſters there know, that the late letter ſent " by the King of Spain to the Emperor, was colder " and more reſerved than his maſter had reaſon to " expect. I ſhall conclude with telling your lord- " ſhips, that altho' I deſpair not of good ſucceſs in " that knotty buſineſs, yet I hope his Majeſty and " your lordſhips lay not aſide the care of all fiting " preparations for a war, in caſe a peace cannot be " honorably had. And, among other things, I " moſt earneſtly commend to your lordſhips, by " your lordſhips to his Majeſty, the continuing yet " abroad, for ſome ſmall time, of ſir Robert Man- " ſel's fleet upon the coaſts of Spain; which, in " caſe his Majeſty ſhould be ill uſed, will prove " the beſt argument we can uſe for reſtitution of the " Palatinate."

And this his advice, he ſaith, was wholly intended by his actions, by being the cauſe, as he returned homeward out of Germany, to bring down count Mansfield, whereby the town of Frankendale was relieved, by ſupplying his Majeſty's army, when in great diſtreſs, with monies and plate, to the value of ten thouſand pounds, merely out of his zeal and affection to the good of the King and his children, having no warrant or order, but that his heart was ever really bent in effects more than in ſhews, to ſerve the King's ſon-in-law and his cauſe, as by the diſcourſe of this buſineſs will appear. And how acceptable theſe ſervices were, will more appear, by the letters of the Queen of Bohemia, in theſe words following:

My lord,

" HAving underſtood from Heidelburgh, how " you have ſhewed your affection to the King " and me in all things, and in the help of money " you have lent our ſoldiers; I cannot let ſo great " obligations paſs, without giving many thanks " for it by theſe lines, ſince I have no other means " to ſhew my gratefulneſs unto you. Howſoever, " aſſure your ſelf, that I will never be forgetful of " the teſtimonies you give me of your love, which " I intreat you to continue, in doing the King and " me all good offices you can to his Majeſty. You " have been an eye-witneſs of the miſerable eſtate " our countries are in; I intreat you therefore to " ſollicit his Majeſty for our help. You having " given me an aſſurance of your affection: I in- " treat you now to ſhew it, in helping of us by " your good indeavors to his Majeſty, and you " ſhall ever bind me to continue, as I am al- " ready,

Your very affectionate friend,

ELIZABETH.

Which letters were ſeconded with others about the ſame time, both from the King of Bohemia and council of Heidelburgh, to the ſame effect, and how much ſatisfaction his late Majeſty received in that behalf, and touching that buſineſs, will plainly appear ſeveral ways, and particularly by his ſpeech in parliament. And the ſaid earl likewiſe appealeth to both houſes of parliament, to whom, by his late Majeſty's order, he gave a juſt and true account of that imployment, with what true zeal he proceeded; and how he preſſed that ſingle treaty,

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and promiſes no longer to be relied on, but that a fiting preparation for war might go along hand in hand with any treaty of accommodation. And, for a concluſion, among many of his late Majeſty's approbations of his carriage in this imployment, he humbly deſired that a letter of the duke of Buckingham's, under his own hand, bearing date the eleventh of October 1621, may be produced, being as followeth:

My lord,

" I Am exceeding glad that your lordſhip hath " carried yourſelf ſo well in this imployment, " that his Majeſty is infinitely pleaſed with your " ſervice you have done, for which he command- " ed me to give your lordſhip thanks in his name, " until he ſee you himſelf. You, of all men, have " cauſe to commend his Majeſty's choice of ſuch a " man, that unleſs your heart had gone with the " buſineſs, you could never have brought it to ſo " good a paſs. Among other things, his Majeſty " liketh very well the care of clearing his honor, " whereof he will adviſe farther with your lord- " ſhip, at your next coming over. I hope you " will not find your negociation with the Infanta " of ſuch difficulty as you ſeem to fear in your " letter, ſeeing my brother Edward hath brought " with him a letter from his Majeſty's ſon-in-law, " whereby he puteth himſelf ſolely to his Majeſty's " advice and pleaſure for his ſubmiſſion, as you " will perceive by the copy of the letter itſelf, " which I here ſend your lordſhip; wherein, tho' " there be many things impertinent, yet of that " point you may make good uſe for the accom- " pliſhment of the buſineſs, wherein I have writ- " ten to the Spaniſh embaſſador to uſe his means " and credit likewiſe; which I aſſure myſelf he " will effectually do, eſpecially ſeeing the impedi- " ments are taken away by count Mansfield's com- " poſition, and the conformity of his Majeſty's " ſon-in-law to this ſubmiſſion. For the money " your lordſhip hath ſo ſeaſonably laid forth, his " Majeſty will ſee you ſhall ſuſtain no loſs, hold- " ing it very unconſcionable you ſhould ſuffer by " the care of his ſervice; which you have ſhewed " ſo much to his contentment, to the great joy of " your lordſhip's faithful ſervant,

Geo. Buckingham.

Having given this account of his imployment with the Emperor, he humbly craveth leave to make known in what ſort, before this his imployment, he indeavored to ſerve the Prince Palatine, and his cauſe, which will beſt appear by his Majeſty's own teſtimony, upon ſir Francis Netherſole's going to the Prince Palatine; at which time his Majeſty being, out of his royal and juſt heart, deſirous to do a faithful ſervant right, commanded ſir Francis Netherſole to let the Prince Palatine underſtand, how good a ſervant the ſaid earl had been to him, and how active in his affairs, as will beſt appear by a diſpatch of ſir Francis Netherſole written all with his own hand to ſir George Calvert, dated in Prague, Aug. 11. 1620, and ſent by his late Majeſty to the ſaid earl for his comfort, being as followeth:

Right honorable,

" THAT you may be the better aſſured I " have neither forgot nor neglected the com- " mandment received from his Majeſty by your " honor; you will be pleaſed to have the patience " to hear me report what I ſaid to this King upon " the delivery of my lord deputy's letters to his " Majeſty; which was, that the King my maſter, " whoſe juſtice is ſo renowned over the world, did " uſe to ſhew it in nothing more, than in vindi- " cating his ſervants from wrongful opinions where- " of he knew noble hearts more ſenſible, than of " injuries done to their perſons or fortunes: that, " out of his royal diſpoſition, his Majeſty having " found my lord Digby miſtaken by ſome of his " own people at home, by occaſion of his being " by him imployed in the affairs with Spain, hav- " ing thereupon received a jealouſy, that the ſame " noble lord might be alſo miſ-reported; hitherto " his Majeſty's hands in that reſpect gave me a " particular commandment, to aſſure his Majeſty, " he had not a more truly affectionate ſervant in " England: and for proof thereof, to let his Ma- " jeſty underſtand, that whereas the baron of Don- " caſter, now his Majeſty's embaſſador for Eng- " land, had, ſince his coming hither, obtained but " three great boons for his Majeſty's ſervice; viz. " the loan of money from the King of Denmark, " the contribution in England of the city and coun- " tries, and the ſending embaſſadors to the con- " trary parties; that my lord Digby had been the " firſt propounder of all thoſe to the King my " maſter, before his Majeſty's embaſſador, or any " other of his Majeſty's ſervants in England; altho' " his lordſhip was contented, that others who " were but ſet on, ſhould carry away the thanks " and prayers, becauſe his lordſhip, being known " to be the firſt mover therein, might poſſibly " weaken the credit he hath in Spain, and to ren- " der himſelf the more valuable to ſerve both " his own maſter and his Majeſty; in which reſpect " I humbly prayed his late Majeſty to keep this " to himſelf."

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By which teſtimony it may appear, as the ſaid earl conceiveth, how he the ſaid earl beſtowed himſelf before his embaſſage, and in his ſaid embaſſage with his ſaid late Majeſty's approbation thereof. Now he humbly craveth leave to give your lordſhips account how he proceeded after his return from the Emperor's court.

As ſoon as he came into England, he diſcovered to his Majeſty, and the lords of the council, in what great want he had left the forces in the Palatinate, and ſollicited the preſent ſending away of money; thereupon thirty thouſand pounds was borrowed of ſir Peter Vanlore, ſir Baptiſt Hicks, and ſir William Cortine, and preſently ſent to the Palatinate, beſide the ten thouſand pounds which he lent, for which he paid the intereſt out of his purſe for ſix months, having alſo given, not long before, five hundred pounds, by way of benevolence, to the ſervice of the ſaid Palatinate.

Now in the interim between his return from the Engliſh coaſts, which was in November 1621, and his going into Spain in May 1622, he firſt gave his account as aforeſaid of his embaſſage to both houſes of parliament, and moved them effectually, as was poſſible, for the ſupplying his Majeſty, and that the money might wholly be imployed for the ſuccor of the Palatinate.

The parliament being diſſolved, he ſollicited with great care and induſtry the ſetling ſome courſe for ſupplying the Palatinate, and his Majeſty was perſuaded to maintain eight thouſand foot, and ſixteen hundred horſe, under his own ſtandard, and at his own purſe, in the Palatinate, to eſtabliſh a certain courſe for due payment of the ſaid army: lord Chicheſter was, upon the ſaid earl's motion, ſent for out of Ireland, and the ſaid earl, by his Majeſty's command, took order for his diſpatch. In this eſtate the ſaid earl left his affairs at his departure towards Spain, in May 1622, nothing doubting but that all things would have effectually and conſtantly been purſued, according to the order which was ſettled and reſolved on at his departure.

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On his arrival at the court of Spain, he inſtantly proceeded according to his inſtructions, preſſing the buſineſs of the Palatinate as effectually as he could, and faithfully labored and effected, from time to time (as far as to the point of negociation) all particulars which were given him in charge, as it will appear by his late Majeſty's letter upon every particular occaſion; and if, by the accidents of war for that ſummer, the marquis of Baden, count Mansfield and the duke of Brunſwic, received each of them an overthrow (the ordering of whoſe affairs his Majeſty ſo far complained of to his ſon-in-law, as to give order for the withdrawing of his forces, as will appear by his Majeſty's letters, on the third of June 1622, and alſo by his letters to ſir Horace Vere, and lord Chicheſter, of the ſame date, if there was not a ſpeedy redreſs) if by any of thoſe accidents thoſe buſineſſes have miſcarried, the ſaid earl hopes he ſhall not be liable to the blame, it having no relation to him, or to his imployment, having ſo far and ſo honeſtly, with his beſt affections, imployed his care and utmoſt ſervices in the buſineſſes, as his Majeſty was pleaſed, by many ſeveral letters upon ſundry occaſions, to ſignify his gracious receptance of his ſervice, as in his letters of November 24, 1622, written as followeth, viz.

" Your diſpatches are in all points ſo full, and " and in them we receive ſo good ſatisfaction, as " in this we ſhall not need to inlarge any farther, " but only to tell you, we are well pleaſed with " this diligent and diſcreet imployment of your " indeavors, and all that concerneth our ſervice; " ſo we are likewiſe with the whole proceedings of " our embaſſador, ſir Walter Aſton.

New-Market, Nov. 24, 1622. Thus we bid you heartily farewel.

And afterwards his Majeſty was likewiſe pleaſed, in his letters of January 8, 1622, a little before our gracious Sovereign Lord the King's (then Prince) coming into Spain, viz.

" Concerning that knotty and unfortunate affair " of the Palatinate, to ſay the truth, as things " ſtand, I know not what you could have done " more than you have done already."

And whereas it is objected, the Palatinate ſhould be loſt by the hopes he the ſaid earl gave, by his letters out of Spain, it is an objection of impoſſibility: there was nothing left but Manheim and Frankendale, when his firſt letters out of Spain could poſſibly come to his late Majeſty's hands; for he did not begin to negociate that buſineſs until Auguſt 1622, and about that time Heidelburgh, and all but Manheim and Frankendale, was loſt; and Manheim he had ſaved by his induſtry, had it not been ſo ſuddenly delivered, as is by his Majeſty acknowledged by a letter of November 24, 1622, written thus, viz.

" And howſoever the order, given to the Infanta, " for the relief of Manheim, arrived too late, and " after the town was yielded to Tilly; yet muſt we " acknowledge it to be a good effect of your nego- " ciation, and an argument of that King's ſincere " and ſound intention."

And Frankendale being, by the ſaid earl's means, once ſaved, was again the ſecond time ſaved merely by the ſaid earl's induſtry; and procuring a letter from the King of Spain, dated the ſecond of February 1623. Whereupon followed the treaty of ſequeſtration, which hath ſince continued. And he the ſaid earl was ſo far from hindering ſuccors by any letter or counſel of his, that he was the ſollicitor, and in great part the procurer of moſt of the ſuccors which had been ſent thither, as is formerly ſet down. And when his royal Majeſty who now is, and the duke of Buckingham, arrived at the court of Spain, they found the buſineſs of the Palatinate in ſo fair a way, that the Spaniſh miniſters told them, the King ſhould give his late Majeſty a blank, in which we might frame our own conditions; and the ſame he confirmeth unto us now; and the like touching this blank was likewiſe acknowledged by the duke of Buckingham, in his ſpeech in parliament, after the return of his Majeſty out of Spain. And it will appear, by the teſtimony of ſir Walter Aſton, and by his and the ſaid earl's diſpatches, that the ſaid earl wanted not induſtry and zeal in the buſineſs: inſomuch as the laſt anſwer the ſaid earl procured herein, from the King of Spain, was fuller than he the ſaid earl was ordered by his late Majeſty's lateſt letters to inſiſt upon. So, as by that which hath been alleged, the ſaid earl hopeth your lordſhips will be ſatisfied, not only that he wanted neither will nor induſtry, but that he hath, with all true zeal and affection, and with his own means, faithfully ſerved their Majeſties, and the Prince Palatine in this cauſe: and, for aſſurance in that affair, he had all that could be between Chriſtian Princes; and if in the ſaid aſſurances there hath been any deceit, as by the ſaid articles is intimated, which he never knew nor believed, he refered it to God to puniſh their wickedneſs; for between Princes there can be no greater tie than their words, their hands and ſeals, all which he procured in that behalf; and both the ſaid earl, and ſir Walter Aſton were ſo confident that the buſineſs would be ended to his late Majeſty's ſatisfaction, that, in a joint diſpatch to his late Majeſty of 24 November 1623, after his now Majeſty's return into England, they wrote as followeth, viz.

" We hope that your Majeſty may, according " to your deſire ſignified to me the earl of Briſtol, " by leters of October 8, give to your Majeſty's " royal daughter, this Chriſtmaſs, the comfortable " news of the near expiring of her great troubles " and ſufferings, as unto the Prince your ſon, in " the congratulation of being arrived to a moſt ex- " cellent Princeſs."

And having thus given your lordſhips an account of his proceedings touching the Palatinate, he will, by your lordſhips good favors, proceed to the other part of that charge concerning the marriage.

And firſt, touching the hopes and aſſurances, which he is charged to have given to his late Majeſty, and his miniſters of ſtate here in England, of the Spaniards real proceedings in the ſaid match, when he ſaid, he knew he never intended it: he ſaith, he never gave any hopes of their real proceedings, but ſuch, and the very ſame which were firſt given to him, without adding or diminiſhing; neither could he have done otherwiſe, either with honeſty or ſafety. And he farther ſaith, that the hopes he gave were not upon any intelligence; but, as well in that of the match, as the other of the Palatinate, his advertiſements were grounded upon all the aſſurances both of word and writing, could poſſibly paſs between Chriſtians, as will be made evidently appear by his diſpatch of September 9, 1623, which he humbly deſireth may be read, if the length of it may not diſpleaſe: the ſubſtance being to ſhew, by all the ingagements and promiſes of the King of Spain, that he really intended the match. And the cauſes why Conde Olivares pretended to the duke of Buckingham, that the match was not formerly deſigned, was only thereby to free himſelf from treating any longer with the ſaid earl, to the end that he might treat for larger conditions, in point of religion, with the ſaid duke: the ſaid Conde Olivares taking advantage of having the perſon of his Majeſty, then Prince, in his hands: and with this diſpatch the ſaid earl acquainted his Majeſty, who now is, in Spain, before he ſent it.

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And

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And by this diſpatch the earl doubted not, but that it will appear to this honorable court, that while the treating of this buſineſs was in hand, he proceded in that, not only with care and induſtry, but with ſome meaſure of vigilancy. And for clearing an objection which hath been alleged, that the match was never intended before the duke's coming into Spain, nor after; the earl craveth leave to ſet down ſome few reaſons, of many, which cauſed him to believe that the ſaid match was, and hath been really deſigned, and that it was ſo conceived by both their Majeſties, and the King of Spain, and their miniſters on both ſides.

For, firſt, the duke of Buckingham certified his late Majeſty, that the buſineſs of the marriage was brought to a happy concluſion; whereupon his late Majeſty was pleaſed to give the duke and earl orders to proceed in the buſineſs; which his ſaid Majeſty would not have treated 'till the ſaid marriage was concluded, as will appear by a letter of his ſaid late Majeſty, jointly to the duke of Buckingham and the ſaid earl, of the twenty third July 1623.

Secondly, it will appear, by letters of the ſaid lord Conway to the duke of Buckingham, bearing date September the fourth, 1623, that the ſaid duke had good aſſurance of the concluſion of the ſaid match; and upon this confidence were all things put in due execution in England, as had been capitulated; and lord Conway with others faithfully agreed and ſettled all the points of immunity and liberty for the Roman Catholics, and for the uſe of their religion, as was ſet down in their declaration, Auguſt the ninth, 1623, hereafter mentioned in the anſwer to the fifth article of this charge.

Thirdly, the very day his now Majeſty and the duke of Buckingham departed from the Eſcurial, in Spain, towards England, the ſaid duke ſolemnly ſwore to the treaty of the ſaid marriage, and the fartherance of it to the utmoſt of his power, upon the holy evangeliſts, in preſenſe of the ſaid earl and ſir Walter Aſton.

Fourthly, the treaty of the ſaid marriage had been formerly ſigned, ſealed and ſolemnly ſworn by the King of Spain: and when his Majeſty and that King took their leaves, he did ſolemnly, in the words of a King, faithfully and punctually proteſt to perform whatſoever had been capitulated in the treaty of marriage; and thereupon imbraced his Majeſty at his departure, and ſent the very next day a letter, written all with his own hand, to his Majeſty, vowing and proteſting to make good all he had capitulated or promiſed unto his Majeſty at his departure the day before. So that if there were no true meaning on the part of Spain to make the marriage, as by mr. attorney is pretended, yet certainly the earl hath not been ſlightly deceived; neither can it be, as he conceiveth, any fault in him, ſince not only his late Majeſty, but alſo his Majeſty who now is, and the duke of Buckingham, being then both upon the place, did confidently believe, and that upon other grounds than miſ-informations, ſuggeſtions and perſuaſions of the ſaid earl, that the marriage was really intended: and to that effect, both his late Majeſty of bleſſed memory, and his moſt excellent Majeſty who now is, after his return into England, wrote unto him the ſaid earl ſeveral letters, aſſuring him, that their intents and pleaſures were to have the ſaid match proceeded in, and thereupon the proxies of his Majeſty, then Prince, were again inrolled and ſent to the ſaid earl. So that the earl having ſo many and ſo great cauſes to be aſſured that the match was really intended on both ſides, he conceiveth it will be hard for mr. attorney to make good that part of his charge, wherein he affirmeth, that the earl ſhould know the contrary, or the aſſurance to be upon falſe grounds, as in the ſaid article is alleged.

II. To the ſecond article, he directly denieth all the ſuppoſed offenſes wherewith he ſtandeth charged by the ſaid article. And for a clear declaration and manifeſtation of the truth and manner of his proceedings, he ſaith, Proceedings againſt the earl of Briſtol.

Firſt, as to continuing the treaties upon generalities, that the temporal articles were by agreements on both ſides not to be treated or ſettled until ſuch time as the articles of religion were fully agreed on; for that it was held moſt proper and honorable for both ſides, firſt, to ſee if the difficulty of religion might be removed, before they paſſed to any farther ingagements. And the ſaid articles of religion, by reaſon of the Pope's new demands ſent into England by mr. Gage, were not ſigned nor condeſcended to by his late Majeſty, nor his Majeſty who now is, then Prince, 'till January 5, 1612, and were then ſent away poſt from England to the ſaid earl by mr. Simon Digby, who arrived with them at Madrid, in Spain, about the twenty fifth of the ſame month. But the earl's care was ſuch, to have no time laviſhed in ſettling the temporal articles, that before he would condeſcend ſo much as "de bene eſſe" to the articles of religion, that they ſhould be ſent back to Rome, he procured the King of Spain to promiſe that, within the time limited for procuring the deſponſories, which was by March or April following at fartheſt, all temporal articles ſhould be ſettled and agreed, to the end that the Infanta might be delivered at ſpring, as by the King of Spain's anſwer in writing was declared to be the King's intention; and accordingly ſir Walter Aſton and the ſaid earl did not deal in general, but did moſt induſtriouſly labor to ſettle all in particular, viz. That the portion ſhould be two millions, it appearing, that it was ſo agreed by the late King of Spain *; that the dipenſation coming, the deſponſories ſhould be within forty days after; and that Don Duarte of Portugal ſhould be the man who ſhould attend the Infanta in her journey. And all other particulars neceſſary for concluſion of the ſaid treaties, were, by ſir Walter Aſton, the ſaid earl, and the Spaniſh commiſſioners, drawn up into heads, in writing, and after many debates they were conſulted with that King; and the ſecond of March, 1623, ſtilo vet. Conde Gondomar, and the ſecratary Don Andreas de Prada, were appointed to come home to the houſe of the ſaid earl, to ſignify unto ſir Walter Aſton and himſelf, as they did, that the King of Spain had declared his reſolution in all the particulars, and given them order to come to a ſpeedy concluſion with them in all things: and that King's anſwer to that concluſion, the earl ſaw, and read, all written with the King of Spain's own hand.

* Philip III.

On the ſeventh day of the ſaid month of March, 1623, the King's Majeſty, then Prince, and the duke of Buckingham, arrived at Madrid; and the Spaniards took new laws, and the negociation was put into a new form. So that whereas it is objected againſt the earl, that he entertained and continued the treaties ſo long upon generalities, he conceiveth it is not underſtood of the ſpiritual articles; they being ſuch as were ſent from Rome into England, from thence they came to the earl: and for the temporal articles, they were not to be ſettled and treated 'till the articles of religion were concluded. He conceiveth it cannot be alleged, with any color, that his Majeſty was entertained with generalities, ſince when thoſe articles touching religion were brought to the ſaid earl by mr. Simon Digby, being about the twenty fifth of January, there were but ſix weeks until the ſeventh of March following, when his Majeſty, then Prince, arrived at Madrid; and in the interim, all the above-mentioned particulars were ſettled: and the time which hath been expended in this treaty, hath not been thro' his the ſaid earl's default, in continuing upon generalities, without preſſing

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preſſing to particulars, but hath been cauſed as well by difficulties which the buſineſs brought with it, as alſo with exterior accidents, viz. The wars of Bohemia, the death of two Popes, and the late King of Spain*, without the leaſt fault of the ſaid earl, as is acknowledged by the late King of bleſſed memory, in the ſaid earl's inſtructions, on the fourteenth of March, 1621.

* Philip III.

Neither could any delay therein be attributed to him the ſaid earl; for he was imployed in thoſe times into Germany and Flanders, and ſir Walter Aſton and ſir Francis Cottington, for the ſpace of three or four years, were reſident in Spain; from whence the hopes they gave were upon all the diſcreet grounds miniſters can expect from a ſtate: but the earl re-aſſumed his buſineſs ſix months before his Majeſty's coming into Spain; and he was ſo deſirous to ſee his Majeſty then Prince, beſtowed, that he preſſed nothing ſo much, both to the King and Prince, as that the Prince might loſe no more time, and rather to break the match with Spain, than ſuffer any farther delays; as will appear by his diſpatches from his firſt arrival at the court of Spain, until the coming of his Majeſty, then Prince. For, in his letters of June 20, 1622, being the firſt he wrote after his firſt audience, he was ſo deſirous that no time might be loſt, that in them he craved leave of his Majeſty that, in caſe he ſhould find any delays in Spain, he might, without expecting any order, take his leave, and come home.

Upon the return of ſir Francis Cottington, in September then following, he wrote both to the King, and his Majeſty, then Prince. To the King, as followeth:

"I ſhall preſume to add to that which mr. Cottington ſhall deliver unto your Majeſty by word of mouth, of the preſent eſtate of the match, what I conceive to be the right way to bring it to a ſpeedy iſſue: that your Majeſty will be pleaſed poſitively to declare, what you will do in point of religion, and that you will appoint me a certain limited time, by which this King ſhould procure the diſpenſation, or conclude the match without it; and in caſe there ſhall be any farther delay therein, that I may then declare your Majeſty to be free, and diſingaged to beſtow the Prince in ſuch ſort as you ſhall judge moſt convenient."

And to the Prince, at the ſame time, he wrote in theſe ſubſequent words, viz.

"That which will be neceſſary for his Majeſty preſently to do, on his Majeſty's part, is to declare himſelf, how far he will be pleaſed to yield in point of religion, as mr. Cottington will approve unto your Highneſs: and that he ſet a prefixed time to break or conclude the match, either with the diſpenſation, or without the ſame; and for the reſt, it may be left to my negociation: but your Highneſs may be pleaſed to haſten his Majeſty's reſolution, with all poſſible ſpeed."

And the ſaid earl ſaith, that having received from his ſaid late Majeſty his reſolution in point of religion, and a limited time according to his deſire, he was ſo preciſe and punctual therein, that altho' the making or breaking of the marriage depended upon it, he would not give one month's reſpite longer time for procuring the diſpenſation, until he had firſt acquainted his late Majeſty therein, and received his directions under his own hand; as will appear by his Majeſty's letters of October 25, 1622, as followeth:

"Right truſty and well-beloved couſin and counſellor, we greet you heartily well. Whereas by your laſt letter, written to our ſecretary, dated September 29, you are deſirous to have our pleaſure ſignified unto you under our own hand; whether we will be content or not to grant a month's time longer, for the coming of the diſpenſation from Rome, than we have already limited unto you, in caſe they ſhall there conclude all things elſe for our contentment, with a reſolution to ſend the Infanta hither next ſpring: we do hereby declare unto you, that in that caſe you ſhall not break with them for a month's longer delay. We alſo wiſh you not to trouble yourſelf with the raſh cenſure of other men, in caſe your buſineſs ſhould not ſucceed; reſting in that full aſſurance of our juſtice and wiſdom, that we will never judge a good and faithful ſervant by the effect of things ſo contingent and variable. And with this aſſurance we bid you heartily farewel."

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And he farther ſaith, that when he had agreed to the articles of religion, and that a certain time was ſet for the coming of the diſpenſation, and a concluſion of the match, altho' he would bind himſelf to nothing without his Majeſty's approbation, yet for that no time might be loſt, he agreed to the propoſitions, 'de bene eſſe,' ſent by mr. Porter, December the 10th, 1622, to the end the articles might be immediately ſent to Rome, without loſing ſo much time as to hear firſt from England: and humbly moved that, in caſe his Majeſty ſhould like of the ſaid articles, he would ſend his approbation directly to Rome for the gaining of time: which his Majeſty was pleaſed to do: and, at the ſame time, he wrote both to his ſaid late Majeſty, and his now Majeſty, then Prince, as followeth: viz. to his Majeſty.

"This is the true ſtate of the buſineſs as it now ſtandeth. If your Majeſty approve of what is done, I hope it will be a happy and a ſhort concluſion. If your Majeſty think it not fit to allow and condeſcend to the ſaid articles, I have done the uttermoſt of my indeavors, and ſhall humbly perſuade your Majeſty not to loſe a day longer in the treaty; ſo much it importeth your Majeſty and your kingdoms that the Prince were beſtowed."

And to the Prince, in letters of the like date, in this ſort.

"I have preſumed to write to his Majeſty that which I think my duty to ſay to your Highneſs, that in caſe you ſhall not approve of what is now conditionally agreed, you permit not a day more to be loſt in this treaty: for it is of ſo great conſequence that your Highneſs were beſtowed, that it importeth almoſt as much that you were ſpeedily, as fitly matched. But I hope his Majeſty, and your Highneſs, will in ſuch ſort approve of this laſt agreement, as you will ſpeedily bring this long treaty to a happy concluſion. I am out of hope of bringing things to any better terms; therefore I deal clearly with your Highneſs, and do not only moſt humbly perſuade but on my knees beg it of you, that you either reſolve to conclude this match as you may, or ſpeedily to break it, and beſtow yourſelf elſewhere; for no leſs than the happineſs of your kingdom, and the ſecurity of the King your father, and yourſelf, depend upon it.

All which things being conſidered, the earl moſt humbly ſubmiteth himſelf to the judgment of that moſt high and honorable court, whether the delays, which accidents have brought forth in this buſineſs, can be attributed to his fault; ſince on the one ſide it will evidently appear to your lordſhips, that he never moved his Majeſty and the Prince to admit of delays, but rather to think of ſome other courſe; and it will, on the other ſide, appear by all the diſpatches, that he preſſed things with the miniſters of Spain to as ſpeedy a concluſion as the uttermoſt terms of fair negociation and good manners would bear. And whereas it is pretended, that the Spaniards

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niards ſhould take occaſion, by entertaining the ſaid treaties, to abuſe his ſaid late Majeſty (which he knoweth not) yet, he ſaith, he uſed all the vigilancy and induſtry a careful miniſter could do, and had from the Spaniards all the aſſurances, by oaths, words and writings, which could be expected from Chriſtians: the which, without adding or diminiſhing, he faithfully preſented unto his ſaid late Majeſty; and his ſaid late Majeſty was pleaſed in thoſe times, to conceive upon thoſe aſſurances, that they dealed really with him: and he conceiveth that his Majeſty who now is, then Prince, and the duke of Buckingham, were pleaſed to write as much to the late King's Majeſty, at their firſt coming into Spain, and that all which the earl had written, touching that imployment, was there avowed by Conde Olivares and Conde Gondomar, to the ſaid Prince and duke, on their arrival at Madrid; and he hopeth, that if that diſpatch may be peruſed, it will as well appear and be adjudged, that he ſerved his Majeſty with ſome meaſure of vigilancy, as well as fulneſs of fidelity.

III. To the third article the earl ſaith, that he did not, either by words or by letters to his late Majeſty, or his miniſters, extol or magnify the greatneſs and power of the King of Spain; nor repreſented to his late Majeſty the ſuppoſed danger which might inſue unto him if a war ſhould happen between him and the King of Spain; nor affirmed, nor inſinuated the ſame, as in the ſaid article is mentioned; but if he did at any time ſpeak or write of the power and greatneſs of the King of Spain, or repreſent any danger to his ſaid late Majeſty which might inſue by entering into hoſtility with the ſaid King of Spain, it was as a faithful counſellor and ſervant to his Majeſty, by way of his advice and opinion, which he ever delivered ſincerely, faithfully and truly, according to the preſent occaſion, and in no wiſe with ſuch intent as in the ſaid articles is mentioned, nor to any other evil intent or purpoſe whatſoever.

But he hath been ſo far from diſſuading his late Majeſty to take arms, that he hath upon all juſt occaſions adviſed, that all fiting preparations for war might be made, as begining with the year 1621, from which time he is only charged, will appear by his ſpeech in parliament preſently after his return out of Germany; and that he hoped his Majeſty would no longer rely upon ſingle treaties, but make all fiting preparations for war; and that the parliament would inable his Majeſty thereunto; and by the care he took before his going again upon his embaſſage into Spain, that the eſtabliſhment of an army under his Majeſty's own ſtandard of horſe and foot, and under his own pay, might be ſettled and provided for; as likewiſe his advice to the lords of the council, that his Majeſty might have a curb upon the King of Spain upon all occaſions, by continuing ſir Robert Manſel's fleet on the coaſts of Spain, as will appear by his letter written from Vienna, 26 July 1621, mentioned in the anſwer to the firſt article. By all which it appeareth, that he labored and indeavored as much as in him lay, that his Majeſty might be well prepared for any occaſions of war which ſhould happen. And he no way remembereth to have diſcouraged, or to have ſpoken or written any thing which might have been underſtood to have tended to the diſcouraging of his ſaid late Majeſty from taking arms, and entering into hoſtility with Spain, or for reſiſting of him and his forces from attempting the invaſions of his late Majeſty's dominions, or the dominions of his late Majeſty's confederates, friends or allies, as by the ſaid articles is charged againſt him; neither remembereth that he had any cauſe ſo to do. But if he have in any kind ſpoken or written of Spain, or the power thereof, it may have been to his late Majeſty, or to his now Majeſty, by way of diſcourſe, ſpeaking of the ſolidneſs of the Spaniſh proceeding, of their ſerious and deliberate debating of buſineſſes before they reſolve on them, of the conſtant purſuing of them when they are once reſolved, wiſhed that England and other nations would therein imitate them: for he ſuppoſeth the right way to impeach their greatneſs was to grow as wiſe as they, and to beat them at their own weapons. But otherwiſe he is confident never to have been heard to ſpeak or write what might be any terror or diſcouragement to his late Majeſty, or his chief miniſters, knowing that England, well ordered, need to take little terror at the power of Spain, having almoſt in all attempts and enterpriſes won honor upon them. And as for the preventing ſuch dangers as might inſue upon a war, tho' he knew not what is aimed at in that particular: yet he is moſt confident, out of the integrity of his own conſcience, that he neither ſaid, nor adviſed any thing but what befited a faithful counſellor and embaſſador, which was truly to deliver his opinion, as he underſtood it upon the preſent occaſion: and as for affirming his Majeſty's quiet ſhould be diſturbed, and he not be permited to hawk or to hunt, he remembereth not what diſcourſe he may have had, or written to any perſon, how fit it might be, on the being imbroiled in a great war, ſeriouſly to intend it, and make it our whole work. But as he is confident it will appear, that what diſcourſe ſoever it might have been, it wanted not true zeal and affection which he hath ever borne to the King's ſervice, and hopeth it will not be found to want the due reſpect and reverence on his part, which he ought to ſhew to ſo gracious a maſter. Neither can it be conceived, that the conſiderations of hunting and fowling ſhould be conſiderations worthy ſo great and prudent a King, to with-hold from a war for the good of Chriſtendom, and his kingdom, if he ſhould have been juſtly provoked thereunto.

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IV. To the fourth article the ſaid earl ſaith, that he did not any thing contrary to his duty or allegiance, or contrary to the faith and duty of an embaſſador, as by this article is alleged; but did intend the ſervice and honor of his late Majeſty; and no corrupt and ſiniſter ends of his own advancement, as by this article is ſo alleged. And as for the conference, which is pretended he ſhould hold concerning the treaty, that being told there was little probability the ſaid treaties would or could have good ſucceſs, he ſhould acknowledge as much; and yet ſaid, he cared not what the ſucceſs thereof might be, but that he would take care to have his inſtructions perfect, and to purſue them punctually, and would make his fortune thereby, or words to that effect; he doth not ever remember to have held ſuch diſcourſe. Tho' it be true, the time hath been, many years ſince, when he thought the match very unlike to be effected, in regard unequal anſwers were given in Prince Henry's days, and of the unlikelihood of accommodating the differences of religion; and ſaith farther, that reviving the treaty of the ſaid match for his Majeſty who now is, was not by his means, for he ever declared his opinion clearly, both to his late Majeſty, and to his Majeſty who now is, that, in the firſt place, he wiſhed and adviſed a Proteſtant match, but in the duty of a ſervant, underſtanding that both their Majeſties deſired the match really with Spain, he did really and faithfully intend the ſervice and honor of their Majeſties, and effectually indeavored to procure their ends. And it is very likely he might ſay, he would get his inſtructions perfect, and purſue them punctually, as he conceiveth was lawful and fit for him; but the latter part of this conference, that he ſhould ſay he would make his fortune by it,

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or any other words to that effect, he was in the year 1621, and ever ſince, of that rank and quality, both in regard of his imployments, fortunes, and his Majeſty's favor, that he aſſureth himſelf he did not, and dareth anſwer ſo far for his diſcretion, that it was impoſſible for him to hold ſuch mean and unworthy diſcourſe.

V. To the fifth article he ſaith, that what is therein alleged, is ſo far from being ſo, that contrarily, upon all occaſions, to the uttermoſt of his power, he did labor to prevent all the inconveniencies, in point of religion, which might come by matching with a Princeſs of a different religion, as well appeareth by the paper of his opinion, that his Majeſty ſhould marry with a lady of his own religion, hereafter mentioned in his anſwer to the ſeventh article: and for farther proof thereof, he ſaith that, in the whole treaty with Spain, he ſtood more ſtrict in points of religion than, by his inſtructions, he needed to have done, as will appear by the teſtimony of ſir Walter Aſton, and his diſpatches of the twelfth of December 1622, and other diſpatches, which he deſireth may be read. And as for concealing or perſuading to ſet at liberty the prieſts or Jeſuits, he utterly denieth to have done any ſuch thing, as before he hath anſwered. Altho' it be true, that the embaſſage in Spain be far different from the imployment of other places, where there is a body of our reformed religion, and where his Majeſty hath kindred and allies: whereby his Majeſty's miniſters may be informed of the neceſſary occurrences of ſtate, without the helps of prieſts or Jeſuits: but in Spain there being none but Roman Catholics, nor any manner of correſpondency or intelligence but by them, the embaſſadors muſt make uſe of all ſorts of people, eſpecially of Jeſuits and prieſts, and to that end embaſſadors ſent thither have a large and particular warrant, under the King's hand, to treat and make uſe of prieſts and Jeſuits, and all other ſorts of men, unleſs it be ſuch as are proclaimed rebels; and diverſe times the miniſters, imployed in Spain, to gratify ſome whom there they imployed for the King's ſervice, have, as he believeth, at their particular ſuit, moved his Majeſty to extend grace and favor to ſome particular friend and kinſman of his, being a Roman Catholic, and impriſoned in England; and that he remembereth to have happened to others, but doth not remember himſelf to have written to his late Majeſty in that kind: and as concerning his advice and counſel, to ſet at liberty Jeſuits and prieſts, and the granting to Papiſts a toleration, or ſilencing the laws againſt them, he ſaid, that his late Majeſty was ingaged, by the treaty of Madrid, 1617, in diverſe matters concerning religion; likewiſe by promiſe to Conde Gondomar, and his letters to the King of Spain, April 1620, wherein he is pleaſed to promiſe ſome particulars in favor of Roman Catholics, as by the ſaid letters will appear: and underſtanding the ſaid earl had ſufficient warrant, under the King's own hand, to aſſure the King of Spain, whatſoever was agreed in the ſaid article, or in the ſaid letters, his Majeſty would ſincerely perform; yet the ſaid earl was ſo cautious in that point, that when, for concluſion of the match, the other articles of religion being allowed, it was preſſed by the Spaniſh miniſters, that a clauſe of convenience might be inſerted, with proteſtation, that the form and way thereof ſhould be wholly left to his Majeſty's wiſdom and clemency, and that his Majeſty's Roman Catholic ſubjects ſhould acknowledge this grace to have come from the King's Majeſty's mercy and goodneſs; yet the ſaid earl would not condeſcend hereunto, 'de bene eſſe,' as by his letters to maſter ſecretary Calvert, 8 October 1622, will appear, hereby to give his Majeſty time to have recourſe unto his ſecond conſultation, and to take it into conſideration before he would ingage or bind himſelf in this point. But his late Majeſty, and his Majeſty who now is, were pleaſed to condeſcend hereunto, by ſigning the ſaid articles with their own hands, and likewiſe by writing their private letters, of the 8th of January 1622, to that effect to the King of Spain, as by the ſaid letters will appear. Neither did the ſaid earl, by letters or otherwiſe, ever counſel or perſuade his late Majeſty, to grant or allow unto the Papiſts, or profeſſors of the Romiſh religion, a free toleration, and ſilencing the laws made and ſtanding in force againſt them, but ever proteſted againſt any ſuch toleration; and when any ſuch proviſion hath been offered to be made in Spain, he ever refuſed ſo much as to give ear to it, or ſuffer it to be propounded; altho' it be true, that he hath ſince ſeen a paper touching pardons, ſuſpenſions, and diſpenſations for Roman Catholics, bearing date the ſeventh of Auguſt 1623, ſigned by lord Conway and others, which in effect is little leſs than a toleration.

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This declaration being to be ſeen in the reign of King James I, under the year 1623, inſerting it here would be ſuperfluous.

But this declaration, the ſaid earl ſaith and affirmeth, was the effect of the duke of Buckingham's negociation, and treated and concluded by lord Conway with the Spaniſh embaſſador here, while the Prince was in Spain; neither was his privity or advice in it: for if he had known it, he ſhould have proteſted againſt it. All which, together with the difference between the conditions of religion agreed at the treaty of Madrid, 12 Dec. 1622, by the ſaid earl and ſir Walter Aſton, being by their lordſhips conſidered, the ſaid earl doubteth not but that it will manifeſtly appear, whoſe indeavor it was to advance the Romiſh religion, and the profeſſors thereof; and judgeth the ſaid earl moſt unfortunate to be charged with an article of this kind.

VI. To the ſixth article the earl ſaith, that the aſſurances which he gave his late Majeſty, and his Majeſty who now is, concerning the treaties were ſuch that it had been diſhoneſty and breach of his duty and truſt for him to have held them back, being the ſame which were given him by the Emperor, the King of Spain, and their miniſters, upon as great aſſurances as can paſs between miniſters of Princes in the like caſe. And for the delays of Spain, they could never be ſo ill, and with ſo little color complained of, as at the time of his Majeſty's coming thither; for that a certain time was before then prefixed for the diſpenſation's coming, viz. in April 1623, at the fartheſt, which was next month after the Prince's arrival at Madrid; the deſponſories were to be within four days following, and the Infanta begin her journey into England twenty days after: ſo as three months patience longer would have ſhewed the iſſue of the buſineſs without puting the perſon of the Prince, being heir-apparent to the crown, in ſo imminent a hazard for the trying an experiment. And it is an argument of great ſuſpicion, becauſe the Spaniards were ſuſpected to have dealed falſely, and ſo the leſs to be truſted with the Prince's perſon to be put into their hands to try concluſions: but the truth is, tho' that were made the pretended ground and occaſion of the journey, it was neither the aſſurances of the ſaid earl, nor the jealouſies of Spain, but other motives which were the original cauſe of his Majeſty's ſaid journey, as ſhall be ſufficiently made apparent in due time. And the ſaid earl having got an inkling of it, by ſomething let fall from Conde Gondomar to that purpoſe, inſtantly diſpatched away by Mr. Griſly to his late Majeſty, to have his journey prevented; who, upon the confines of France,

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France, met with his Majeſty and the duke of Buckingham on his journey towards Spain, and told them as much. So that, altho' he confeſſeth what is laid in the charge to be true, viz. that, by the ſaid journey, the perſon of the prince, the peace and ſafety of the kingdom did undergo farther danger (at the remembrance whereof the hearts of all good ſubjects do tremble) yet the blame is due to the authors and adviſers of the ſame journey, and not to the ſaid earl; and altho' it pleaſed God, to the exceeding great joy and comfort of the ſaid earl, and of all good men, to ſend his gracious Majeſty home with ſafety, yet never was the perſon of any Prince, upon ſuch grounds, expoſed to ſo great a hazard; and in ſuch caſes, not the ſucceſs, but the counſellors are conſiderable.

VII. To the ſeventh article the ſaid earl ſaith, that he did not move or perſuade his Majeſty, then Prince, to change his religion, neither in the manner in the ſaid article mentioned, nor in any other manner whatſoever: neither doth he conceive, that the charge in itſelf as it is laid, will, in any reaſonable conſtruction, bear any ſuch inference as is made therein; ſo as he conceiveth he needeth not make any farther or other anſwer thereunto: yet that it may appear, that the manner he uſed to the ſame Prince was not traiterouſly, falſely, or cunningly, nor without ground, or to any ſuch intent as, in the ſaid article, is ſuppoſed, and to manifeſt unto this moſt high and honorable court, how far he was from all ſuch intention, he ſaith, he doth acknowledge that, within few days after his Majeſty's coming into Spain, while he had the great honor to have his Majeſty lodged at his houſe, and to have ſo royal a gueſt, finding by the Spaniſh miniſters there was a general opinion, that his Majeſty's coming thither was with intention to become a Roman Catholic; and Conde Gondomar having, that very morning, preſſed the earl not to hinder ſo pious a work (as he termed it) of his Majeſty's converſion, and ſeeming to be aſſured of the duke of Buckingham's aſſiſtance therein, his Majeſty, being all alone in a withdrawing room in the ſaid earl's houſe, the ſaid earl kneeled unto him, and told him, that he had a buſineſs to impart unto him which highly imported his Majeſty to know, ſo that he might be aſſured his boldneſs therein might be pardoned; which his Mrjeſty graciouſly promiſed. Thereupon the ſaid earl told his Majeſty, that the general opinion of the court was, that his Majeſty's coming into Spain was with intention to be a Roman Catholic, and there to declare it. And he confeſſeth, that at the ſame time, in regard of thoſe things he had heard, he humbly beſought his Majeſty to deal freely with him, as a ſervant of whoſe fidelity he might be confident, or words to that effect: but he was ſo far from perſuading his Majeſty to be a Roman Catholic that, without reſpecting his Majeſty's anſwer, he declared himſelf to be a Proteſtant, and ſo ſhould always continue; yet he ſaid, he ſhould always ſerve his Majeſty, and labor to advance his and the King his father's affairs, with as much fidelity and honeſty as any Catholic whatſoever; and his Majeſty was then pleaſed to make unto the ſaid earl a full and clear declaration of his religion, and of his conſtant reſolution therein; and ſeemed to be much diſpleaſed, that any ſhould have ſuch unworthy opinion of him, as to think he would, for a wife, or any other earthly reſpect whatſoever, ſo much as waver in his religion. Whereupon the ſaid earl beſought his Majeſty to pardon his boldneſs, and then intreated him not to ſuffer his buſineſs to be overthrown, by permiting that conceit of his converſion any longer to remain in the Spaniards, nor to any thing which might give them hope therein, alleging, that it was impoſſible the marriage could be without a diſpenſation; and ſo long as the Spaniards, who were to procure the diſpenſation, ſhould have hope of his Majeſty's converſion, they would never content themſelves with a part, to which they were tied by the articles agreed upon with the ſaid earl and ſir Walter Aſton. At which time his Majeſty was pleaſed to approve of his opinion, and ſaid, he would expect the diſpenſation, and did thereupon afterwards ſend Mr. Andrews to Rome to haſten it; and next day the ſaid earl dealed very roundly with Conde Olivares, and Gondomar, telling them it was a diſcourteous manner of proceeding, to preſs his Majeſty to farther conditions than were formerly agreed upon in point of religion, and to make his conditions the worſe for the great obligations he had put upon them, by puting himſelf into their hands; whereat they took ſuch great offenſe, that they eſtranged themſelves from him for a long time after. And that the ſaid earl did thus proceed with the ſaid Conde, and that it was not a new-framed anſwer to ſatisfy preſent objections, but what really and indeed paſſed, will really appear by his diſpatches unto his late Majeſty of bleſſed memory; and before his Majeſty, who now is, came out of Spain, they were there ſhewed unto his Majeſty, bearing date the ninth of September 1623. So that, altho' it be true that he the ſaid earl did not diſſuade his Majeſty, for that there was no cauſe for it; yet, without expecting his Majeſty's anſwer, he firſt made a clear and true profeſſion of his own religion; and when his Majeſty had declared to him his zeal and conſtancy, he humbly beſought him, that the Spaniards might not for any reſpect be longer held in hopes of that point. And becauſe point of religion is that which all men of honor and honeſty would chiefly deſire to clear, eſpecially having an imputation of that nature laid upon them, as the ſaid earl hath in the ſaid article; he humbly beſeecheth your lordſhips, that he may not ſeem to digreſs from his charge; intending your lordſhips ſatisfaction in that particular, not by the aforeſaid verbal diſcourſe only, which he profeſſeth was in much zeal to religion and dutiful care to the Prince in that kind, but by ſome written teſtimony of his former opinion both of the match and religion. When he was firſt imployed into Spain for the treaty of marriage, in 1617, his late Majeſty having commanded him to give account thereof to his Majeſty who now is, he at his departure towards Spain preſumed to give unto his Majeſty who now is his opinion in writing, ſigned with his own hand, to be kept as a teſtimony of future action, the copy whereof here followeth:

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SIR,

" THE opinion which I have ever preſumed
" humbly to offer unto his Majeſty, concerning
" your Highneſs's marriage, hath been that, both
" in regard of conſcience and ſatisfaction unto his
" Majeſty's people and allies, likewiſe for the ſecu-
" rity and quiet of his Majeſty's eſtates, your
" Highneſs might take for wife ſome Proteſtant
" Princeſs, altho' ſhe neither were daughter to a
" King, nor had ſo ample a portion as might relieve
" the King's preſent neceſſities and wants; for then
" there might be many ways found to help the
" King's wants, either by ſome few years provi-
" dence and frugality, or by wining the affections
" of the people, to the ſupplying of his Majeſty
" by way of ſubſidies in parliament; whereas con-
" trariwiſe, if the number and power of Papiſts
" ſhall be increaſed, as undoubtedly they will be by
" your Highneſs's matching with any Catholic
" Princeſs, thro' the conceſſion which muſt be of
" neceſſity for the exerciſe of her religion for her-
" ſelf and family, within your Highneſs's courts,

" and

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" and thereby by degrees theſe two different reli-
" gions ſhall grow to an equality of power; it will
" be great hazard and diſquiet to the ſtate, and
" not to be redreſſed without great danger, and
" courſes of more violence than is uſual for this
" ſtate to put in practiſe. But in caſe his Majeſty,
" out of his wiſdom and conſideration beſt known
" to himſelf, hold it fiteſt that your Highneſs
" match with France, or Spain, or any other Ca-
" tholic, either for that the preſent time affordeth
" no Proteſtant Princeſs, who is for years or blood
" ſuitable for your Highneſs, or who can in any
" conſiderable meaſure, by the portion, ſupply his
" Majeſty's preſents wants, I then conceive that
" the match by which this ſtate ſhall ſuffer leaſt in-
" conveniency and cumbers, and whereby his Ma-
" jeſty's neceſſities ſhall, by the greatneſs of the
" portion, be moſt relieved, is with Spain, if ſuch
" a match may be made with ſuch conditions of
" religion as other Catholic Princes will contract
" themſelves withal.

" Thus much I thought fit humbly to preſent
" unto your Highneſs, for that I ſee my imploy-
" ment liable to the cenſure of many worthy perſons,
" with whom tho' I concur in my opinion, yet I
" ſeem much to differ from them many ways; for
" that it is more proper for me to be true to my
" maſter's ends and ſervices, than by the declaring
" this to procure their ſatisfaction. Only to your
" Highneſs I thought fit to make this declaration,
" and ſhall be a ſuitor to you for your favor, as
" you ſhall ſee me really labor to put this in effect.
" And if his Majeſty ſhall, either upon motion of
" parliament, or any other propoſition which can
" be made unto him, think fit to proceed with a
" Proteſtant match, as I ſhall wiſh as well unto
" it as any man living, ſo I hope in ſuch ſort to
" manage the preſent buſineſs which I have in
" hand, that it ſhall rather much farther, than any
" way croſs or hinder it. But in caſe his Majeſty
" ſhall not be drawn to any propoſition for a Pro-
" teſtant match, I then conceived, that your High-
" neſs both doth and will approve, that I really
" and effectually labor to procure a match for your
" Highneſs in Spain, upon ſuch conditions, in
" point of religion and portion, as to his Majeſty
" ſhall ſeem fit.

Beſide which declaration of his opinion, he hath all the days of his life, and in all places, lived and allowed himſelf to be a Proteſtant, never having done any the leaſt act which was not ſuitable to that profeſſion: and in all his former imployments, for the ſpace of fourteen years, of more than five hundred perſons of all qualities who attended on him, there was never one perverted in his religion, ſaving two Iriſh footmen, who in Ireland had been bred Papiſts. And he humbly deſired the teſtimony of doctor Maſon and doctor Wren, his Majeſty's chaplains, who were with his Majeſty in Spain; and of mr. Sampford, one of the prebends of Canterbury, mr. Boſwell, parſon of St. Laurence in London, and mr. Frewen, divinity-reader in Magdalen College in Oxford, and now one of his Majeſty's chaplains, who were his Majeſty's chaplains in Spain; as well for the frequent uſe of the ſacrament, as conſtant profeſſion and exerciſes of religion, and the teſtimony of ſuch Catholics as are known to have been his ancient acquaintance and friends, to examine them upon oath, whether publicly or privately, in Spain or in England, they had known him in any kind to make ſhew, or ſo much as to forbear, upon all occaſions, to declare the religion he profeſſeth. And that the ſaid mr. Frewen and mr. Wake may be alſo examined, whether in extremity of ſeveral ſickneſſes, whereinto he hath of late years fallen, he hath not ever ſettled his conſcience with them towards God, and made a confeſſion of his faith; reſolving, as was befiting a Proteſtant or good Chriſtian.

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VIII. To the eighth article the earl ſaith, That he did not at any time, or in any place, indeavor to perſuade the Prince, touching his religion to become a Roman Catholic, and to be obedient to the uſurped authority of Rome; neither did the ſaid earl, to that end and purpoſe, or otherwiſe, uſe unto his Majeſty, then Prince, the words in the article mentioned. But the ſaid earl acknowledgeth, that, upon occaſion of a letter which came to his Majeſty, then Prince, puting his Majeſty in mind of the great actions of his royal progenitors in the holy war, that the great Kings of thoſe times did not only imploy their forces, but in their perſons went into the holy land. The earl believeth that, by way of diſcourſe only, and not otherwiſe, he may have ſaid, that, in regard of the difference in religion, it was of more difficulty to undertake ſuch great actions now, than in former ages; and it might well be inſtanced in the preſent treaty of marriage, wherein the Pope's conſent was to be obtained. And to this effect, and upon the like grounds, he is confident there were very many who have, nay few of nearneſs about his late Majeſty who have not heard his Majeſty often ſay, that he was the true martyr, who ſuffered more for his religion than all the Princes of Chriſtendom beſide; inſtancing in diverſe particulars, but eſpecially in this, that he could not match his children with Kings of his own rank, without the Pope's leave.

But the ſaid earl ſaith, He never alleged any ſuch thing to any other purpoſe, than to ſhew, that only conſcience and love to truth (in which regard Proteſtants ſuffered much) not any temporal reſpects, made men conſtant and zealous to the profeſſion of our religion. By which diſcourſe he ever attributed much to the honor and ſecurity of the Proteſtant religion; but never uſed it as an argument to perſuade to the contrary, as in the accuſation is inſinuated.

Beſide he conceiveth, by way of anſwer thereunto, the ſaid queſtion may be aſked, which his Majeſty was pleaſed to aſk of the earl in the ſeventh article, viz. " What the ſaid earl ſaw in his Majeſty, that " he ſhould think him ſo unworthy, as to change " his religion for a wife, or any earthly reſpect " whatſoever?" So why ſhould it be thought, that being more fit to undertake great actions in the world (being a mere moral and temporal reſpect) ſhould be an argument to perſuade in conſcience ſo religious and wiſe a Prince, and ſo well inſtructed as his Majeſty is, as tho' the ſoul of a Chriſtian Prince was to be wrought upon, in point of truth and belief, by temporal and wordly reſpects of conveniencies and greatneſs? It were neceſſary for the proving that the ſaid earl perſuaded his Majeſty touching religion, to produce ſome arguments which he uſed out of ſcripture, to ſatisfy him in point of conſcience in ſome tenets of the Roman church, or that he produced any conference with learned men for his ſatisfaction in point of religion: otherwiſe, the articles uſed in this againſt the ſaid earl, do (as he conceiveth) carry little ſtrength to prove the charge of perſuading his Majeſty, either in regard of itſelf, or in regard of his Majeſty's piety.

IX. To the ninth article, the ſaid earl ſaith, that there was a diſcourſe in Spain of the way of accommodating the Prince Palatine's affairs; and by way of diſcourſe it was moved, That the marriage of his eldeſt ſon with a daughter of the Emperor, and his ſon to be bred in the Emperor's court, would be the faireſt way for the pacifying and accommodating thoſe buſineſſes. And the earl, by way of diſcourſe, and not otherwiſe, did ſay, That he thought his late Majeſty could not be adverſe either

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to the ſaid match, or to breeding the Prince Palatine's ſon with the Emperor; ſo as thereby the whole patrimonial eſtate of the Prince Palatine, and the Electoral dignity might be fully reſtored, and that his ſon might be bred in his own religion, and have ſuch preceptors, and ſuch a family, as his late Majeſty and his father, meaning the Prince Palatine, ſhould appoint; and they to have free exerciſe of religion: for ſo his late Majeſty hath often declared himſelf to the ſaid earl, and wiſhed him to lay hold on any occaſion for the entertaining any ſuch propoſition. And otherwiſe than ſo, and upon the terms aforeſaid, and by that way of conference and diſcourſe only, he delivered not any opinion to his Majeſty, at his Majeſty's being in Spain: for the ſaid earl is very confident, that his Majeſty was returned out of Spain before any propoſition was made for the ſaid marriage, other than by way of diſcourſe, as aforeſaid; the ſame, as the ſaid earl believeth, being firſt moved and debated on, by way of propoſition, between mr. ſecretary Calvert, and the embaſſador of the King of Spain, October 2, 1623. His late Majeſty, upon a relation made unto him by a letter of mr. ſecretary Calvert, approved of the ſaid propoſition, and declared the ſame to be the only way, as he conceived, to accommodate with honor thoſe great buſineſſes: and wrote to that purpoſe to his ſon-in-law, the Prince Palatine, by his letter dated November 9, 1623, a copy of which he, together with mr. ſecretary Calvert's relation, and lord Conway, by his late Majeſty's commandment, ſent unto the ſaid earl, the tenor of which, tranſlated out of French, is as followeth.

"We have thought good, that we may provide "beſt and moſt ſoundly for your affairs, not only "to procure, but alſo to aſſure your peace, were "to cut up, by the very roots, that evil, which hath "been ſettled in the heart of the Emperor by the "great diſpleaſure and enmity he hath conceived "againſt you. For the removing and quite extinguiſhing of which, it ſeemeth to us no better or "more powerful means can be uſed, than a good "alliance, which may be propoſed by us, between "your eldeſt ſon, and the daughter of the ſaid Emperor, upon the aſſurance we have, we ſhall not "be refuſed in this matter, if you on your part "will give your conſent. And for the more ſurety "of the good ſucceſs thereof, we are determined, "before any ſuch propoſition be made to the Emperor, to intereſt the King of Spain with us in "the buſineſs, who, we truſt, will lend us his "helping hand, as well for the effecting it, and "bringing it to a good concluſion, as in procuring "likewiſe that the condition be duly obſerved. "Among which conditions, if it happen that "the Emperor ſhould demand, that your ſon, "during his minority, ſhould be brought up in his "court, we ſhall tell you, that we, for our own "part, ſee no reaſon why you ſhould ſtick at it, "upon ſuch conditions as he might be tied unto, "to wit, That the young Prince ſhould have with "him ſuch governor as you ſhall pleaſe to appoint "him, altho' he be no Roman Catholic; and that "neither he, nor any of his, ſhould be any way "forced in matter of their conſcience. And our "meaning is, ſo to order our proceeding in this "treaty that, before your ſaid ſon be put into the "Emperor's hands, we will have a clear and certain "aſſurance of an honorable, intire, and punctual "reſtitution of all whatſoever belonging to you: "as alſo we will take care to provide accordingly, "as fully and exactly for the aſſurances requiſite for "the liberty of conſcience, for him and his do-"meſtics, as they have done here with us, touching "thoſe which have been granted them for the Infanta. "And therefore, ſeeing there is no inconveniency "at all, which may cauſe your averſeneſs or back-"wardneſs in this buſineſs, which we for our parts "think to be the beſt, ſhorteſt, and moſt hono-"rable way you can take for compaſſing the intire "reſtitution, and making your peace ſure with the "Emperor, we hope your opinion will concur with "us therein, and ſhall intreat you, by the firſt, to "ſend us your anſwer."

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By which letters, after his Majeſty's return from Spain, it appeareth to your lordſhips, that there was no propoſition of the marriage between the Prince Palatine's ſon and the Emperor's daughter, when that letter was written; for therein his Majeſty ſaith, he was determined to intereſt the King of Spain in the buſineſs, before any ſuch propoſition ſhould be made to the Emperor. And it will alſo thereby appear, that his late Majeſty's inclination was of the conveniency thereof, which the ſaid earl hopeth will acquit him, if by way of diſcourſe only he declared what his Majeſty's opinion was, which with honeſty he could not have concealed. And the ſaid earl ſaith, he doth not remember what anſwer ſir Walter Aſton made upon that diſcourſe which he then delivered, nor what replies the ſaid earl made; but ſure he is, whatſoever the ſaid earl ſaid, or what anſwer or reply ſoever was made, as it was by way of diſcourſe, and not otherwiſe, ſo it was according to that which he truly conceived to be the beſt and eaſieſt way to accommodate the buſineſs, and to be his Majeſty's pleaſure (which the ſaid ſir Walter Aſton may be ignorant of, as he is confident that he was) and not out of any diſaffection to our religion, or for any ſiniſter reſpect or regard to the houſe of Auſtria, as by the ſaid article is intimated: for he did conceive breeding the Prince Palatine's ſon with the Emperor, having a governor appointed by his late Majeſty and his father, and he and his domeſtics to have free uſe of their own religion, to be a matter of impoſſibility, or ſuch dangerous conſequence in point of religion, as to imply his converſion, as by the article it is intimated; well knowing that, in the Emperor's court, all Princes there, tho' his priſoners, and others his counſellors and ſervants about his perſon, and ſo great command in his armies, being avowed Proteſtants, have the free uſe of their religion: and it is not to be ſuppoſed, the ſon of the Prince Palatine, grandchild to the King of Great-Britain, ſhould be matched, and no care taken to capitulate for the uſe of his religion, being ever granted to the meaneſt Prince beſtowed. And his Majeſty's ſpecial care in this point is fully ſeen in the ſaid letter.

X. To the tenth article he ſaith, That, by comparing this article of his too much forwardneſs with the ſecond article, whereby he is charged with continuing the treaty upon generalities, without reducing them to certainties and direct concluſions, your lordſhips will perceive how impoſſible it was for him to avoid an exception. But for direct anſwer to the preſent charge, he ſaith, he did not preſumptuouſly, nor yet to his knowledge, break his inſtructions, nor ſet a day at all for the deſponſories, but was therein merely paſſive, in admiting the day nominated by the King of Spain according to the capitulation before made: nor did he preſumptuouſly, willfully, or willingly diſobey any commandment or direction of his now Majeſty, then Prince, which he could underſtand not to be countermanded, either by preſent or future inſtructions otherwiſe explained.

And for the better manifeſtation of the truth of his proceedings in and concerning the ſame, he ſaith, That on the day of the departure of his Majeſty, then Prince, from the Eſcurial in Spain, his Highneſs delivered unto him, in preſenſe of the com-

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commiſſioners, his proxies powers, with public declaration, taken in writing by the ſecretary, to the King of Spain, of the Prince's pleaſure, and how the ſaid earl ſhould uſe them, viz. That he ſhould deliver them to the King of Spain, upon the coming of the diſpenſation cleared from Rome, according to that which hath been agreed, which was to be within ten days after the diſpenſation arrived. And he farther ſaith, it is true, that the Prince afterwards by his letters, ſent by one mr. Clark, commanded him the ſaid earl not to deliver the ſaid proxies 'till he ſhould have received ſecurity that the Infanta, after her being betrothed, ſhould not enter into any religious order, and that before he proceeded, he ſhould ſend to his Majeſty, then Prince, ſuch ſecurities as ſhould be offered, that he might judge whether it were ſufficient or not.

Whereupon the ſaid earl, as became a faithful ſervant, preſented unto his Majeſty who now is, then Prince, ſuch aſſurances as were offered him, for ſecuring that point, together with ſuch reaſons as he conceived were fit to be offered to their conſiderations; which gave unto his late Majeſty, and his Majeſty who now is, then Prince, ſuch ſatisfaction, as they were pleaſed to diſpatch a poſt preſently unto him, abſolutely diſcharging him of that commandment, as by their ſeveral letters, dated October 8, 1623, will appear, as followeth:

"We have received your letters by Griſley, "and the copy of them to our dear ſon; and we "cannot forbear to let you know how well we "eſteem that dutiful, diſcreet and judicial relation, "and humble advice to our ſon: whereupon, "having fully deliberated with ourſelf, and com-"municated with our dear ſon, we have reſolved, "with the good liking of our ſon, to reſt upon "that ſecurity in point of doubt, for the Infanta's "taking a religious order, which you in your judg-"ment ſhall think meet."

And by that other letter of his preſent Majeſty, then Prince, as followeth, viz.

"Your letter to the King and me, concerning "that doubt I made after I came from St. Lau-"rence, hath ſo ſatisfied us both, that we think "it fit no longer to ſtick upon it, but leave it to "your diſcretion to take what ſecurity you ſhall "think fiting.

Whereby he was abſolutely freed of that command; and being ſo freed thereof, he then remained under the order which his Majeſty, then Prince, had left with him at his departure, which was to proceed according to the capitulations, and his Highneſs's declaration, when he delivered him the ſaid proxies: and ſo he intended to have done, 'till, by his Highneſs's letters, November 13, 1623, he was directly commanded the contrary, which commandment he directly and punctually obeyed.

And for ſuch his intentions, 'till he was countermanded, he conceived he had not only ſufficient warrant, but had highly offended if he had done otherwiſe. Firſt, for his proceedings to conſummate the match, he had warrant and inſtruction under his late Majeſty's hand. Secondly, it was the main ſcope of his embaſſage. Thirdly, he was injoined by the King's and Prince's commiſſions, under the great-ſeal. Fourthly, he had poſitive order under his Majeſty's hand, by letters ſince. Fifthly, it was agreed by capitulation, that it ſhould be within ſo many days after the diſpenſation's coming. Sixthly, his late Majeſty, and his Majeſty who now is, then Prince, ſignified by their letters to him, at the ſame time when they diſcharged him of his commandment touching the Infanta's entering into religion, that they intended to proceed in the marriage, as by his Majeſty's letters, October 8, 1623, will appear. Seventhly, the proxies were to that end left in his hands, and again renewed after his Majeſty's return to England. Eighthly, he had overthrown the marriage without order: for altho' ſir Walter Aſton and himſelf uſed all poſſible means for gaining time, and defering the deſponſories, yet the King of Spain cauſed it to be proteſted; that, in caſe he the ſaid earl ſhould inſiſt upon defering the deſponſories, he would free himſelf from the treaty by the ſaid earl's infringing the capitulations: and in truth, altho' the King of Spain ſhould have condeſcended to have prolonged the deſponſories, 'till one of the days of Chriſtmaſs, as by the letter was required; yet the Prince's proxies had been before that time expired, and he durſt not, without a preciſe warrant, put ſuch a ſcorn upon ſo noble a lady, whom he then conceived was likely to have been the Prince's wife, as to nominate a day of marriage when the proxies were out of date, and he was himſelf ſworn to the treaty. And laſtly, he could not, in honor and honeſty, but indeavor to perform that public truſt repoſed in him, when the proxies were depoſited in his hands with a public and legal declaration, with an inſtrument by a ſecretary of ſtate to the King of Spain, leading and directing the uſe of them, and the ſame being then "inſtrumentum ſtipulatum," wherein as well the King of Spain was intereſted by the acceptation of the ſubſtitution, as the Prince by granting the proxies, he could not in honeſty fail the public truſt, without clear and undoubted warrant; which as ſoon as he had, he obeyed. So as, the caſe ſtanding thus, the ſaid earl is very confident the ſuppoſed countermands, directions and reſtrictions, when they ſhould be peruſed and conſidered of, will appear to have been very ſlender and inſufficient warrant againſt the aforeſaid orders and reaſons before ſpecified: and is alſo as confident, that what is aſſured out of his the ſaid earl's diſpatches, will alſo appear to be miſunderſtood; and that if he had proceeded to the execution of the deſponſories, before he received direct and expreſs commandment to the contrary by the aforeſaid letters, November 13, 1623, which he readily and punctually obeyed, he had not, under favor, broken his inſtructions, or deſerved any blame for lack of aſſurance of reſtitution of the Palatinate, and temporal articles.

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And firſt, of the Palatinate, his ſaid Majeſty did not ſend to the ſaid earl expreſs directions not to diſpatch the deſponſories, 'till a full concluſion was had of the other treaty of the Palatinate, together with that of the marriage, as by the ſaid article is alleged; only his late Majeſty, by the aforeſaid letters of October 8, required the ſaid earl ſo to indeavor, that his Majeſty might have the joy of both at Chriſtmaſs. Whereas his inſtructions of May 14, 1621, were expreſs, that he ſhould not make the buſineſs of the Palatinate a condition of the marriage; and his late Majeſty's letters of December 30, 1623, were fully to the ſame effect. Yet did the ſaid earl, according to what was intimated by the ſaid letter of October 8, ſo carefully provide therein, as that before the proxies were to be executed, he had abſolute anſwer in the Palatinate buſineſs, the ſame ſhould be really reſtored, according to his late Majeſty's deſire: and Conde Olivares, both in his Majeſty's name and in his own, deſired the ſaid earl and ſir Walter Aſton, that they would aſſure his Majeſty of the real performance of the ſame, and intreated, if need were, they ſhould ingage their honor and life for it, as by their joint diſpatches of November 23, 1623, will appear; and ſo much the ſaid ſir Walter Aſton and the ſaid earl agreed ſhould be delivered to them in writing, before they would have delivered their proxies, and ſo the ſaid earl declared it; the which anſwer in writing ſhould have been the ſame which ſince was given them of

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January 8, 1623: and both ſir Walter Aſton, and the ſaid earl were confident therein, as they, by their ſaid letters of November 23, wrote to his late Majeſty; viz.

"That his Majeſty might, according to his de-
"ſire, ſignify to the ſaid earl, by his letters of
"October 8, give, as well to his Majeſty's daugh-
"ter, that Chriſtmaſs, the comfortable news of the
"expiring of her great troubles and ſufferings, as
"to his ſon the Prince, the congratulation of
"being married to a moſt worthy and excellent
"Princeſs."

By which it will evidently appear, he meaned not to leave looſe the Palatinate buſineſs, when he intended to proceed to the marriage; but he confeſſed he was ever of opinion, that the beſt pawn and aſſurance his late Majeſty could have of the real proceeding of the Palatinate, was, that they proceeded really to effecting the match; and of the ſame opinion was his late Majeſty alſo, and the lord commiſſioners here in England, as appeareth by his inſtructions, dated March 14, 1621, which opinion ſtill continued in them, as appeareth by his late Majeſty letters of January 7, 1622. And as for the temporal articles, the ſaid earl ſaith, when the deſponſories were formerly appointed to have been, as he remembereth on Friday, Auguſt 29, before the departure of his Majeſty, then Prince, from Spain, which was only hindered by the not coming of the diſpenſation, the Prince appointed him and ſir walter Aſton to meet with the Spaniſh commiſſioners, and they drew up the heads of the temporal articles, wherewith the Prince and duke of Buckingham were acquainted; and in caſe the diſpenſation had come, and the deſponſories being performed on that day, there had been no other proviſion made for them before the marriage; but preſently, on the Prince's departure, he the ſaid earl cauſed them to be drawn into form, and ſent them to his late Majeſty, September 27, 1623, deſiring to underſtand his Majeſty's pleaſure with all ſpeed, eſpecially if he diſapproved any thing in them; but never received notice of any diſlike thereof, 'till the aforeſaid letters of November 13, 1623, which put off the deſponſories. So, as it appeareth, the ſaid earl was ſo far from breaking his inſtructions, or from having any intention to have proceeded to the execution of the deſponſories, before his Majeſty and the Prince were ſatisfied of this point of the Infanta's entering into religion, or before convenient aſſurance, as well for reſtitution of the Palatinate, as performance of the temporal articles, that he deſerveth, as he conceiveth under favor, no blame, ſo much as in intention; but if he had erred in intention only (as he did not) the ſame being never reduced into act, the fault (as he conceiveth) was removed by his obedience before the intention was put in execution: for ſo it is in caſes towards God. And as to the matter of agravation againſt him, that he appointed ſo ſhort a time for the deſponſories, as that without extraordinary diligence the Prince had been bound, he thereto ſaith, as he ſaid before, that he ſet no day at all thereunto, nor could defer it after the diſpenſation came from Rome, without a direct breach of the match ſo long labored in, and ſo much deſired; yet he and ſir Walter Aſton having uſed all poſſible induſtry to diſcover how the notion of defering the match would be taken; and finding an abſolute reſolution in the King of Spain to proceed punctually, and to require the proxies according to the capitulation, within ten days after the diſpenſation's coming; and that time alſo, geting advertiſement from Rome, that the diſpenſation was granted and would preſently be there, he the ſaid earl, to the end, in ſo great a cauſe, he might have a clear and undoubted understanding of his late Majeſty's pleaſure, ſent a diſpatch, of November 1, with all diligence to his Majeſty, leting his Majeſty know, that it could not be poſſible for him to protract the marriage above four days, unleſs he ſhould hazard the breaking, for which he had no warrant.

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But that this was now no new reſolution, nor the King ſo ſtraitened in time as, by the ſaid article, is pretended, will appear by the ſaid earl's diſpatch of September 28, 1623. In which, upon ſcruple that was then made of the Infanta's entering into religion, he wrote to the ſame effect, viz. "That if the "diſpenſation ſhould come, he knew no means "how to detain the proxies above twenty or twenty "four days." So that altho' no difficulty happened until the midſt of November 1623, yet it was foreſeen, that it muſt of neceſſity happen whenſoever the diſpentation ſhould come; and then was warning of two months given thereof; viz. from September 24, until November 29, which was the time appointed for the deſponſories.

So, as he moſt humbly ſubmiteth himſelf unto your lordſhips, which of the two ways was the ſafer or dutifuller for him to take; whether, upon inferences and conjectures, to have overthrown ſo great a buſineſs; or, on the other ſide, firſt to have preſented to his Majeſty, the truth and ſincerity as he did, the true eſtate of his affairs, with his humble opinion therein, alſo an intimation that, if his Majeſty ſhould reſolve to break the match, for the ſaid earl's honeſt diſcharge of the public truſt repoſed in him, when the proxies were depoſited in his hands, and for his ſufficient warrant in ſo great a cauſe, his Majeſty would be graciouſly pleaſed to give clear and expreſs order (which he had not) and in the interim, while his Majeſty might take into conſideration the great inconveniencies which might inſue, the ſaid inconveniences might be ſuſpended, and the buſineſs kept upon fair terms, that his Majeſty might have his way and choice clear and unſoiled before him.

And as to the evil conſequences which are pretended would have followed, if the ſaid earl had proceeded to the conſummation of the match, before he had expreſs order and warrant to the contrary; he ſuppoſed his Majeſty ſhould ſpeedily have ſeen the marriage, which he ſo long ſought to have effected; that the Prince ſhould have had a worthy lady whom he loved; that the portion was much greater that ever was given in money in Chriſtendom; that the King of Spain had ingaged himſelf for reſtitution of the Palatinate; for which the ſaid earl conceived a daughter of Spain, and two millions, had been no ill pawn; beſide many other additions of advantage to the crown of England: whereas, on the contrary ſide, he foreſaw that the Prince would be kept a year longer unmarried, a thing which ſo highly concerned theſe kingdoms; he doubteth, that the recovery of the Palatinate, from the Emperor and duke of Bavaria, by force, would prove a great difficulty, and that Chriſtendom was like to fall into a general combuſtion; ſo that, deſiring his Majeſty ſhould have obtained his ends, and have had the honor and happineſs, not only to have given peace, plenty and increaſe to his own ſubjects and crowns, but to have compounded the greateſt differences which had been theſe many years in Chriſtendom; and by his piety and wiſdom, to have prevented ſheding ſo much Chriſtian blood, as he feared would inſue if theſe buſineſſes were diſordered. Theſe reaſons, he confeſſed, and the zeal to his Majeſty's ſervice, made him ſo earneſtly deſire the effecting this buſineſs, and cannot but think himſelf a moſt unfortunate man (his Majeſty's affairs being ſo near ſettling to his Majeſty's content, as he conceived they were, and hoping to have been to his Majeſty,

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not only a faithful but a ſucceſsful ſervant) to ſee the whole eſtate of his affairs turned upſide down, without any the leaſt fault of his; and yet hed the only miniſter, on the Engliſh and Spaniſh ſide, who remained under diſgrace.

XI. To the eleventh article the ſaid earl ſaith, that the article is grounded upon a petition by him prefered to this honorable houſe, ſuppoſed to be ſcandalous; which your lordſhips (as he conceiveth) according to the cuſtoms and privileges of the houſe of peers, would have been pleaſed firſt to have adjudged ſo to have been, either for matter appearing in itſelf, or upon hearing the ſaid earl; for if the matter appearing in the petition itſelf be not to be excepted unto, it cannot, as he conceiveth, by collateral accidents, be taken for a ſcandal, 'till it be examined and found falſe. For a plain and direct anſwer thereunto, he ſaith, that the ſaid petition is ſuch, as will not warrant any ſuch inference, as by the ſaid article is inforced: and that he hoped to juſtify the contents of the ſaid petition, in ſuch ſort as ſhall not diſpleaſe his Majeſty, nor deſerve that expreſſion which is uſed in the charge; but contrarily, what he hath ſaid, or ſhall ſay therein in his defenſe ſhall, in all things, tend to the honor and ſervice of his Majeſty, by reducing into his memory diverſe circumſtances, and laying before him the paſſage of ſundry particulars which, by undue practiſes, have been either concealed from his Majeſty, or miſ-related unto him.

" Having thus offered, to this high and honorable court, ſuch proofs and reaſons as he hoped " ſhall, in your lordſhips wiſdom and juſtice, " clearly acquit him of any capital crime, or wil- " ful offenſe; if it ſhall appear that, out of errors " of judgment, too much ſerventneſs of zeal to his " Majeſty's ſervice, or ignorance of the laws of this " realm (wherewith he hath not been able to be ſo " well acquainted as he ought, by reaſon of foreign " imployments by the ſpace of many years) or by " any other ways or means he hath fallen into " danger of the laws for any thing pardoned in " the general pardon, made in the parliament " holden at Weſtminſter, "Anno Viceſimo Primo " Regni Imp. Jacobi Angliæ, &c. of bleſſed me- " mory, he humbly prayeth allowance of the " pardons, and the benefit thereof (with this clauſe, " that he doth and will aver, he is none of the " perſons excepted out of the ſame) altho' he is " very confident, he ſhall not need the help of any " pardon, having received many ſignifications, as " well from his Majeſty's own mouth, that he had " never offended his Majeſty, as lately, by ſeveral " letters of lord Conway, that he might reſt in " the ſecurity he was in, and ſit ſtill, and ſhould " be no farther queſtioned. But he hopeth your " lordſhips will not only find him ſo far from " blame, but that he hath ſerved his late Majeſty " of bleſſed memory, and his moſt gracious ſon, " the King's Majeſty, who now is, with that fide- " lity, care and induſtry, that your lordſhips will " take courſe as you, in your wiſdoms, ſhall " think fit, not only for upholding the honor and " reputation of a peer in this realm, after ſo many " imployments, but likewiſe become humble and " earneſt ſuitors to his Majeſty on his behalf (which " he humbly prayeth) that he may be reſtored to " his Majeſty's good favor, which above all " worldly things he moſt deſireth."

Remarks on Briſtol's defenſe.

I judged the earl of Briſtol's defenſe worthy being tranſmited to poſterity in a language more generally known than Engliſh. Truth is viſible throughout; the whole is perfectly coherent; nothing appears diſguiſed, and the earl's innocence is ſo clearly ſeen, as to be almoſt beyond doubt. But, on the other hand, there appears a furious perſecution againſt this noble peer, from thoſe who muſt have been convinced of his innocence. In this perſecution is ſeen the exceſſive weakneſs of James I, who, contrary to his own knowledge, not only ſuffered to be oppreſſed the earl of Briſtol, who had ſerved him moſt faithfully, but was likewiſe induced to tell the parliament, in 1624, two particulars alike remote from the truth. The firſt, that when the Prince and duke of Buckingham came to Madrid, they found the affair wherewith the earl of Briſtol was charged as untouched as if it had never been mentioned before: and yet, he had himſelf ſigned the articles of the treaty, and nothing was wanting but the Pope's diſpenſation to celebrate the marriage, as manifeſtly appears in the earl of Briſtol's anſwer. The ſecond, that affair upon which he conſulted the parliament, viz. whether he ſhould break the treaties with Spain, was yet " Res Integra," tho' theſe treaties had been intirely broken two months before. But King Charles's prejudice againſt the earl of Briſtol is ſo ſurpriſing that, after having peruſed the earl's defenſe, one cannot eaſily believe that a Prince, ſo judicious in other reſpects, could be induced to dictate to his attorney-general an accuſation ſo full of calumnies againſt a noble perſonage whom certainly he could not believe guilty, ſince no man knew more of the affair than himſelf. This is a character which redounds not much to his honor. He would have been more excuſable had he made the whole act and deed to be the duke of Buckingham's, whoſe reputation ought not to have been dearer to him than his own. In a word, we ſee in the earl of Briſtol's defenſe a clear and full explication of what paſſed in Spain, in negociating the two treaties for the marriage, and for reſtitution of the Palatinate, which is the main topic of James I's reign. Alſo this the earl's defenſe undeniably ſhews what all the good writers affirm, that the duke of Buckingham's narrative to the parliament, in 1624, was all falſe: wherefore I thought this narrative of the duke's would not be ill placed after Briſtol's defenſe, that a reader, by comparing one with the other, may be ocularly convinced how unworthily King James, the Prince his ſon, and Buckingham, acted with the parliament, in order to induce them to the adviſing a rupture with Spain, on which advice King Charles ſo ſtrenouſly inſiſted afterwards.

Proceedings againſt the earl of Briſtol.

The duke of Buckingham's narrative (1) of the tranſactions in Spain, delivered to both houſes of parliament, by order of King James I, in the year 1624.

THE duke, in his narration, obſerved ſix diſtinct and ſeveral parts. I. The motives of the Prince's journey to Spain. II. The treaty of the marriage ſet on foot in Spain, ſeverally and by itſelf. III. The treaty of the marriage and reſtitution, united together by a reciprocal ſubordination. IV. The Prince's return from Spain. V. His Majeſty's ſubſequent proceedings in both treaties, ſince the return. VI. The ſtating of the queſtion, 'ſuper totam materiam,' wherein both the houſes were to offer his Majeſty their advice and counſel. Rym. Fœd. Vol. XVII. p. 556. Ruſhworth, p. 119. &c.

ARTICLE I.

Motives of the Prince's journey to Spain.

The negociation of ſir Richard Weſton, chan-

(1) This narrative has been collated with the record (Rym. Fœd. Vol. XVII. p. 556, & ſeq.) and diverſe of Ruſhworth's errors rectified.

cellor

cellor of the exchequer, with the archdutchess of Brussels, ministered unto his Majesty the first occasion of jealousy, and made a kind of discovery of the Spaniards indirect dealing with this state.

"The duke having uttered these few words, "there was read a letter, dated the third of October 1622, from the King to the earl of Bristol, "wherein Bristol was required to let the King of "Spain know, how sensible King James was of "the Emperor's proceeding towards him; and "that he should demand of the King of Spain a "promise, under hand and seal, that Heidelburgh "should be delivered within seventy days after "audience, and the like for Manheim and Frankendale, if they be taken; and if this be denied, to press for leave to march thro' the King "of Spain's territories with an army, for the recovering of his childrens patrimony; and that the "King of Spain should assist us with his forces."

Then the duke desired the houses to take for truth whatever he should say, granted and attested by the Prince's presense; and shewed, that this letter was not put home to the utmost by the earl of Bristol. Hereupon a dispatch was sent away to lord Bristol, expresly commanding him to press his directions more home than yet he had done, and in case he should be denied or delayed by the King of Spain, then to take his leave and come away: this was not so fully exacted by my lord of Bristol.

Porter, who carried these letters, was commanded not to stay above ten days, who, after he had been there, some four or five days, and saw nothing towards a dispatch, went himself to Conde Olivares (having been his creature) and desired him that he would speed his dispatch. Olivares asked him, what he would have? Porter answered; no more than what had been formerly promised; that in case the Emperor should deny restitution of the Palatinate, the King of Spain should assist our King by arms to recover it, or else give way to our forces to march thither thro' his country. Olivares replied, that this was a prepostrous demand; what, to assist with arms against the King's uncle, and the Catholic league! Porter speaking to him of the marriage of our Prince with the Infanta of Spain, he told him, that he understood not a word of it (1).

Porter acquainted Bristol herewith: he said, he would call Olivares to account, if he held this language with him, and would make him understand, that an earl of England was as good a man as a Conde of Spain. But sending for Porter next morning, he changed his resolution, and concluded to carry the business more calmly, and said, the Conde was so reserved, because he was shy and dainty to report those mysteries with that freedom to him, who was not qualified as a public minister. The Conde was angry with Porter for communicating what he said to Bristol. Porter returned with a dispatch fraught with generalities, and, without any one particular or certainty at all, made his relation to the Prince's Highness; who thereupon took his resolution to go in person to Spain, and gave himself these reasons for the enterprise.

He saw his father's negociation plainly deluded; matters of religion gained upon, and extorted (2); his sister's cause more and more desperate; that this was the way to put things off or on; that, in this particular, delay was worse than a plain denial; and that, according to the usual proverb, "A desperate disease must have a desperate re-"medy (3).

Hereupon King James commanded the duke to accompany his Highness in his journey.

ARTICLE II.

Treaty of the marriage severed, and by it self.

When the Prince had arrived at Madrid, the Conde gave him a visit; magnified exeedingly the Prince's journey; amplified the obligations his Highness had put upon that King; and said, that now, without all peradventure, it must be a match, and we must part and divide the whole world betwixt us.

Next day the Conde, taking the duke into his coach, and mr. Porter for his interpreter, falling into discourse of the match, he said to the duke, let us dispatch this match out of hand, and strike it up without the Pope: the duke answered, he liked the manner very well, but desired to understand the means. The means, said the Conde, is very easy; it is but the conversion of the Prince; which we cannot conceive but his Highness intended upon his resolution for this journey.

The duke answered forthwith, that with freedom they came thither, and with freedom they would return again: they were no juglers, neither came they to Spain to make new bargains (4); that the Prince was settled in his religion; his conscience was troubled with no scruples in that kind: if they struck any more upon that string, they would mar all the harmony. Then said the Conde, there is no way but sending to Rome to hasten the dispensation; to which the duke assented. Hereupon the Conde wrote his letter to cardinal Ludovico, the Pope's nephew; which being shewed the duke, seemed to him very heavy; the duke therefore desired to quicken it with this postscript, "That now the "Prince, being arrived, must not be sent back "without a wife; that delay to a suitor is a kind "of refusal; that cloging instructions would "amount to a denial, and new conditions to an "absolute breach." The Conde fell into choler, and said directly it could not be done. This the Prince affirmed to be acted in his presense: but the earl of Bristol made a more benign construction thereof, the duke a right down conclusion, that this people never intended either match or restitution; and so wished his Highness fairly at home again: however the messenger was dispatched to Rome.

Four or five days after, his Highness was placed to see his mistress in her passage thro' the streets, as she made her visits from church to church: but pressing for access, he was delayed, but at last obtained a visit; but a very strange one. He was not suffered to speak to her, but as they had set it down in words and syllables in writing, saying, they were no astrologers, and could not foresee the event of this marriage; and therefore they resolved to admit him as a Prince only, and not as a suitor. But the Conde salved this up with a compliment, That if the dispensation were once returned, he should lie with her even that very night; nay, have her he should upon any terms. If he could not be qualified to injoy her as a wife, yet he should have her as a mistress.

Soon after, riding in a coach, it was urged by the Conde, That the Infanta was of a tender conscience,

(1) The marriage had been now six years negociating at Madrid. There were some articles signed, which Gregory XV, had sent back with his answers. Either therefore Conde Olivares, or Porter, or the duke of Buckingham, spake not the truth. Rapin.

(2) These matters became much worse after the Prince was in Spain. Rapin.

(3) All these reasons are extremely weak: for, supposing them to be true, they at most only prove the necessity of a rupture with Spain, but not of the Prince's journey thither. Rapin.

(4) They however made new terms. Rapin.

and if ſhe ſhould come into England, and find the Prince an enemy to her religion, it would quite diſhearten her. His Highneſs conſented to hear her upon this ſubject, becauſe he was as like to convert her, as ſhe was to pervert him. A conference with divines was preſſed upon his Highneſs, which he refuſed, and ſaid, if, after diſputation with them, they ſhould not prevail againſt a young man, they would remain much diſguſted, and ill-affected to the whole negociation; this kind of importunity was ſtill uſed towards the Prince, 'till the return of the diſpenſation.

Six weeks after the Prince's arrival, came the diſpenſation; but his Highneſs underſtood from Rome, by mr. Gage, that the diſpenſation was returned much cloged in matter and manner, eſpecially with the annexed new condition. The King of Spain, before receiving the diſpenſation, was to take an oath to ſee all the articles, whereupon faculty was iſſued, really performed; or elſe to make war, in caſe of any failure, upon the King of England.

His Highneſs ſignified to them his reſolution, that he neither could nor would add or alter any thing of the firſt articles ſent to England.

A Junto of divines are appointed to meet and conſider, whether the King might ſafely take the oath. By this time the Prince had gone thro' all the articles, ſiting in perſon with the commitee; only leaving three undecided, That of the church; that of the nurſe, and that of the childrens education; which his Heighneſs reſerved 'till he ſhould ſpeak with the King. Then ſaid the Conde, Now buſineſs is in a better way than ever it was; a match: and without more ado, ſhe was his wife.

But next day came Gondomar, and ſpake to the Prince of the ſame match, as of a new thing, and told him plainly, That unleſs his Highneſs came to all the conditions of the diſpenſation as they were ſent from Rome, clearly and intirely, nothing would be done; for they had no power to remove or alter a word of falſe Latin. Whereupon his Highneſs was juſtly diſtaſted, and offered to break. Then they preſſed the Prince, that he would be pleaſed to ſtay twenty days, 'till the King of Spain might receive an anſwer from England. The Prince reſolved to ſtay, on condition that ſir Francis Cottington might be diſpatched away within two days, and ſome meſſenger who might overtake him, with the articles which ſhould be ſent after, as ſoon as ever they could be made ready: but the two days of their hammering ſpun out to twenty; at the end whereof they brought them, with new additions.

The articles being at laſt ſent to England, the Junto of divines delivered their opinions, that the Infanta could not be ſent over before ſpring; at which his Highneſs was offended: but the Conde prevailed with him to ſtay 'till their embaſſador ſhould certify, from England, that the articles were aſſented to by King James, and put in execution, and then the lady ſhould go with his Highneſs.

The biſhop of Segovia was pleaſed to ſay to the duke, That he had heard ſomething of the eſtate of our kingdom, and had received it from good hands; that our King could not make a toleration without a rebellion, and he eaſily believed it; becauſe the King of Spain is not able, in his dominions, to effect the like enterpriſe, without incurring the like danger; therefore he concluded, it was unſafe to ſend the lady thither at this time, becauſe we having granted as much in effect as a toleration, it was very probable ſhe ſhould be welcomed with a riſing and rebellion. To which the duke replied, That if the favors which the King his maſter had exhibited to his Catholics, at the mediation of that King, and the advice of that very commitee whereof that biſhop was one, be of ſo dangerous a conſequence, it ſeems their lordſhips, who gave the advice for that article, tho' they pretended religion, intended plain and open rebellion. But you muſt know, ſaid the duke, if his Highneſs had been of my lord biſhop's opinion, That theſe connivances had amounted to a toleration, he had never accepted of theſe articles to have gained any alliance: for what was agreed to, was but a temporary ſuſpenſion of penal laws, but no toleration; for that could not be done but by conſent of parliament. Then Gondomar ſaid, that, for his part, he did not hold it fit to ſend the Infanta thither, before the articles be perfectly put in execution. And Gondomar privately iufuſed to the Prince's Highneſs, being inſenſed againſt the duke, That the duke was in heart (as he ſaid all his kindred were) a Roman Catholic; and he ſaid to a Jeſuit of great account and zeal in thoſe parts, That the duke was a moſt obſtinate, perverſe, and refractory Puritan.

About this time it was reported, that the Prince intended to ſteal away; upon which they laid wait to intercept him. Hereupon the duke was ſent to tell them, That altho' they had ſtolen thither out of love, they would never ſteal thence out of fear.

About this time the Prince ſent a meſſage to his father, That if he ſhould receive any advertiſement, that he was detained by that ſtate as a priſoner, he would be pleaſed, for his ſake, never to think upon him any longer as a ſon, but reflect upon the good of his ſiſter, and the ſafety of his own kingdoms.

ARTICLE III.

Treaty of the match and reſtitution reciprocally ſubordinated.

It is fit to obſerve this paſſage, which is the hinge whereupon all his Highneſs's ſubſequent actions are turned and moved. He had never ſtayed one week longer in Spain; he had never left any proxy with Briſtol; he had never taken any oath at the Eſcurial; or ſo much as ever written a letter of compliment to the lady; but that he had ſtill before his eyes, as his cynoſure *, the promiſe made by the Conde for reſtitution of the Palatinate. * Polar ſtar.

To haſten the delivery of the lady, the duke repreſented to the Conde, how his Maſter was now in years; the Prince his only ſon; and he would ſuffer in honor and reputation to return home without his wife. The Conde conſented hereunto, and deſired the Prince would name a day for his departure.

This news came to the Infanta, who ſeemed to be apprehenſive of the Prince's going away, and prevailed with his Highneſs to return her this compliment, That rather than he would give her Highneſs any diſguſt, he would ſtay ſeven years.

By this time ſir Francis Cottington is arrived with all things perfected by the King, and letters from the embaſſadors of good ſatisfaction, and a command from the King to his Highneſs, to make his return within one month.

Now began the Conde to enter into the treaty for reſtitution of the Palatinate, ſaying, The lady ſhould by no means go to England before that buſineſs was accommodated. And it was projected, that there ſhould be a reſtitution of the land to the Prince Palatine, upon a condition of marriage with the Emperor's daughter, and that he ſhould be bred in the Emperor's court (1). The Prince demamded of the Conde, whether, in caſe the

(1) It appears by the earl of Briſtol's defenſe, which is confirmed by a letter from King James, that this propoſal was not actually made 'till after the Prince's departure from Madrid. Rapin.

Emperor

Emperor proved refractory, the King his maſter would aſſiſt him with arms to reduce him to reaſonable terms? The Conde anſwered negatively (1), becauſe they had a maxim of ſtate, that the King of Spain muſt never fight againſt the Emperor; for they would not imploy their forces againſt the houſe of Auſtria.

Hereupon his Highneſs made his proteſtation to the Conde: "Look to it, ſir, for if you hold "your ſelf to that, there is an end of all; for "without this you may not rely upon either mar-"riage or friendſhip."

By this time the Prince is grown cheap and vulgar in the court of Spain, ſo that they will ſcarce beſtow a viſit upon him, and the Conde came very ſeldom to him: and two letters came to the duke's hands, which ſhewed, that all the Conde did was nothing but flaſhes and lightening; notwithſtanding, he ſeemed at this time to be in a good humor, and told the duke, that now certainly it muſt be a match, and the devil could not break it: the duke replied, he thought ſo, and the match had need be very firm and ſtrong, it had been ſeven years in ſodering. The Conde denied it, and ſaid plainly, it had not been really intended ſeven months; and I will fetch out of my deſk what ſhall aſſure you thereof; and ſo produced two letters; the firſt was written with the King of Spain's own hand, dated the fifth of November 1622; and the other from Conde Olivares, of the eighth of November 1622, being an anſwer to that letter (2).

Theſe letters being inſerted in King James I's reign, repeating them here would be ſuperfluous.

ARTICLE IV.

The Prince's return from Spain.

And now the Prince returning for England, being ingaged to leave his proxy, did depoſit the ſame in the hands of the earl of Briſtol, who was to keep it, and uſe it as his procurator; that is, as he ſhould receive his Highneſs's directions from time to time: his order for the preſent was (ſaid the duke) that if the confirmation came from Rome clear and intire (3) (which it did not) then within ſo many days he ſhould deliver it to the King of Spain.

The ſecond direction ſent him, was by a letter which his Highneſs wrote to him between his departure from the Eſcurial and coming to the ſeaſide, to this effect: "That for fear a monaſtery "ſhould rob him of his wife, he ſhould ſtay the "delivery of the powers until the doubts were "cleared; and that his Highneſs would ſend him "in the premiſſes ſome farther directions." Here, becauſe my lord of Briſtol, in his letter of the firſt of November 1623, doth preſs ſo vehemently the Prince's Highneſs concerning this proxy, and the Prince vowed openly before both houſes (4), that he had never by oath or honor ingaged himſelf not to revoke the Powers more than by the clauſe, 'De non revocandâ procuratione,' inſerted in the inſtrument itſelf, and that he conceived the clauſe to be matter of form; and altho' eſſentially of no binding power, yet uſually thruſt into every ſuch inſtrument; and that the Civilians do hold it lawful, by the civil and canon law, for any man to revoke his proxy of marriage, notwithſtanding it hath the clauſe, 'De non revocandâ procuratione' inſerted: therefore as to this point the duke concluded, that the earl of Briſtol, in charging this matter ſo highly on the Prince, had much forgot himſelf (5).

ARTICLE V.

The ſubſequent proceedings of his Majeſty in both treaties, ſince the return of his Highneſs.

The Prince, by the mercy of God, came to Royſton, and made his relation to the King of all had paſſed. His Majeſty was glad, and told him, that he had acted well the part of a ſon; and now the part of a father muſt come upon the ſtage, which was to provide, with all circumſpection, that his only ſon ſhould not be married with a portion of tears to his only daughter. And therefore his Majeſty commanded, by an expreſs diſpatch, the ſtay of the proxy in the earl of Briſtol's hands, 'till he had ſome better aſſurance of reſtitution of the Palatinate.

Then was read his Majeſty's letter to the earl of Briſtol, dated the eighth of October 1623, wherein the earl of Briſtol was required by the King, "ſo "to indeavor, that he might have the joy of both "treaties at Chriſtmaſs;" viz. thoſe about the marriage, and reſtitution of the Palatinate. This the duke would have had looked on as a poſitive order, not to deliver up the procuration 'till reſtitution of the Palatinate was actually promiſed; concerning which matter, ſee the earl of Briſtol's anſwer to the tenth article of his accuſation.

Then the duke proceeded as follows. You would perceive that, by this diſpatch, Briſtol would lay hold on all hints and emergent occaſions, to put off the deſponſories, without this required aſſurance by arms firſt obtained; but the truth is, he did not ſo.

For firſt, the confirmation came from Rome clogged and mangled; and inſtead of challenging thereupon, he labors, with no ſmall ſtrength of wit, to hide and palliate the ſame (6).

2. In the temporal articles the portion was altered, from ſix hundred thouſand pounds in ready caſh, to ſome eighty thouſand pounds in money, and a few jewels, and a penſion of twenty thouſand pounds per annum. Inſtead of quarreling with this main alteration, he ſeems to approve and applaud the payment (7).

3. For the aſſurance of reſtitution of the Palatinate, the main foundation both of match and friendſhip, he is ſo far from providing for it before (which was the method preſcribed by the King) that he leaves it to be mediated by the Infanta after marriage.

Laſtly, inſtead of puting off the contract, as any man in the world (upon the diſpatch from Royſton) would have done, he comes to prefix a preciſe day for the deſponſories.

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(1) Either the earl of Briſtol, or the duke of Buckingham, muſt here have deviated from the truth. Rapin.

(2) The earl of Briſtol pretended, theſe letters were written with no other intent but to get the negociation out of his hands, becauſe the court of Spain was in hopes of obtaining better conditions from the duke of Buckingham. Rapin.

(3) It is very doubtful, whether this condition was inſerted in the Prince's declaration. Rapin.

(4) About five months after. Rapin.

(5) See the earl of Briſtol's defenſe, article X. Rapin.

(6) This could not be true. For the diſpenſation arrived not from Rome 'till the begining of December 1623, and the King's abſolute order not to deliver the diſpenſation was dated November 23. Therefore the earl of Briſtol had not time to write to England, to palliate the defects of the diſpenſation, ſuppoſing it to have had any. Rapin.

(7) This muſt be miſrepreſented. For if the earl of Briſtol had been guilty of ſuch prevarication, the King would not have failed to bring it as an article of accuſation againſt him, which alone would have been ſufficient to condemn him. Rapin.

Laſtly,

Now from this raſh fixing a day for the deſponſories in Spain, which was controled again by an expreſs (1), from hence iſſued an unneceſſary diſcourteſy put upon the King, and in a manner upon the Infanta, by the earl of Briſtol. From that proceeded a greater affront put upon the Prince; taking away the title 'La Princeſſa *' from the Infanta; and debaring our embaſſadors from any farther acceſs to her perſon.

* The Princeſs.

"Then was produced the King of Spain's reply to the Engliſh embaſſador's memorial, implying a refuſal to aſſiſt by arms for recovering the Palatinate, in caſe the Emperor conſented not to a reſtitution."

ARTICLE VI.

The ſtating of the queſtion, 'ſuper totam materiam.'

This queſtion the duke ſtated after this manner: Whether this, being the full effect and product of all the negociation, which I have opened unto you, be ſufficient 'ſuper totam materiam,' for his Majeſty to rely upon with any ſafety; as well for the marriage of his only ſon, as for the relief of his only daughter? Or that, theſe treaties ſet aſide, his Majeſty was beſt to truſt to his own ſtrength, and to ſtand upon his own feet? So the duke ended with this concluſion, that if the bringing us from darkneſs to light did deſerve any thanks, we owe it, and muſt wholly aſcribe it to the Prince's Highneſs.

I deem it needleſs to make upon this narrative reflections which may occur to every reader, after having ſeen the earl of Briſtol's defenſe. I ſhall therefore content myſelf with obſerving, how little proper this narrative was to afford ſufficient information to the two houſes of parliament, to inable them, upon good grounds, to form their reſolutions concerning the queſtion propoſed to them by his Majeſty. Nevertheleſs, upon this alone it was that they reſolved to adviſe the King to break with Spain, and this precipitate advice was the main cauſe of all thoſe differences which aroſe afterwards between Charles I, and his parliament.

(1) It was the Prince himſelf, and the duke, who had agreed with the King of Spain, on the day the marriage ſhould be ſolemniſed, viz. ten days after the diſpenſation was come, which the earl of Briſtol altered not. Rapin.

Conſiderations on the Writers of King CHARLES I's Hiſtory.

THE civil war between Charles I, and the parliament, gave birth to two parties, who contended for victory 'till Naſeby fight. By this battle, the parliament acquired a ſuperiority, which inabled them to hold the King's party, ſtiled Cavaliers, in a ſubjection not far ſhort of ſlavery, from which they were not delivered 'till 1660, by Charles II's reſtoration. After the reſtoration, the royaliſts in their turn became ſo ſuperior, that the adverſe faction durſt no longer ſhew their teeth. This continued to the end of James II's reign, during the ſpace of twenty-ſeven or twenty-eight years. One or other of theſe two intervals produced moſt of the works, wherein the authors undertake to give exact accounts of the troubles of England in the reign of Charles I, with the grounds and cauſes thereof. From the war's concluſion, to the reſtoration of Charles II, the parliament's partiſans had free ſcope to write and publiſh whatever they pleaſed, while the King's friends durſt not own their performances. In this interval were publiſhed numberleſs polemical writings, with ſuch animoſity, ſo many reproaches and invectives, that it is not eaſy for one who is in ſearch for truth to diſcern, in all theſe writings, the proofs which may have ſome ſolidity, and ſeparate them from the preſumptions, falſe conſequences, artful ſuppoſitions and invectives wherewith they abound.

One of the moſt conſiderable writings of thoſe days was Eikon Baſiliké, or the King's portraiture, publiſhed in 1649. King Charles I's being himſelf the author can ſcarcely be doubted (1). He undertakes in this work to vindicate himſelf upon all the articles laid to his charge. It is properly an abſtract of the reaſons he had before publiſhed in ſeveral papers, printed by his order, or addreſſed to both houſes of parliament. I have not quoted this book in the hiſtory of his reign, becauſe it contains nothing, with regard to facts or proofs, but what is more fully expreſſed in that Prince's meſſages, anſwers and declarations. To this book was publiſhed a reply, pretending to ſhew, the King had not uſed ſincerity; and very ſoon after appeared an anſwer to this reply. This treatiſe has been highly eſteemed, becauſe it contains all the principal arguments in King Charles's favor. It may be eaſily preſumed, the King forgot nothing material, ſince no man could know his affairs better than himſelf. Accordingly, this book has ſerved for foundation to whatever has ſince come forth in his behalf.

Another very conſiderable work, publiſhed ſoon after Oliver Cromwel's death, and dedicated to his ſon Richard, while Protector, was Ruſhworth's Collections †. This work may very juſtly be conſidered as a continuation of Rymer's Fœdera, of which I have made great uſe in this hiſtory. It is a collection of whatever paſſed, with reſpect to public affairs, from the year 1618, to the death of Charles I, not by way of narration, but affording materials to compoſe a regular hiſtory. It contains all the tranſactions at court and in the parliament; the King's proclamations upon ſundry matters; his ſpeeches to both houſes, and thoſe which

† Eight volumes, Folio.

(1) This is generally allowed to be a yet undecided quere: for whoever reads what doctor Walter and mr. Toland (in his Amyntor) have publiſhed on this ſubject, muſt be inclined to believe, that King Charles could not poſſibly be its author. Nay, ſome are of opinion, it is almoſt demonſtrable, that biſhop Gauden wrote that treatiſe. See on one ſide, doctor Walter and mr. Toland; and alſo Ludlow, and Burnet's Hiſtory of his own Times, and on the other ſide, doctor Hollingworth, mr. Wagſtaffe, &c.

were

were made by his order; the addreſſes or petitions preſented to his Majeſty by the parliament; his anſwers; the petitions preſented to both houſes; the ſpeeches in the houſe of commons, as well as in the courts of juſtice; the votes or reſolves of the two houſes, and their conferences upon diverſe ſubjects; the King's meſſages to the parliament, with the anſwers; the impeachments of the commons brought before the lords againſt ſeveral illuſtrious perſons; the anſwers of the parties accuſed; the ſentences; the petitions of the commons and both houſes to his Majeſty, concerning religion, tonage and poundage, the affairs of the militia, breaches of privilege, the affair of Hull; the King's anſwers and his ſeveral meſſages upon theſe affairs; his Majeſty's and the parliament's manifeſtoes; all the events of the war, accounts of the ſkirmiſhes, ſieges and battles; the negociations for peace; a great number of papers, which give a perfect inſight into the differences between the King and his Scotiſh ſubjects, and of thoſe between the army and parliament, with the negociations between the King and both houſes, after his Majeſty's impriſonment; the violence exerciſed by the army upon the parliament; the King's condemnation and death. Theſe materials are the more valuable, as the author draws no conſequence from what he relates, and very ſeldom indeavors to prejudice his reader by reaſonings; ſo that every one is free to make what uſe of them he thinks fit, according to his own principles. I ſhall hereafter ſpeak ſomewhat more fully of theſe collections.

From Charles II's reſtoration, to the end of his reign, two other works were publiſhed on the ſame ſubject, I mean on the reign of Charles I, and a third was compoſed at the ſame time, tho' publiſhed later.

The firſt is, The Annals of King James and King Charles I. It is ſaid to be compoſed by dr. Franklin, who has not thought fit to ſet his name to it. He begins his annals at the year 1612, and continues them thro' the reſt of the reign of James I; and from the death of that Prince to the year 1642, during the firſt eighteen years of Charles I's reign.

The ſecond, publiſhed in 1682, was compoſed by John Nalſon, doctor in law. It is intitled, An impartial Collection of the great affairs of State, from the begining of the Scotiſh Rebellion to the Murder of King Charles I. This collection begins only at the year 1639, and tho' probably the author intended to continue it to King Charles's death, as appears by the title, he left it imperfect, and brought it no lower than January 1641-2, in two Folio volumes.

The third is, The Hiſtory of the Rebellion and Civil Wars in England; written by the earl of Clarendon. This hiſtory was compiled before Nalſon's, tho' it appeared not 'till Queen Ann's reign. It begins properly with the parliament of November 3, 1640, the whole firſt book being a ſort of introduction, where the author gives a general account of what paſſed from the laſt years of James I, to that parliament. This hiſtory reaches to the reſtoration of Charles II, 1660.

Theſe three laſt works were compoſed in the reign of Charles II, at a time when that Prince had carried the royal authority much higher than the King his father had ever done; at a time when thoſe who had been adherents of the long parliament, or were in the ſame principles, were rigorouſly perſecuted, and when it was more dangerous to be a Preſbyterian than an Atheiſt.

I ſhall not ſpeak here of many leſs conſiderable writings, moſt of which aſcribe to the Sovereign a power unlimited, and conſequently repreſent the parliament's laſt war againſt Charles I, as the blackeſt and moſt glaring rebellion.

Whoever deſigns to write the hiſtory of Charles I's reign, muſt take his materials from ſome one of the works I have mentioned, or from all. For this reaſon I think myſelf obliged to ſpeak thereof ſomewhat more amply, to the end it may not be thought ſtrange that I have not adopted, without examination, whatever they contain. Was there among the Engliſh one intelligent, neutral hiſtorian, he ſhould be taken for guide; but I know not any. He therefore who, in theſe days, undertakes to write the hiſtory of Charles I, muſt indeavor to diſcover the truth in even the moſt partial writers, and be extremely careful to avoid the continual ſnares they lay for their readers, to favor the cauſe they maintain. One muſt know what was their deſign in writing, what ſyſtem they followed, and the artifices they uſed to ingage in their principles ſuch as make but few reflections in reading a hiſtory, and are apt to be eaſily drawn into the prejudices of the hiſtorian. I ſhall begin with the earlieſt, viz. Ruſhworth.

There is no hiſtorian who can appear at firſt ſight more impartial than ſuch as contents himſelf with furniſhing materials for a hiſtory, without drawing any conſequences himſelf, and without reaſoning upon the papers he exhibits, either for or againſt what they contain. It is however certain, that even in this he may ſhew very great partiality: as for inſtance, in giving forged papers; in curtailing or altering thoſe which are genuine; in giving ſuch only as may be advantageous to the party he would favor. Ruſhworth, who was moſt certainly a friend to the parliament, clerk-aſſiſtant to the houſe of commons, and ſecretary to general Fairfax, is by the contrary party, charged with four inſincerities. It is pretended, 1. That he has given falſe papers. 2. That he has curtailed others, under color of abridging them. 3. That he has affected to give all thoſe which are favorable to the parliament, and to omit ſeveral which might ſerve to manifeſt the King's innocence. 4. Laſtly, that not declaring whence he received his materials, we have only his authority for what he relates. This is a general accuſation, which, was it well proved upon any important and deciſive facts, is ſufficient to ſhake the credit of the collector. The reader will judge whether this charge is made good with regard to the particular caſes on which he is accuſed, and whether theſe caſes are of ſuch a nature, that they ought to determine the diſintereſted to neglect the generality of his collections. I ſhall take theſe particular accuſations from Nalſon's Introduction, wherein his chief aim was to diſcredit Ruſhworth, and perſuade his readers, that they ought not to believe any thing he advances. Very ſeemingly, Nalſon has forgot nothing upon this ſubject. I ſhall begin with the forged papers he accuſes Ruſhworth of inſerting in his collections.

The firſt paper forged by Ruſhworth, according to Nalſon, is a ſpeech of King James to his parliament, the thirtieth of January 1620. Inſtead of giving this ſpeech intire, Ruſhworth inſerts only an abſtract: and therefore Nalſon takes care to print the true ſpeech, and Ruſhworth's abſtract in ſeparate columns, that they may be compared more readily. He adds, that the whole ſpeech was communicated by William Sancroft archbiſhop of Canterbury. On comparing Ruſhworth's abſtract with the intire ſpeech, there appears but one material paſſage which could give occaſion to charge Ruſhworth with inſincerity; and that is where it is ſaid in the ſpeech, "A parliament is an aſſembly com-" poſed of a head and a body, the Monarch is the " head, and the three eſtates the body." Whereas it is ſaid in the ſaid abſtract, " the parliament " is a thing compoſed of a head and a body, the " Monarch and the two eſtates." This induces

Nalſon to exclaim againſt Ruſhworth, for reducing by his own authority the three eſtates, viz. the lords ſpiritual, the lords temporal, and the commons, to two eſtates, meaning thereby, that the houſe of peers made but one eſtate.

This queſtion was debated with great warmth, when the excluſion of prelates from the upper-houſe was in agitation. For if the biſhops were one of the three eſtates of parliament, it was evident, they could not be excluded without altering the conſtitution. But this opinion was not generally received. The commons pretended, that the biſhops with the peers made but one eſtate. Wherefore Nalſon pretends that Ruſhworth, to countenance the commons opinion, and juſtify the excluſion of prelates, makes King James ſay what he did not. To prove this, beſide the whole ſpeech, communicated by the archbiſhop of Canterbury, he alleges ſeveral things to ſhew there have always been three eſtates acknowledged in the parliament beſide the King. He anſwers the objection drawn from King Charles I's confeſſion, after the excluſion of biſhops, that himſelf was one of the three eſtates of parliament, and concludes that his father King James could not ſpeak in his ſpeech of two, but of three eſtates.

A ſecond inſtance of Ruſhworth's unfaithfulneſs is, that he gives only the abſtract of a letter to his Majeſty from an unknown hand, tending to ſhew, that the parliament, in attacking the duke of Buckingham, ſtruck at the King himſelf. This charge conſiſts wholly in the ſuppoſition that Ruſhworth abridged this letter to prevent his readers perceiving its whole force.

The third inſtance of Ruſhworth's inſincerity is, that he has publiſhed in his appendix a ſcurrilous paper, intitled, A Propoſition for his Majeſty's ſervice to bridle the impertinence of Parliaments. Indeed Ruſhworth ſays, this paper was queſtioned in the ſtar-chamber. But Nalſon pretends, this is not ſufficient to excuſe Ruſhworth, who (ſays he) ought to have ſhewn upon what grounds it was queſtioned, which he himſelf does very diffuſely.

A fourth inſtance of Ruſhworth's unfaithfulneſs, is, that he inſerts in his collections a pretended letter of archbiſhop Abbot to James I, to diſſuade him from granting a toleration to the Papiſts, when he was on the point of concluding the Prince his ſon's marriage with the Spaniſh Infanta. Nalſon hereupon ſays, that the archbiſhop being then out of favor, and having nothing to do with the management of counſels, could have no other foundation but either his own conjecture, or the common rumor, both equally liable to deceive and to be deceived. He does not however poſitively ſay the letter is forged, but contents himſelf with inſinuating it, becauſe Ruſhworth not having declared how he came by the letter, the credit of it reſts ſolely on his fidelity.

But the fifth and moſt crying piece of prevarication in Ruſhworth, according to Nalſon, are the private articles of Prince Charles's marriage with the Infanta of Spain. He pretends they are all forged, purpoſely to blacken the King and Prince, by intimating that their deſign was to reſtore Popery in England, and alleges ſeveral arguments to prove the forgery.

1. It is not probable the King and Prince ſhould promiſe what they knew was not in their power to perform, conſidering the ſtrength and conſtitution of the Engliſh laws againſt Popery, and that the Engliſh nation would never have ſuffered it.——This is not one of the moſt convincing arguments.

2. The parliament never taxed King Charles with theſe private articles, not even in the declaration where they collected whatever reaſons might juſtify their reſolution of not preſenting any more addreſſes to his Majeſty.——This is a much ſtronger argument than the former.

3. In the memoirs of Deageant it is ſaid, the King of France hearing of King James's death, ſaid to the archbiſhop of Ambrun, 'All our hopes 'of England are loſt.' Which ſhews, that Charles had no intention to reſtore the Catholic religion.—— One would think Nalſon ſhould not have alleged this reaſon, which in clearing this Prince, caſts a great blemiſh on James I.

4. He ſays, Ruſhworth, by inſinuating that King Charles deſigned to reſtore the Romiſh creed, contradicts himſelf, ſince he tells us in another place, that the Prince, being in Spain, remained ſtedfaſt in his religion, what indeavors ſoever were uſed to ſeduce him.

5. Ruſhworth produces no other authority for the truth of theſe private articles, but his own, and, in all appearance, the French Mercury is his author.

The ſixth inſtance of unfaithfulneſs Nalſon lays to Ruſhworth's charge is, the Pope's letter to Prince Charles when in Spain, and that Prince's anſwer. 1. Becauſe it was a thing of mere ceremony. 2. In his circumſtances it was no more than what common prudence and policy obliged him to, in order to get out of the King of Spain's hands.——This excuſe ſhews Nalſon was not thoroughly convinced of the forgery of theſe letters. He however inſinuates, that they might be counterfeit, by reaſon Ruſhworth produces only his own authority. It is true, he ſays the copies of theſe letters were preſerved by ſome who were then at Madrid, but names not any. This made Nalſon believe Ruſhworth took thoſe letters from the French Mercury.

I come now to the charge againſt Ruſhworth, of inſerting in his collections only what was advantageous to the parliament, omiting whatever was favorable to the King. Nalſon gives three inſtances, in three particular caſes.

1. That, in the affair of impriſoning the members of parliament, ſeveral of the judges gave their opinions, to ſhew that the King's conduct was not illegal. Nalſon ſays, Ruſhworth is contented to mention the ſpeeches of two judges, viz. Whitelock's and Doderige's, which were in the King's favor, and to ſay that Hide and Jones delivered their opinions to the ſame purpoſe. This charge therefore conſiſts in that Ruſhworth, after giving the ſpeeches of two judges, thought not proper to inſert thoſe of the reſt who were for the King upon the ſame principles. But Nalſon pretends, he ſhould likewiſe have given Hide's and Jones's ſpeeches, and does it himſelf. Indeed Ruſhworth may be guilty of ſome partiality in omiting the two latter, if it be true that they are ſtronger, and better ſupported than the others, of which I cannot judge.

2. That Ruſhworth, ſpeaking of ſerjeant Aſhley's ſpeech in the houſe of lords, ſays, he advanced the following propoſition, for which he was taken into cuſtody, and afterwards recanted: "That the "lords muſt allow the King to govern by acts of "ſtate, otherwiſe he is a King without a council, "or a council without power." Nalſon makes it a crime in Ruſhworth, not to have given Aſhley's whole diſcourſe, which would have ſhewn that the ſerjeant's fault was rather ſteming the popular tide, than any other offenſe; i. e. according to Nalſon, Aſhley very juſtly maintained this maxim, that the King muſt be allowed to govern by acts of ſtate.--- Such a charge can do Ruſhwood no great prejudice.

3. The laſt caſe relates to the famous ſir Edward Coke, who, when judge, aſſerted, that if the privy council commit a man, he is not bailable by any court of juſtice, but afterwards, being turned out of his

his office, and choſen member of parliament, he maintained the contrary opinion. Nalſon accuſes Ruſhworth of concealing this change in Coke, by caſtrating and abridging his ſpeeches, leſt his readers ſhould perceive that Coke, who was odious to the court, acted thro' revenge, in maintaining a ſentiment contrary to his aſſertion when judge.

This is all Ruſhworth has been charged with. But I queſtion whether the equitable and diſintereſted will be convinced, that theſe particular accuſations ought to make him forfeit all his credit. His work is in eight Folio volumes, and contains ſo great a number of facts, votes, public ſpeeches and papers of all kinds, that it would be a ſort of miracle to meet with nothing to cenſure. Nevertheleſs, all poſſible indeavors have been uſed to diſcredit him, by general charges of partiality, unfaithfulneſs, and inſincerity. And it was this which induced me to ſay what I have ſaid, in order to ſhew what theſe general accuſations amounted to, when reduced to particular caſes.

However, it is very certain, that Ruſhworth's aim and deſign, in publiſhing his collections, was to diſparage the King's conduct, and favor the parliament's cauſe. But Ruſhworth's intention ſignifies nothing to the knowing, whether a man may ſafely make uſe of his collections. The only queſtion is, whether his papers are true or falſe. If they are true, however injurious they be to the King's cauſe, whoever will write an impartial hiſtory of this reign is not obliged to reject them for that reaſon. This is ſo true, that even the writers moſt devoted to Charles I, have been forced to make uſe of theſe papers (1), and take them for granted, ſince otherwiſe it would be impoſſible to compoſe the hiſtory of this reign, which conſiſts ſolely of the materials furniſhed by Ruſhworth. Had he begun his collections no higher than with the affairs of the parliament, of November 3, 1640, the King's partiſans would doubtleſs have readily forgiven him. But the papers of the twenty foregoing years are too hard of digeſtion, becauſe they ill agree with the hypotheſis of the royal party, of which I ſhall ſpeak preſently, and too clearly diſcover Charles I's aim was to introduce arbitrary power, and conſequently the long parliament had cogent reaſons to prevent the intire execution of ſuch a deſign.

I ſee not therefore any reaſon for rejecting the papers inſerted by Ruſhworth in his collections, eſpecially as both parties have equally made uſe of them, tho' in a very different manner. Some produce them in favor of the parliament, and others to ſupport the King's cauſe: but even in this, both have acknowledged them to be not only uſeful, but abſolutely neceſſary. If there are any paſſages combated as ungenuine, they are very few; and it is ſtrange that, after ſo many exclamations againſt Ruſhworth's concealments and omiſſions, there appear in the writings of King Charles's favorers ſo few material papers, which are not in his collections.

I proceed now to thoſe who wrote in vindication of King Charles's cauſe, as Franklin, Nalſon, and the earl of Clarendon, omiting other writers of leſs note, to avoid prolixity.

Theſe, in compiling this reign, have formed two ſyſtems, directly contrary to thoſe of the parliament's friends, tho' they have made uſe of Ruſhworth's materials. As theſe books were compoſed at a time when the regal authority was higher than ever, they have not ſcrupled to build upon the ſuppoſition of the King's having abſolute power. Tho' they uſe not the word, there is ſcarce a page in their writings where this principle is not maintained or ſuppoſed. Hence it follows that, on the parliament's ſide, the civil war was a manifeſt rebellion. So, the parliament's proceedings, which ſome repreſent as abſolutely neceſſary for the conſtitution's preſervation, are accounted by others as rebellions and treaſons, and tending to the ſtate's utter ſubverſion, without any neceſſity of diſcovering the facts.

The royaliſts ſecond ſyſtem is no leſs contrary to that of thoſe who ſtickled for the parliament. Theſe latter pretend, that the parliament being ſufficiently convinced, by undeniable proofs, of the King's deſign to eſtabliſh arbitrary power, and alter the conſtitution, thought themſelves obliged to exert their utmoſt efforts to prevent the execution of that project. This was their ſyſtem. The King's adherents form another intirely different. They call the King's pretended efforts to eſtabliſh deſpotiſm a chimera, affirming what was ſtiled arbitrary power, was preciſely what England's laws alloted the Sovereign. Indeed this was the principle of James I, Charles I, Charles II, and James II. Conſequently, they pretended that, to hinder the King from exerciſing ſuch a power, was oppoſing the national laws. But, as it evidently appeared, in the reign of Charles I, that the parliament and people were not of this ſentiment, it was neceſſary to give ſome plauſible reaſons of the troubles cauſed by this diſpute in that reign. To this end, they have eſtabliſhed a ſyſtem which, with the principle of the King's abſolute power, is the baſis and foundation of whatever they have compiled: and that is, the oppoſition King Charles met with, proceeded not from the peoples belief that the King had exceeded the bounds of his power, but from a project long ſince formed, to alter the church's conſtitution: that the Preſbyterians, authors of this project, conſcious of his Majeſty's ſtedfaſtneſs in that reſpect, judged there was no other way to execute it, than by ruining the King and depriving him of his prerogatives: that, to arrive at this point, they inſtiled into the reſt of the parliament and nation groundleſs ſuſpicions and jealouſies, which they took care to cheriſh by all imaginable means, 'till they came at length to an abſolute rupture, and to a war which proved ſo fatal to King Charles, and gave them opportunity to eſtabliſh Preſbytery on the church of England's ruins.

The fault in theſe two ſyſtems is, that neither contains the whole truth. The parliament's ſyſtem aſcribes all the proceedings of both houſes ſolely to the deſign of redreſſing paſſed grievances, and preventing arbitrary government. It is however certain, that ſeveral members of both houſes did to that deſign, join the intention of altering church-government, which could not be effected but by the King's deſtruction. The royaliſts ſyſtem has the ſame fault; they impute to the parliament only a ſingle view, viz. to alter church diſcipline, and, counting as nothing the deſign to prevent the eſtabliſhing abſolute power, they pretend it was only a contrivance, or excuſe, to arrive with more eaſe to the principal end, which was to eſtabliſh Preſbyterian government.

After having thus ſhewn theſe two different ſyſtems, I think it needleſs to explain particularly, in what manner Franklin, Nalſon and the earl of Clarendon apply theirs to the facts agreed on by all. I ſhall content myſelf with obſerving, that they miſs no occaſion to combat the principles of the parliament, or to impute to them motives intirely different from thoſe they pretended to act by. Herein their aim was to hinder their readers from being prepoſſeſſed with a belief, that the parliament intended the good of their country, or had any other views than thoſe they aſcribe to them.

By what has been advanced, it is eaſy to perceive,

(1) As particularly Nalſon himſelf, and Franklin; the bulk of whoſe collections is extracted from Ruſhworth.

how

how the writers of Charles I's reign may be different, nay contrary, according as the authors have closely followed one or other of these two systems: and this is what has actually happened. The histories of the two parties, tho' founded on same the facts, are so opposite to each other, that a reader who is not very attentive, or wants leisure to examine what is proposed to him, knows not where he is, when he sees this disagreement.

As to my self, who am not ingaged in either of the parties, and aim only at truth, I cannot think I am obliged blindly to follow one or other of the two systems; but have established a third, composed of both, by supplying their defects. I leave the reader to judge, whether it be sufficiently coherent, to give him a distinct knowledge of the affairs of this reign. If I sometimes seem to incline to one side, it is because I have no reason to swerve from the truth, and am persuaded that both King and parliament were greatly in the wrong, tho' not always, nor on the same occasions.

This has induced me to cite, throughout the history of this reign, scarce any author but Rushworth, tho' no reign has more writers. My reason was, because Rushworth has formed no system, but contented himself with furnishing materials common to both parties, and of which both have made great use. But tho' I have carefully perused and collected the works of Franklin, Nalson, and the earl of Clarendon, I judged not proper to quote them, because they scarce let fact or paper pass without applying it to their system, which is not always agreeable to mine. It would therefore strangely imbaras a reader, to cite, in proof of what I advance facts or papers are always followed with reasonings, often directly contrary to my system. I thought proper to say thus much in justification of the manner wherein I have compiled the history of this reign.

END of the NINETEENTH BOOK.

BOOK XX.

Containing the second Part of King CHARLES I's Reign.

CHARLES I An' 1640.

Nov. 3. State of King Charles's affairs.

AT this parliament's assembling, King Charles's affairs were in a very indifferent situation. Instead of crushing the Scots, as he flattered himself, he had the mortification to behold them enter England, force a passage over the Tine; defeat a considerable body of his army, and render themselves masters of Newcastle. Moreover, he saw his own followers not greatly disposed to serve him. They mostly consisted of soldiers unvoluntarily listed, in the several counties, and prejudiced, like most others, against the government. Beside, the Scots prowess being exagerated by such as they had routed, and by the King's private enemies, inspired the English troops with somewhat of a panic. He also wanted money to pay them. His whole resourse was the two hundred thousand pounds borrowed of the Londoners, 'till it should please the parliament to furnish him with the necessary supplies: but he could scarcely expect to find much complaisance from this parliament. It was universally believed, he had called it against his inclination, and because he could find no other method of extricating himself from his present imbaras. What had passed in the four parliaments held since the begining of his reign; the dissolutions of these parliaments with heat and animosity; the imprisonment of their members; the discontinuance of parliaments for twelve years; the taxes imposed by his Majesty's sole authority during that long interval; the monopolies upon all sorts of commodities; the decay of trade; the open protection Charles granted to the Papists and Arminians; the severities exercised upon the Presbyterians; the innovations in religion; the almost universal suspicion of a design to introduce Popery; the excessive authority usurped by the council and star-chamber; the corruption of the judges; in a word, the principles of arbitrary power asserted by the court, bred a general discontent. Of all this Charles was not ignorant and had 'till now disregarded it. But he began to dread the consequences, when he saw himself on the point of being exposed to the ill humor of a new parliament, who in all appearance would not let slip the opportunity of laboring that redress of grievances which the former parliaments had in vain demanded. Nevertheless, he was so prejudiced and insensed against the Scots, that he still hoped the new parliament would regard their entering England as a formal invasion, as a war made, not upon the King, but the kingdom, and would furnish means to drive them into their country, and chastise their presumption. But it was not long before he perceived his hopes were ill-grounded. CHARLES I An' 1640.

The parliament meets. Clarendon, p. 135. Id. p. 137.

The parliament met the third of November, answerably to the royal writs. There had never been a more numerous assembly, very few members being absent. Every one looked on this as the fairest opportunity could possibly offer to cure the national distempers; and all the members, except such as were intirely devoted to the King, were ready to contribute towards restoring the government to its true and ancient constitution. Accordingly, this was what the people expected. On the first day, his

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his Majeſty delivered the following ſpeech to both houſes.

Charles's ſpeech at opening the parliament. Ruſhworth, Vol. III. p. 1335. IV. p. 11. Nalſon, p. 481. Annals. p. 879.

My lords,

"THE knowledge I had of the deſires of my Scotiſh ſubjects, was the cauſe of my calling the laſt aſſembly of parliament: wherein, had I been believed, I ſincerely think that things had not fallen out as now we ſee: but it is no wonder, that men are ſo ſlow to believe ſo great a ſedition ſhould be raiſed on ſo little ground. But now, my lords and gentlemen, the honor and ſafety of this kingdom lying ſo near at ſtake, I am reſolved to put my ſelf freely and clearly on the love and affection of my Engliſh ſubjects, as theſe of my lords, who did wait on me at York, very well remember I there declared.

"Therefore, my lords, I ſhall not mention my own intereſt, or that ſupport I might juſtly expect from you, 'till the common ſafety be ſecured; tho' I muſt tell you, I am not aſhamed to ſay, thoſe charges I have been at have been merely for the ſecurity and good of this kingdom; tho' the ſucceſs hath not been anſwerable to my deſires: therefore I ſhall only deſire you to conſider the beſt way both for the ſafety and ſecurity of this kingdom; wherein there are two parts chiefly conſiderable. Firſt, the chaſing out of rebels (1). And ſecondly, that other, in ſatisfying your juſt grievances, wherein I promiſe you to concur ſo heartily and clearly with you, that all the world may ſee my intentions have ever been and ſhall be to make this a glorious and flouriſhing kingdom. There are only two things which I ſhall mention to you: the one is to tell you, that the loan of money which I lately had from the city of London, wherein the lords who waited on me at York aſſiſted me, will only maintain my army for two months, from the begining of that time it was granted. Now, my lords and gentlemen, I leave it to your conſiderations, what diſhonor and miſchief it might be, in caſe, for want of money, my army be diſbanded before the rebels be put out of this kingdom. Secondly, the ſecuring againſt thoſe calamities the northern people indure at this time, and ſo long as the treaty is on foot: and in this, I ſay, not only they, but all this kingdom will ſuffer the harm: therefore I leave this alſo to your conſideration, for the ordering of thoſe great affairs, whereof you are to treat at this time. I am ſo confident of your love to me, and that your care is for the honor and ſafety of the kingdom, that I ſhall freely and willingly leave to you where to begin. Only this, that you may better know the ſtate of all the affairs, I have commanded my lord-keeper to give you a ſhort and free account of thoſe things which have happened in this interim, with this proteſtation, that if this account be not ſatisfactory as it ought to be, I ſhall, whenſoever you deſire, give you a full and perfect account of every particular. One thing more I deſire of you, as one of the greateſt means to make this a happy parliament, that you on your parts, as I on mine, lay aſide all ſuſpicion one of another; for, as I promiſed my lords at York, it ſhall not be my fault, if this be not a happy and good parliament."

When his Majeſty had done ſpeaking, the lord-keeper Finch made his ſpeech. He began with encomiums on the King and Queen, and then indeavored to perſuade the two houſes, that calling this parliament was wholly owing to his Majeſty, who had reſolved it, before he received any petition on that ſubject (2). After that, he ſtrove to ſhew, tho' in a very general manner, that the Scots had violated the late treaty, and the King, againſt his will, taken arms by the unanimous advice of his council, to reduce them to obedience. He concluded with informing both houſes of what had paſſed, as well in the begining of the war, as in the conferences at Rippon.

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The lord-keeper's ſpeech in parliament. Ruſhworth, Vol. IV. p. 12. Nalſon, p. 482.

The commons, being returned to their houſe, choſe for ſpeaker William Lenthall, a bencher of Lincolns-Inn, who was propoſed by ſir Henry Vane ſecretary of ſtate (3). This choice being approved by the King, they appointed, according to cuſtom, a commitee to examine all queſtions which might ariſe about elections, returns, or other privileges of the houſe. Then it was reſolved, that a commitee of the whole houſe ſhould meet on certain days of the week, on theſe five principal accounts, viz. religion, grievances, courts of juſtice, trade, and Ireland. Theſe were the articles which chiefly occaſioned the nation's complaints and murmurs, and the commons thereby evidently diſcovered their intentions.

Lenthall choſen ſpeaker.

The commons ſettle ſeveral commitees. Ruſhworth, Vol. IV. p. 19. Clarendon, p. 151.

As, from the third of November 1640, to the twenty fifth of Auguſt 1642, the hiſtory of this reign wholly conſiſts of parliamentary tranſactions, I judge it previouſly neceſſary to give a deſcription of this parliament, and of the different parties into which it was divided. It will afterwards be eaſier to perceive the motives of its acts and reſolves, and withal, the true grounds of the civil war which haraſſed England.

Firſt, it is certain there was ſcarcely a member of either houſe not diſpoſed to procure the redreſs of thoſe ſo long complained of grievances. Theſe grievances were ſo manifeſt, that it was in a manner impoſſible, without ſubverting the government's very conſtitution, to deviſe plauſible reaſons to juſtify the King's and his miniſters conduct, during the fifteen preceding years. They were of ſuch a nature, that no perſon was therefrom exempt, not even thoſe who ſerved for inſtruments to impoſe them on the people, tho' they were in great meaſure indemnified ſome other way. In ſhort, they were of ſuch conſequence, that admiting the principles whereon they were founded, the inevitable reſult was a total ſubverſion of the conſtitution, and a deſpotiſm unknown to the Engliſh for many ages. It may therefore be affirmed that, from the very opening of this parliament, the general ſentiment of both houſes was, that the preſent opportunity of applying proper remedies to the nation's evils ſhould not be neglected.

Diſpoſition of the parliament with reſpect to grievances. Clarendon, p. 137. Ruſhworth, Vol. III. p. 1336, &c.

But the members were divided on a principal point, which however flowed from the general diſpoſition. Some were of opinion that, when all the grievances were redreſſed, the government ſhould be reſtored to its natural ſtate, ſuch as it was before the reigns of James and Charles, without any additions or alterations. Others, on the contrary, judged that, after the redreſs of grievances, it would be neceſſary to uſe ſome effectual method, to put it out of a King's power ever to invade the peoples liberties and privileges of parliament: but theſe

(1) Meaning the Scots. Some exception being taken at the King's ſtiling them rebels, he explained and juſtified that expreſſion in a ſpeech to the lords, November 5. See Ruſhworth, Vol. IV. p. 17. Whitelock, p. 38.

(2) And yet lord Clarendon aſcribes calling this parliament to the advice of the great council of peers at York. Rapin.

(3) Lord Clarendon (Vol. I. p. 135.) ſays, the King deſigned ſir Thomas Gardiner, recorder of London, to be ſpeaker. But he could not get himſelf elected for London, nor any other burrough. And no wonder, if it be true as Whitelock ſays, that ſuch a ſpirit of oppoſition to the court proceedings was in the hearts and actions of moſt people, that very few of that party had the favor to be choſen members of this parliament. See p. 37.

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ſedulouſly concealed their intentions, leſt they ſhould give the others occaſion to ſuſpect a deſign of altering the eſtabliſhed government, and cauſe them to oppoſe even what was moſt reaſonable, thro' fear of the conſequences. They hoped to find, or ſtart in time, opportunities enough to inſpire the whole nation with a diſtruſt of the King, and by that means attain their ends.

Such being this parliament's general diſpoſition, it is evident the Scots entering England was to be deemed a very conſiderable advantage, granted the Engliſh by Providence, to prevent their King's breaking the meaſures which might be taken againſt him. Charles was abſolutely neceſſitated to maintain an army for his defenſe againſt the Scots, without having for that purpoſe other means than the parliament's aſſiſtance: for the times being changed, the impoſing arbitrary taxes could not be practiſed any longer, whereon when the war commenced he had ſeemingly depended, ſince, in a month after taking the field, he was deſtitute of money to pay his troops. So, it was the parliament's intereſt to keep King Charles thus neceſſitous, that he might not be able to oppoſe the two houſes reſolves. It is not therefore to be thought ſtrange, that the parliament gave not much attention to what this Prince moſt wiſhed, i. e. to be inabled to drive the Scots from England, ſince, on the contrary, the Scots gave the two houſes a ſuperiority they were unwilling to forgo.

With reſpect to religion.

This parliament's ſentiments were likewiſe very various touching religion. There were in the houſes rigid epiſcopalians, who believed biſhops eſſential to religion, and that without them there was no lawful ordination, nor conſequently any valid adminiſtration of the ſacraments. Of this number were the biſhops, with almoſt all the King's party. There were moderate epiſcopalians, who, being ſincerely attached to the church of England, had however different ideas of epiſcopacy. They had a veneration for epiſcopal government, as being very ancient in the church, and what they moſt liked: but, tho' they had no deſign to alter it, they did not however deem it ſo abſolutely neceſſary, but that religion might well ſubſiſt under any other kind of regulation. This was the prevailing opinion, and eſpouſed by a majority in both houſes: wherefore it may be ſaid that, in the begining of this parliament, the members in general had no intention to attack the eccleſiaſtical government eſtabliſhed in England ſince the reformation.

But there was in the two houſes another party, more powerful by the ability of their leaders, than by their number: I mean that of the Preſbyterians, who were divided alſo into moderate and rigid. The former had no other view, than to obtain ſome liberty and ſecurity againſt perſecution. The latter were of a different ſtamp. They conſidered epiſcopal government as repugnant to divine writ, and the juriſdiction of prelates as a real tyranny. Theſe were the particular objects of the hatred of King, miniſtry, biſhops, and moſt of the clergy, becauſe their principles tended to the church of England's utter deſtruction. For that reaſon, they believed there was no ſafety for them, but in abſolutely converting Prelatical into Preſbyterian government: but they eaſily perceived that, to attain their ends, the King was to be diſabled to oppoſe them, knowing that, as long as it was in his power, he would never conſent to ſuch alteration. Their number was however ſo inconſiderable, that they would have made no figure in the parliament, had they not been ſupported by the Scots, whoſe aid they could not be without. Moreover, among theſe rigid Preſbyterians lay concealed a certain ſet of men, known afterwards by the name of Independents, who held concerning civil, as well as eccleſiaſtical government, uncommon opinions, which they took care not to divulge, 'till they found occaſion of doing it to ſome purpoſe. They were for ſome years contented to conceal themſelves among the rigid Preſbyterians, in order, at a proper time, to accompliſh their deſigns more effectually. It was the particular intereſt of theſe men ſo to manage, that the government of the ſtate ſhould be changed, or rather overthrown, well knowing their party could never ſubſiſt but in anarchy: and therefore, without diſcovering their intentions, they improved all occaſions to ſow and cheriſh diſcord between King and parliament. The whole Preſbyterian party was directed by the heads of the Rigids and Independents, men of great parts, who, without diſcovering themſelves more than was neceſſary, ſeemed to confine their views to the redreſs of grievances, which was the parliament's general aim, and wherein almoſt all were united. In this conduct they found a double advantage: firſt, they removed all ſuſpicion of their intending to change the government of church or ſtate, and withal prevented the union of the other members, who would not have failed uniting, in order to oppoſe ſuch innovations. The ſecond advantage was that, by being ſolely intent at firſt on the redreſs of grievances, they had frequent occaſions of exclaiming againſt the King's former adminiſtration, and fomenting the parliament's diſtruſt and jealouſy of him: for it was by that chiefly they hoped to be able to execute their projects.

Such being the parliament's diſpoſition, it is eaſy to perceive the reaſon why the commons were at firſt ſo attentive on redreſſing grievances, as well public as private. A great number of petitions on that ſubject were preſented them, within a few days after their meeting. Many members were likewiſe charged with the like petitions from their burroughs and ſhires, and ſeveral very mortifying ſpeeches to the King and his miniſters were made in the houſe. Of all theſe ſpeeches, I ſhall inſert but one, wherein are enumerated all the public grievances, whereof the people thought they had reaſon to complain. It is that of mr. Pym, member of parliament for Taviſtock, in Devonſhire (1). viz.

Ruſhworth, Vol. III. p. 1336. &c. IV. p. 20. Nalſon, p. 491. &c.

Mr. ſpeaker,

Pym's ſpeech about grievances. Ruſhworth, Vol. IV. p. 21.

" TO redreſs grievances will not hinder, but farther the ſervice of the King: to take away the weights does as much advantage motion, as to add wings.

" I ſhall, 1, inſtance ſeveral heads of thoſe grievances we labor under. 2. Demonſtrate them to be as hurtful to the King as to the people. 3. That the remedies will prove equally good to both of them.

" The King can do no wrong; the law caſts all miſcarriages upon the miniſters: thus the influence of heaven conveyeth vigor into ſublunary creatures; but the malignity of all epidemical diſeaſes proceedeth from the ill-affected qualities of the earth or air.

" There are a threefold ſort of grievances: 1. Some againſt the privilege of parliament: 2. Others to the prejudice of religion: 3. Some againſt the liberty of the ſubject. For the firſt, the members are free from arreſts; to have liberty of ſpeech; a legiſlative, judiciary and conciliary power; being the ſame to the body politic, as the faculties of the ſoul to a man.

" Theſe privileges have been broken: 1. in re-

(1) As our author has here given us the wrong ſpeech, viz. that ſpoken by mr. Pym. April 17, in the preceding parliament, we have judged proper to exchange it for that which he ought to have inſerted.

" ſtraining

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" ſtraining the members from ſpeaking. 2. In " forbiding the ſpeaker to put a queſtion; both of " theſe practiſed in the laſt parliament. 3. By " impriſoning diverſe members for matters done " in parliament. 4. By proceedings againſt them " for the ſame in the inferior courts. 5. Injoining " them to give ſecurity for their good behavior, " and continuing them in priſon, even to the death. " 6. In abrupt diſſolutions of parliament: the great " grievance; like the execution of a man, without " being heard: it receives a being by the ſummons, " and a civil death by diſſolution; not only there- " by to die, but to be made 'inteſtabiles,' unca- " pable of making their wills, the good acts which " they were about.

" The ſecond is, incouragement of Popery: " 1. By ſuſpenſion of laws againſt them; now it " is certain, there can be no ſecurity from Papiſts, " but in their diſability; their principles are in- " compatible with any other religion: laws will " not reſtrain them, nor oaths; for the Pope diſ- " penſeth with both; and his command acteth " them againſt the realm in ſpirituals and tempo- " rals, 'in ordine ad ſpiritualia.' Henry III, and " Henry IV, of France, were no Proteſtants, yet " were murdered becauſe they tolerated reforma- " tion. 2. By allowing them places of truſt and " honor in the common-wealth. 3. Their free re- " ſort to London, and to the court; to communi- " cate their counſels and deſigns, diving into the " ſecrets of ſtate. 4. That as they have a congre- " gation of cardinals at Rome, for advancing the " Pope's authority in England; ſo have they a " nuncio here, for the execution thereof.

" Then as to innovations of religion intro- " duced: 1. Maintenance of Popiſh tenets, in " books, ſermons and diſputations. 2. Practiſe of " Popiſh ceremonies countenanced and injoined, as " altars, images, crucifixes, bowings, &c. Theſe " I may in ſome reſpect compare to the dry bones " in Ezekiel which firſt came together, then ſi- " news and fleſh came upon them, afterwards the " ſkin covered them, and then breath and life was " put into them; ſo firſt the form, then the ſpirit " and life of Popery was to come among us. " 3. Preferment of perſons Popiſhly affected. " 4. The diſcouragements of Proteſtants, by over- " rigid proſecutions of the ſcrupulous for things in- " different: no vice made ſo great as inconformi- " ty; by puniſhing without law, for not reading " the book for Sunday-recreations; for not remov- " ing the communion-table alter-wiſe; for not " coming to the rails to receive the communion; " for preaching on the Lord's-day in the after- " noon; for catechiſing otherwiſe than as in the " ſhort catechiſm in the common-prayer-book. " 5. By incroachment of eccleſiaſtical juriſdiction; " particularly, 1. In fining and impriſoning with- " out law. 2. Challenging their juriſdiction to be " appropriated to their order, 'Jure divino.' 3. Con- " triving and publiſhing new articles of viſitation, " new canons; and the boldneſs of biſhops, and " their ſubordinate officers and officials.

" As to the third ſort of grievances, I ſhall ob- " ſerve rather the order of time when they were " acted, than the conſequence; but when we " come to the cure, it will be beſt to begin with " the moſt important.

" There is firſt, tonage and poundage, and the " late new book of rates taken by prerogative, " without grant of parliament; from whence theſe " inconveniencies follow: 1. Mens goods are ſeiz- " ed, their ſuits ſtoped. 2. Miſimployment of " the ſums of money impoſed; for tho' intended " for the guard of the ſeas, they are diſpoſed " to other uſes, and a new tax raiſed for the ſame " purpoſe. 3. The burden exceſſive, trade hin- " dered, home-commodities abaſed, and foreign " inhanſed; by which means the ſtock of the king- " dom is diminiſhed, eſpecially inſupportable to " to the poor planters in America, by the tax upon " tobacco.

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" There is a compoſition for knighthood; which " tho' it refers to a former cuſtom, yet upon the " ſame grounds the King may renew it by a new " fine, immoderate multiplication of diſtreſs and " iſſues, and inforce them to compound with the " commiſſioners. An innundation of monopolies un- " dertaken by Papiſts, and full of miſchief. 1ſt, " By impairing the goodneſs, and inhanſing the " price of ſalt, ſoap, beer, coals, &c. 2dly, Un- " der color of which trade was reſtrained to a few " hands. 3dly, Many perſons thereupon illegally " impriſoned.

" But the great and unparalleled grievance is " the ſhip-money, being agravated not ſupported " by the judgment, which is not grounded upon " law, cuſtom, precedent or authority: it being " improper for a caſe of neceſſity, and abounding " in variety of miſchief. As 1ſt, the general ex- " tent to all perſons, all times, and the ſubject left " remedileſs. 2dly, The arbitrary proportion " without limits. 3dly, Impoſed by writ, and " diſpoſed by inſtructions. Improper, for the of- " fice of a ſheriff in the inland counties, and in- " convenient for the inhabitants; without rule or " ſuitable means for the levying or managing " of it.

" The inlargements of foreſts, beyond the bounds " of the ſtatutes, 27 and 28 Edw. I. which per- " ambulations then were the cauſe of that famous " Charta de Foreſta; and now reviving theſe old " queſtions, new diſtempers may follow, and par- " ticular obliquities we may already obſerve, and " ſurreptitious proceedings, as in Eſſex; yet that " verdict was inforced in other counties, and a " judgment upon the matter after three or four hun- " dred years quiet poſſeſſion of the ſubject, who " thereupon is forced to compound for great fines.

" The ſelling of nuſance. The King, as a fa- " ther of the commonwealth, is to take care of " the public commodities and advantages of the " ſubjects, as rivers, highways, and common- " ſewers, by ordinary writs, 'Ad quod damnum:' " but now by a courſe extrajudicial, by inforcing " compoſitions; ſo then, if really it be a nuſance " which is compounded for, it is a hurt to the " people; if no nuſance, then it is a grand preju- " dice to the party.

" The commiſſion for buildings, about London, " was preſented as a grievance in the time of King " James; now much more increaſed, and much " more prejudicial.

" The commiſſion for depopulations began ſome " few years ſince; by both theſe commiſſions, the " the ſubject is reſtrained from diſpoſing of his " own; demoliſhing their houſes, puniſhing and " fining their perſons for what they are ſtill liable " to by law; for the King cannot licenſe a nuſance; " and altho' theſe are nuſances, yet it is of ill " conſequence to be compounded for, and make a " precedent for Kings to licenſe ſuch things as are " nuſances indeed.

" Military charges ought not to be laid upon " the people by warrant of the King's hand; nor " by letters of the council-table; nor by order of " the lords lieutenants of counties, nor their de- " puties. It began to be practiſed, as a loan, for " ſupply of coat and conduct-money, in Queen " Elizabeth's time, with promiſe to be re-paid it, " as appears by a Conſtat-warrant in the exchequer, " and certain payments; but now a-days never re- " paid. The firſt particular brought into a tax " was, the muſter-maſter's wages; which being

but

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" but for a ſmall ſum, was generally digeſted: " yet in the laſt parliament, it was deſigned to be " remedied. But now there follows; 1ſt, preſſing " of men againſt their wills, or to find others " 2dly, Proviſions for public magazines for pow- " der, ſpades and pickaxes. 3dly, Salary of offi- " cers, cart-horſes, carts, and ſuch like.

" The extrajudicial declarations of judges with- " out hearing of counſel or argument: a teeming " grievance, productive of many others.

" Monopolies countenanced by the council-table, " and the clauſe in their patents of monopolies, " commanding the juſtices of peace to aſſiſt them; " whereby the great abilities of that honorable " board receive a ſtain by ſuch matters of ſo mean " a report in the eſtimation of the law, ſo ill in " the apprehenſion of the people.

" The high court of ſtar-chamber, called in the " parliament rolls 'Magnum Concilium,' to which " the parliaments were wont to refer ſuch matters " as they had not time to determine: a court " erected againſt oppreſſion, a court of councils, " and a court of juſtice, now an inſtrument of erect- " ing and defending monopolies, to ſet a face of " public good on things pernicious.

" That great and moſt eminent power of the " King in edicts and proclamations, called 'Leges " Temporis,' uſed heretofore to incounter with " ſudden and unexpected danger, 'till the great " council of the King could be called, hath of late " been exerciſed for injoining and maintaining mo- " nopolies. But the laſt and greateſt grievance leads " us a ſtep higher, even as high as heaven, as the " throne of God, his word and truth. The am- " bitious and corrupt clergy, preaching down the " laws of God, and liberties of the kingdom; " pretending divine authority and abſolute power " in the King, to do what he will with us; and " this preaching is the highway to preferment; as " one Manwaring, ſentenced in the former parlia- " ment for this doctrine, then a doctor, is now " become a biſhop. The intermiſſion of parlia- " ments contrary to the ſtatute, whereby they are " to be called once a year, is the main cauſe of all " theſe and other miſchiefs, to which parliaments " give remedy.

" Theſe grievances are as well hurtful to the " King as to the ſubjects, by interrupting their " communion; they have need of his general par- " don, and to be ſecured from projectors and in- " formers; to be freed from obſolete laws, and " from the ſubtil deviſes of thoſe who ſeek to ſtrain " the prerogative to their own private advantage, " and the public hurt; and the King hath need of " them for counſel, for ſupport. Queen Eliza- " beth's victorious attempts were, for the moſt " part, carried on upon the ſubjects purſes, and " not upon her own; tho' the honor and profit " were hers. Theſe diſcontents at home diminiſh " the King's reputation abroad, diſadvantage " his treaties, and weaken his party beyond ſea; " by incouraging Popery; by forcing the ſubjects " to leave the kingdom, to the prejudice of the " King's cuſtoms and ſubſidies. As for inſtance, " diverſe clothiers forced away, who ſet up their " manufacture abroad, to the hurt of this king- " dom.

" The King hath received, upon the monopoly " of wines, thirty thouſand pounds per annum. The " vintner pays forty ſhillings per tun, which comes " to ninety thouſand pounds; the price upon the " ſubject by retail is increaſed two-pence a quart, " which comes to eight pounds a tun, and ſo " forty five thouſand tun brought in yearly, " amounts to three hundred ſixty thouſand pounds; " which is three hundred and thirty thouſand " pounds loſt to the kingdom, above the King's " receipt.

" Now the remedies, and removing theſe griev- " ances, conſiſt of two main branches; in declaring " the law where it is doubtful, and in providing " for the execution of the law where it is clear. " But theſe I refer to a farther time, and for " the preſent adviſe ſpeedily to deſire a con- " ference with the lords touching grievances; " and always to humble our ſelves for God's aſ- " ſiſtance."

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As mr. Pym, who delivered this ſpeech, was one of the leading men in the houſe of commons, he was extremely applauded, and the more that, in giving a ſummary of all the public grievances, he had not uſed any diſreſpectful terms againſt the King or his miniſters. This ſpeech was followed with another by ſir Benjamin Rudyard, who, to intimate that there was a ſettled deſign to introduce Popery and arbitrary power into England, expreſſed himſelf after this manner:

" They have ſo brought it to paſs, that under " the name of Puritans, all our religion is brand- " ed; and under a few hard words againſt Jeſuits, " all Popery is countenanced. Whoſoever ſquares " his actions by any rule either divine or human, " he is a Puritan; whoſoever would be governed " by the King's laws, he is a Puritan; he who " will not do whatſoever other men would have him " do, he is a Puritan: their great work, their " maſter-piece now is, to make all thoſe of the " religion to be the ſuſpected party of the king- " dom."

Expreſſions of a member about perſe- cuting the Puritans. Nov. 7. Ruſhworth, Vol. IV. p. 24. Nalſon, p. 491.

Theſe ſpeeches were ſeconded with ſo great a number of complaints and petitions concerning grievances, both public and private, that the houſe was divided into more than forty commitees, upon this ſingle article, according to the different nature of the complaints. But before the particular exa- mination of theſe grievances commenced, the com- mons thought fit to deſire their lordſhips concurrence to move his Majeſty, that he would be pleaſed to appoint a faſt; which met with no oppoſition either from lords or King. Then they appointed a com- mitee to examine what number of Papiſts were in and about London, and how they were armed. As Charles had acquainted them with his deſign to pub- liſh a proclamation againſt recuſants, this commitee was impowered to examine it after the publication, and attend to its execution.

Ruſhworth, Ib. p. 28.

A faſt ap- pointed. Nov. 17. Nalſon, p. 504.

Commitee to examine the proclamation againſt recu- ſants.

Two days after, on the ninth of November, the houſe going upon grievances, lord Digby, the earl of Briſtol's ſon, made on that ſubject a ſpeech, which he concluded with this motion, " That a " ſelect commitee may be appointed to draw, out " of all has been complained of, ſuch a remon- " ſtrance as may be a faithful and lively repreſen- " tation to his Majeſty of the deplorable eſtate of " the kingdom." Very probably, this motion had been reſolved among the leaders, becauſe they were apprehenſive of Charles's oppoſing the redreſs of grievances, and becauſe in that caſe it was requiſite to ſhew the people the neceſſity of ſuch redreſs, by informing them wherein conſiſted the nation's griev- ances. Lord Digby's motion being approved, the houſe appointed a commitee of twenty-four to pre- pare the remonſtrance: but becauſe the King ſhewed greater condeſcenſion than was expected, this re- monſtrance was not drawn 'till above a year after, and on another occaſion.

Motion to make a re- monſtrance of the kingdom's condition. Nov. 9. Ruſhworth, Vol. IV. p. 30, &c. Nalſon, p. 507.

Commitee appointed to draw it up. Ruſhworth, Vol. IV. p. 37. It is defered.

One of the members* who had ſpoken upon grievances, having chiefly inſiſted on monopolies, it was voted, that all ſuch members as directly or indirectly had any ſhare in, or benefit from any project or monopoly, ſhould be diſabled to ſit in the houſe, and that mr. ſpeaker ſhould iſſue out writs

* Sir John Culpeper. Votes againſt monopolies. Ib. p. 37. Clarendon, p. 140.

CHARLES I writes to chuſe others in their room. There were afterwards four expeled the houſe on that account (1).

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Nov. 7. Ruſhworth, Vol. IV. p. 20, 41, 67, 74, &c. Nalſon, p. 499, 511, 514, 519. Diurn. Occur.

During the four or five firſt days, the houſe of commons was in a manner wholly imployed in receiving petitions and complaints, as well from private perſons, as from burroughs and ſhires. Among the private petitions, the moſt remarkable were thoſe of Baſtwick, Burton, Pryn, Lilburn, Leighton, Jennings, Smart. Theſe men complained of the exorbitant pains and penalties inflicted on them by the ſtar-chamber and high-commiſſion. As I intend not to dwell on the affairs of private perſons, I ſhall only ſay, that within the ſpace of about a year, the commons found time to examine all theſe ſentences one after another, and to puniſh the members of the ſtar-chamber, who had given their votes, by condemning them to pay all coſts and damages to the parties. The reparations to Baſtwick, Pryn, and Burton, were fixed to above four thouſand pounds each (2). All the other complaints of private perſons, whether againſt the courts of juſtice, or the ſtar-chamber and high-commiſſion, or certain biſhops and deans who labored more than the reſt to introduce innovations in religion, were heard. The commons took a pleaſure to mortify, in their turn, thoſe who had ſtretched the prerogative royal in perſecuting the Puritans, or rather ſuch as did not bear the yoke patiently, and were, under that denomination, confounded with the Preſbyterians.

Grievances of private perſons redreſſed.

The public grievances redreſſed alſo.

If the commons indeavored to do juſtice to private perſons, who had ſuffered any injury during the firſt fifteen years of this reign, it may well be imagined, they neglected not redreſſing the whole nation's grievances. This was their principal buſineſs during the firſt year of their ſeſſion. Tho' the parliament was compoſed of ſeveral parties, who had not all the ſame views, they were however united with reſpect to the redreſs of grievances. Even thoſe members who were moſt devoted to King Charles durſt not oppoſe the general ſentiment, ſome becauſe they thought the thing juſt; others not to loſe their labor, and for fear of rendering themſelves too ſuſpected.

Principal authors of the grievances. Laud.

Among thoſe who had moſt contributed to the public miſchiefs, the archbiſhop of Caterbury was conſidered as one of the chief and moſt worthy of puniſhment, as being author of the innovations in the church; promoter of the war with Scotland; perſecutor of the Preſbyterians, and head of the Arminians.

Strafford.

The earl of Strafford was likewiſe of this number, becauſe he had ſo intirely devoted himſelf to the King that, in his two great offices of preſident of the court of York, and lord-lieutenant of Ireland, he had no other view than to ſtretch the prerogative royal, and augment his Majeſty's revenues. His arrogant and haughty deportment had no leſs offended the public than his actions, whereby he ſtrove to eſtabliſh deſpotiſm. He was charged with counſeling Charles to tranſport his Iriſh army into England, to ſubdue the oppoſers of his will. Tho' he was highly in the King's favor, he had nevertheleſs made himſelf many enemies at court, and in the kingdom, who earneſtly ſought occaſions to work his deſtruction.

Finch.

The lord-keeper Finch was alſo looked on as a pernicious counſellor, wholly devoted to the King, and ready for any attempt to eſtabliſh arbitrary government: it was not doubted but he was the man who had corrupted the judges in the buſineſs of ſhip-money.

Windebank. Clarendon. p. 142.

Sir Francis Windebank, ſecretary of ſtate, was reckoned the patron of Papiſts, and it was by his means that the condemned prieſts and Jeſuits eſcaped one way or other the ſentence paſſed upon them. Finally, the bench of judges had rendered themſelves extremely odious to the people, as well by the judgment they had given in mr. Hampden's affair, as by numberleſs other acts of injuſtice to private perſons. Theſe were the principal authors of the grievances, whom the commons would abſolutely bring to condign and exemplary puniſhment.

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The judges.

Strafford was the firſt on whom the ſtorm brake. The eleventh of November, eight days after opening the parliament, mr. Pym, having deſired and obtained his deſire of the commons, that the doors might be locked, and the outward room cleared of ſtrangers, informed them, that there were ſeveral complaints againſt the earl of Strafford, which afforded good ground to accuſe him of high-treaſon. Upon this information, the houſe immediately appointed a commitee of ſeven (3), who withdrawing into another room, and confering, preſently reported it to be their opinion, that there was juſt ground to impeach the earl of Strafford. Then mr. Pym was ordered to go to the houſe of lords, and accuſe the earl of high-treaſon, in the name of all the commons: he had likewiſe orders to tell the lords, that in due time the commons would produce the articles of accuſation, and in the interim deſired the accuſed might be put into ſafe cuſtody. The earl of Strafford was that very day * come from the army, and had taken his place in the houſe of lords. Before his departure from the army, he had received notice that there was a deſign to attack him: but whether thro' pride, or a belief that, having done nothing without the King's warrant, he was ſecure, he ſlighted the counſel, and would be preſent in the parliament. Indeed, ſome months before, the King's protection was more than ſufficient to ſcreen him from all danger: but the face of affairs was changed, and it is ſtrange a perſon of ſo great a genius, and ſo good ſenſe, could imagine the King was able to protect him in ſuch a juncture. However this be, on the commons impeachment, their lordſhips commited him to the cuſtody of the black-rod, and ſome days after ſent him to the Tower. As this affair was prolonged 'till May, next year, I ſhall not ſpeak of it, before I come to the time of this famous trial, and ſhall continue to relate, without interruption, what concerns the redreſs of grievances, and the puniſhment or accuſation of their authors.

The earl of Strafford accuſed of high-treaſon. Ruſhworth, Vol. IV. p. 42. Nalſon, p. 520. Clarendon, p. 138, 139.

* Not ſo, but a few days before. See Whitelock, p. 37.

He is ſent to the Tower. Ruſhworth, Vol. IV. p. 60. Clarendon, p. 140.

Secretary Windebank was attacked next. Several petitions were preſented againſt him to the houſe, whereof he was member, complaining that, as ſecretary of ſtate, he had iſſued warrants under his own hand for the diſcharge of proſecutions againſt prieſts, and for their releaſe from priſon. All theſe petitions tended to ſhew, that he miſſed no opportunity of countenancing Papiſts, and gloried in being reckoned their patron. I know not whether he profeſſed the Romiſh creed; but howſoever it be, he was ſeveral times ſummoned to the houſe, there to anſwer what was laid to his charge. But he judged it properer to avoid the impending ſtorm, and withdraw into France. When he was out of danger, he ſent the earl of Pembroke, lord-chamberlain, a letter, lamenting his misfortune, and intimating, that if he was culpable, it was only for having ſerved the King faithfully, and obeyed his orders (4).

Windebank cited. Ruſhworth, Vol. IV. p. 44, 52, 68, 69, 70, 71, 83. Nalſon, p. 521, 571, &c. Clarendon.

He gets away to France. Ruſhworth, Vol. IV. p. 91. Jan. 11.

(1) Whitelock (p. 38.) ſays, many members thereupon withdrew themſelves, and new elections were made in their rooms.

(2) Nalſon pretends, that the ſentence in the ſtar-chamber againſt Baſtwick was not only juſt, but that he deſerved even death, if he had not had to do with the moſt merciful of Kings. Rapin.

(3) Mr. Pym, mr. Strode, mr. St. John, lord Digby, ſir John Clotworthy, ſir Walter Earl, and mr. Hampden. Ruſhworth, Vol. IV. p. 43.

(4) Sir Francis Windebank had been Laud's pupil, and was by his recommendation made ſecretary, on June 15, 1632. Laud's Diar.

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Debates upon the convocation. Ibid. p. 58, 62, 89. 100. Nalſon, p. 533, &c. 666. &c. Diurn. Occur. Clarendon, p. 162.

The convocation, their canons, oath, and the tax they had laid upon the clergy to aid the King in his war with Scotland, were by the houſe next taken into conſideration. This affair was debated with great warmth. On this occaſion, diverſe members made ſpeeches, tending to ſhew that the King could not, by his authority, turn the convocation into a ſynod. They alleged for reaſons, That the clergy who compoſed it could act but as members of the convocation, becauſe, to act as members of a ſynod, they ought to have been elected by the people, and it did not belong to the King to make this election as he pleaſed: that the convocation or ſynod had not power to make canons for the whole nation, without conſent of the people themſelves, nor conſequently without the parliament's intervention: that moſt of the canons were unjuſt in themſelves, and tended to augment the clergy's power, to the prejudice of the King's authority, and the peoples liberties: that, by theſe canons, the convocation aſſumed a power above the parliament: that the oath they had impoſed was ſtrange, doubtful, contrary to the privileges of parliament, and rights of the people, and obliged men to ſwear, as neceſſary, things which were alterable, without any danger to religion; for inſtance, ſuppoſing it true that biſhops are "Jure divino," which the church of England never acknowledged, it could not be affirmed, that archbiſhops, deans and archdeacons are of divine or apoſtolical inſtitution, and yet people were made to ſwear, they would never conſent to altering the government of the church by archbiſhops, biſhops, deans, archdeacons, &c: that by this oath, the church repreſentatives would be ſo tied up, that tho' the parliament ſhould have power to alter church diſcipline, they could not, by reaſon of their oath, even debate upon that ſubject. On theſe, and many other reaſons which not to be prolix I omit, the commons unanimouſly voted. 1. That the clergy of England, convened in a convocation or ſynod, or otherwiſe, have no power to make any conſtitutions, canons, or acts whatſoever, in matters of doctrine or diſcipline, or otherwiſe to bind the clergy or laity of the land, without common conſent in parliament. 2. That the canons, treated upon by the late convocation, do contain matters contrary to the King's prerogative, to the fundamental laws and ſtatutes of the realm, to the rights of parliament, to the property and liberty of the ſubject, tending to ſedition, and of dangerous conſequence (1).

Votes concerning the Convocation Ruſhworth, Vol. IV. p. 112. Nalſon, p. 678. Diurn. Occur.

On theſe reſolutions, the houſe inſtantly appointed a commitee of thirty ſix; to examine who were the chief promoters of theſe canons, and how they had been executed: to conſider how far, in particular, the archbiſhop of Canterbury had been concerned in the grand ſcheme of ſubverting the laws of the land and religion; and to draw up a charge againſt him, and ſuch others as ſhould appear guilty of the ſame crime. The Scotiſh commiſſioners who were ſent to London to continue the treaty begun at Rippon, held, as I obſerved, good intelligence with the leading members of the commons, and had, very ſeemingly, been informed of the deſign to proſecute the archbiſhop: and therefore, to make the blow fall heavier on this prelate, by joining their complaints with thoſe of the commons, they next day preſented to the lords a charge againſt him, to this effect:

Ruſhworth, Vol. IV. p. 113. Nalſon, p. 680.

"That he was the cauſe of all the troubles in Scot- "land, and author and urger of introducing into "Scotland the book of canons, and the liturgy, as "appeared by fourteen letters, which they offered "to produce: that the Scotiſh prelates having ſent "to him a book of canons, written upon the one "ſide only, with the other ſide blank, he had "made ſeveral interlinings, and filled up the blank "pages with ſeveral directions; which changes and "ſupplements were taken from the Romiſh rituals, "which varied from the book of England: that "they were contrary to the King's intentions, who "in his large declarations had profeſſed, That all "the variations in the Scotiſh ſervice from that of "England ſhould be only in ſuch things as the "Scotiſh humors would better comply with; but "that the archbiſhop had no regard to this. On "the contrary, the Scotiſh prelates having petitioned the ſuppreſſion of ſome of the Engliſh "ceremonies, as the croſs in baptiſm, the ring in "marriage, and ſome other things, he was ſo far "from conſenting, that he had added ſeveral "others: that in the order of adminiſtering the "communion in the book of England, he had made "ſeveral alterations, which plainly ſhewed his deſign of introducing Popery into Scotland: that "he had kindled war between the King and the "Scots, and been one of the chief cauſes of breaking the laſt pacification, and renewing the war: "that he had inſerted into the divine ſervice a "prayer againſt their nation, by name of 'traiterous "ſubjects, having caſt off all obedience to their "anointed Sovereign, and coming in a rebellious "manner to invade England; that ſhame might "cover their faces as enemies to God and the King."

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Articles of accuſation againſt Laud. Id. p. 681. Ruſhworth, Vol. IV. p. 113.

I have greatly abridged theſe articles, which are very particular: but what is here ſaid, ſuffices to ſhew their deſign.

On the morrow, ſir Harbottle Grimſton made in the houſe a ſpeech againſt the archbiſhop, pretending to evidence, that all thoſe who were concerned in the evils of the ſtate, as the earl of Strafford, the biſhops of Cheſter, Oxford, Ely, Bath and Wells, had been raiſed by his means, and that there was not a ſingle grievance but what flowed from him. Whereupon the commons impeached his ſaid grace of high-treaſon, and the lords commited him to cuſtody of the gentleman-uſher. Some time after he was ſent to the Tower.

Grimſton's ſpeech againſt him. Ib. p. 122.

This done, the commons ſent their lordſhips a meſſage to let them know, they had received informations of a very high nature againſt Matthew Wren Biſhop of Ely; and having heard that he intended to eſcape out of the kingdom, they deſired them to think of ſome way to prevent it: whereupon the lords ordered that prelate to give ten thouſand pounds bail for his forth-coming; which order he obeyed.

Laud accuſed and ſent to the Tower. Id. p. 123. Nalſon, p. 691, 692. Clarendon, p. 141.

Of thoſe whom the commons conſidered as principal authors of the public grievances, only the lord-keeper Finch, and the judges remained. The firſt was declared a traitor by a vote of the houſe, nothwithſtanding the ſpeech he was permited to make at the commons bar in his juſtification: but before he was accuſed in form, he got away to Holland. However, he was impeached afterwards, tho' abſent. Immediately on his flight, King Charles made ſir Edward Littleton lord-keeper.

Lord Finch voted a traitor, and eſcapes to Holland. Dec. 22. Ruſhworth, Vol. IV. p. 124.

Littleton made lord-keeper.

(1) It was likewiſe voted, Nem' Cont' that the ſeveral grants of benevolence or contribution granted his Majeſty by the clergy, in their late convocation, are contrary to the laws, and ought not to bind the clergy. Ruſhworth, Vol. IV. p. 112. ——Some pretend theſe votes were very unjuſt; if ſo, it is ſtrange no one member ſhould oppoſe them. Lord Clarendon (p. 162.) freely owns, that the canons were unwarrantable, even in a more favorable ſeaſon. Rapin.

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The commons acquainted their lordſhips, that they had received information againſt three judges, ſir John Bramſton, lord chief-juſtice of the King's-bench; ſir Humphrey Davenport, lord chief-baron; and juſtice Crawley; and deſired that they might put in good ſecurity for their appearance. Hereupon the lords obliged each of theſe judges to give ten thouſand pounds bail. The other judges were alſo accuſed afterwards.

Three judges obliged to give bail. Ib. p. 130. Nalſon, p. 699. Diurn. Occurr.

Thus, they who were conſidered, by the commons, as chief authors of the public grievances, were diſabled not only from continuing to adviſe the King, but alſo from eſcaping puniſhment, except lord Finch and ſir Francis Windebank, who ſaved their perſons by quiting their eſtates in England. I ſhall not waſte time in giving account of many others, of inferior rank, who were variouſly puniſhed; whether for exerciſing monopolies, or contriving means to raiſe the King money; whether for introducing or countenancing innovations in religion, or finally for prevaricating in the execution of their offices.

Method of the commons to redreſs grievances.

While the commons were buſied in making ſure of thoſe they deſigned to chaſtiſe, they alſo prepared whatever was neceſſary to free the nation from all their grievances. To this end, the ſame method was uſed as had been imployed againſt the perſons: i. e. petitions from all quarters were preſented to both houſes upon grievances. Theſe petitions being read, ſeveral ſpeeches were made in the houſe, to ſhew how prejudicial theſe grievances were to the public; and the principles which gave them birth were particularly inſiſted on, as being directly repugnant to the conſtitution, and tending to the government's utter ſubverſion. Whereupon, it was voted that ſuch a thing was illegal, and ordered that a bill ſhould be prepared to aboliſh it. This was the ſubject of diverſe acts, which were preſented to his Majeſty for the royal aſſent, from the third of November 1640, to the tenth of Auguſt 1641. Theſe were the moſt momentous: viz.

Acts paſſed in 1640 and 1641 for that purpoſe. Stat. Clarendon, p. 221. Coke.

Act for a triennial parliament: i. e. to ordain that a parliament ſhould be held at leaſt every three years, tho' the King ſhould neglect calling it, in order to prevent the inconveniencies ariſing from a too long intermiſſion of parliaments.

Act to aboliſh the ſtar-chamber and high-commiſſion.

Act to reduce the foreſts to the ſame ſtate as under Edward I.

Act to repeal the ſtatutes, made in the reign of Edward II, concerning knighthood.

Act to permit any ſubject to make ſalt-petre and gun-powder, throughout the kingdom.

Act to aboliſh ſhip-money (1).

The neceſſity of theſe acts was ſo manifeſt, that Charles muſt have either conſented to them, or plainly declared he would rule deſpotically: but he was not ſo imprudent as to oppoſe them in his then circumſtances. A certain illuſtrious hiſtorian makes no ſcruple to ſay, that "theſe acts will be acknowledged by an incorrupted poſterity, to be everlaſting monuments of the King's fatherly affection to his people; and ſuch an obligation of repoſe and truſt from his Majeſty in the hearts of his ſubjects, that no expreſſions of duty and confidence from them could have been more than a ſufficient return on their parts." King Charles himſelf afterwards would frequently have had theſe conceſſions to be conſidered as acts of pure grace, for which the public ought to have been thankful: but, unhappily for him, neither parliament nor people believed them to be the effect of his juſtice or affection to them, but rather of the neceſſity he was under of giving his aſſent.

Clarendon, p. 225.

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Beſide theſe acts, the commons paſſed many general votes upon ſeveral other articles. Indeed, theſe votes are not conſidered as laws, neither do the judges proceed by them in their determinations: nevertheleſs, ſuch is their effect, that few are ſo daring as to act contrary to theſe deciſions of the commons, ſince it is in ſome meaſure to oppoſe the ſentiment of the people whom they repreſent: beſide, any action directly contrary to a vote of the houſe is liable to be queſtioned, when leaſt expected, and draws on the actor the indignation of that repreſentative body, who have but too many opportunities to make him feel the ſmart of their reſentment.

Proceedings of the commons by votes.

The commons intention was not only to ſtop the evil by means of theſe votes, but alſo to terrify all thoſe who had been concerned in the grievances, in order to take from the King all hopes of ſupport in his people: for after the houſe had voted, for inſtance, that ſuch a monopoly was illegal, if any perſon concerned in that monopoly behaved in a manner diſagreeable to the commons, or appeared too much attached to the King, an accuſation againſt him was the certain conſequence of ſuch deportment. By that means, the King's moſt devoted friends choſe rather to relinquiſh his intereſt than be liable to a charge, from which they evidently perceived it was not in their royal patron's power to ſecure them. This had very clearly appeared by glaring inſtances in the earl of Strafford, archbiſhop Laud, lord keeper Finch, and ſecretary Windebank, after whom no private perſon could hope for any protection from his Majeſty. Thus did the commons render themſelves ſo formidable at the parliament's opening, that Charles was ſuddenly deſerted by all, without having other refuge than conſenting to whatever was propoſed by the parliament. He hoped however that, when all the grievances were redreſſed, he ſhould be, if not in the ſame ſtate he had been for fifteen years, at leaſt in the natural ſtate of a King of England, according to the laws and conſtitution of the government: but we ſhall find in the ſequel how widely he erred in his conjecture. His former adminiſtration had made in the minds of his ſubjects too deep impreſſions for the majority ever to believe he would be thenceforth ſatisfied with the power allowed him by law. This diffidence was the immediate cauſe of a war between him and the parliament: but it is not yet time to deſcend to theſe particulars.

The commons render themſelves formidable.

Charles forced to conſent to whatever is demanded.

The commons uſed alſo another expedient to make themſelves feared. As there were many who, in conformity to the court's intentions, had been concerned in the monopolies, or countenanced innovations, or been ſubſervient to introduce and ſupport the occaſion of any grievance, the commons, on the petitions preſented them againſt thoſe perſons, ſent for them to London, and, examining them by a commitee, declared them delinquents; implying that, according to the houſe's ſentiment, they were guilty of faults or offenſes for which they merited being legally proſecuted and puniſhed: this word Delinquent, was greatly in uſe during this parliament. Thus, a great number of thoſe who had been moſt noted for their adherence to court maxims, or the archbiſhop's principles, were voted delinquents, and thereby kept in awe by the commons, who, according as they behaved well or ill to them, could proſecute or leave them unmoleſted.

Another method to declare people delinquents. Ruſhworth, Vol, IV. p. 58, &c. Clarendon, p. 141, 144. Coke.

(1) At the ſame time tonage and poundage, and other duties upon merchandiſes imported and exported, were granted to the King. See Statute Book.

But

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But the number of thoſe who were declared delinquents was nothing in compariſon of ſuch as had reaſon to fear the like declaration, upon the leaſt petition againſt them. Hence followed a general approbation of whatever was done in the houſe; ſome conſenting becauſe they thought the things juſt, and others thro' dread of puniſhment. This is what rendered the redreſs of grievances very eaſy to the commons, and would have made it impracticable for King Charles to oppoſe it, had he harbored any ſuch intention. His ſaid Majeſty reaped at leaſt this advantage from his conſent to the redreſs of grievances, that he gave occaſion to many to believe he ſincerely concured in that work: but his adverſaries thence drew a very different conſequence. They ſaid, as the parliament's meaſures were ſo well laid that it would have been in vain for the King to oppoſe them, he was not to be thanked for a conſent to which neceſſity forced him, ſince, while it was in his power to hinder the redreſs of grievances, he had always refuſed to hearken to the inſtant deſires of his parliaments.

Warning with regard to the partiality of hiſtorians.

I am now to warn my readers, that we are arrived at a period wherein they muſt be very much on their guard with reſpect to the partiality of hiſtorians, each of whom does his utmoſt to prejudice his readers in favor either of King or parliament. This partiality conſiſts not ſo much in diſguiſing the facts (wherein both parties are agreed) as in the principles they eſtabliſh. Thoſe for the King exalt, as high as poſſible, the prerogative royal; nay, ſome ſtretch it to a kind of deſpotiſm, as we have ſeen inſtances in the writings and ſermons of Sibthorp, Montague and Manwaring, mentioned in the firſt part of this reign. Anſwerably to this principle, they think and maintain; That the parliament's aim was not to reſtore the government to its natural ſtate, as was pretended, but rather to overturn the conſtitution both of church and ſtate: that therefore the objects were ſo much magnified, by agravating ſome acts of authority done by the King, as tending to ſubvert the government, tho' they might have been juſtified by the prerogative royal, had any but the commons been judges; but tho' they manifeſtly declared themſelves parties againſt the King, they however made themſelves judges, voting ſuch and ſuch of his Majeſty's actions quite repugnant to the laws. Nothing more plainly manifeſts, according to theſe men, the parliament's ſecret deſign to overthrow the government, nor can a ſtronger proof of it be deſired than the experience of what afterwards occurred, when the government of both ſtate and church was actually changed.

The parliament's favorers urge, that, without examining the extent of the prerogative royal, it may at leaſt be affirmed, that it cannot be contrary to the laws: that if the King has his prerogatives, parliaments have their privileges, and the people their liberties, which the prerogative cannot invade without deſtroying the conſtitution of the government, which conſiſts in a happy mixture of the rights of King and people: that, before this parliament, the King had manifeſtly ſtretched his prerogative to the prejudice of the nation's rights, which the moſt attached to his intereſts durſt not deny: that this being the caſe, nothing was more juſt, nothing more neceſſary, than to reſtore the government to its natural ſtate: that it is therefore prepoſterous to have recourſe to a ſecret deſign of ſubverting church and ſtate, ſince the neceſſity of redreſſing grievances is undeniably evident: that ſuppoſing it true, that the commons uſed ſundry artifices to render themſelves formidable, and more eaſily accompliſh their main views, viz. of redreſſing grievances, theſe artifices were not blameable, conſidering how impracticable the former parliaments had found it to execute the ſame deſign.

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Proceedings in parliament touching ſhip-money.

I am perſuaded, that moſt of the readers for whom I write this hiſtory, ſuch I mean as are not Engliſhmen, would not require of me a particular account of whatever paſſed in the houſe of commons, concerning the redreſs of grievances. It would be too tedious a work, which after all would not inform them of any thing more material than what has been already advanced. Nevertheleſs, for the ſatisfaction of thoſe who are unacquainted with the manner of parliamentary proceedings, I ſhall give here a brief relation of what was tranſacted with regard to ſhip-money, the grievance moſt complained of, and by that will be ſeen the method taken about others.

Ruſhworth, Vol. IV. p. 21, 58, 85, &c. Diurn. Occurr.

During the firſt whole month of this ſeſſion, ſcarce a day paſſed but the houſe received petitions from diverſe counties concerning grievances, among which that of ſhip-money was never forgot. Finally, on the ſeventh of December, the day appointed to debate on that affair, lord Falkland (1), afterwards ſecretary of ſtate, delivered this ſpeech in parliament:

Mr. ſpeaker,

Lord Falkland's ſpeech. Decem. 7. Ruſhworth, Vol. IV. p. 86. Nalſon, p. 654.

" I Rejoice very much to ſee this day; and the " want hath not lain in my affection but my " lungs, if to all that hath been paſſed, I have " not been as loud with my voice as any man " in the houſe; yet truly my opinion is, we have " yet done nothing, if we do no more; I ſhall " add what I humbly conceive ought to be added, " as ſoon as I have ſaid ſomething with reference " to him who ſays it.

" I will firſt deſire the forgiveneſs of the houſe, " if ought I ſay ſeem to intrench upon another's " profeſſion, and enter upon the work of another " robe. Since I have been intruſted by the report " of a learned commitee, and confirmed by the un- " contradicted rule of the houſe; ſince I ſhall ad- " vance nothing of this kind, but in order to ſome- " thing farther, and (which moves me moſt to " venture my opinion, and to expect your pardon) " ſince I am confident, that hiſtory alone is ſuffi- " cient to ſhew this judgment contrary to our laws, " and logic alone ſufficient to prove it deſtructive " to our property, which every free and noble " perſon values more than his profeſſion. I will " not profeſs I know myſelf, but all thoſe who " know me, know that my natural diſpoſition is " to decline from ſeverity, much more from cruelty. " That I have no particular provocation from their " perſons, and have particular obligations to their " calling, againſt whom I am to ſpeak; and tho' " I have not ſo much knowledge in law, yet far " more than I have uſe for; ſo I hope it will be " believed, that only public intereſt hath extorted " this from me, and that which I would not ſay, " if I conceived it not ſo true, and ſo neceſſary, " that no undigeſted meat can lie heavier upon the " ſtomach, than this unſaid would have lain upon " my conſcience. Mr. ſpeaker; the conſtitution " of this common-wealth hath eſtabliſhed, or ra- " ther indeavored to eſtabliſh to us the ſecurity of " our goods, and the ſecurity of thoſe laws which " would ſecure us and our goods, by appointing " for us judges ſo ſettled, ſo ſworn, that there can

(1) There are lords who are not peers, as all the ſons of a duke and marquis, and the eldeſt ſons of earls, who may be choſen members of parliament, as may alſo Iriſh and Scotiſh peers. Viſcount Falkland was a Scotiſh peer, and member for Newport in the Iſle of Wight. Rapin.

be

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" be no oppreſſion, but they of neceſſity muſt be ac-
" ceſſary; ſince if they neither deny, nor delay us
" juſtice, which neither for the great nor little ſeal
" they ought to do, the greateſt perſons in this
" kingdom cannot continue the leaſt violence upon
" the meaneſt; but this ſecurity, mr. ſpeaker, hath
" been almoſt our ruin, for it hath been turned, or
" rather turned itſelf into a battery againſt us: and
" thoſe perſons who ſhould have been as dogs to
" defend the ſheep, have been as wolves to worry
" them. Theſe judges, mr. ſpeaker, to inſtance
" not them only, but their greateſt crime, have
" delivered an opinion and judgment in an extraju-
" dicial manner, that is, ſuch as came not within
" their cognizance, they being judges, and neither
" philoſophers nor politicians; in which, when that
" which they would have ſo abſolute and evident
" takes place, the law of the land ceaſes, and that
" of general reaſon and equity, by which particu-
" lar laws at firſt were framed, returns to his throne
" and government, where 'ſalus populi' becomes
" not only ſupreme, but 'ſola lex,' at which, and
" to which end, whatſoever ſhould diſpenſe with
" the King to make uſe of any money, diſpenſes
" with us to make uſe of his, and one another's.
" In this judgment they contradicted both many
" and learned acts, and declarations of parliament;
" and thoſe in this very caſe, in this very reign;
" ſo that for them they needed to have conſulted
" with no other record, but with their memories.

" 2. They have contradicted apperant evidences,
" by ſuppoſing mighty and imminent dangers in
" the moſt ſerene, quiet, and halcyon days which
" could poſſibly be imagined, a few contemptible
" pyrates being our moſt formidable enemies, and
" there being neither Prince nor ſtate with whom
" we had not either alliance, or amity, or both.

" 3. They contradict the writ itſelf, by ſuppoſ-
" ing that ſuppoſed danger to be ſo ſudden that it
" would not ſtay for a parliament, which required
" but forty days ſtay; and the writ being in no
" ſuch haſte, but being content to ſtay forty days
" ſeven times over.

" Mr. ſpeaker; it ſeemed generally ſtrange, that
" they ſaw not the law, which all men elſe ſaw
" but themſelves; yet tho' this begot the more ge-
" neral wonder, three other particulars begot the
" more general indignation. Firſt of all, the rea-
" ſons for this judgment were ſuch, that there
" needed not any from the adverſe party to help
" them to convert thoſe few who, before, had not
" the leaſt ſuſpicion of the legality of that moſt il-
" legal writ, there being fewer who approved the
" judgment than there were who judged it legal,
" for I am confident they did not that themſelves.

" Secondly, when they had allowed to the King
" the ſole power in neceſſity, the ſole judgment of
" neceſſity, and by that inabled him to take both
" from us, what he would, when he would, and
" how he would, they yet continued to perſuade
" us, that they had left us our liberties and pro-
" perties.

" The third and laſt is, and which I confeſs
" moved moſt, that by the transformation of us
" from the ſtate of free ſubjects (a good phraſe,
" mr. ſpeaker, under dr. Heylin's favor) unto that
" of villains, they diſable us by legal and volun-
" tary ſupplies to expreſs our affections to his Ma-
" jeſty, and by that to cheriſh his to us, that is,
" by parliaments. Mr. ſpeaker, the cauſe of all
" the miſeries we have ſuffered, and the cauſe of
" all our jealouſies we have had that we ſhould yet
" ſuffer, is, that a moſt excellent Prince hath been
" moſt infinitely abuſed by his judges, telling him
" that, by policy, he might do what he pleaſed;
" with the firſt of theſe we are now to deal, which
" may be a leading to the reſt. And ſince in pro-

" viding of theſe laws, upon which theſe men have
" trampled, our anceſtors have ſhewn their utmoſt
" care and wiſdom for our undoubted ſecurity,
" words having done nothing, and yet they have
" done all that words can do, we muſt now be
" forced to think of aboliſhing our grievances, and
" of taking away this judgment, and theſe judges
" together, and of regulating their ſucceſſors by
" their exemplary puniſhment.

" I will not ſpeak much; I will only ſay we
" have accuſed a great perſon of high-treaſon, for
" intending to ſubvert our fundamental laws, and
" to introduce arbitrary government; which we
" ſuppoſe he meaned to do; we are ſure theſe have
" done it, there being no law more fundamental
" than that they have already ſubverted, and no
" government more abſolute than that they have
" really introduced.

" Mr. ſpeaker, not only the ſevere puniſhment,
" but the ſudden removal of theſe men, will have
" a ſudden effect in one very conſiderable conſidera-
" tion, we only accuſe, and the houſe of lords
" condemn; in which condemnation they uſually
" receive advice (tho' not direction) from the judges;
" and I leave it to every man to imagine how pre-
" judicial to us, that is to the common-wealth,
" and how partial to their fellow malefactors, the
" advice of ſuch judges is like to be; how undoubt-
" edly, for their own ſakes, they will think it may
" conduce to their power, that every action be
" judged to be a leſs fault, and every perſon to be
" leſs faulty, than in juſtice they ought to do:
" among theſe, mr. ſpeaker, there is one I muſt
" not loſe in the croud, whom I doubt not but we
" ſhall find, when we examine the reſt of them,
" with what hopes they have been tempted, by what
" fears they have been affayed, and by what, and
" by whoſe importunity they have been purſued,
" before they conſented to what they did; I doubt
" not, I ſay, but we ſhall find him to have been
" a moſt admirable ſollicitor, but a moſt abomina-
" ble judge; he it is, who not only gave away
" with his breath what our anceſtors had purchaſed
" for us by ſuch large expenſe of their time, their
" care, their treaſure, and their blood, and im-
" ployed his induſtry, as great as his injuſtice, to
" perſuade others to join with him in that deed of
" gift, but ſtrove to root up thoſe liberties which
" they had cut down, and to make our grievances
" immortal, and our ſlavery irreparable, leſt any
" part of our poſterity might want occaſion to curſe
" him; he declared that power to be ſo inherent
" to the crown, as that it was not in the power
" even of parliaments to divide them.

" I have heard, mr. ſpeaker, and I think here
" that common fame is ground enough for this
" houſe to accuſe upon; and then undoubtedly there
" is enough to be accuſed upon in this houſe; he
" hath reported this ſo generally, that I expect
" not that you ſhall bid me name him whom you
" all know, nor do I look to tell you news, when
" I tell you it is my lord-keeper; but this I think
" fit to put you in mind of, that his place admits
" him to his Majeſty, and truſts him with his Ma-
" jeſty's conſcience; and how pernicious every mo-
" ment muſt be which gives him means to infuſe
" ſuch unjuſt opinions of this houſe, as are expreſ-
" ſed in a libel rather than a declaration, of which
" many believe him to be the principal ſecretary,
" and the other puts the moſt vaſt and unlimited
" power of the chancery into his hands, the ſafeſt
" of which will be dangerous: for my part, I think
" no man ſecure that he ſhall think himſelf worth
" any thing when he riſes, while all our eſtates
" are in his breaſt who hath ſacrificed his coun-
" try to his ambition, while he who hath pro-
" ſtrated his own conſcience hath the keeping of

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" the King's, and he who hath undone us al-
" ready by wholeſale, hath a power left in him by
" retail.

" Mr. ſpeaker, in the begining of this parlia-
" ment, he told us, and I am confident every man
" here believed it before he told it, and never the
" more for his telling, tho' a ſorry witneſs is a good
" teſtimony againſt himſelf, that his Majeſty never
" required any thing from any of his miniſters but
" juſtice and integrity: againſt which if any of
" them have tranſgreſſed, upon their heads, and
" that deſervedly, it all ought to fall; it was full
" and truly ſaid, but he hath in this ſaying pro-
" nounced his own condemnation; we ſhall be
" more partial to him than he is to himſelf, if we
" be ſlow to purſue it.

" It is therefore my juſt and humble motion,
" that we may chuſe a ſelect commitee to draw up
" his and their charge, and to examine their car-
" riage in this particular, to make uſe of it in the
" charge, and if he ſhall be found guilty of tamper-
" ing with judges againſt the public ſecurity, who
" thought tampering with witneſſes in a private
" cauſe worthy of ſo great a fine (1), if he
" ſhould be found to have gone before the reſt
" to this judgment, and to have gone beyond the
" reſt in this judgment, that in the puniſhment of
" it the juſtice of this houſe may not deny him
" the due honor both to precede and exceed the
" reſt."

After this ſpeech, the affair of ſhip-money having been debated, it was reſolved upon the queſtion, 'nemine contradicente.'

Ship-money voted illegal. Nalſon, p. 660. Ruſhworth, Vol. IV. p. 88.

1. That the charge impoſed upon the ſubjects for providing and furniſhing ſhips, and the aſſeſſments for raiſing money on that account, commonly called ſhip-money, are againſt the laws of this realm, the ſubjects right of property, and contrary to former reſolutions in parliament, and to the petition of right.

2. That the extrajudicial opinions of the judges, publiſhed in the ſtar-chamber, and inrolled in the courts of Weſtminſter in theſe words, —— in the whole, and in every part of them, are againſt the laws of this realm, the ſubjects right of property, and contrary to former reſolutions in parliament, and to the petition of right.

3. That the writ following —— and the other writs commonly called ſhip-writs, are againſt the laws of the realm, the right of property, and the liberty of the ſubjects, and contrary to former reſolutions in parliament, and to the petition of right.

Commitee to examine the judges. Id. Ib.

Theſe reſolutions taken, the houſe appointed a commitee of ſixteen, at whoſe head was lord Falkland, to repair inſtantly to the ſeveral judges, and learn in what manner, and by whom they were ſollicited or threatened to give their extrajudicial opinion concerning ſhip-money. It was ordered, that every one of the judges ſhould be examined at the ſame time by two of the commitee, and be told what had been voted in the houſe concerning ſhip-money, and that the commitee ſhould aſk ſuch queſtions as they judged material to the execution of this order.

Precaution concerning the King's arbitrary acts. Ib. p. 89.

Next day, the houſe ordered that the commitee, appointed to conſider of the ſubjects property in their goods, ſhould take into conſideration ſome way of ſeeing the entering upon record the King's ſeveral commiſſions for loans and exciſe, and the reſolutions of former parliaments thereon, and the addition which was offered by the lords to the petition of right, with the houſe's reſolution; and alſo the reſolutions of the queſtions propoſed in the houſe concerning ſhip-money, that they might remain fair to poſterity. It was alſo refered to the ſame commitee to make a preparation of the vote paſſed about ſhip-money, to be ſent to the lords; to draw up a charge againſt lord Finch, and the other judges who gave their opinion upon that impoſt: and likewiſe to take into conſideration their extrajudicial opinions and the judgments in the caſe of ſhip-money; to inquire of the ſeveral denials of Habeas Corpus, and prohibitions, their extrajudicial proceedings and opinions concerning eccleſiaſtical juriſdictions, and the court of admiralty; their denial of legal and ordinary proceedings in caſes of juſtice, and the binding the whole kingdom by any one man's particular caſe. The ſame commitee had power to ſend for parties, witneſſes, papers, records, or any thing elſe which might conduce to this buſineſs, and were to lay before this houſe the true ſtate of the whole matter.

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Order to prepare a charge againſt lord Finch.

The lords cancel the judgment in mr. Hampden's caſe. Ruſhworth, Vol. IV. p. 194.

On the other hand, the twenty-ſixth of February 1640-1, the peers ordered to be brought to their houſe the record in the exchequer of the judgment in mr. Hampden's caſe, and alſo the rolls in the ſtar-chamber and other courts, wherein the extrajudicial opinions of the judges were entered, and cauſed them to be annulled in their preſenſe. They ordered moreover, that a copy of what they had done ſhould be delivered to the judges to be publiſhed at the aſſizes in every county within their circuits, and that an act of parliament ſhould be prepared concerning this matter.

Bill againſt ſhip-money has the royal aſſent. Id. p. 130, 136. Nalſon, p. 699.

All this produced at length charges againſt the lord-keeper, and each of the judges, with an act to aboliſh ſhip-money, to which the King gave the royal aſſent the ſeventh of Auguſt 1641.

Much the ſame method was taken with regard to the other grievances, and in the end, there was not one, public or private, but what was redreſſed within the nine firſt months of this ſeſſion.

I intend not to include in theſe grievances thoſe concerning religion. Beſide, theſe were not generally acknowledged for grievances; this matter requires a more particular explication of what paſſed in the parliament. I ſhall therefore previouſly ſhew the parliament's diſpoſition, with reſpect to religion, and then ſpecify the tranſaction on this ſubject.

Diſpoſition of the two houſes touching religion.

Since James I's reign commenced, the biſhops had rendered themſelves abundantly more powerful than before. The oppoſition of the Preſbyterians, who never ceaſed exclaiming againſt the hierarchy, tho' they were not in condition to overthrow it, had greatly contributed towards augmenting the prelatical domination. Their impetuous zeal cauſed the King to think it proper to humble them, leaſt in the end they ſhould occaſion ſome diſturbance in the church, and the biſhops were charged with the care of executing this reſolution. The efforts to reduce them to obedience ſerved only to inflame the evil. Inſtead of trying to convince them by arguments, they were treated without moderation, and, if I may ſo ſay, without charity. It was reſolved at any rate to compel them to a conformity with the church of England, not only in things conſidered as neceſſary, but alſo in others regarded by moſt people as indifferent: moreover, diverſe ceremonies were added to the divine ſervice, which many perſons well affected to the church thought too near allied to Popery. William Laud, archbiſhop of Canterbury, was the principal author of theſe ceremonies, as well before as after he was archbiſhop. His chief aim was to mortify the Puritans: but in proceeding too

(1) This alludes to a fine of 10,000 l. which Williams biſhop of Lincoln was condemned to pay for tampering with a witneſs. Rapin.

vigorouſly,

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vigorouſly, or rather too rigorouſly, he gave them room to accuſe him that his deſign was to favor Popery, on pretenſe of conſtraining the Puritans to conform to the church of England's rituals. None was ever more bigoted to ceremonies, and the more he was reproached with it, the more he urged them as neceſſary. This chiefly gave occaſion to the Puritans, and even to ſome church of England men, to ſuſpect he had a deſign to introduce the Romiſh creed; ſuch exceſſive attachment to ceremonies ſeeming to them as a means whereby he intended to compaſs his views. As for Arminianiſm, all agree that Laud was not only an Arminian, but alſo head of that party in England, from the time he was received into favor by King James I, thro' the duke of Buckingham's mediation. As the knowledge of what paſſed in James I's reign may be of great ſervice towards underſtanding the affairs of religion which I have undertaken to explain, I ſhall briefly touch on what I judge moſt neceſſary, tho' mentioned before in that Prince's hiſtory.

Progreſs of Laud's credit.

When the diſputes concerning grace aroſe in Holland, King James eſpouſed the oppoſite party to Arminius, and uſed even threats to oblige the ſtates of Holland to condemn Vorſtius his ſucceſſor. After that, he ſent biſhops and divines to the ſynod of Dort, to ſtrengthen the contra-remonſtrants. Mean while the Arminians in England were forced to lie dormant, becauſe diſcountenanced by the court. Laud, then only a private doctor in the univerſity of Oxford, had yet no credit, tho' not long after the duke of Buckingham procured him the biſhoprick of St. David's in Wales. At the ſame time King James was vigorouſly puſhing his deſign to ſtretch the prerogative royal, to which he met with great oppoſition, chiefly from the Puritans, who on the article of grace were the Arminians direct oppoſites. On this account, King James and Buckingham thought fit to careſs and ſupport the Arminians, in order to oppoſe them to the Puritans, his ſaid Majeſty's grand aim being to weaken that party, ever ready to obſtruct the execution of his deſigns. From that time the Arminian faction became powerful. The heads were Neile biſhop of Wincheſter, and Laud biſhop of St. David's, who found means to gain the King's confidence, and to have the diſpoſal of church-preferments. They improved this advantage to ſtrengthen their party, by promoting to benefices ſuch as were moſt averſe to the Calviniſts, for ſo now began to be ſtiled thoſe who imbraced Calvin's opinion concerning grace, whether Preſbyterians or church of England men. There were three principal cauſes of the court's and its friends animoſity againſt the Preſbyterians.

The Calviniſts and Preſbyterians hated by the court.

The firſt was, that they rejected the eccleſiaſtical hierarchy.

The ſecond, that they were utterly averſe to the King's deſign of extending his prerogative, knowing the more power he had, the more violently they ſhould be perſecuted.

The third, that they were all Calviniſts as to the notions of grace. Tho' King James had not, perhaps, altered his opinion touching that point, yet he deſerted the Calviniſts, becauſe in other reſpects they were, generally ſpeaking, Preſbyterians and Puritans. From that time, the court and their agents reckoned among the Puritans, thoſe who refuſed conforming to the church of England; all the Calviniſts, Preſbyterians, &c; all who oppoſed his Majeſty's deſign with regard to the prerogative; and they were all, under the denomination of Puritans, equally obnoxious to the King's and his miniſters hatered. So, by this policy, many people who had no inclination for Preſbytery, were made to become Puritans; at leaſt, they were forced to join with the Puritan party, to hinder the court, on pretenſe of deſtroying Puritaniſm, from eſtabliſhing by degrees a deſpotiſm which would have been fatal to the whole nation: for James pretended, his will could be oppoſed only on Puritanical principles.

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The Preſbyterian party perſecuted.

Charles I's reign was, in this reſpect, ſtill more violent than that of James, as in the firſt part of it has been already evidenced. Laud, being made biſhop of London, and afterwards archbiſhop of Canterbury and one of the King's prime miniſters, imployed all his induſtry and credit to humble the Puritan party, that is, not only the Preſbyterians, but alſo the Calviniſts, and ſuch who would not bear the yoke of ſervitude patiently. Matthew Wren biſhop of Norwich, and afterwards of Ely, the biſhop of Bath and Wells, Coſins prebendary of Durham (1), being all of the ſame principles, ſeconded him in this deſign: and, as if the difference between the church of England and Preſbytery had not been ſufficiently diſtinguiſhed, they added to the worſhip ſundry innovations, and repreſented, as abſolutely neceſſary, things indifferent, and wherewith religion might very well have diſpenſed. Hence pretenſes were found to perſecute the Puritans, by counting among that party all on whom the court was pleaſed to beſtow that denomination.

Perſecuting the Puritans looked on as Charles's artifice to arrive at deſpotiſm.

The wiſeſt part of the nation had long ſince perceived Charles's and his court's policy, and their artifices to pave the way for arbitrary power: but it had not been poſſible to avoid the effects of it, becauſe that Prince had diſſolved his parliaments the moment they went about examining grievances. Thus the regal authority had gained ground by degrees, none being in a capacity to obſtruct its progreſs. But no ſooner had King Charles's affairs taken a new turn, by the Scots entering England, and reducing Newcaſtle, when his Majeſty found himſelf abſolutely obliged to call a parliament, moſt of the members reſolved not to omit ſuch a fair opportunity of aboliſhing the perſecution introduced under the ſpecious pretenſe of ſtoping the progreſs of Puritaniſm, but in reality for the better advancement of arbitrary power. Above all, the houſe of commons conſidered the innovations, and the rigor wherewith people were made to obſerve them, as ſo many artifices of the court-party for the readier attaining their ends. It muſt not therefore ſeem ſurpriſing, that the generality of members being united with regard to grievances, were ſo likewiſe for aboliſhing innovations, and puniſhing the authors, as having ſerved for inſtruments to the King in the execution of deſigns wherein religion was not ſolely concerned. This is what produced the charges againſt the archbiſhop of Canterbury, the biſhops of Ely, Bath and Wells, and againſt Coſins, beſide the brand of delinquents given by the commons to a great number of miniſters, and others, who had countenanced thoſe innovations.

View of the true Preſbyterians.

The majority of members were, as I ſaid, united as to this point, becauſe there was not one who did not conſider it as a branch of that deſign to ſubject the realm to his Majeſty's will and pleaſure. But among this great number, there were real Preſbyterians, who had views more extenſive, and undoubtedly thought of altering church-government on pretenſe of the ill uſe prelates had made of their power. Theſe, tho' not very numerous in the parliament, were ſupported by a great party in the kingdom, and particularly by the Scots, whoſe aſſiſtance was then abſolutely neceſſary: but they took

(1) Here our author wrongly ſtiles Coſins dean of Durham. He was prebendary of Durham, and dean of Peterorſbough.

care

care not to discover their intentions. They were satisfied at first with joining those who only intended the redress of grievances, and to restore the government to its natural state. They hoped, as in effect it happened, that a strict examination of grievances and innovations would convince most of the members of a necessity to abolish the hierarchy, of which the court had made so great use in the execution of their designs. They proposed to shew, on all occasions, that it was in a manner impossible to restore the civil government, while the King had, in the church of England, clergy's a support capable of raising insuperable obstacles to the government's reformation. For this reason, at every opportunity, the Presbyterian leaders were the forwardest in exclaiming against grievances. They agravated chiefly those which related to innovations in religion, which they openly ascribed to a design of introducing Popery. All this was done with a view to load the hierarchy, and prelates in general, with the faults and ill conduct of some particular persons.

The other members who were of the church of England, tho' very opposite to the King, perceived what was the Presbyterians intention: but they were kept in awe by the fear of losing the assistance of the Scots, who supported this party, and rendered it very considerable; wherefore they durst nor displease the Presbyterian party, for fear of causing in the parliament a division, which must be fatal to the common cause, and consequently very much to the King's advantage. Beside, those I am speaking of, believed not the hierarchy to be absolutely necessary in the church, or that religion could not subsist without bishops: only the rigid episcopalians, and the King's party were of this opinion; but they made not a majority. Those therefore who had only in view the state's reformation, and not that of the church, could not however, without great inconveniencies, avoid shewing some condescension for the Presbyterians, for the above-hinted reasons. Perhaps they had not in their policy any other view than to gain time, 'till the civil grievances were redressed, without any design to go farther: but they had to deal with very able heads, who artfully led them beyond their original resolves.

The bishops attachment to the King increases.

On the other hand, the bishops perfectly well comprehended the Presbyterians drift, and that, in diminishing King Charles's power, their design was to render him unable to oppose the change they were meditating. They therefore adhered more firmly to the King's interest, and frequently, by the number of their suffrages, so managed that the upper-house voted directly contrary to the commons resolutions. But thereby they procured the Presbyterians a considerable advantage: for the latter thence took occasion to represent how advantageous it was for the King to have at his devotion so great a number of voices among the peers, and consequently, how impossible it would be to succeed in the intended reformation, so long as prelates had votes in the upper-house. This finally induced them to bring in a bill for the exclusion of all ecclesiastics from civil imployments, and the bishops in particular from a right of siting in the house of lords.

Views of the politicians.

Those who had in view only restoring the civil government, without interfering with the hierarchy, and whom I shall term the Politicians, tho' I know not whether they were ever so stiled, were greatly imbarassed. They evidently saw, that sundry abuses had creeped into the church, and would have readily agreed to their abolition, provided nothing more had been required: but it was proposed to advance a step farther, and exclude bishops from the upper-house, wherein they foresaw diverse inconveniencies, with regard to the interest of the church of England, to which they were attached. Tho' the Presbyterian party did not intirely discover themselves, and seemed to have no other view than to facilitate the redress of all abuses after the exclusion of bishops, it was easy to perceive their projects reached farther, and that their aim was to undermine the hierarchy. It is certain, there were no fewer inconveniencies in rejecting than consenting to the bill. By leaving the bishops in the upper-house, the King would be always secure of so many votes. As the peers were not then so numerous as at present, or otherwise imployed, and some also were Papists, the bishops, and Charles's other partisans greatly influenced the resolutions of the upper-house, as was daily experienced; and consequently the work of the government's reformation could not but meet with great obstacles. Contrariwise, rejecting the bill proposed would have disgusted the Presbyterian party, which was very considerable in the kingdom, chiefly by the support of the Scots, of whom there was great occasion, since it was by their means that the parliament was inabled effectually to labor a redress of grievances.

Question, by what title bishops sit in parliament.

Then began to be debated the famous question; By what title do bishops sit in parliament? It was not denied they had injoyed this privilege from the begining of the monarchy; but some pretended, they sat in parliament as barons only, on account of the crown-lands granted them by the Anglo Saxon Kings, for which they did homage to the King like all other barons. Others maintained, they had a seat there as representatives of the clergy, who could not be bound by the laws made in parliament, without giving thereto their consent, answerably to the nation's constant maxim, and the undeniable privilege which all English subjects had ever injoyed: that the lords gave their consent to the laws, for themselves, and the commons for all the commons of the kingdom, and therefore it was necessary, there should be in parliament representatives of the church and clergy, otherwise the maxim would be false, that no man can be bound by the laws to which he has not consented. They added farther, that the parliament had ever been deemed to consist of three estates, whereof the clergy had been always considered as one, whence they infered, that excluding from the parliament one of its three estates would be subverting the government's constitution.

Reasons for the bishops.

Reply to these reasons.

To these arguments it was answered: tho' it should be true that the clergy were one estate of parliament distinct from the rest of the people, which was contested, it followed not, that the bishops represented the whole church: that there were in the parliament two houses, one of lords, and the other of commons; and two houses in the convocation, the upper of the bishops, and the lower of the inferior clergy; and therefore, according to this rule, the inferior clergy should likewise have representatives in parliament, that they might be deemed to give their consent to the laws, which however was never pretended. Hence it was infered, the bishops did not represent the clergy, and urged, that this supposed representation was a new thing, unheard of before; and that, a few months since, the bishops would have been very angry to be counted only bare representatives: that tho' it was necessary the clergy should be represented in parliament, it would not follow that they ought to be represented by the bishops, as all the people of England were not represented by the lords: that the abbots had formerly a seat in parliament, not as representatives, but as being 'Tenants in chief,' and when they were excluded, it was not said, that a breach was made in the parliament's constitution, either by the exclusion of abbots, or dissolution of monasteries.

These, if I mistake not, are the main arguments alleged for and against prelates, with regard to their seat in parliament. This question was the more

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more difficult, as it had been never determined by what right the biſhops ſat in parliament. Very ſeemingly, from the monarchy's origin, 'till about the cloſe of Henry III's reign, the parliaments conſiſted ſolely of barons, who were in poſſeſſion of all the lands in England, for which they did the King homage: and in effect it appears, that the barons before then granted the King what monies were requiſite for the government's ſupport, without any mention of the commons. It may therefore be ſaid, that the lords ſat in parliament by a double title, viz. for themſelves, and as the nation's repreſentatives. But after the commons were introduced into parliament, and had a ſeparate houſe, the peers loſt the latter of theſe titles, and ſat only for themſelves, the people in general having other repreſentatives. The biſhops and abbots, who belonged to the body of peers, had probably their ſeat by a double title likewiſe, as poſſeſſors of baronies, and as repreſentatives of the clergy, ſecular and regular. But, as at introducing repreſentatives of the commons into parliament repreſentatives of the inferior clergy were not alſo introduced, the biſhops and abbots may be ſaid to preſerve their double title to ſit there, as poſſeſſors of baronies, and as repreſentatives of the clergy. The diſſolution of monaſteries in the reign of Henry VIII, rendered needleſs the repreſentation of the regulars, who no longer ſubſiſted; but it made no alteration in the right of biſhops, who, according to this ſuppoſition, repreſented the ſecular clergy, and continued to ſit in parliament, tho' the abbots were aboliſhed. But after all it muſt be acknowledged, that this repreſentation of the ſecular clergy by biſhops is only a ſuppoſition, which, tho' probable, cannot be ſaid to be ſo evident as not to be diſputed: but it rarely occurs that, in diſputes of this nature, juſtice and right alone are regarded. Tho' the reaſons which may be drawn from the thing itſelf are not neglected, yet thoſe are much more ſtrenuouſly urged, which are founded in intereſt and policy.

Repreſentations of the Preſbyterians to the politicians:

The leading Preſbyterians never ceaſed repreſenting to the politicians, the impoſſibility of reſtoring the government to its natural ſtate while prelates ſat in the houſe of peers; that the King had found means to gain the clergy to his intereſt, by expreſſing a fervent zeal for the church of England, and a great averſion to the Preſbyterians; that the clergy, and eſpecially the biſhops, were intirely devoted to the King, in the belief that he was their protector and only ſupport; that therefore they were perſuaded he could not be too powerful, ſince this power would be ſo advantageous to the clergy; that there were convincing proofs of this truth in the conduct of Laud, Wren, and other eccleſiaſtics, particularly Sibthorp, Montague and Manwaring, who had imployed their utmoſt indeavors to procure the King unlimited power; that the clergy in general were ſtill in the ſame diſpoſitions, and could do for the future as much miſchief as formerly, if care was not taken to humble their pride and power, by confining them within the bounds of their function.

who agree to the excluſion of biſhops.

All this the politicians granted, and beſide were not very well pleaſed with the biſhops and others of their cloth: but they were loth to yield, for fear the alteration propoſed might produce in church and ſtate others wherewith they did not care to meddle. Mean while, after long weighing the inconveniencies which might flow from their compliance or refuſal, they finally reſolved to ſacrifice the biſhops right, rather than hazard the ſeeing all their projects fall to the ground by ſuch obſtacles as might be raiſed by the prelates. Whether this reſolution was taken by the leaders at the begining of the parliament, which I think not unlikely, or whether it was neceſſary to uſe ſome time to prevail with the politicians, thoſe who ſollicited the thing judged that, before it came to be publicly debated, it was convenient to fill peoples minds with prejudices againſt the biſhops, and to cheriſh thoſe already entertained. The houſe wanted not opportunities to execute this deſign. The bill to take from the biſhops their ſeat in parliament was not voted in the houſe of commons 'till the eleventh of March 1640-1, and paſſed not the houſe of peers 'till the twenty-ſeventh of May following: but before the moving this bill, the lower houſe had taken ſeveral ſteps tending to inſenſe the people againſt prelates. The great number of petitions againſt biſhops in general, againſt epiſcopal government, againſt ſome particular prelates and other eccleſiaſtics, againſt innovations, againſt the late convocation, ſerved them for foundation to ſcrutiniſe the biſhops conduct with all the rigor their deſign required. Several pretend, all theſe petitions were ſollicited for; nor will I affirm the contrary, tho' I know nothing particular in the matter (1). There is no clearer evidence of the commons deſign, with regard to the biſhops, than their reſolution, on the twentieth of November, ſeventeen days after opening the parliament, viz. that on Sunday * the twenty-ſecond of the ſame month, every member ſhould be obliged to receive the communion, and bring with him a ticket of his name and place for which he ſerved, and that after the communion-day none ſhould ſit in the houſe but ſuch as had firſt received the ſacrament. This reſolution could be with no other view, than to prevent the commons from being eſteemed Preſbyterians, and on that pretenſe their reſolutions diſparaged. Thus, in the reign of Henry V. the houſe of commons, intending to give a mortal blow to the clergy, began with paſſing an act for burning heretics, leſt the clergy ſhould pretend that the houſe conſiſted only of ſuch.

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Artifices of the Preſbyterians.

Nalſon, p. 523, 691. Ruſhworth.

Artifice of the commons. Ruſhworth, Vol. IV. p. 53. Nalſon, p. 537.

* Here we have rectified a ſmall miſtake of M. Rapin.

To ſhew now all preparations made in the houſe of commons, before they proceeded in the bill I have been ſpeaking of, I ſhall juſt briefly run over the petitions which were preſented, the ſpeeches made on this ſubject, and the ſeveral reſolutions taken.

Proceedings of the commons concerning religion in 1640, and 1641. Ruſhworth, Vol. IV. p. 39. Nalſon, p. 516.

On the tenth of November, ſeven days after opening the parliament, ſir Edward Deering made a ſpeech in the houſe, to perſuade them to enter upon matters of religion. He took occaſion to preſent a petition from one Wilſon, a miniſter, againſt the archbiſhop who had ſuſpended him, and concluded with ſaying, "Our manifold griefs do fill "mighty and vaſt circumference, yet ſo that from "every part our lines of ſorrow do lead unto him, "and point at him the center, from whence our "miſeries in this church, and many of them in the "commonwealth, do flow."

The ſame day, was read the petition of Peter Smart, priſoner in the King's-bench, complaining of dr. Coſins's innovations in the church of Durham, and his proſecution of that priſoner in the high-commiſſion at York, where he was ſentenced and deprived of his living, and prebend of Durham.

Id. p. 518. Ruſhworth, Vol. IV. p. p. 41.

(1) Lord Clarendon (Vol. I. p. 161.) ſays, their way was to prepare a petition very modeſt and dutiful for the form; and for the matter, not very unreaſonable; and to communicate it at ſome public meeting, where care was taken it ſhould be received with approbation: the ſubſcription of very few hands filled the paper itſelf where the petition was written, and therefore many more ſheets were annexed, for reception of the number which gave all the credit, and procured all the countenance to the undertaking. When a multitude of hands was procured, the petition itſelf was cut off, and a new one framed ſuitable to the deſign in hand, and annexed to the long liſt of names ſubſcribed to the former.

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Whereupon it was ordered, that he ſhould have liberty to go abroad in ſafe cuſtody, to proſecute his petition, which was refered to a commitee, who were to conſider by whoſe motion and means doctor Coſins was prefered to his late dignity (1). It was archbiſhop Laud they had a mind to fall upon. On the twenty-firſt, doctor Coſins was ſent for as a delinquent by the ſerjeant at arms.

Nalſon, p. 538. Ruſhworth, Vol. IV. p. 55.

The ſame day, ſir Edward Deering made a ſpeech, complaining, that there was a ſevere high-commiſſion eſtabliſhed in England, worſe than the Popiſh Inquiſition; that the archbiſhop of Canterbury affected the title and power of a patriarch, and acted like a Sovereign; that he allowed of the impreſſion of books in favor of Popery, of which he named ſeveral, and refuſed the ſame licenſe for printing orthodox writings. He moved that there might be a commitee to inquire into the great number of oppreſſed miniſters under the biſhops tyranny *; and to examine the licenſes granted for bad books, and refuſed for good books.

* For theſe laſt ten years.

Ib. p. 64.

On the twenty-eighth, the town of Banbury preſented a petition againſt innovations.

p. 66.

On the thirtieth, it was reported from the commitee for mr. Wilſon's petition, that he had been ſequeſtered four years from his living, only for not reading the Book of Sports on the Lord's-day: that after he was abſolved, he was proſecuted for not reading the prayer commanded by the archbiſhop to be read againſt the Scots.

p. 68.

On the firſt of December, was read a bill for reformation of abuſes in eccleſiaſtical courts.

p. 81.

Three days after, the houſe received a petition from two of the inhabitants of Cheſter, complaining of their having been inhumanly treated by the high-commiſſion at York, for viſiting mr. Pryn when he was going to his priſon in Caernarvon caſtle. Upon this petition the houſe appointed a numerous commitee to examine the juriſdiction of the two commiſſions of Canterbury and York, and the abuſes commited in thoſe courts.

p. 91.

On the ninth, a commitee was appointed to examine the proceedings of the late convocation, as well as the convocation-writs, whether they were the ſame with the writs of former times, and the opinions of the judges in that affair, and inquire how and by whom the commiſſion, which inabled the clergy to give and take the new oath, was withdrawn.

p. 93.

On the eleventh, the houſe received a petition ſubſcribed by a great number of Londoners (2) and the inhabitants of diverſe counties, containing twenty-eight grievances againſt epiſcopal government, the ſubſtance whereof was:

The Londoners and others petition againſt biſhops. Ruſhworth, Vol. IV. p. 39. Nalſon, p. 666.

1. Grievance. The biſhops ſubjecting and inthraling all miniſters under them and their authority, and ſo by degrees exempting them from the temporal power.

2. The faint-heartedneſs of miniſters to preach the truth of God, and oppoſe the progreſs of Arminianiſm, leſt they ſhould diſpleaſe the prelates.

3. The incouragement of miniſters to deſpiſe the temporal magiſtracy, and to live contentiouſly with their neighbors, knowing that they, being the biſhops creatures, ſhall be ſupported.

4. The reſtraint of many godly and able men from the miniſtry, and thruſting out of many congregations their miniſters, becauſe they could not in conſcience ſubmit to, and maintain the biſhops needleſs deviſes.

5. The ſuppreſſing the buying of impropriations, and placing therein able miniſters.

6 The great increaſe of ſcandalous men in the miniſtry, who, if they but wear a canonical coat, a ſurplice, a hood, and bow at the name of Jeſus, think they have fully diſcharged their duty.

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7. The diſcouragement of many from bringing up their children in learning; the many errors and ſtrange opinions in the church; great corruptions in the univerſities; the want of preaching miniſters in many places; the loathing of the miniſtry, and the general defection to all manner of profaneneſs.

8. The ſwarming of laſcivious and unprofitable books, in diſgrace of religion; as Ovid's Fits of Love, The Parliament of Women, &c.

9. The hindering of godly books to be printed; the bloting out or perverting, in thoſe which they ſuffer, whatever ſtrikes either at Popery or Arminianiſm; the adding of what pleaſeth them, and the reſtraint of re-printing books formerly licenſed, without re-licenſing.

10. The publiſhing Popiſh, Arminian, and other dangerous books and tenets; as "That the church "of Rome is a true church, and in the worſt times "never erred in fundamentals: that the ſubjects "have no propriety in their eſtates; but that the "King may take from them what he pleaſeth; "that all is the King's, and that he is bound by "no law, &c."

11. The growth of Popery, and increaſe of Papiſts, prieſts and Jeſuits; the frequent vending of crucifixes and Popiſh pictures, both ingraven and printed, and the placing ſuch in bibles.

12. The multitude of monopolies, and impoſitions upon all kinds of commodities, &c. (3).

13. That the church-government in England was upheld the ſame way as in the Romiſh church. Hence it was the prelates maintained, that the Pope is not Antichriſt, and forbad praying in the church for the Queen's converſion.

14. The great conformity of veſtures and ceremonies with thoſe of the church of Rome.

15 The ſtanding up at the Gloria Patri, and at reading the goſpel; praying towards the eaſt; bowing at the name of Jeſus; bowing to the altar; towards the eaſt; croſs in baptiſm; kneeling at the communion.

16. Turning the communion-table altar-wiſe; ſeting images and tapers upon them; reading the ſecond ſervice at the altar, which is termed the Mercy-ſeat; forcing people to come up thither to receive the ſacrament.

17. Conſecrating churches, chapels, fonts, &c. and re-conſecrating them upon pretended pollution.

18. The liturgy moſtly taken from the Romiſh Breviary, and the book of ordination framed out of the Roman Pontifical.

19. The multitude of canons; abuſe of excommunication; denying of appeals; the canons of the laſt ſynod.

20. Plurality of benefices; prohibiting marriages without licenſe at certain times, and licenſing marriages without bans aſking.

21. Profanation of the Lord's-day; ſuſpending and depriving miniſters for not reading a declaration for tolerating ſports on that day.

22. Preſſing the ſtrict obſervation of ſaints days, and drawing great ſums of money from peoples purſes for giving them leave to work on them.

23. The great increaſe of adulteries, &c. occaſioned by the prelates corrupt adminiſtration of juſtice in ſuch caſes, who taking upon them the puniſhment of it, do turn all into money for filling their own purſes.

(1) The deanry of Peterborough, and not Durham, as our author again miſtakes. See Ruſhworth, Vol. IV. p. 64.
(2) Lord Clarendon (Vol. I. p. 161.) ſays twenty thouſand.
(3) How could monopolies be a conſequence of epiſcopal government?

24. The

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24. The general abuſe of excommunication, which was inflicted for trivial matters, the abſolution whereof could not be obtained without money, &c.

25. The prelates claiming their office and juriſdiction to be Jure divino; their taking upon them temporal dignities, &c.

26. Their forcing people to take commiſſions out of their own courts.

27. The impoſing oaths upon church-wardens and ſideſmen, which they cannot take without perjury (1).

28. The great abuſe of eccleſiaſtical courts, and the biſhops uſurpations.

This petition ended with ſome conſiderations, the laſt whereof was, that the biſhops having occaſioned the war with Scotland, this war could be terminated only by the ſuppreſſion of epiſcopacy.

Ruſhworth, Vol. IV. p. 97. Next day, ſeveral miniſters were declared delinquents, for introducing innovations into the church, and a commitee was appointed to examine the complaints exhibited againſt the biſhop of Bath and Wells.

p. 99, 111, 113, 123. The fifteenth, the houſe proceeded to take into conſideration the new canons of the late convocation, and voted as is above ſpecified. Then Laud was accuſed, and Wren obliged to give in ſureties.

p. 135. The twelfth of January 1640-1, petitions were preſented from four ſeveral counties againſt the hierarchy.

p. 143. The ſixteenth, a complaint was brought to the lords (2), againſt a conventicle, held in the pariſh of St. Savior's Southwark, where at leaſt ſixty perſons were ſeized, who on being interrogated, why they did not reſort to their pariſh church, according to the law of the thirty-fifth of Elizabeth, anſwered, that the law of Elizabeth was not a true law, for that it was made by the biſhops (3). Their lordſhips contented themſelves with ordering, that divine ſervice ſhould be performed as appointed by acts of parliament; and that miniſters ſhould forbear introducing any innovations.

p. 145. The nineteenth, the city of Gloceſter preſented a petition againſt biſhops.

p. 152. The twenty-third, was read a petition of ſeveral miniſters, in behalf of themſelves and many others their brethren, praying a redreſs of certain irregularities in church-government. To this was annexed a remonſtrance, ſeting forth theſe pretended irregularities, and the great revenues and little uſe of deans and chapters.

All theſe petitions, which the houſe of commons received moſt graciouſly, being plain indications of that houſe's having ſome ſiniſter deſign againſt the biſhops, his Majeſty ſent for both houſes to attend him at the Banqueting houſe at Whitehall, where he thus addreſſed them: viz.

My lords, and you the knights, citizens and burgeſſes,

Charles's ſpeech to the parliament. Jan. 25. Ruſhworth, Vol, IV. p. 154. Nalſon, P. 735.

" THE principal cauſe of my coming here, at " this time, is by reaſon of the ſlow pro- " ceedings in parliament, touching which is a great " deal of inconvenience. Therefore I think it " very neceſſary to lay before you the ſtate of " my affairs as now they ſtand, thereby to haſten " (not to interrupt) your proceedings.

" Firſt, I muſt remember you, that there are " two armies in the kingdom, in a manner main- " tained by you, the very naming of which doth " more clearly ſhew the inconvenience thereof, " than a better tongue than mine can expreſs. " Therefore, in the firſt place, I ſhall recommend " unto you the quick diſpatch of that buſineſs. " In the next place, I muſt recommend unto you " the ſtate of my navy and forts; the condition " of both which is ſo well known unto you, that " I need not tell you the particulars, only thus " much; they are the walls and defenſe of this " kingdon, which, if out of order, all men may " eaſily judge what incouragement it will be to " our enemies, and what diſheartening to our " friends. Laſt of all (and not the leaſt to be con- " ſidered) I muſt lay before you the diſtractions " which are at this preſent occaſioned thro' the " connivance of parliament; for there are ſome " men who, more maliciouſly than ignorantly, " will put no difference between reformation, and " alteration of government. Hence it cometh " that divine ſervice is irreverently interrupted, and " petitions in an ill way given in neither diſputed " nor denied.

" But I will enter into no more particulars, but " ſhew you a way of remedy, by ſhewing you " my clear intentions, and ſome rocks which may " hinder this good work.

" I ſhall willingly and chearfully concur with " you for the reformation of all innovations both " in church and commonwealth, and conſequently " that all courts of juſtice may be reformed ac- " cording to law: for my intention is clearly to " reduce all things to the beſt and pureſt times, as " they were in the time of Queen Elizabeth. " Moreover, whatſoever part of my revenue ſhall " be found illegal, or heavy to my ſubjects, I " ſhall be willing to lay it down, truſting in their " affections.

" Having thus clearly and ſhortly ſet down my " intentions, I will ſhew you ſome rubs, and muſt " needs take notice of ſome very ſtrange (I know " not what term to give them) petitions given in " the name of diverſe counties, againſt the preſent " eſtabliſhed government, and of the great threaten- " ings againſt the biſhops, that they will make " them to be but cyphers, or at leaſt their voices " to be taken away. Now I muſt tell you, that " I make a great difference between reformation " and alteration of government; tho' I am for the " firſt, I cannot give way to the latter.

" If ſome of them have overſtretched their " power, and incroached too much upon the tem- " porality, if it be ſo, I ſhall not be unwilling " theſe things ſhould be redreſſed and reformed, " as all other abuſes, according to the wiſdom of " former times; ſo far I ſhall go with you: nay " farther, if upon ſerious debate you ſhall ſhew " me, that biſhops have ſome temporal authority " inconvenient to the ſtate, and not ſo neceſſary " for the government of the church, and upholding " epiſcopal juriſdiction, I ſhall not be unwilling " to deſire them to lay it down: but this muſt " not be underſtood, that I ſhall any way conſent " that their voices in parliament ſhall be taken " away; for in all the times of my predeceſſors " ſince the conqueſt, and before, they have in- " joyed it; I am bound to maintain them in it, " as one of the fundamental conſtitutions of this " kingdom. There is another rock you are on, " not in ſubſtance but in form; yet the form is ſo " eſſential that, unleſs it be reformed, it will marr " the ſubſtance.

" There is a bill lately put in concerning par- " liaments.

(1) This refers to an oath appointed by the biſhop of Wincheſter. Rapin.

(2) The paper was firſt delivered to the King, and recommended by him to the conſideration and juſtice of the houſe of peers. Nalſon, Vol. I. p. 727.

(3) They added; " That the King could not make a perfect law, for that he was not a perfect man; that they ought not " to obey him, but in civil things, &c." Ruſhworth, Vol. IV. p. 144.

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" liaments. The thing I like well, to have frequent parliaments, but to give power to ſheriffs " and conſtables, and I know not whom, to uſe " my authority, that I cannot yield unto. But to " ſhew you, that I am deſirous to give you content " in forms which deſtroy not the ſubſtance, you " ſhall have a bill for this purpoſe; ſo that it " trench neither againſt my honor, nor againſt the " ancient prerogative of the crown, concerning " parliaments, to which purpoſe I have commanded " my learned counſel to wait upon you, my lords, " with ſuch propoſitions as I hope will give you " content; for I ingenuouſly confeſs, that frequent " parliaments are the beſt means to keep a right " underſtanding between me and my people, which " I ſo much deſire.

" To conclude, I have now ſhewn you the ſtate " of my affairs, my own clear intentions, and the " rocks I wiſh you to eſchew; in all which you " may perceive the deſire I have to give you con- " tent, as you ſhall find alſo by thoſe miniſters I " have, or ſhall have about me for the effecting " of theſe my good intentions, which I doubt not " will bring peace and happineſs to my ſubjects, " and contentment to you all.

" Concerning the conference, you ſhall have a " direct anſwer, which ſhall give you ſatiſ- " faction."

This ſpeech produced not the effect King Charles expected. Firſt, becauſe ſeemingly the excluſion of prelates was already reſolved, and his Majeſty's diſcourſe contained nothing capable of diverting that reſolution. Secondly, the high concern Charles expreſſed for the biſhops right was preciſely the main cauſe which made their excluſion deſired. Thirdly, that Prince ſeemed to banter the parliament, in ſaying, " if they would ſhew him that " the biſhops have any temporal authority incon- " venient to the ſtate, he ſhould not be unwilling " to deſire them to lay it down." As if the parliament, from the prelates pure condeſcenſion, ought to have expected the reformation of a power prejudicial to the ſtate; a maxim directly contrary to the parliament's then principles.

Complaint againſt Wren biſhop of Ely. Jan. 26. Ruſhworth, Vol. IV. p. 158.

Next day, a complaint was brought to the commons againſt Matthew Wren, for having, while biſhop of Norwich, by oppreſſions, innovations and requiring certain oaths, forced more than fifty families of that city to quit England.

The firſt of February, the commons began to examine the London miniſters remonſtrance againſt prelates. In the debate on this ſubject, ſome ſmart repartees paſſed between Grimſton and Selden. Grimſton argued thus: " That biſhops are Jure divino, is a " queſtion; that archbiſhops are not Jure divino, " is out of queſtion: now that biſhops, who are " queſtioned whether Jure divino, or archbiſhops, " who out of queſtion are not Jure divine, ſhould " ſuſpend miniſters who are Jure divino, I leave " to you to be conſidered." To which Selden replied; " That the convocation is Jure divino, is " a queſtion; that parliaments are not Jure divino, " is out of queſtion; that religion is Jure divino, " there is no queſtion: now, ſir, that the con- " vocation, which is queſtionable whether Jure " divino, and parliaments, which out of queſtion " are not Jure divino, ſhould meddle with re- " ligion, which queſtionleſs is Jure divino, I leave " to your conſideration."

Grimſton's and Selden's arguments. Ib. p. 165. Nalſon, p. 744.

I own theſe two arguments ſeem not to me equally forcible. The firſt ſuppoſes that, for the particular act of ſuſpending a miniſter, there muſt be a divine authority; a ſuppoſition ſeemingly very natural. The other ſuppoſes, that there is occaſion for the like authority to meddle with affairs of religion; a ſuppoſition which to me appears ſomewhat too general, and which ſhould be reduced to particular acts, to render this argument like the other.

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The fifth, on a complaint from the inhabitants of Wood-church in Kent, againſt their miniſter mr. Bowen, who, being likewiſe a juſtice of peace, had by color of that office done ſeveral things contrary to law, the houſe ordered, that the lord-keeper ſhould be deſired to leave out the clergy of England and Wales, on renewing the commiſſion of the peace. Ruſhworth, Vol. IV. p. 169.

The eighth and ninth, the houſe reſumed their debates concerning biſhops, and many ſpeeches paſſed, pro and con, by far too long to be inſerted. I ſhall content myſelf with obſerving that, tho' the point in queſtion was ſeemingly only to know, whether biſhops ought to be excluded from the houſe of peers, yet the arguments againſt them tended much farther, even to the utter abolition of epiſcopacy. p. 170, 187, Nalſon, p. 184.

I ſhall likewiſe animadvert that, among thoſe who ſpake for the biſhops, not one denied the prelates having abuſed their power: but they maintained, that theſe were perſonal faults, which might be puniſhed and prevented for the future, without any neceſſity of attacking epiſcopacy itſelf. Contrariwiſe, the biſhops adverſaries intimated, that there was no reforming epiſcopacy but by quite changing church-government. They ſaid, while biſhops exiſted, there would be ſo many uſurping tyrants, who would think more of eſtabliſhing their own grandure than of the peoples ſalvation: unluckily for the right reverend, they had but too many inſtances to confirm their opinion. Lord Falkland, who that day ſpake againſt biſhops, among other matters ſaid;

Part of lord Falkland's ſpeech againſt biſhops. Feb. 9. Ruſhworth, Vol. IV. p. 184. Nalſon, p. 690.

" We ſhall find them to have tythed minth and " aniſe, and have left undone the weightier works " of the law; to have been leſs eager upon thoſe " who damn our church, than upon thoſe who, " upon weak conſcience, and perhaps as weak " reaſon (the diſlike of ſome commanded garment, " or ſome uncommanded poſture) only abſtained " from it. Nay, it hath been more dangerous " for men to go to ſome neighbor pariſh, when " they had no ſermon in their own, than to be " obſtinate and perpetual recuſants; while maſſes " have been ſaid in ſecurity, a conventicle hath " been a crime; and which is yet more, the con- " forming to ceremonies hath been more exacted " than the conforming to Chriſtianity; and while " men for ſcruples have been undone, for attempts " upon ſodomy they have only been admoniſhed."

The oppoſition which the enemies of epiſcopacy then met with, in the execution of their deſigns, was ſtrong enough to retard it, but not capable to make them deſiſt. What they had juſt done was properly but an effort, in order to take more effectual meaſures hereafter. They were therefore contented with having prevailed on the houſe, that the Londoners petition ſhould be taken into conſideration, contrary to the opinion of thoſe who would have it rejected without reading. Beſide, what had been ſaid, on this occaſion, againſt the biſhops promoted puting in execution the project of taking away their votes in the houſe of peers, which moſt of the commons had already reſolved in private. They continued therefore to receive petitions againſt prelacy, and to take ſeveral ſteps tending to inſpire people with averſion for the biſhops, and all other church of England eccleſiaſtics.

The thirteenth of February, a bill was brought in for aboliſhing ſuperſtition, as ſuppoſing that biſhops had introduced into the church ſundry ſuperſtitious practiſes. p. 775. Ruſhworth, Vol. IV. p. 188. Ib. p. 202.

The firſt of March, the commons appointed a commitee to prepare reaſons to be offered to their lordſhips, that all eccleſiaſtics, throughout England and

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and Wales, ſhould be put out of the commiſſion of the peace.

The nineth, it was moved in the houſe, that a bill be drawn againſt pluraliſts *.

* Alio non-reſidents. Votes of the commons againſt biſhops. Ruſhworth, Vol. IV. p. 206. Nalſon, p. 786. Diurn. Occurr.

The ſame day, were preſented, from the commitee for the miniſters remonſtrance againſt the biſhops, three heads for the houſe's debate and conſideration. The firſt concerned their ſecular imploys, viz. their legiſlative and judicial power in parliament; their judicial power in the ſtar-chamber, and commiſſions for the peace; their imployment as privy counſellors, and temporal officers. The ſecond related to their ſole power in matters eccleſiaſtical, as ordination and cenſures. The third concerned the large revenues of deans and chapters, the little uſe of them, and the inconveniencies thence ariſing. The houſe, having debated on the firſt of theſe heads, came to theſe reſolutions:

Ruſhworth, Vol. IV. p. 212.

I. That the legiſlative and judicial power of biſhops, in the houſe of peers, is a great hindrance to the diſcharge of their ſpiritual function, prejudicial to the commonwealth, and fit to be taken away by bill, and that a bill be drawn to that purpoſe.

II. That for biſhops, or any other clergymen, to be in commiſſion of the peace, or to have any judicial power in the ſtar-chamber, or in any civil court, is a great hindrance to the diſcharge of their ſpiritual function, prejudicial to the commonwealth, and fit to be taken away; and that a bill be brought in for that purpoſe.

Doctor Pocklington's books ordered to be burned. Nalſon, p. 774. Ruſhworth, Vol. IV. p. 208, 229.

The ſame day, their lordſhips ordered the burning of two books, written by dr. Pocklington, intitled, Sunday no Sabbath, and Altare Chriſtianum.

The fifteenth, the commons ſent up to the lords articles againſt dr. Coſins, who was accuſed of introducing into the church of Durham diverſe innovations, tending to reſtore Popery.

The twenty-firſt of April, petitions againſt the hierarchy were preſented by Nottinghamſhire and Lancaſhire.

p. 235. Nalſon, p. 806. † A ſecond time.

The twenty-ſixth of the ſame month, was read † a bill, for puniſhing and fining the members of the late convocation. Archbiſhop Laud's fine was twenty thouſand pounds. There were others of ten thouſand pounds, of five thouſand, three thouſand, two thouſand, and no biſhop was fined under a thouſand. The other members were rated, each in proportion to his eccleſiaſtical revenues (1).

Ruſhworth, Vol. IV. p. 238. Nalſon, p. 240.

The ſame day, was read a bill for regulating abuſes in eccleſiaſtical courts.

It was evident, that the commons were projecting ſome great reformation in eccleſiaſtical diſcipline, and very poſſibly the deans and chapters were firſt to be attacked, their uſe not appearing ſo manifeſt. For this reaſon, dr. Hacket deſired leave to ſpeak before the houſe, on the behalf of deans and chapters, which was granted him: but when he had done, dr. Burgeſs was alſo ſuffered to anſwer his reaſons. Moreover both univerſities preſented petitions to the houſe on that account, but they produced not the leaſt effect.

Ruſhworth, Vol. IV. p. 270, &c.

May 3. p. 246.

p. 272.

Finally, the bill againſt prelates and other eccleſiaſtics exerciſing temporal juriſdiction paſſed in the houſe of commons, and was ſent up to the lords for their concurrence: but this bill meeting with great oppoſition from the peers, who put off the debate from day to day, the commons cauſed a new bill to be brought into their houſe, for quite laying aſide archbiſhops, biſhops, deans, archdeacons, &c. which was read the firſt time. While they were debating, whether it ſhould be read again or rejected, a meſſage came from their lordſhips, ſignifying, that they were ready to concur with them as to the former bill, except only taking away the biſhops votes in parliament: but the commons, without taking any notice of this offer, ordered the new bill to be read a ſecond time.

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The ſecond of June, at a conference between both houſes, the lords gave reaſons why they judged not biſhops ſiting in parliament illegal, alleging that, for their right to vote there, they conceived by the common and ſtatute law, and ancient practiſe, there was no queſtion of it. As for any inconveniencies, they did not yet underſtand any ſuch as might induce them to deprive the biſhops and their ſucceſſors of their right: but for removing them from the ſtar-chamber, council-table, or any office in ſecular affairs, they would fully concur with the commons.

p. 280.

Next day, heads for a conference with the peers were reported, containing nine reaſons, why biſhops ought not to have votes in parliament (2).

p. 281.

Reaſons why biſhops ought not to have votes in parliament. Ibid. Nalſon, p. 260.

"1. Becauſe it is a great hindrance to their miniſterial function.

"2. Becauſe they do vow and undertake at their ordination, when they enter into holy orders, that they will give themſelves wholly to that vocation.

"3. Becauſe councils and canons, in ſeveral ages, do forbid them to meddle in ſecular affairs.

"4. Becauſe the twenty-four biſhops have dependance on the two archbiſhops, and take their oath of canonical obedience to them.

"5. Becauſe they are but for their lives, and therefore are not fit to have legiſlative power over the honors, inheritances, perſons, and liberties of others.

"6. Becauſe of biſhops dependency and expectancy of tranſlation to places of greater profit.

"7. That the ſeveral biſhops have of late greatly incroached upon the conſciences and liberties of the ſubject; and they and their ſucceſſors will be highly incouraged ſtill to incroach; and the ſubject will be much diſcouraged from complaining againſt ſuch incroachment, if twenty-ſix of that order are to be judges upon that complaint. The ſame reaſon extends to their legiſlative power in any bill to paſs for the regulation of that power, upon any emergent inconveniency thereby.

"8. Becauſe the whole number of them are intereſted to maintain the juriſdiction of biſhops; which hath been found ſo grievous to the three kingdoms; that Scotland hath utterly aboliſhed it.

"9. Becauſe the biſhops, being lords of parliament, it ſets too great a diſtance between them and the reſt of their brethren in the miniſtry; which occaſions pride in them, diſcontent in others, and diſquiet in the church. And as to their having votes a long time, the anſwer is, if it be inconvenient, time and uſage are not to be conſidered with law-makers: ſome abbots voted as anciently in parliament as biſhops, yet are taken away."

Among theſe reaſons, the commons only inſinuated the principal in the ſixth article, which however was univerſally known, viz. that the biſhops had been too much devoted to the King, and countenanced arbitrary power.

Mean while, the commons ordered a bill to be

(1) See a draught of the intended fines at large in Ruſhworth, Vol. IV. p. 235, &c.

(2) See the anſwer to theſe reaſons (fathered on the then archbiſhop of York) and a reply to that anſwer. Id. Vol. I. p. 282, &c.

prepared againſt the late convocation, and another to aboliſh the high-commiſſion.

Ruſhworth, Vol. IV. p. 282.

The ſeventh of June, their lordſhips voted for maintaining the biſhops right to ſit in parliament.

The eleventh, the affair of epiſcopacy, being again brought on the carpet, laſted from ſeven in the morning 'till night, when the commons reſolved, that this bill's preamble ſhould run thus: viz.

Preamble to the bill againſt epiſcopacy. p. 283.

"Whereas the government of the church of "England by archbiſhops and biſhops, their chan- "cellors and commiſſaries, deans, archdeacons, "and other eccleſiaſtical officers, hath been found "by long experience to be a great impediment to "the perfect reformation and growth of religion, "and very prejudicial to the ſtate and government "of this kingdom, &c.

Votes againſt the hierarchy. p. 285.

The fifteenth, the commons voted that all deans, deans and chapters, archdeacons, prebendaries, chanters, canons, and petty-canons, with their officers, ſhall be utterly aboliſhed: that all the lands taken from deans and chapters ſhall be imployed to the advancement of learning and piety, proviſion being made that his Majeſty be no loſer in his rents, firſt-fruits, and other duties; and that a competent maintenance ſhall be made to the ſeveral perſons concerned, if ſuch perſons appear not to be delinquents. Several ſpeeches, too long to be inſerted, were made on this occaſion.

p. 293. Nalſon, Vol. II. p. 295.

The twenty firſt, the houſe being reſolved into a grand commitee to debate the bill for aboliſhing epiſcopacy, ſir Edward Deering in a ſpeech propoſed, that there ſhould be in every ſhire twelve divines and a preſident, to whom might be given what title they pleaſed, whether that of biſhop or any other: but this never was brought to any reſolution.

By what paſſed in the parliament, during the firſt months, with regard to the church, it is eaſy to comprehend that the commons conſidered this affair as a capital point, tho' they affected to let it paſs as dependent on the deſign of reforming the civil government: for ſcarce a day paſſed without ſome debate, directly or indirectly, on this topic. But, as this was not what alone the parliament had then in agitation, it will be neceſſary to break off the narrative, in order to touch on ſome other matters no leſs momentous.

King Charles could not but be highly diſguſted at the commons proceedings, as well in the affair of grievances, as in that relating to prelates. The two things he had moſt at heart, ſince his reign commenced, were ſtretching his prerogative, and maintaining the church of England in its full luſter, and biſhops in their whole authority. Nevertheleſs, on theſe two points the commons ſeemed to affect giving him daily mortifications, not only by their ſpeeches, but likewiſe by their votes and the bills they ſent up to the lords.

Proceedings of the commons againſt Papiſts.

But beſide grievances and epiſcopacy, there was another article wherein the commons expreſſed not any great complaiſance for his Majeſty, viz. the affair of the Catholics. Charles followed the King his father's method, i.e. he appeared to be intirely attached to the Proteſtant religion, and church of England; while, on the other hand, he protected and countenanced the Papiſts. But there was between father and ſon this difference; King James's religion was ever very dubious, nothwithſtanding his outward profeſſion of the Proteſtant creed; whereas King Charles was never charged with being actually a Papiſt, but by men of paſſionate and fiery ſpirits. However, diverſe particulars induced him to favor Romaniſts, which gave his enemies ſome advantage. 1. The example of the King his father, who, throughout his whole reign, could never be prevailed on to execute the laws againſt them. 2. Tho' the Papiſts would not take the oath of ſupremacy, they refuſed not to ſwear allegiance, and that was ſufficient for him to reckon them good ſubjects. 3. In his project of humbling the parliament, and reducing the commons to the ſole affair of ſupply, the parliament's deſiring execution of the laws againſt Papiſts ſufficed to throw him upon a contrary courſe, in order gradually to deſtroy their uſage of obtaining all their deſires thro' dint of importunity. 4. The Catholics having no other refuge but the King's protection, it was natural for them firmly to adhere to his perſon and intereſt, and Charles deemed himſelf obliged to grant them extraordinary protection to recompenſe their fidelity. 5. Nothing was more grating to the Puritans than to ſee Papiſts well received at court; and as King Charles deteſted the Puritans, he took a pleaſure in mortifying them, by careſſing their avowed adverſaries. 6. The Queen, for whom this Prince had a ſingular condeſcenſion, contributed not a little to inſpire him with a good opinion, if not of her religion, at leaſt of the profeſſors. 7. Archbiſhop Laud, who was a very rank Arminian, took care not to ſtrengthen the Calviniſtical party by inſenſing his Majeſty againſt Papiſts. 8. Laſtly, King Charles was naturally of a moſt inflexible diſpoſition, and this quality, added to his maxims of government, made him impatient of whatever tended to the curbing his will. Very ſeemingly, theſe are the reaſons which induced this Prince to countenance the Catholics, during the firſt fifteen years of his reign. He carried his regard for them ſo far, that not only the penal laws inacted againſt them were never executed, but the Papiſts were alſo conſidered at court as the beſt ſubjects; whereas the Puritans were regarded as enemies to both King and ſtate.

Reaſons why King Charles favored Papiſts.

The face of affairs being changed by calling this parliament, and Charles unable to protect the Papiſts, they were treated rigorouſly. It was ſuppoſed there was a ſettled deſign to introduce Popery, and that ſeveral biſhops and other churchmen were in the combination. The archbiſhop of Canterbury, the biſhops of Ely, and of Bath and Wells, dr. Coſins, ſecretary Windebank, and ſome others, were accuſed of being chiefly concerned in this affair, which was openly ſaid to be managed by the Queen and her confidents. Tho' this charge was perhaps carried too far, with reſpect to the particular perſons, it can ſcarcely be denied that they gave ſome cauſe for it by their procedure. Their hatred to the Preſbyterians made them not ſcruple making too near approaches towards Popery, in order to be at a greater diſtance from Preſbyterianiſm. This, if I miſtake not, was the true cauſe of all the innovations induced into the public worſhip, and of the inviolable attachment to the obſervance of certain indifferent, or unneceſſary rites and ceremonies. The church's governors chief aim was to widen continually the diſtance between Preſbyterianiſm and the church of England: but this policy, which was advantageous to the Puritans adverſaries while the King ruled abſolutely, turned wholly to their prejudice, becauſe in this parliament they were charged with more ſecret deſigns; in a word, of having intended to introduce Popery, and the puniſhment of faults commited by ſome hot and paſſionate perſons was made to fall on the whole church.

In all the parliament's proceedings againſt Papiſts, his Majeſty had properly nothing to ſay. He could not deny there being laws againſt recuſants, and that thoſe laws had not been executed, tho' he had ſeveral times ſolemnly promiſed it. It was no longer a proper ſeaſon to protect them openly, and therefore he iſſued proclamations, injoining execution of the laws, in order to content the parliament: but theſe proclamations were ſo artfully drawn, that they properly granted nothing of what they ſeemed to promiſe. More particularly, the parliament could never prevail on him to let the condemned prieſts

be

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be executed; whether Charles deemed theſe ſentences too rigorous, or the Queen's ſollicitations had a greater influence over him than thoſe of the parliament. I ſhall now proceed to the moſt material tranſactions, relating to Papiſts, during the firſt ſeven or eight months of this ſeſſion.

Report of the commitee touching the proclamation againſt recuſants. Ruſhworth, Vol. IV. p. 65. Nalſon, p. 569.

In the begining of this parliament, King Charles having publiſhed a proclamation againſt recuſants, the commitee, charged with examining it, reported, it was not according to the houſe's expectation, for theſe reaſons; viz.

1. In the clauſe wherein the proclamation commands all Popiſh recuſants, within fifteen days, to depart the city, &c. it is added, 'Without ſpecial "licenſe had thereunto:" So that if, by any means, they can obtain a licenſe from his Majeſty (which the commitee thinks they cannot) or from the lords of the council, biſhop, lieutenant, or deputy-lieutenant, then they are not within that clauſe.

2. The order to diſarm all recuſants, is limited to recuſants convict, and being ſo reſtrained, if any be armed and not convicted, a juſtice of peace cannot diſarm them.

3. Recuſants are commanded to depart to their own dwelling houſes; but as of late days there is great reſort of recuſants to London, Weſtminſter and places adjacent, there is no urging them from thence by law.

The commitee added, that many recuſants had letters of grace to protect their perſons and eſtates.

Ib. p. 571. Ruſhworth, Vol. IV. p. 68, 69, 70.

In the continuation of this report, a few days after, the commitee ſaid, That on examination of the keepers of two priſons only, Newgate and the Clink, they found ſixty-four prieſts and Jeſuits diſcharged in one year, ſome by privy-ſignet, others by warrants from the lords of the council, but moſt of them by warrants from ſecretary Windebank, without any mention of the King's pleaſure (1): that upon examination of the clerk of the peace for Middleſex, and the clerk of the crown in the King's-bench, it was found that, within the compaſs of ſeven or eight years, there had been ſeventy four letters of grace (2). Then they deſcended to particular circumſtances, concerning the diſcharge of ſeveral perſons condemned for treaſon, all by order of Windebank: they ſaid moreover, that they had diſcovered ſixty four letters of grace to ſtay proſecutions againſt Papiſts, directed to ſeveral counties and judges. It was added, that indeed the King had power to pardon the condemned; but to command no farther proſecution was contrary to law.

Ruſhworth, Vol. IV. p. 67.

The thirtieth of November, the commons deſired the general of the army to dimiſs all Popiſh officers (3); and moved his Majeſty, that all commanders and other officers, in any town or gariſon, who were Papiſts, might be removed. Charles replied; he knew of no Papiſt had the command of any place, but had however given orders to be more particularly informed.

p. 73.

p. 71.

The firſt of December, the houſe ordered the preparing a remonſtrance to his Majeſty, concerning the Pope's nuncio. This was count Roſetti, who exerciſed in England the function of nuncio, under color, that it was neceſſary to the Queen for matters of conſcience.

p. 73.

The fifth, the houſe diſpatched orders to all the juſtices of peace of Weſtminſter, London and Middleſex, injoining them to proceed againſt recuſants according to law, any inhibition or reſtraint notwithſtanding. CHARLES AN' 1640.

Buſineſs of Goodman the Jeſuit. Ruſhworth, Vol. IV. p. 153, 155, 157, 158, 165. Nalſon, P. 739, 746.

In January following, there was a ſort of diſpute between the King and commons, on account of John Goodman, a Jeſuit, who had been ſentenced to death, but was reprieved by his Majeſty. The houſes held diverſe conferences upon this ſubject, and at length agreed to join in a remonſtrance to the King, to move him, that the laws might be executed againſt prieſts and Jeſuits, and particularly againſt Goodman. Charles, who deſired to ſave this Jeſuit, alleged, That he had been condemned merely for being in orders of a prieſt, and had never been convicted or baniſhed before. But the two houſes repreſented to him, that this prieſt and Jeſuit had been a miniſter in the church of England, and had been formerly twice commited and diſcharged. To this his Majeſty replied, That if Goodman was put to death, the Proteſtants abroad in Catholic countries might ſuffer for it; but however, he would leave it to both houſes to act as they judged proper. Next day, Goodman ſent a petition to the King, which was immediately communicated to the houſe of lords, wherein he ſaid, That he was content to die, rather than live the ſubject of ſo great diſcontent between him and his people. As it appears not that the parliament inſiſted farther on this matter, it is likely Charles obtained his deſire, and ſaved the Jeſuit's life. But this ſort of victory failed not doing him ſome prejudice, in that his enemies thence took occaſion to repreſent, that there was no depending upon his proclamations or promiſes, with reſpect to Papiſts, ſince they were never executed. It is not doubted but the Queen ſollicited ſtrongly in Goodman's behalf.

Ruſhworth, Vol. IV. p. 118. Diurn. Occur.

The eleventh of February 1640, notice was given to the commons, that the Papiſts were preparing to execute ſome great deſign (4), and that, by the Queen's order, all Roman Catholics faſted every Saturday, for the proſperous ſucceſs thereof. Hereupon were iſſued orders, that all judges in their circuits ſhould effectually put in execution the penal laws againſt prieſts and Jeſuits (5).

p. 275. * Alſo the London, Weſtminſter and Southwark juſtices. p. 276.

The ſeventeenth of May, the commons ordered the lord-mayor of London*, to prevent Papiſts from reſorting to embaſſadors houſes, and the Queen's chapels.

The twenty fourth, the members of the houſe had orders to bring in, by ſuch a time, the names of all recuſants convict in each county.

p. 280.

The ſecond of June, was read in the houſe of commons a bill for diſarming all the Papiſts in the kingdom.

Proceeding of the commons concerning the money given by Papiſts for the war with Scotland. p. 158, 160, 169. The Queen's meſſage to the commons, p. 169. Feb. 5. Nalſon, p. 747. Diurn. Occur.

In January laſt, the commons had begun to take into conſideration the contribution raiſed among the Roman Catholics, for carrying on the late war againſt the Scots, at the inſtance of her Majeſty, who wrote a circular letter to exhort them thereto. Walter Montague and ſir Kenelm Digby, were ſent for and examined, and the commons ſeemed reſolved vigorouſly to puſh this affair: but the Queen found means to appeaſe them by a meſſage, wherein ſhe ſaid, That ſhe was moved to raiſe money in that manner for the King's aſſiſtance, merely out of her tender affection to him, and if it were illegal, ſhe

(1) In the report it is added, That very few appeared to be under the King's own hand, and of them not any one but at the requeſt of foreign embaſſadors, and the Queen mother. Ruſhworth, Vol. IV. p. 68.

(2) M. Rapin having made ſome miſtakes in this paragraph, they are corrected from the report at large in Ruſhworth, Vol. IV. p. 68. The nature of theſe letters of grace was this: they were directed to archbiſhops, biſhops, judges, and all other the King's officers, to ſtay all proceedings againſt the perſons therein named.

(3) The general's anſwer was, That as ſoon as poſſibly he could, he would return his anſwer in writing. Ruſhworth, Vol. IV. p. 73.

(4) Particularly that there were fifteen hundred in Lancaſhire, eight thouſand in Ireland, and ſeveral thouſands in ſouth and north Wales, well furniſhed with arms, and well paid and provided for. p. 188.

(5) March 16, both houſes agreed to petition the King to remove all Papiſts from court. Ib. p. 211.

was

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was ignorant of the law, but promiſed to be more cautions for the future. She ſaid moreover; That, underſtanding the having one ſent to her from the Pope was diſtaſteful to the kingdom, ſhe was deſirous to give the parliament ſatisfaction, and in convenient time would remove him. This convenient time was not yet come in June following, when the nuncio Roſetti was ſtill with her Majeſty: but at length the commons having ordered him to be brought to the bar of their houſe to be examined, he hid himſelf, and on the morrow departed for Rome. Montague, Winter and ſir Kenelm Digby retired to France.

Ruſhworth, Vol. IV. p. 390.

The Queen's confeſſor accuſed. p. 300, &c. Diurn. Occur.

Father Philips, the Queen's confeſſor, was alſo examined by the commons, who afterwards brought an accuſation againſt him to the lords, and againſt the ſuperior of the Capuchins belonging to the Queen. Poſſibly, this accuſation was only to frighten and oblige them to withdraw.

Theſe are all the material paſſages with regard to Catholics, before King Charles's journey to Scotland, which will be mentioned hereafter. It is time to return to the Scotiſh army, which we left at Newcaſtle.

Affairs with the Scots.

Charles had flattered himſelf, that the parliament would eſpouſe his cauſe againſt Scotland, and furniſh him with means to drive the Scots from England. This was the firſt, or rather the only affair he recommended in his firſt ſpeech to both houſes. But to be convinced how vain this hope was, it needs only be conſidered, that the leading men of that party which oppoſed the King, were thoſe who incouraged the Scots to enter England, and that this party was ſo ſuperior in the parliament, that but few of Charles's partiſans durſt utter a ſillable to ſupport his intereſt. It was this Scotiſh invaſion which conſtrained him to call a parliament, and inabled the parliament to break all that Prince's meaſures, and oblige him to admit the redreſs of grievances. In a word, it was ſolely by means of the Scots that the parliament had in their power to reſtore the government to its ancient and natural ſtate. They would therefore have acted againſt their own intereſt, and directly contrary to the end they propoſed, had they ſupplied his Majeſty with means to expel the Scots from England: accordingly, they took not one ſtep that way tending. On the contrary, it evidently appeared, that they conſidered the Scots as brethren, who, having the ſame intereſt as the Engliſh, were come to aſſiſt and act in concert with them.

The ninth of November, ſix days after opening the parliament, ſir William Widdrington, knight of the ſhire for Northumberland, ſpeaking concerning the matter of a petition, preſented by that county on account of the oppreſſions they labored under from the Scotiſh army, termed the Scots, invading rebels. The houſe was ſo offended at this expreſſion that Widdrington eſcaped impriſonment only by recanting, and promiſing never more to ſtile them rebels. Nothing was more capable to convince Charles how averſe the commons were from aiding him againſt the Scots: but this was not the only mark they gave of their intention. Firſt, they thought proper to make the Scots a preſent of three hundred thouſand pounds, in recompenſe for their brotherly aſſiſtance to England. Secondly, they found means to prolong the negociation for peace 'till the ſeventh of Auguſt 1641, that is, 'till almoſt all the grievances were redreſſed, the triennial bill paſſed, and another, that the parliament ſhould not be diſſolved but by a particular act for that purpoſe. All this was very remote from the hopes wherewith Charles had flattered himſelf, that he ſhould have a ſufficient ſupply to compel the Scots to return home. As the troubles of Scotland were the fountain and origin of whatever paſſed in this parliament, I am perſuaded the reader will not be diſpleaſed at ſeeing here a ſuccinct account of the negociation of peace between King Charles and the Scots, between Scotland and England. What follows is the ſubſtance of the earl of Briſtol's ſpeech to both houſes, when he was ſelected by the lords-commiſſioners to acquaint them with what had thitherto paſſed in that affair.

p. 166, 169. Nalſon, p. 747. Whitelock. p. 40. Diurn. Occur.

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The earl of Briſtol's relation of his negociation with the Scots. Ruſhworth, Vol. IV. p. 6.

" The commiſſioners imployed by his Majeſty " intend not to look farther back into the buſineſs, " than the acts of their own imployments; they " intend to give no account of the pacification " interrupted, nor war renewed; no account how " the armies in England, Ireland, and by ſea were " deſigned; they purpoſe not to lay fault upon " any man, nor to inquire into the cauſe why the " Scots (as they pretended from neceſſity) were " drawn to enter this kingdom; nor why the " King's army, when ſervice was to be done, was " out of the way; but that thoſe thro' whoſe hands " theſe have paſſed, may hereafter give their own " account.

" His Majeſty having called his great council " at York, made to them two propoſitions. The " firſt was, how his army ſhould be relieved and " maintained? To this the lords reſolved to ingage " themſelves, and to ſend deputies to London to " negociate a ſupply. The ſecond propoſition " was that, after the Scots had paſſed Northumber- " land, taken Newcaſtle, and poſſeſſed the biſhop- " rick of Durham, they ſent a petition to his Ma- " jeſty, which contained in general terms a deſire " to have their grievances taken into conſideration. " Upon receit of his Majeſty's anſwer, the Scotiſh " lords ſent his Majeſty a ſecond petition, in which " they made their particular demands, and declared " that, according to his Majeſty's command, they " would advance no farther into England. So " his Majeſty aſked the lords, what anſwer ſhould " be made to that petitionary letter? The lords " replied, that it was impoſſible for them to give " any well-grounded advice, unleſs the true ſtate " of his affairs, and the condition of his army " were laid before them. Whereupon his Ma- " jeſty commanded the earl of Traquair to make " the narration of the Scotiſh buſineſs, and their " late acts of parliament, and the lord-lieutenant- " general * to give account in what condition the " army ſtood.

* The earl of Strafford.

" The Scots army had paſſed Northumberland " without reſiſtance. They had diſputed the paſ- " ſage of the river Tyne at Newburn, where the " Engliſh horſe retired in diſorder. His Majeſty's " foot army, conſiſting of twelve or fourteen " thouſand man in Newcaſtle, likewiſe retired to " York, whereby the town of Newcaſtle, a place " of great conſideration, was fallen into the Scots " hands, and the biſhoprick of Durham brought " under contribution.

" In this ſtate the gentry of that biſhoprick " repaired to his Majeſty; from whom they were " refered to the earl of Strafford, who gave them " this anſwer poſitively; That they could look for " no help nor protection from the King, and there- " fore they might uſe the beſt means they could to " preſerve their lives and eſtates; whereby they " were forced to conſent to a very heavy contri- " bution, tho' ſuch without which the Scotiſh army " could not ſubſiſt. This contribution was eight " hundred and fifty pounds a day for the biſhop- " rick of Durham, Northumberland, and New- " caſtle. Theſe gentlemen much lamented their " eſtates, that the Scots ſhould be irritated by " being proclaimed traitors.

" The Scots, on the other hand, repreſented to " the King's commiſſioners, that being threatened " with an army of thirty or forty thouſand men,

another

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" another of ten thouſand out of Ireland, and by " proclamation declared traitors and rebels; and " having heard of another army providing, of eight " or ten thouſand, by ſhiping to hinder their trade, " at leaſt their commerce with England, that they " were drawn together by neceſſity, as they pre- " tended, of defenſe. They farther alleged, that " it was a common diſcourſe, of which they had " ſeen papers, that they ſhould be reduced into a " province, which would be but one ſummer's " work. Therefore they had drawn their power " together, and being aſſembled, and their coun- " try poor, taking advantage of the time, while " all thoſe armies which ſhould oppoſe them were " out of the way, they were forced to enter Eng- " land.

" Thus the great council of lords, found that " the Scots had increaſed their confines near four- " ſcore miles in England, and had paſſed the rivers " of Tweed and Tine; and that the river of Tees, " the boundary of Yorkſhire, was not to be de- " fended, being fordable in many places by forty " horſe in front: that if the Scots ſhould paſs that " river, there was no poſſibility to hinder them " from coming to York, without hazarding a bat- " tle, which the earl of Strafford declared to them " he would not adviſe, becauſe the King's army " conſiſted of troops untrained, and unuſed to " arms.

" This being the caſe, the lords adviſed his " Majeſty that the Scots and their grievances might " be heard: and whereas their complaint had " been, that their petitions to his Majeſty had " been conveyed by conduits of an evil reliſh, " that there might be choſen ſuch lords-commiſ- " ſioners of whoſe integrity they could not doubt. " The King was pleaſed to refer the choice of " theſe commiſſioners to the great council: and " to them power was given, under the great ſeal " of England, to hear whatſoever the Scots could " lay before them, and to enter into treaty with " them.

" When this was propoſed to the Scots commiſ- " ſioners, they repreſented, that the countries where " they lay were become poor; that they could not " think, as their affairs ſtood, of returning home; " that his Majeſty had reſtrained them from paſſing " farther into England; ſo that a treaty in this " exigent was worſe than a war, unleſs means might " be thought upon how they might ſubſiſt while the " treaty was on foot; otherwiſe they ſhould be " obliged to plunder the country.

" The commiſſioners having diſpatched ſome of " their company to acquaint his Majeſty with the " Scots demands, a commiſſion was given them by " the King to treat with the Scots for a maintenance, " and the commiſſioners thought that, inſtead of " giving them any allowance, they ſhould be left " to their proportion of that contribution of eight " hundred and fifty pounds a day, already agreed " on by the counties, as leſs diſhonorable than to " aſſign them maintenance. Accordingly, the pre- " liminaries were agreed upon; the treaty of ceſſa- " tion concluded, and the commiſſioners adviſed " his Majeſty to ratify it, which was done. The " parliament approaching, their lordſhips adviſed " his Majeſty to transfer the treaty from Rippon to " London; whereto his Majeſty conſented.

" To excuſe the preliminaries agreed on at Rip- " pon, the earl of Briſtol added, that it was indeed " hard to pay the Scots a contribution of eight " hundred and fifty pounds a day, and that there " was already ſome doubt that the countries were " not able to bear it: but that, on the other ſide, " it was objected by the Scots, that it was impoſ- " ſible, if the payment ſhould fail, to keep their " promiſe, or to obey his Majeſty, but that they " ſhould be neceſſitated againſt their will to plun- " der the country. For which reaſons the earl of " Strafford had declared, that the counties of Cum- " berland and Weſtmoreland being under the Scots " power, it was reaſonable that 'in ſubſidium' " they ſhould contribute ſome help to their neigh- " bors: but he added, that the commiſſioners left " at Durham had written, that it was impoſſible " for them to proceed in the agreement; which if " it were broken on their part, the Scots would " allege an impoſſibility to conſent to ſtarve; ſo " that if ſome means were not found, by which " thoſe counties ingaged might be relieved, he was " afraid all their labor and treaty would come to " nothing. Therefore the commiſſioners, and all " the lords, ingaged themſelves faithfully and truly " to declare all theſe things to the parliament.

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" The earl of Briſtol declared farther, that it " was far from the lord-commiſſioners purpoſe to " move any ſupply of money from the houſe of " commons, but to lay the cauſe before them; " avering certainly, that if ſome courſe was not " taken, the whole kingdom would be put into " diſorder. Armies would not ſtarve; retiring " was not yet in the thoughts of the Scots; there- " fore they muſt plunder and deſtroy, or advance " into Yorkſhire, and ſo farther into England to " ſeek ſubſiſtance; the prevention whereof did " highly import the King and kingdom.

" Laſtly, the earl propoſed to the parliament " another thing, no leſs worthy of conſideration, " viz. That if the Scots army were provided of a " competency, it were very ſtrange there ſhould " not an equal care be had for maintaining the " King's army. He ſaid the Scots army was ſtrong " and powerful, and little other reſiſtance againſt " it but the impediments of an army marching in " winter; but whether it were fit for a kingdom " to be truſted to accidents of froſts, with a peo- " ple bred in Swedeland (1) and cold countries, " he left to their diſcretion. He confeſſed, that " the Scots had made great proteſtations, and with " great execrations avered, that they had no intent " to advance forward, but return when they ſhall " have received ſatisfaction: yet the commiſſioners " did not conceive that the kingdom ſhould rely " upon promiſes and proteſtations. Many acci- " dents might happen, when a nation, come from " a far country to a better, ſhould be told, the " buſineſs they came about was juſt, and their quar- " rel good; who, finding themſelves in af at paſture, " may pick quarrels with their leaders if they ſhould " go about to prevent them. Upon theſe grounds " his lordſhip preſented to the general conſideration, " the ſupply of his Majeſty's army, that it be not " diſbanded; which if it ſhould come to paſs, " Yorkſhire, and other parts of England were left " to the Scots diſcretion. His lordſhip ſaid, he " durſt not ſay the Scots would not come forward, " but that it was in their power if they would; " and therefore he recommended this repreſenta- " tion to the whole body of the kingdom, to pre- " vent future dangers."

There was no occaſion to uſe many arguments to induce the parliament to allow that the Scotiſh army ſhould be maintained in England. Upon the earl of Briſtol's report, it was reſolved, " that the " commons approve the perſons of thoſe lords " who were commiſſioners in the late treaty, to

(1) This alludes to the ſix thouſand Scots ſent by King Charles to the King of Sweden, under command of marquis Hamilton. Theſe troops ſerved in Germany, and never in Sweden. Rapin.

" be commiſſioners now to treat with the Scots " commiſſioners in this declaration, that no con- " cluſion of theirs ſhould bind the commons, with- " out their conſent in parliament." Tho' the Scotiſh army was very expenſive to England, yet the negociation held 'till the ſeventh of Auguſt 1641, when the treaty was finally ſigned. I ſhall inſert here a ſummary of the articles, that it may be ſeen; firſt, wherein conſiſted the differences between King Charles and the Scots, and the difficulties of a pacification; and ſecondly, what was the fruit of Charles's grand project, of reducing the kirk of Scotland to a perfect conformity with the church of England, and perhaps of rendering himſelf abſolute in Scotland, as in ſome meaſure he was in England when he formed this enterpriſe.

Subſtance of the treaty concluded between England and Scotland, the ſeventh of Auguſt, 1641.

Tteaty with Scotland. Ruſhworth, Vol. IV. p. 362, &c.

" FIRST, the Scots declare that, by their " treating with the Engliſh parliament, they " do not acknowledge any dependence of Scotland " upon England, &c.

1. The Scots firſt demand.

" That his Majeſty would be graciouſly pleaſed " to command, that the acts of the late parliament, " of Scotland may be publiſhed in his Majeſty's " name, with conſent of the eſtates of parliament " convened, by his Majeſty's authority, the ſecond " of June, 1640.

Anſwer. His Majeſty doth, in the word of a King, promiſe the publiſhing of the ſaid acts, with the acts to be made in the next ſeſſion of the ſame parliament; and that all the ſaid acts have in all time coming the ſtrength of laws, &c.

2d Demand. " That the caſtle of Edinburg, " and other ſtrengths of the kingdom ſhould be " furniſhed, and uſed for defenſe and ſecurity of the " kingdom.

Anſwer. Agreed.

3d Demand. " That Scotiſh men, within his " Majeſty's dominions of England and Ireland, " may be freed from cenſure for ſubſcribing the co- " venant, and be no more preſſed with oaths and " ſubſcriptions, unwarranted by their laws, and " contrary to their national oath and covenant ap- " proved by his Majeſty.

Anſwer. Granted, with regard to the ſubjects of Scotland who ſhall be ſojourners only in England or Ireland: but ſuch ſhall be excepted as are ſettled inhabitants in either of the two kingdoms. The Engliſh and Iriſh ſhall have the like privilege in Scotland.

4th Demand. " That whoſoever ſhall be found, " upon trial and examination, by the eſtates of " either of the two parliaments, to have been the " authors and cauſers of the late and preſent troubles " and combuſtions, whether by laboring to make " and foment diviſion between the King and his " people, or between the two nations, or any other " way, ſhall be liable to the cenſure and ſentence of " the ſaid parliaments reſpectively, the Engliſh to " the parliament of England, and the Scots to that " of Scotland.

Anſwer. His Majeſty believeth he hath none ſuch as incendiaries about him; and therefore he can make no other declaration, than that all his courts of juſtice are free and open to all men. His parliament in this kingdom is now ſiting, and the current parliament of Scotland near approaching the time of their meeting. To either of which, he doth not prohibit any of his ſubjects to preſent their juſt grievances and complaints, of whatſoever nature.

And whereas it was farther demanded, that his Majeſty would be pleaſed not to imploy any perſon or perſons, in office or place, who ſhall be judged incapable by ſentence of parliament, his Majeſty agreeth thereto; nor will he make uſe of their ſervice without the conſent of parliament, nor grant them acceſs to his perſon.

5th Demand. " That their ſhips and goods, and " all damage thereof may be reſtored.

Anſwer. This is condeſcended to, on condition it be reciprocal. And the Scotiſh commiſſioners having informed, that about fourſcore ſhips of Scotland are yet ſtayed in the Engliſh ports, and are like to ſuffer much farther loſs and damage; it is agreed, warrants ſhall be preſently granted for their delivery, and that four thouſand pounds be preſently advanced, for helping the preſent ſeting forth of the ſaid ſhips.

6th Demand. " That for the loſſes which the " kingdom of Scotland hath ſuſtained, and for the " vaſt charges they have been put to, reparation " be made.

Anſwer. The parliament of England grants to the Scots, for this purpoſe, the ſum of three hundred thouſand pounds.

And whereas it was deſired by the Scotiſh commiſſioners, that the Engliſh commiſſioners would let them know the ſecurity, manner and terms of payment of the aforeſaid ſum, and of the arrears due for relief of the northern counties; it was agreed, by order of the parliament, that they ſhould have fourſcore thouſand pounds, with the whole arrears due to the army, before the diſbanding thereof: and for paying the remnant of the ſaid ſum, an act of parliament of public faith ſhall paſs for ſecurity thereof; and that one moiety ſhall be paid at Midſummer 1642, and the other moiety a year after, in 1643.

And in like manner, whereas it was deſired by the Scotiſh commiſſioners, that they might know to whom they ſhould addreſs themſelves for payment of the forementioned ſums, the parliament hath appointed commiſſioners——and reſolved that the place of payment ſhall be the chamber of London. And laſtly, that a ſafe conduct ſhall be granted for the ſecure tranſporting of the monies to Scotland.

7th Demand. " That all ſuch declarations, pro- " clamations, books, libels, &c. as have been " made againſt the ſubjects of Scotland, may be " ſuppreſſed and deſtroyed.

Anſwer. It is agreed, that all ſuch declarations, &c. be reciprocally ſuppreſſed in England, Ireland and Scotland.

8th Demand.

Containing ſeveral articles.

" 1. That all tokens and ſhews of hoſtility upon " the borders of the two kingdoms may be taken " away; and particularly, that not only the gari- " ſons of Berwick and Carliſle may be removed, " but that the works may be ſlighted, and the " places diſmantled (1).

Anſwer. His Majeſty is deſirous, that all things between the kingdoms of England and Scotland be reduced into the ſame ſtate they were in before the begining of the late troubles.

" 2. That there be unity in religion, and uni- " formity of church-government between the two " nations.

Anſwer. His Majeſty, with the advice of both

(1) This clauſe was uſually inſerted in treaties between England and Scotland, that neither of the two nations ſhould take poſſeſſion of Berwick or Carliſle. Rapin.

houſes

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houſes of parliament, doth approve of the affection of his ſubjects of Scotland, in their deſire of having a conformity in church-government between the two nations; and as the parliament hath already taken into conſideration the reformation of church-government, ſo they will proceed in due time, as ſhall beſt conduce to the glory of God, the peace of the church, and of both kingdoms.

"3. That the King's Majeſty and the Prince "come and reſide ſometimes in Scotland.

Anſwer. His Majeſty will repair thither, as he ſhall find the urgency of their affairs require his preſenſe, and his other conveniencies here permit.

"4. That the officers of ſtate, counſellors and "ſeſſioners, within the kingdom of Scotland, be "placed by advice of parliament.

Anſwer. His Majeſty promiſes to give ear ſo far to the informations of his parliament, and, when the parliament is not ſiting, of his council and college of juſtice, as that he ſhall either make choice of ſuch as they ſhall recommend unto him, or, if he thinks another perſon fiter than any of thoſe recommended, he ſhall make the ſame known to the parliament, or in the time between parliament to the council and ſeſſion, that if there is juſt exception againſt the life and qualification of the ſaid party, he may timely nominate ſome other, againſt whom there ſhall be no juſt exception. His Majeſty declares alſo, that the places in the college of juſtice, ſhall be provided unto the judges, 'Quamdiu ſe 'bene geſſerint.' If this anſwer cannot content the Scotiſh commiſſioners, his Majeſty remits the whole anſwer to be conſidered by him, or his commiſſioners, at the parliament, at the next ſiting thereof.

"5. That his Majeſty would be pleaſed to place "about his own perſon, in places of greateſt near-"neſs and truſt, ſome of his Scotiſh ſubjects.

Anſwer. His Majeſty ſhall continue the ſame care which hitherto he hath done for their ſatisfaction in this particular; and not only ſo, but ſhall alſo recommend the ſame to the Prince his ſon.

"6. That none may have place about his Ma-"jeſty, and the Prince, but ſuch as are of the re-"formed religion.

Anſwer. His Majeſty doth conceive, that his ſubjects of Scotland have no intention by this propoſition (eſpecially by way of demand) to limit, or preſcribe unto him the choice of his ſervants, but rather to ſhew their zeal to religion; wherein his own piety will make him do therein that which may give juſt ſatisfaction to his people.

"7. That the copper coin which hath paſſed in "Scotland this long time, for ſeven times and a-"bove as much as the true value and worth "thereof, be newly regulated; and that no cop-"per money be coined hereafter without conſent "of the eſtates convened in parliament.

Anſwer. His Majeſty recommends this matter to the inſuing parliament of Scotland, not only concerning the copper coin to be coined hereafter, but alſo the copper money already coined, how the ſame ſhall paſs in payment for the time to come.

Ruſhworth, Vol. IV. p. 370.

After theſe articles, there was added to the treaty, the draught of an act of oblivion, the moſt ample that could be, which was to paſs in all the parliaments of the three kingdoms, but of which the benefit was not to extend to the Scotiſh prelates, the earl of Traquair, ſir Robert Spoteſwood, ſir John Hay, and mr. Walter Balcanqual.

Id. p. 373.

Lord Loudon having carried this treaty to Scotland, to communicate it to the parliament of that kingdom, now aſſembled, returned ſome time after with twelve articles, explaining certain paſſages of the treaty, and whereto the Engliſh commiſſioners returned anſwers which were approved. Theſe articles with the anſwers were added to the treaty. In fine, the treaty was confirmed and ratified by an act of parliament inſerted at the end, to this effect:

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"Be it therefore inacted by his Majeſty, with P. 374. "the aſſent of the lords and commons in this "preſent parliament aſſembled, that the ſaid treaty, "and all the articles thereof aſſented to, as afore-"ſaid, be and ſtand for ever ratified and eſtabliſhed, "and have the force, vigor, ſtrength and authority "of a law, ſtatute, and act of parliament.

(The ſame for Scotland.)

"And his Majeſty for himſelf, and his ſucceſſors, "doth promiſe 'in verbo principis,' never to "come in the contrary of this ſtatute and ſanction, "or any thing therein contained; but to hold the "ſame in all points firm and ſtable, and ſhall "cauſe it to be truly obſerved by all his Majeſty's "leiges, according to the tenor and intent thereof, "for now and ever. Like as the parliament of "both kingdoms give full aſſurance, and do make "public faith, in the name of both kingdoms re-"ſpectively, for the true and faithful obſervance of "this treaty, and whole articles thereof inviolably, "hinc inde,' in all time to come."

As Charles afterwards ſuppoſed he had reaſon to complain, that the Scots had violated this treaty in two of the principal articles, I am of opinion the reader will be glad to ſee at large theſe two articles whereon this complaint was grounded. They are contained in the act of oblivion, under theſe words:

A particular clauſe concerning the war. Id. p. 371.

"It is agreed, that an act be paſſed in the par-"liament of England; that the kingdoms of Eng-"land or Ireland ſhall not denounce nor make "war upon the kingdom of Scotland, without "conſent of the parliament of England: as, on "the other part, it ſhall be inacted there, that the "kingdom of Scotland ſhall not denounce nor "make war againſt the kingdom of England, or "Ireland, without conſent of the parliament of "Scotland.

"And in caſe any of the ſubjects of either "kingdom ſhall riſe in arms, or make war againſt "any of the kingdoms and ſubjects thereof, with-"out conſent of the parliament of that kingdom "whereof they are ſubjects, or upon which they "do depend, that they ſhall be held, reputed and "demeaned as traitors to the ſtates whereof they "are ſubjects."

It afterwards occurred that the King and parliament making war upon each other, the Scots ſent an army to aſſiſt the Engliſh parliament againſt King Charles, whence he infered, that to make war againſt him, was to make war againſt England. The Scots, on the contrary, pretended that, very far from making war againſt England, they ſent their troops thither on purpoſe to aſſiſt that kingdom. It is eaſy to perceive, that from the diverſity of principles proceeds the diverſity of conſequences.

Charles concedes to the Scots all they demand. Ruſhworth, Vol. IV. p. 375, 383. Nalſon, Vol. II. p. 439, &c.

To finiſh in a word what relates to Scotland, I ſhall only add, that the King went thither in Auguſt 1641, ſtayed there 'till the ninteenth of November, aſſiſted in perſon at the parliament, and gave the royal aſſent to all the acts tendered him. To this came the projects he had formed with regard to Scotland, from the begining of his reign (1).

He reſents the mortifications given him in England.

What has hitherto been ſaid of the parliament's behavior towards his Majeſty, is ſufficient to ſhew, how ſenſible that Prince muſt have been of the mortifications he daily received. He had paſſionately deſired to be revenged on the Scots, or at leaſt to expel them the kingdom; and he ſaw that the parliament made them a preſent of three hundred thouſand pounds to reward them for their coming.

(1) May 2, was ſolemniſed at Whitehall the marriage between William Prince of Orange, and lady Mary, King Charles's eldeſt daughter. Ruſhworth, Vol. IV. p. 240.

He

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He hated the Preſbyterians, and would moſt gladly have had it in his power utterly to exterminate Preſbytery; but he perceived that, on the contrary, the houſe of commons openly took their part, and labored to deſtroy epiſcopacy. His two principal miniſters in whom he moſt confided, were in the Tower, and he readily comprehended that the commons deſigned not to ſtop there, ſince, with regard to the earl of Strafford, they were daily ſeeking means to make good their charge. Two others of his miniſters had been forced to flee, and the appearing ſtill well-affected to him ſufficed to render any perſon the object of the commons perſecution.

We have already ſhewn after what manner King Charles governed during fifteen years, and the reader muſt be convinced that he intended to alter the government, and procure for himſelf and ſucceſſors a power far more extenſive than what was allowed him by the laws, and to which none of his predeceſſors, Richard II excepted, had ever pretended. I except not even Henry VIII, the moſt abſolute of all the Kings of England, ſince William the Conqueror. But there was between Henry VIII, and Charles I, this difference. Henry did whatever he pleaſed by way of parliament; whereas Charles was for ruling without parliaments, looking on them as little neceſſary to the government's conſtitution. Since this parliament aſſembled, ſcarce a day had paſſed, but the commons attacked this Prince's project, by declaring illegal what he had done during fifteen years, or by rigorouſly proſecuting the inſtruments he had uſed to execute his deſigns. It is therefore eaſy to gueſs how far Charles muſt have been touched with all theſe mortifications, and with what impatience he bore the parliament's haughty deportment towards him. Nothing was more contrary to his inflexible humor, than to be forced to ſtoop to a houſe of commons, for whom he had thitherto expreſſed the utmoſt contempt. It is not therefore to be wondered at if, in the melancholy poſture of his affairs, he ſhould meditate ſome way to free himſelf from this thraldom. But one ſlight attempt to compaſs this end ſerved only to hurry him into irretrievable deſtruction.

Difference between Charles I and Henry VIII.

Plot to get the army to declare for the King: Clarendon, p. 191, &c. 210. Nalſon, Vol. II. p. 271. Manch. Mem. Warwick.

This was a project of gaining the army, and cauſing it to declare for his Majeſty. Charles approved the ſcheme without foreſeeing the conſequences; not having any miniſter about him who had either the inclination or ability to give him wholeſome counſel. I am ſenſible this is a place full of dangerous rocks, whereon a hiſtorian cannot eaſily avoid ſpliting. This plot to gain the army is by ſome looked on as a chimera, a mere fiction, to render King Charles odious. But, on the other hand, the parliament conſidered it as a real conſpiracy, and pretended to draw thence evident proofs that this Prince's compliance to redreſs grievances, was all diſſimulation and grimace, in expectation of ſome opportunity forcibly to reſtore himſelf to the ſituation he was in before this parliament. This bred in the parliament a moſt inſuperable diſtruſt of the King, and a reſolution to put it out of his power to break his word, and the means they uſed to execute this reſolution occaſioned thoſe inteſtine wars whereof I ſhall treat hereafter. It is therefore abſolutely requiſite we examine this conſpiracy, in order to diſcover whether it was real or ſuppoſitious; ſince thence flow all the inſuing proceedings of King and parliament, and upon this it is that the intelligent and unbiaſſed reader may cenſure either of the parties. But before I proceed to this combination, it will be neceſſary to ſay a few words of the earl of Strafford's affair, with which this has ſome connexion.

which does him great prejudice.

Neceſſity of examining the reality of this plot.

Its connexion with the earl of Strafford's affair.

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That noble perſonage had been impeached by the commons, the eleventh of November, 1640; but his proceſs could not be ready for trial before the twenty-ſecond of March 1640-1. This trial held 'till the twelfth of April, and then the commons, who had been conſtantly preſent, doubtleſs finding that the ſentence would not be ſo rigorous as they wiſhed, reſolved to proceed againſt that earl by way of bill of attainder. They therefore, on the ſixteenth and ninteenth of April, voted it to have been ſufficiently proved, that the earl of Strafford had indeavored to ſubvert the kingdom's fundamental laws, and introduce arbitrary and tyrannical government into the realms of England and Ireland; and that this was high-treaſon. On the twenty-firſt of the ſame month, the bill of attainder paſſed, with a majority of 204 againſt 59.

Bill of attainder againſt that earl paſſes the houſe of commons. Clarendon, p. 178. Ruſhworth, Vol. IV. p. 224.

p. 225.

The bill met with ſuch ſtrong oppoſition in the houſe of peers, that it was very doubtful whether it would paſs, or be thrown out. For which reaſon, on the twenty-fourth, was preſented to both houſes a petition, ſubſcribed by upwards of forty-thouſand (1) Londoners, ſeting forth the cauſes of their fears and ſuſpicions: and among others, that juſtice was not yet executed upon the earl of Strafford, and that there was reaſon to apprehend ſome ſecret conſpiracy againſt the parliament. The twenty-eighth of April, the commons ſent to acquaint their lordſhips, with their having received information, that the earl of Strafford had a deſign to make his eſcape from the Tower: that the guard about him was weak, and therefore they deſired he might be cloſe priſoner, and his guards ſtrengthened; whereto the lords conſented. The firſt of May, his Majeſty went to the parliament, and addreſſed both houſes to this purport, viz.—"That having been preſent at the "trial of the earl of Strafford, he could not in "conſcience condemn him of high-treaſon, tho' he "thought him guilty of miſdemeanors: therefore "he deſired the lords to find ſome way to bring "him out of this great ſtreight."

An' 1641. Petition againſt him. p. 233.

p. 238.

p. 239.

Charles's ſpeech in parliament.

The commons were greatly troubled and diſguſted with this ſpeech, and immediately adjourned 'till May the third, on which day great multitudes of people (2) repairing to Weſtminſter, inſulted and menaced the lords, as they were going to their houſe, crying out, juſtice! juſtice!

A rabble aſſemble at Weſtminſter. Ruſhworth, Vol. IV. p. 248. Diurn. Occur.

The ſame day, mr. Pym made known to the houſe, "That there were diverſe informations given "of deſperate deſigns, both at home and abroad, "againſt the parliament, and the peace of the "nation; and that the perſons ingaged therein "were under an oath of ſecreſy: that indeavors "were uſed to diſaffect the army, not only againſt "the parliament's proceedings, but to bring them "up againſt the parliament to over-awe them: "that there was alſo a deſign upon the Tower; "and indeavors for the earl of Strafford's eſcape: "that theſe combinations at home had a correſpon-"dency with practiſes abroad; and that the French "were drawing down their forces amain to the ſea-"ſide; and there was cauſe to fear their intent "was upon Portſmouth: that diverſe perſons of "eminency about the Queen were deeply ingaged "in theſe plots: that it was neceſſary the ports "ſhould be ſtoped, and his Majeſty deſired to "command, that no perſon attending upon the "King, Queen, or Prince, ſhould depart without "leave of his Majeſty, with the humble advice of "his parliament."

Pym diſcovers to the commons a plot to ſeduce the army. p. 240. Clarendon, p. 196.

(1) Twenty thouſand, ſaid to be of good rank and quality, ſubſcribed this petition. Ruſhworth, Vol. IV. p. 234.

(2) A rabble of about ſix thouſand out of the city, with ſwords, cudgels, and ſtaves, pretending decay of trade, and want of bread. Whitlock, p. 45.

Hereupon

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Hereupon the houſe fell into a ſerious debate of this matter, and were generally of opinion, that it was neceſſary to enter into a common reſolution for the kingdom's ſafety.

If one reflects in what juncture this conſpiracy was diſcovered to the houſe, tho' mr. Pym was informed of it long before; that it was at a time when the peers were to be in ſome meaſure conſtrained to paſs the bill of attainder againſt the earl of Strafford, and when the populace were likewiſe uſing violence for that purpoſe; there ſeems to be ground for ſuſpicion, that it was a mere artifice to ſtir up the people, and induce the lords to do as the commons deſired, from a dread of the imminent danger wherewith the kingdom was menaced: at leaſt, there is room to believe this conſpiracy was much exagerated; tho' this is only a conjecture, which ought not to be relied on 'till the arguments pro and con are examined. Howſoever this be, the commons, after ſome debate, came to a reſolution of taking the following proteſtation.

Clarendon. p. 210, 211.

Proteſtation taken by the commons. p. 198. Ruſhworth, Vol. IV. p. 241.

"I A. B. do, in the preſenſe of Almighty God, "promiſe, vow and proteſt, to maintain and "defend, as far as lawfully I may, with my life, "power and eſtate, the true reformed Proteſtant "religion, expreſſed in the doctrine of the church "of England, againſt all Popery and Popiſh inno-"vation within this realm, contrary to the ſaid "doctrine; and, according to the duty of my alle-"giance, I will maintain and defend his Maje-"ſty's royal perſon, honor and eſtate.

"Alſo the power and privilege of parliaments, "the lawful rights and liberties of the ſubjects, "and every perſon ſhall make this proteſtation, "in whatſoever he ſhall do in the lawful purſuance "of the ſame; and to my power, as far as law-"fully I may, I will oppoſe, and, by all good ways "and means, indeavor to bring condign puniſhment "on all ſuch as ſhall by force, practiſe, counſels, "plots, conſpiracies, or otherwiſe, do any thing "to the contrary in this preſent proteſtation con-"tained. And farther, that I ſhall, in all juſt "and honorable ways, indeavor to preſerve the "union and peace betwixt the three kingdoms of "England, Scotland and Ireland; and neither for "hope, fear, or any other reſpects, ſhall relinquiſh "this promiſe, vow and proteſtation."

Remarks on this ſubject.

It muſt be obſerved, this proteſtation was taken on mr. Pym's bare aſſurance of the diſcovery of a plot, and before there was any proof. Hence it may be conjectured, that the buſineſs had been determined among the leading men in the houſe. Next, the commons came to ſeveral reſolutions, to provide for the kingdom's ſecurity, and of Portſmouth in particular. They communicated to their lordſhips the informations they had received, the votes they had paſſed, and their proteſtation, deſiring that every peer might be ordered to take it.

p. 242.

Petition of the rabble to the lords. p. 249.

Their lordſhips could not eaſily refuſe complying with the commons deſire. Firſt, they had inſpired the nation with ſuch a terror, that no man durſt oppoſe their reſolves, for fear of being looked on as a dangerous malignant, and expoſed to inevitable ruin. Secondly, the populace ſtill continued flocking to Weſtminſter, and openly threatening the peers. Thirdly, that very day, thoſe outrageous multitudes preſented to the lords a petition, demanding juſtice upon the earl of Strafford, and that their lordſhips would pleaſe to free them from their fears of the conſpiracy. Fourthly, on the morrow, being the fourth of May, a mob more numerous than before repairing to Weſtminſter, certain incendiaries affixed to a wall, in Old Palace-yard, a paper containing the names of fifty ſix members, ſtiling them Straffordians, and betrayers of their country. Laſtly, alſo that day, the rabble addreſſed their lordſhips with a ſecond petition, "That they "underſtood the Tower was going to receive a "gariſon of men, not of the Hamlets (as uſually) "but conſiſting of other perſons under the com-"mand of a captain, a great confident of the earl "of Strafford's, and that this was done to make "way for that earl's eſcape."

The Straffordians. p. 257. Clarendon, p. 183.

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Heylin's obſerv. Another petition. Ruſhworth, Vol. IV. p. p. 249.

The houſe hereupon deputed ſix peers to examine ſir William Balfour, lieutenant of the Tower, concerning the truth of this fact. Balfour replied; "It was true, he had his Majeſty's order to receive "one hundred men (1) into the Tower, and captain "Billingſly to command them, and to receive only "ſuch men as the captain ſhould bring to him; "but now underſtanding their lordſhips pleaſure, "he would receive no other guard intoh te Tower "but the Hamlet men."

Balfour's confeſſion.

Their lordſhips, at a conference with the commons, farther declared, that they were drawing to a concluſion with the bill of attainder, but were ſo incompaſſed with multitudes that they might be conceived not to be free, and therefore deſired the commons to join with them, in deviſing means to ſend home the populace. Then they debated the proteſtation, paſſed and took it; viz. four hundred and thirty-three commoners, and one hundred and ſix lords, including the biſhops and judges. The commons having ordered dr. Burgeſs to acquaint the multitude with the proteſtation taken by both houſes, and that they were deſired to return to their homes, they forthwith departed.

The lords deſire the commons concurrence to diſperſe the mob.

They take the proteſtation. May 5, 6. p. 250.

The populace retire. Diurn. Occur.

In this affair manifeſtly appear two particulars. The firſt, that there was a project on foot to favor the earl of Strafford's eſcape, which will be hereafter more clearly evidenced. The ſecond, that this concourſe of people was privately procured by ſome of the leading commoners, ſince the houſe had not taken the preceding day any one ſtep towards diſperſing thoſe multitudes, tho' they were deſired by the lords, and ſince they found means to make that rabble retire, inſtantly on their being aſcertained that the lords had reſolved to take the proteſtation.

But the proteſtation was not this conſpiracy's ſole effect. That very day, the commons ordered a bill to be prepared for this preſent parliament's continuance, that it might not be diſſolved without conſent of both houſes. They alſo ordered, that the proteſtation ſhould be tendered univerſally throughout England.

Bill for the parliament's continuance. Ruſhworth, Vol. IV. p. 250.

The ſame day, May four, the houſe was informed, that ſix or eight of the conſpirators were fled, of whom mr. Henry Jermin, and mr. Henry Percy, members of the houſe, were two, and that they were gone towards Portſmouth; as likewiſe, that her Majeſty was preparing for the ſame journey. Theſe two ſucceſſive informations cauſing ſtrong ſuſpicions, the houſes diſpatched to Portſmouth one peer and two commoners, to propoſe certain queries to the governor, and make neceſſary proviſion for the ſecurity of that town and haven. They withal agreed to move the Queen to defer her journey to Portſmouth, alleging diverſe, tho' not the true reaſons*. They likewiſe requeſted his Majeſty to iſſue a proclamation for calling in Jermin, Percy, and other fugitives; which Charles promiſed. Alſo that day, the ſpeaker, diſpatched away by order of the houſe, to ſir Jacob Aſhly, the ſubſequent

Flight of the conſpirators. p. 252.

Precaution for Portſmouth. p. 260, 348, &c.

* Particularly their pretended care of her Majeſty's health, &c. p. 252. p. 261.

(1) The ſame memorialiſt (p. 46.) ſays, it was two hundred men; and that Balfour confeſſed two thouſand pounds had been offered him, to conſent to the earl's eſcape. He adds, That this deſign was diſcovered by three women, who hearkned at the key-hole of the earl's door, and heard his diſcourſe with captain Billingſly.

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letter, charging him to communicate it to the army.

The speaker's letter to the army. Rushworth, Vol. IV. p. 252. Nalson, Vol. II. p. 288.

SIR,

"WE have had cause to doubt, that some ill-affected persons have indeavored to make a misunderstanding in the army of the intentions of the parliament towards them. To take away all misunderstanding in that kind, the house of commons have commanded me to assure you, that they have taken the affairs of the army into their serious care: and tho', for the present, their monies have not come in as they wished, and as was due, by reason of the many distractions, and other impediments, which his house could no ways avoid; yet they rest most assured, that they shall not only have their full pay, but the house will take their merits into their farther consideration, in regard they take notice that, nothwithstanding their want, and indeavors of those ill-affected persons, they have not demeaned themselves otherwise than as men of honor, and well-affected to the common wealth; which this house takes in so good part, that we have already found out a way to get money for a good part of their pay, and will take the most speedy course we possibly may for the rest. So I remain,

Your very loving friend,
William Lenthall.

Mean while the commitee, appointed to inquire into the conspiracy, made their report as follows.

Report concerning the plot. Rushworth, Vol. IV. p. 253.

"That this plot consisteth of three heads. The first was, a design upon the Tower. The second, to ingage the army. The third, to bring in foreign forces. For the Tower, it appeared to be thus: captain Billingsly, being examined upon oath, confessed; That he was acquainted with sir John Suckling: that the said sir John lately offered him imployment in one of the King's ships, then at Portsmouth; afterwards imployment for Portugal: that this deponent, having notice to meet at the privy-lodgings at White-hall, did there receive orders to get a hundred men to serve in the Tower under him; and if he did fail, he should answer it with his life: and afterwards meeting with sir John Suckling, and acquainting him therewith, he told him he would furnish him with the said number. Sir William Balfour, lieutenant of the Tower, being examined, said; That he had orders to receive captain Billingsly into the Tower with a hundred men, who should be under his command: that the earl of Strafford, at that time expostulating with him about his escape, told him, he would attempt nothing in that kind without his privity; and that he should have the King's warrant for his indemnity; and that the warrant should be to command him to remove the earl of Strafford from the Tower, to some other castle; and he would then take his opportunity to escape; that the lieutenant of the Tower not giving any complying answer thereunto, the said earl sent again to intreat him to come to him, and would have persuaded him to let him escape; saying, "Without your concurrence it cannot be done; and if you will consent thereunto, I will make you present payment of twenty-two thousand pounds; beside you shall have a good marriage for your son." To which the lieutenant of the Tower replied, he was so far from concurring therein, that he was not to be farther moved in such a thing. Thus much the lieutenant of the Tower delivered upon his oath.

"Colonel Goring, upon his examination in the house of commons, did confess; That sir John Suckling was the first person who ever made him any overture concerning the army's marching towards London: afterwards, being in the Queen's lodgings, he met with mr. H. Percy, which was about the begining, or middle of Lent last, and mr. Percy told him, there was a consultation of officers to be had, concerning the good of the army; and desired him to go along with him to his chamber, where the meeting was to be. There were present at the same meeting, commissary Wilmot, colonel Ashburnham, captain Pollard, sir John Berkley, Daniel O Neal, mr. Jermin, and himself: that mr. Percy said, there were propositions to be made which were of great concernment; and that it was necessary there should be an oath of secresy taken before any thing was propounded: that the oath should be to this purpose: that we should neither directly nor indirectly discover any part of the consultation, nor ever think our selves dissolved from that oath by any other oath which might be imposed upon us hereafter; which oath was read out of a paper, when it was tendered them; and thereupon they were sworn, by laying their hands on the bible; that he and Jermin were sworn together; for the rest had taken the oath before.

"Then three propositions were made them; viz.

These propositions being specified in a subsequent letter, they are omited here to avoid unnecessary repetitions.

"He farther said, that the whole number there met, were of opinion, that the army should not march towards London, 'till a declaration had been first sent up to the parliament: that he the said Goring answered, it was a nice point to interpose in the proceeding of the parliament; and did propound some difficulties to allay the business, to divert commissary Wilmot, and those other persons from so dangerous a business; and said, that he did think it was a design of folly to undertake it; for they must think the Scots would take the advantage upon the army's removal southwards, whose correspondency was so great with the city; and for them to begin to shew their teeth, and not be able to bite, would argue little prudence; that they should either undertake it so as to go thro' with it, or let it alone: that he did ask them, what ammunition they had to accommodate so great an army; and whether they could command the ammunition in the Tower: that Wilmot, Pollard and Ashburnham then made answer, they had no purpose to go to London; for to surprise the Tower was to conquer the kingdom: that this, among other passages, was part of the discourse at their first meeting.

"That, shortly after, there was another meeting of the same persons, and in the same place, in mr. Percy's chamber, where there were propositions of another nature, desperate and impious on the one hand, and foolish on the other; and that he indeavored by argument to divert them, by propounding an impossibility to effect the same: for how could the army, lodged in several quarters, unpaid, and at such a distance, march on a sudden to London and surprise what they had in design?

"That mr. Jermin was the person who first propосed the army's marching towards London; that for his part he declared himself absolutely against it: that mr. Jermin replied to him in private, 'You do not dislike the design, for you are as ready for any wild, mad undertaking as

"any

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" any man I know; but you diſlike the temper of " thoſe perſons who are ingaged in the buſineſs.'

" He did farther confeſs, that he propounded " that Suckling might be admited to the conſulta- " tion: but Wilmot, Aſhburnham and Pollard " would not hear of it: and they three did then " declare themſelves againſt the army's marching " towards London.

" Then he took occaſion to ſay, that he did ac- " quaint ſome members of both houſes, whom he " could name, that there were ſome of the army, " whom they did not think ſo well of, were more " faithful and ſerviceable to the parliament than " they were aware of, which time would produce; " and named them: and they did accordingly " give teſtimony of his integrity, ſo far as general " terms could diſcover the deſign. He confeſſed, " that mr. Jermin did make him ſome offers to " relinquiſh the government of Portſmouth, upon " ſome terms of advance; but he ſaid, he did not " conclude any thing, for he would firſt ſee the " performance of what was offered; ſo had no " farther diſcourſe with him concerning that buſi- " neſs: but he doth believe, that Suckling and " Jermin did confer together about the deſign. He " ſaid they deſired his opinion about a general; " ſome were for Eſſex, ſome for Holland; but he, " with mr. Jermin, were for Newcaſtle.

" Being again examined, upon his oath, before " the commitee of lords and commons, and preſ- " ſed more particularly to anſwer queſtions not be- " fore propoſed to him, he did confeſs that, meet- " ing with mr. Jermin in the Queen's withdrawing " chamber, her Majeſty came and told him the " King would ſpeak with him; and meeting with " his Majeſty, he told him; he was minded to ſet " his army in a good poſture, being adviſed there- " to by the earl of Briſtol, as he ſaid; and his Ma- " jeſty then commanded him to join with mr. " Percy, and ſome others in that buſineſs.

" As for the deſigns from beyond ſea, the com- " mitee did make report to the houſe, that it was " cleared unto them, that Jermin indeavored to " have got poſſeſſion of Portſmouth; that the " King of France had drawn down great forces to " the ſea-ſide; that the governor of Calais had " examined ſome Engliſh men, whether the earl of " Strafford's head was cut off? And this was, in " point of time, the firſt of May, according to " the Engliſh ſtile, and ſir Philip Cartaret, go- " vernor of Guernſey, wrote letters alſo, which " came in great haſte, that he underſtood the French " had a deſign upon that iſland, or ſome part of " England. It alſo appeared to the commitee, by " diverſe of the letters which were opened coming " from beyond ſea, that they expected the earl of " Strafford there; and that they hoped the horſe- " leeches ſhould be ſtarved for want of blood: and, " in ſome of thoſe letters, there was advice to the " cardinal to beſtir himſelf betimes, to interrupt " the height of the proceedings here in England. " Alſo examinations of ſome prieſts were taken in " Lancaſhire, and ſent up to London, which were " there taken the third of May, which did teſtify, " that the prieſts did ſay, the parliament ſhould be " ſuddenly diſſolved; for the army was to march " up thither with all ſpeed, and they would be ſe- " conded by forces out of France; and that Mon- " tague did write from France to mr. Percy (which " was alſo intercepted) that if he did perform what " he had undertaken, he would be made a knight " of the garter."

Votes againſt Percy, &c. Ruſhworth, Vol. IV. p. 258. Nalſon, Vol. II. p. 407.

On theſe depoſitions, the commons paſſed againſt Percy, Jermin and Suckling theſe votes, viz.

" 1. That, in the months of March and April " laſt, they did conſpire to draw together the " army, and imploy it againſt the parliament, and, " by force and dread thereof to compel the par- " liament to agree to certain propoſitions by them " contrived, and to hinder and interrupt the parlia- " ment's proceedings.

" 2. That, in purſuance of the ſaid deſign, " they did indeavor to perſuade diverſe members " of the houſe of commons, and others, being of- " ficers of the ſaid army, namely Wilmot, Aſh- " burnham, Berkley, Pollard, and O Neal, that " they were diſobliged by the parliament, thereby " to inſenſe them againſt the parliament; and did " hold diverſe conſultations with the ſaid parties, " to effect the ſaid wicked deſign; and to that " purpoſe did ſet down in writing certain propoſi- " tions to the effect as followeth, viz. 1. The " preſerving of biſhops in their functions and votes. " 2. The not diſbanding of the Iriſh army, until " the Scots were diſbanded. 3. And the indea- " voring to ſettle the King's revenue to the pro- " portion it was formerly.

" 3. That for the more ſecret carriage of this " plot, they did adminiſter to the ſaid parties a " wicked and unlawful oath, whereby they did " ſwear upon the holy evangeliſts, not to reveal " any thing ſpoken concerning the buſineſs.

" 4. That they did propound, and indeavor to " perſuade the perſons before-named, and other " officers of the army, to put the ſaid army into " a warlike poſture, to bring them up to Lon- " don, to make themſelves ſure of the Tower, " and ſo by force to compel the parliament to con- " form to their will: and they did indeavor to " work a belief in the ſaid army, that the King " and parliament would diſagree; and that all " the French about the city of London would " aſſiſt them; and, to the great ſcandal of the " King, that the Prince and earl of Newcaſtle were " to meet the army at Nottingham with a thouſand " horſe; that Suckling, to compaſs the deſign of " gaining the Tower, did contrive that a hundred " men, under captain Billingſly, ſhould be deſign- " ed for that purpoſe, when the opportunity was " offered, to the end the city of London ſhould " not be able to make any reſiſtance, when the " ſaid army ſhould come up; and Suckling, by " the means and plot aforeſaid, did thereby in- " deavor, that the earl of Strafford, then priſo- " ner in the Tower, might better compaſs his " eſcape."

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Beſide the above depoſitions, here is one of the chief conſpirator's teſtimony, whereof the parliament made great uſe. It is Percy's letter, after his flight into France, to the earl of Northumberland his brother.

Mr. Percy's letter to the earl of Northumberland. Ruſhworth, Vol. IV. p. 259. Diurn. Occur. Nalſon, p. 386.

" WHAT with my innocency, and the vio- " lence I hear is againſt me, I find my ſelf " much diſtracted. I will not aſk your counſel, " becauſe it may bring prejudice upon you; but " I will, with all faithfulneſs and truth, tell you " what my part hath been, that at leaſt it may be " declared by you, whatſoever becomes of me.

" When there were fifty thouſand pounds ready, " deſigned by the parliament for the Engliſh army, " there was, as I take it, a ſudden demand by the " Scots at the ſame time of twenty-five thouſand " pounds, of which fifteen thouſand pounds were " ready; this they preſſed with ſuch neceſſity, as " the parliament, after an order made, did think " it fit for them to deduct ten thouſand pounds out " of the fifty thouſand pounds formerly granted: " upon which the ſoldiers in our houſe were much " ſcandaliſed; among whom I was one, and ſiting " by Wilmot and Aſhburnham, Wilmot ſtood up, " and told them, if that the Scots could thus pro- " cure money, he doubted not but the officers of " the Engliſh army might eaſily do the like. But

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" the firſt order was reverſed notwithſtanding, and " ten thouſand pounds given to the Scots. This " was the cauſe of many diſcourſes of diſlike among " us, and came to this purpoſe, that they were " diſobliged by the parliament, and not by the " King. This being ſaid often to one another, we " did reſolve, Wilmot, Aſhburnham, Pollard, " O Neal and my ſelf, to make ſome expreſſions " of ſerving the King in all things he would com- " mand us, which were honorable for him and us, " being likewiſe agreeing to the fundamental laws " of the kingdom, that ſo far we would live and " die with him; this was agreed upon with us, " not having any communication with others whom " I am now coupled withal: and farther, by their " joint conſent, I was to tell his Majeſty thus much " from them; but withal, I was to order the mat- " ter ſo as the King might apprehend this as " a great ſervice done him at this time, when his " affairs were in ſo ill a condition, and they were " moſt confident, that they would ingage the " whole army thus far; but farther they would " undertake nothing, becauſe they would neither " infringe the liberties of the ſubjects, nor deſtroy " the laws; to which I and every one conſented; " and having their ſenſe, I drew the heads up in " a paper, which they all approved when I read " it; and then we did, by an oath, promiſe one " another to be conſtant and ſecret in all this, and " did all of us take that oath together: then I ſaid; " well, ſirs, I muſt now be informed what your " particular deſires are, that ſo I may be the bet- " ter able to ſerve you; which they were pleaſed " to do; and ſo I did very faithfully ſerve them " therein as far as I could. This is the truth, and " all the truth upon my ſoul, in particular diſ- " courſes.

" After that we did fall upon petitioning the " King and parliament for monies, there being ſo " great arrears due to us, and ſo much delay made " in the procuring them; but that was never " done.

" 1. Concerning the biſhops functions and " votes.

" 2. The not diſbanding the Iriſh army, until " the Scots were diſbanded too.

" 3. The indeavoring to ſettle his Majeſty's re- " venue to that proportion it was formerly (1)

" And it was reſolved by us all, if the King " ſhould require our aſſiſtance in thoſe things, that, " as far as we could, we might contribute there- " unto, without breaking the laws of the king- " dom; and in caſe the King ſhould be denied theſe " things being put to them, we would not fly from " him. All theſe perſons did act and concur in this " as well as I. This being all imparted to the King " by me from them, I perceived he had been treat- " ed with, by others, concerning ſome things of " our army which agreed not with what was pur- " poſed by me, but inclined a way more ſharp and " high, not having limits either of honor or law. " I told the King, he might be pleaſed to conſider " with himſelf, which way it was fit for him to " hearken unto; for us, we were reſolved not to " depart from our grounds; we ſhould not be diſ- " pleaſed, whoſoever they were, but the particular " of the deſigns, or the perſons, we deſired not " to know; tho' it was no hard matter to gueſs at " them. In the end, I believe the danger of the " one, the juſtice of the other, made the King tell " me, he would leave all thoughts of other propo- " ſitions but ours, as things not practicable; but " deſired notwithſtanding, that Goring and Jer- " min, who were acquainted with the other pro- " ceedings, ſhould be admited among us. I told " him, I thought the other gentry would never con- " ſent to it, but I would propoſe it; which I did, " and we were all much againſt it: but the King " did preſs ſo much as, at laſt, it was conſented " unto; and Goring and Jermin came to my " chamber; there I was appointed to tell them, " after they had ſworn to ſecreſy, what we had " propoſed; which I did. But before I go into " the debate of the way, I muſt tell you, Jermin " and Goring were very earneſt Suckling ſhould be " admited; which we did all decline, and I was " deſired by all our men to be reſolute in it, which " I was, and gave many reaſons: whereupon Gor- " ing made anſwer, he was ingaged with Suckling " for his being imployed in the army; but for his " meeting with us, they were contented to paſs it " by. Then we took up again the ways propoſed; " which took great debate, and theirs differed from " ours in violence and heat; which we all proteſted " againſt, and parted diſagreeing totally, yet re- " mited it to be ſpoken of by me and Jermin to " the King, which we both did; and the King, " conſtant to his former reſolutions, told him, theſe " ways were all vain and fooliſh, and he would " think of them no more. I omit one thing of " mr. Goring; he deſired to know how the chief " commanders were to be diſpoſed of; for if he " had not a condition worthy of him, he would " not go along with us. We made anſwer, that " no body thought of that; we intended, if we " were ſent down, to go all in the ſame capacity " we were in. He did not like that by any means, " and by that did work ſo with mr. Chudleigh, " that there was a letter ſent by ſome of the com- " manders to make him lieutenant-general; and " when he had ordered this at London, and mr. " Chudleigh had his inſtructions, then did he go to " Portſmouth, pretending to be abſent when this was " working. We all deſired my lords of Eſſex and " Holland; but they ſaid, if there was a general, " they were for Newcaſtle. They were pleaſed to " give report, that I ſhould be general of the horſe; " but I proteſt, neither to the King, or any elſe, " did I ever ſo much as think of it. My lord of " Holland was made general, and ſo all things were " laid aſide. And this is the truth, and all the " truth I know of theſe proceedings; and this I " will and do proteſt unto you upon my faith. " Wilmot, Aſhburnham and O Neal, have ſeveral " times confeſſed and ſworn, I never ſaid any " thing in the buſineſs which they did not every " one agree to and juſtify. This relation I ſent " you, rather to inform you of the truth of this " matter, that you may the better know how to " do me good; but I ſhould think my ſelf very " unhappy to be made a betrayer of any body. " What concerned the Tower, or any thing elſe, I " never meddled withal, nor ever ſpake with Gor- " ing but that night before them all; and I ſaid " nothing but what was conſented to by every " party: I never ſpake one word with Suckling, " Carnarvan, Davenant, or any other creature. " Methinks, if my friends and kindred knew the " truth and juſtice of the buſineſs, it were no hard " matter to ſerve me in ſome meaſure" (2).

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This letter plainly evidences there was really a project to gain the army, and ingage them to ſerve his Majeſty againſt the parliament, and that Charles knew and approved thereof.

(1) The word 'formerly' is very ambiguous; for it may ſignify either the King's rightful revenues, or thoſe he injoyed juſt before this parliament. Rapin.

(2) On reading this letter, commiſſary Wilmot was commited to the Tower, colonel Aſhburnham to the King's-bench, and captain Pollard to the Gate-houſe. Diurn. Occur. p. 138.

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Ruſhworth, Vol. IV. p. 291. Diurn. Occurr. p. 150.

The ſixteenth of June, the commitee appointed to examine the affair of this plot to ſeduce the army, made a ſecond report to the houſe, and cauſed to be read ſundry depoſitions.

The firſt, was captain Billingſly's, who confeſſed, that ſir John Suckling had invited him to take command of the hundred men deſigned to guard the Tower.

The ſecond, mr. Nutt's, whereby it appeared that the earl of Strafford's eſcape was projected.

The third, lieutenant-colonel Ballard's, who ſaid, that captain Chudleigh brought down to the army many propoſitions; ſome of which were, that colonel Goring ſhould be lieutenant-general, and that the Prince and earl of Newcaſtle would be in Nottinghamſhire, with a thouſand horſe, ready to join the army.

The fourth was Willis's, who declared, that the French were to favor the enterpriſe; that the clergy would, at their own charge, ſend two thouſand horſe, and that the Prince was to come down to the army.

Draught of the officers petition communicated to his Majeſty; who approves it. Clarendon, p. 208.

The houſe was farther informed, that thoſe officers who had undertaken to ſerve his Majeſty, had communicated to him the draught of a petition, which was to be directed to the King and parliament from the army: that they hoped to get it ſubſcribed by moſt of the officers, and that his Majeſty, on peruſing it, had approved thereof, and writ at the bottom C. R. in token of his approbation.

Theſe are the grounds whereon this plot was preſumed real, and which was extremely injurious to King Charles, by the diſtruſt it bred in the minds of moſt of the members of parliament, and of the nation in general: but we muſt alſo obſerve that, even now, this Prince's favorers ſtile it a mere chimera. For my own part, I cannot but ſay, that I believe there was ſome truth in it; but am likewiſe of opinion, that the heads of that faction which oppoſed King Charles greatly agravated the circumſtances and conſequences, in order the more eaſily to get paſſed the earl of Strafford's attainder, and the act for continuing the parliament, to which Charles gave the royal aſſent that very day, and in this ſame juncture: nay, I am ſtill farther confirmed in this opinion by the very arguments alleged by that Prince's friends to ſhew it to have been a fiction to render him odious; for they cannot help owning there was a project to ingage the army to declare for his Majeſty. They ſay only, that the end propoſed by the authors of this project, was to hinder the army from being ſeduced to eſpouſe the parliament's intereſt. Firſt, there appears not the leaſt ſign of this pretended ſole end, either in the witneſſes depoſitions, or in Percy's letter, or in the reports of the commitee appointed to examine this affair. Secondly, King Charles, whom the parliament ſo often reproached afterwards with this conſpiracy, never uſed this reaſon to excuſe the authors. Thirdly, there is no probability the officers ſhould have any ſuch purpoſe, ſince at that time the army was too far diſguſted with the parliament to afford any ground for apprehenſion they ſhould be ſeduced to declare againſt his Majeſty. The moſt plauſible argument they uſe is, that there was never any expreſs deſign of marching the army to London, upon which however the commons chiefly inſiſted. The denial of this circumſtance was what King Charles ſolely adhered to, as will appear hereafter. He called God to witneſs, he never knew of any ſuch deſign: but he never denied poſitively his having been informed of a deſign to ingage the army to ſide with him. We muſt therefore, in this conſpiracy carefully diſtinguiſh two particulars, viz. the deſign of gaining the army, which is evident; and the deſign of marching it to London.

Reaſons to believe the plot real. Ib. p. 208, &c.

By the depoſitions it appears, that this was propoſed in the aſſembly of officers, but not approved: ſo Charles could affirm he knew not of it, becauſe indeed it was never reſolved, tho' he was not ignorant of its having been propoſed. CHARLES I AN' 1641.

In Percy's letter there is a circumſtance which may greatly conduce to clear this affair. There were, as he ſays, two ſets of men, who formed at the ſame time a deſign to ingage the army for the King, without having communicated to each other their true ſentiments. The firſt were, Percy, Wilmot, Aſhburnham, and Pollard. The ſecond, Jermin and Goring, whoſe views reached much farther, and who propoſed marching the army to London. For tho' Goring, in his depoſition, affirmed, he had done his utmoſt to diſſuade the reſt from this deſign, he is however charged with having been its firſt mover. If Percy's letter is to be credited, the King had at firſt liſtened to Jermin and Goring; but, upon Percy's repreſentation, had rejected their project as impracticable, and laid aſide all thoughts of it. King Charles's friends confound theſe two projects, and all their proofs are directed againſt that of Jermin and Goring, without meddling with Percy's: and becauſe the parliament could not fully prove any expreſs reſolution of bringing the army to London, they conclude, that the conſpiracy in general was only a fiction and impoſture. But even had there never been a ſettled deſign of marching the army to London, it may be however fact that indeavors were uſed to gain them, and that King Charles approved the deſign. In ſhort, this Prince's partiſans deny not that the draught of the petition was communicated to him, before it was recommended to the officers of the army for their ſubſcription. Of this petition I am yet to ſpeak, in order to ſet this matter in a clear light.

It is ſomewhat unaccountable that this petition, which has made ſo much noiſe, ſhould never be produced, either by the parliament, in ſupport of their charge, or by the King, for his own vindication. Indeed, Charles afterwards gave out he had recovered a copy, but thought not fit to produce it, tho' he affirmed it to be very innocent. This gives occaſion to ſuſpect it included ſomething to his prejudice. The earl of Clarendon has in his hiſtory inſerted a petition, which he aſſures to be word for word the ſame as was ſigned by the King with C. R. But it is evident, this cannot be the petition in queſtion, as to the reader will be obvious.

To the King's moſt excellent Majeſty; the lords ſpiritual and temporal; the knights, citizens, and burgeſſes, now aſſembled in the high-court of parliament; the humble petition of the officers and ſoldiers of the army.

The army officers pretended petition. Clarendon, p. 192.

" HUmbly ſheweth, that altho' our wants have
" been very preſſing, and the burden we
" are become unto theſe parts (by reaſon of thoſe
" wants) very grievous unto us; yet ſo have we
" demeaned ourſelves, that your Majeſty's great
" and weighty affairs in this preſent parliament
" have hitherto received no interruption, by any
" complaint, either from us or againſt us; a temper
" not uſual in armies; eſpecially in one deſtitute
" not only of pay, but alſo of martial diſcipline,
" and many of its principal officers; that we can-
" not but attribute it to a particular bleſſing of
" Almighty God on our moſt hearty affections
" and zeal to the common good, in the happy
" ſucceſs of this parliament, to which, as we
" ſhould have been ready hourly to contribute our
" deareſt blood, ſo now that it hath pleaſed God
" to manifeſt his bleſſing ſo evidently therein, we
" cannot but acknowledge it with thankfulneſs;

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" as likewiſe his great mercy, in that he hath in-
" clined your Majeſty's royal heart ſo to co-ope-
" rate with the wiſdom of parliament, as to effect
" ſo great and happy a reformation upon the former
" diſtempers of this church and common-wealth:
" as firſt, in your Majeſty's gracious condeſcending
" to the many important demands of our neigh-
" bors of the Scotiſh nation: ſecondly, in granting
" ſo free a courſe of juſtice againſt all delinquents,
" of what quality ſoever: thirdly, in the removal
" of all thoſe grievances, wherewith the ſubjects
" did conceive either their liberty of perſons, pro-
" perty, or eſtate, or freedom of conſcience, pre-
" judiced: and laſtly, in the greateſt pledge of
" ſecurity that ever the ſubjects of England received
" from their Sovereign, the bill of triennial par-
" liament.

" Theſe things ſo graciouſly accorded unto by
" your Majeſty, without bargain or compenſa-
" tion, as they are more than expectation or hope
" could extend unto, ſo now they are certainly
" ſuch, as all loyal hearts ought to acquieſce in
" with thankfulneſs; which we do with all humi-
" lity, and do at this time, with as much earneſt-
" neſs as any, pray and wiſh, that the kingdom
" may be ſettled in peace and quietneſs, and that
" all men may, at their own homes, injoy the
" bleſſed fruits of your wiſdom and juſtice.

" But may it pleaſe your excellent Majeſty, and
" this high court of parliament, to give us leave,
" with grief and anguiſh of heart, to repreſent unto
" you, that we hear there are certain perſons ſtir-
" ring and pragmatical, who, inſtead of rendering
" glory to God, thanks to your Majeſty, and
" acknowledgment to the parliament, remain yet
" as unſatisfied and mutinous as ever; who, while
" all the reſt of the kingdom are arrived even be-
" yond their wiſhes, are daily forging new and
" unreaſonable demands; who, while all men of
" reaſon, loyalty and moderation are thinking how
" they may provide for your Majeſty's honor and
" plenty, in return of ſo many graces to the ſubject,
" are ſtill attempting new diminutions of your Ma-
" jeſty's juſt regalities, which ever muſt be no leſs
" dear to all honeſt men than our own freedoms;
" in fine, men of ſuch turbulent ſpirits, as are
" ready to ſacrifice the honor and welfare of the
" whole kingdom to their private fancies, whom
" nothing elſe than a ſubverſion of the whole frame
" of government will ſatisfy. Far be it from our
" thoughts to believe, that the violence and un-
" reaſonableneſs of ſuch kind of perſons can have
" any influence upon the prudence and juſtice of
" the parliament. But that which begets the
" trouble and diſquiet of our loyal hearts at this
" preſent is, that we hear thoſe ill-affected perſons
" are backed in their violence by the multitude
" and the power of raiſing tumults; that thouſands
" flock at their call, and beſet the parliament,
" and Whitehall itſelf; not only to the prejudice
" of that freedom which is neceſſary to great
" councils and judicatories, but poſſibly to ſome
" perſonal danger of your ſacred Majeſty, and the
" peers.

" The vaſt conſequence of theſe perſons maligni-
" ty, and of the licenciouſneſs of thoſe multitudes
" which follow them, conſidered in moſt deep care
" and zealous affection for the ſafety of your ſacred
" Majeſty, and the parliament; our humble peti-
" tion is that, in your wiſdom, you would be
" pleaſed to remove ſuch dangers, by puniſhing
" the ringleaders of theſe tumults, that your Ma-
" jeſty and the parliament may be ſecured from
" ſuch inſolencies hereafter. For the ſuppreſſing
" of which, in all humility we offer our ſelves to
" wait upon you (if you pleaſe) hoping we ſhall
" appear as conſiderable in the way of defenſe to
" our gracious Sovereign, the parliament, our reli-
" gion, and the eſtabliſhed laws of the kingdom,
" as what number ſoever ſhall audaciouſly preſume
" to violate them. So ſhall we, by the wiſdom
" of your Majeſty and the parliament, not only
" be vindicated from precedent innovations, but
" be ſecured from the future which are threatened,
" and likely to produce more dangerous effects than
" the former:

And we ſhall pray, &c.

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Reaſons why this cannot be the true petition which was communicated to his Majeſty.

Permit me to make ſome remarks on this petition, in order to ſhew that it cannot be the ſame which was communicated to the King, and ſubſcribed by him with the letters C. R. in token of his approbation.

Firſt, it very plainly appears, this was drawn up at London, at the very juncture when thoſe multitudes flocked to Weſtminſter, which happened not 'till the third and fourth of May, there having been no ſuch concourſe of people before, and this laſting only two days. But it will hereafter appear, that Charles himſelf ſaid this petition, which he ſigned with C. R. was brought him from the army, and that after having read it, be approved it, as being very innocent. If the petition communicated to his Majeſty, had been prepared in the army, it cannot be this, ſince thoſe who drew it up could not foreſee the riotous aſſemblies at Weſtminſter on the third and fourth of May, which however they ſpeak of as then in being. And if it was drawn at London, as is very probable, it cannot be that which was communicated to the King, ſince he affirmed it was brought him from the army.

It may poſſibly be alleged, that this petition might be prepared at London the third or fourth of May, at the time of the concourſe; that it was ſent to the army, and then returned in order to be communicated to his Majeſty. But allowing only a fortnight for thoſe journies from London to York, and thence back to London, and for communicating it to the officers diſperſed in different quarters about the country, the petition would have reached Charles's hands too late, and have been quite uſeleſs, ſince the tumults were over, Strafford executed, and the bill for the parliament's continuance aſſented to by his Majeſty. It therefore would have been very prepoſterous for King Charles, at ſuch a juncture, to have approved this petition.

Again; lord Clarendon intimates this petition to have been projected and drawn long before the third and fourth of May, by thoſe very officers who were afterwards charged with the conſpiracy. He ſays, after its being ſubſcribed by his Majeſty, it was carried down to the army and ſigned by ſome officers, but was ſuddenly quaſhed, and no more heard of 'till the diſcovery of this pretended plot, of which more in its place. This is a clear evidence, that the petition Charles ſubſcribed with C. R. had been communicated long before the third or fourth of May, the time when this plot was diſcovered. But if this be ſo, how could the authors of this petition mention thoſe riots which happened on the third and fourth of May, as actually in being? The petition which King Charles ſubſcribed cannot therefore be that inſerted by lord Clarendon in his hiſtory. p. 194. p. 192.

Thirdly; the officers who would have gained the army to Charles's intereſt, and who, according to lord Clarendon, projected alſo the petition to King and parliament, which was approved by his Majeſty, propoſed as their end, " to preſerve the
" biſhops votes and functions, to hinder diſbanding
" the Iriſh army 'till that of the Scots was diſbanded
" likewiſe,

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"likewiſe, and to ſettle the King's revenues." But in the above petition none of theſe articles are mentioned (1).

Laſtly; it will appear in the ſequel that Charles, to juſtify his ſigning the petition, ſaid, nothing more was required in it than ſettling the government on the ſame foot as under Queen Elizabeth. But in this petition given us by lord Clarendon, as ſubſcribed by his Majeſty, there is not a ſillable like it, Elizabeth not being therein even named (2).

Doubts concerning Percy's letter. p. 210, 212, &c,

Before leaving this ſubject, we muſt not forget what has been ſaid touching Percy's letter to his brother, the earl of Northumberland. Some pretend that Percy, attempting his eſcape to France, was known at the ſea-ſide and wounded by certain perſons who indeavored to ſtop him: that geting from them, to the earl of Northumberland's, that nobleman prevailed with ſome leading men of the commons *, that his brother's eſcape ſhould be connived at, on condition he would write the abovecited letter, as from France. One may readily perceive, that the deſign was hereby to render the relation in that letter ſuſpected of falſity: but I find it not poſitively affirmed, or that any proofs are produced to detect the forgery. The whole amounts to a bare aſſertion, that the plot in queſtion was mere impoſture, a fiction, a chimera: that the parliament curtailed the depoſitions of the witneſſes, omiting whatever ſerved to juſtify the King: that the conferences in Percy's chamber were free converſations among friends, of whom ſome were members of parliament: that the witneſſes were properer to demonſtrate there never was any conſpiracy to ſeduce the army, than to prove there was really any ſuch affair: but, upon the whole, we muſt take as convincing proofs the bare aſſertion of thoſe who relate theſe facts, which they have not any way cleared (3).

*Mr. Pym in particular.

As King Charles was afterwards frequently reproached with this conſpiracy, I deemed it requiſite to give a true idea of the objections and anſwers I ſhall have frequent occaſion to introduce. It is now time we proceed to lord Strafford's trial.

The earl of Strafford's trial.

If it be not pre-ſuppoſed, that King Charles I, from the begining of his reign to this laſt parliament's meeting, had formed a deſign to eſtabliſh deſpotiſm in England, it will be in a manner impoſſible to underſtand his hiſtory, and particularly this part of it we are now upon. But on this ſuppoſition, which to me appears inconteſtible, all difficulties vaniſh. It is not ſurpriſing to find this Prince's council, his miniſters, favorites, the ſtar-chamber, high-commiſſion, judges of the realm, in a word, all perſons in public imploy, intent upon a ſingle point, I mean, ſtretching the royal authority as far as lay in their power. It is not ſurpriſing to ſee the houſe of commons implacable averſion to the King's miniſters, and particularly to thoſe who were moſt truſted by his Majeſty, and believed the chief authors of all public evils. Among theſe, the earl of Strafford was conſidered as the moſt dangerous, becauſe the ableſt, and becauſe his two high poſts of preſident of the court of York, and lord lieutenant of Ireland, afforded him frequent occaſions effectually to ſerve his royal maſter, and aſſiſt him to execute his deſigns: accordingly, it was he whom the commons firſt attacked, eight days after opening the parliament. The impeachment and trial of this nobleman, contains many remarkables, ſome whereof do, as I may ſay, ſurpaſs the comprehenſion of foreigners, by reaſon of the wide difference between the laws and cuſtoms of England, and thoſe of other ſtates. It would therefore be a taſk too difficult for me to undertake a particular detail of all the circumſtances of this memorable trial, which have been collected in a bulky folio. I ſhall for this reaſon content my ſelf with giving thereof a general idea, ſuch as I ſhall judge proper to gratify a reader's curioſity.

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When the commons impeached the earl of Strafford, his ruin was doubtleſs reſolved by the leading men of that houſe. This earl being looked on as the moſt powerful, and moſt in favor of all King Charles's miniſters, and as the chief author of all the nation's miſeries; it was ſufficient to make it thought requiſite he ſhould be ſacrificed to the public. There is not, in my opinion, any neceſſity for ſeeking other motives of this reſolution, or aſcribing it to more ſecret cauſes. Since the parliament undertook to redreſs grievances, and reſtore the government to its ancient ſtate, nothing was more natural than to puniſh ſuch as had helped to unhinge it, and among theſe the earl of Strafford was the principal, and conſequently the fiteſt to ſerve for example to thoſe who ſhould, in after times, ingage in like enterpriſes: but beſide this, he had created himſelf abundance of enemies, by his imperious deportment, to which great miniſters, who are ſecure of their patron's favor, are generally but too obnoxious. Moreover, he had deſerted the peoples intereſt, after having ſtrongly ſupported it while a member of the lower houſe, and intirely devoted himſelf to his Majeſty. This ſufficed to render him odious, and the commons, in impeaching him, were ſatisfied they could not take any one ſtep more acceptable to the people. Thus was he charged with high-treaſons; not that in the ſhort ſpace ſince opening the parliament the commons could have any certainty of his being guilty of that crime, but upon a certain public evidence, and the inward conviction of moſt of the members. After his being ſent to the Tower upon this impeachment, the houſe conſidered of the articles whereon they were to ground his accuſation, which being laid before the peers, proofs were ſought to ſupport them.

Ruſhworth, Vol. VIII. laſt edition. Nalſon, Vol. II. p. 1. ——206. Clarendon, p. 169, &c. Annals.

Theſe articles, twenty eight in number, tended to prove in general, that the earl of Strafford had indeavored to ſubvert the fundamental laws of the ſtate, and eſtabliſh arbitrary power. So, notwithſtanding each of the pretended crimes whereof he was accuſed could not be accounted high-treaſon, the houſe pretended, that all together manifeſtly evidenced his intentions, and the means he had

(1) According to Whitlock (p. 46.) the affair was this. The officers put themſelves into a junto of ſworn ſecreſy, drew up ſome heads by way of petition to the King and parliament, "For money for the army. Not to diſband before the "Scots. To preſerve biſhops votes and functions. To ſettle the King's revenues." The army being tainted from hence, met, and drew up a letter, or petition, which was ſhewed to the King, and approved and ſigned by him with C. R. and a direction to captain Leg, that none ſhould ſee it but ſir Jacob Aſhley; the main drift was, "That the army might be called up to "attend the ſafety of the King's perſon, and parliament's ſecurity, or that both armies might be diſbanded.

(2) Lord Clarendon (Vol. I. p. 195.) ſays; That Goring, who propoſed the marching of the army to London, being diſguſted at having that propoſal rejected and ridiculed, did the ſame, or next day whereon he had propoſed it, diſcover all, and more than had paſſed, to the earl of Bedford, and lords Say and Kimbolton; but as dangerous as the deſign was afterwards alleged to be, it was not however communicated to the parliament 'till about three months after.

(3) Nalſon, who took upon him to juſtify King Charles againſt the falſe accuſations of his enemies, as he ſays himſelf in his introduction, paſſes over this article very ſlighly. See Vol. I. of his collections, near the concluſion. Rapin.

imployed

imployed to effect them. The ſubſtance of thoſe twenty eight articles here follows (1):

Articles of accuſation againſt the earl of Strafford. Ruſhworth, Vol. VIII. Nalſon, Vol. II. p. 10.

" I. That he being preſident of the King's " council, in the north parts of England, had pro- " cured to himſelf a commiſſion, with inſtructions " annexed, whereby power was given him, to de- " termine all offenſes, ſuits, &c. within certain " percincts therein ſpecified, and in ſuch manner as " the ſaid inſtructions nid appoint, according to the " proceedings of the ſtar-chamber: by virtue of " which commiſſion, he had exerciſed exorbitant " and unlawful juriſdiction over the perſons and " eſtates of his Majeſty's ſubjects in thoſe parts, " to their ruin.

" II. That, at the aſſizes held for the county " of York, he did publicly declare and publiſh, " that ſome of the juſtices were all for law, and " nothing would pleaſe them but law; but they " ſhould find, ' That the King's little finger " ſhould be heavier than the loins of the law."

" III. That being lord-deputy of Ireland, he " ſaid in a public ſpeech, That Ireland was a con- " quered nation, and that the King might do with " them what he pleaſed. And, ſpeaking of the " charters of former Kings of England made to the " city of Dublin, he farther then ſaid, That their " charters were nothing worth, and did bind the " King no farther than he pleaſed.

" IV. That Richard earl of Cork, a peer of " Ireland, having ſued out proceſs in courſe of " law, for recovery of his poſſeſſions, from which " he was put, by color of an order made by lord " Strafford, and the council; he, the ſaid lord " Strafford, threatened the ſaid earl to impriſon " him, unleſs he would ſurceaſe his ſuit, and ſaid, " that he would have neither law nor lawyers " diſpute or queſtion his orders.

" That the ſaid earl of Cork having conteſted " the validity of an order of council made in Ire- " land, in the time of King James I, lord Strafford " had ſaid, That he would make the ſaid earl and " all Ireland know that, ſo long as he had the go- " vernment of that kingdom, any act of ſtate there " made, or to be made, ſhould be as binding to " the ſubjects of that kingdom as acts of parlia- " ment: and that he did ſundry other times, and " upon ſundry other occaſions, by his words and " ſpeeches, arrogate to himſelf a power above the " fundamental laws, and eſtabliſhed government of " that kingdom, and ſcorned the ſaid laws and " eſtabliſhed government.

" V. That he did give, and procure to be " given, againſt lord Mountnorris (then a peer " of Ireland, vice-treaſurer, and receiver-general " of that kingdom, treaſurer at war, one of the " principal ſecretaries of ſtate, and keeper of the " privy-ſignet of the ſaid kingdom) a ſentence of " death by a council of war, called together by " the ſaid earl of Strafford, without any warrant " or authority of law, or offenſe deſerving any " ſuch puniſhment.

" And he the ſaid earl did alſo, at Dublin, " without any legal or due proceedings or trial, " give and cauſe to be given a ſentence of death " againſt another of his Majeſty's ſubjects; and " cauſed him to be put to death in execution of " ſuch ſentence.

" VI. That, without any legal proceedings, and " upon a paper-petition, he did cauſe the ſaid " lord Mountnorris to be diſſeized and put out " of his manor of Tymore in the kingdom of " Ireland; the ſaid lord Mountnorris having " been eighteen years before in quiet poſſeſſion " thereof.

" VII. That he did cauſe a caſe, commonly " termed "The Caſe of Tenures upon defective " Titles," to be made and drawn up without any " jury or trial, or other legal proceſs, and with- " out the conſent of parties, and did then procure " the judges of the realm of Ireland to deliver their " opinions and reſolutions to that caſe, and by " color of ſuch opinion did, without any legal " proceeding, cauſe Thomas lord Dillon, and many " others, to be put out of the poſſeſſion of diverſe " lands and tenements, whereby many of his Ma- " jeſty's ſubjects, and their families, were utterly " undone.

" VIII. That, without any legal proceſs, he had " made a decree or order againſt Adam viſcount " Loftus, a peer and lord-chancellor of Ireland, " and did cauſe the ſaid viſcount to be impriſoned, " on pretenſe of diſobedience to the ſaid decree or " order: that afterwards, without any authority, " he required and commanded the ſaid lord viſ- " count to yield up to him the great ſeal of Ire- " land, which was then in his cuſtody, by his " Majeſty's command, and impriſoned the ſaid " chancellor for not obeying ſuch his command.

" That he did impriſon George earl of Kildare, " thereby to inforce him to ſubmit his title to the " manner and lordſhip of Caſtle-leigh in Queen's " County, being of great yearly value, tothe ſaid " earl of Strafford's will and pleaſure, and held " him a year priſoner for the ſaid cauſe; and re- " fuſed to inlarge him, notwithſtanding his Maje- " ſty's letters for his inlargement to the ſaid earl " of Strafford directed.

" That, upon a petition exhibited to him againſt " dame Mary Hibbots, widow, the ſaid earl of " Strafford recommended the ſaid petition to the " council-table of Ireland, where moſt part of the " council gave their vote and opinion for the ſaid " lady; but the ſaid earl finding fault herewith, " cauſed an order to be entered againſt the ſaid " lady, and threatened her, that, if ſhe refuſed to " ſubmit thereunto, he would impriſon her, and " fine her five hundred pounds; that, if ſhe con- " tinued obſtinate, he would continue her impriſon- " ment, and double her fine every month; by " means whereof ſhe was inforced to relinquiſh " her eſtate in the lands queſtioned in the ſaid pe- " tition, which ſhortly after were conveyed to ſir " Robert Meredith, to the uſe of the ſaid earl of " Strafford.

" That the ſaid earl, in like manner, did im- " priſon diverſe others of his Majeſty's ſubjects, " upon the like pretenſes, &c.

" IX. That the ſaid earl, aſſuming to himſelf a " power above and againſt law, took upon him, " by a general warrant under his hand, to give " power to the lord biſhop of Down and Connor, " his chancellor, &c. to attach and arreſt the " bodies of all ſuch of the meaner and poorer ſort " who, after citation, ſhould either refuſe to appear " before them, or appearing ſhould omit or deny " to perform, or undergo all lawful decrees,

(1) Theſe articles filled two hundred ſheets of paper. As ſome of the treaſons charged upon him were of fourteen years ſtanding, the earl deſired three months time to make his anſwer, but was allowed only 'till the twenty fourth of February. Whitelock, p. 41.——The chief manager, during the whole trial, was mr. Pym, of whom dr. Welwood (Memoirs p. 45.) tells the following ſtory. When the earl, then only ſir Thomas Wentworth, was upon making his peace with the court, he gave Pym ſome obſcure intimation of it. Pym underſtanding his drift, cut him ſhort with this expreſſion, " You need not uſe all this art to tell me, that you have a mind to leave us: but remember what I ſay, You " are going to be undone; and remember, that tho' you leave us now, I will never leave you while your head is upon " your ſhoulders."

" ſentences

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" ſentences, and orders impoſed, or given out againſt " them, and them to commit and keep in the next " jail, until they ſhould either perform ſuch ſen- " tences, or put in ſufficient bail, to ſhew ſome " reaſon before the council-table of ſuch their con- " tempt and neglect.

" X. That he had procured the cuſtoms of the " merchandiſe, exported out and imported into " Ireland, to be farmed to his own uſe: and, to " advance his own gain and lucre, did cauſe and " procure the native commodities of that kingdom " to be rated, in the book of rates for the cuſtoms, " according to which the cuſtoms were uſually " gathered, at far greater values and prices than in " reality they were worth; that is to ſay, every " hide at twenty ſhillings, which in truth was worth " but five ſhillings, every ſtone of wool at thirteen " ſhillings and four-pence, tho' the ſame were " really worth but five ſhillings, at the utmoſt " nine; by which means the cuſtom, which be- " fore was but a twentieth part of the true value " of the commodity, was inhanced ſometimes a " fifth part, and ſometimes to a fourth, and ſome- " times to a third part of the real value.

" XI. That the ſaid earl did reſtrain exporta- " tion of the commodities of Ireland, without his " licenſe; and then raiſed great ſums of money for " licenſes to export thoſe commodities, and for " diſpenſation of the ſaid reſtraints impoſed on " them, by which means thoſe commodities were " raiſed above half in half.

" XII. That, under color to regulate the im- " portation of tobacco into Ireland, he did iſſue " a proclamation, prohibiting the importation of " tobacco into that kingdom; after which reſtraint " the ſaid earl cauſed diverſe great quantities of " tobacco to be imported to his own uſe: that if a " ſhip brought tobacco into any port there, the ſaid " earl and his agents uſed to buy the ſame to his " own uſe, at their own price; and if the owners " refuſed to let him have the ſame at undue values, " then they were not permited to vend the ſame " there; by which undue means, the ſaid earl " having got the whole trade of tobacco into his " own hands, he ſold it at great and exceſſive " prices.

" That by a proclamation he commanded, that " none ſhould put to ſale any tobacco by wholeſale, " but what ſhould be made up into rolls, and the " ſame ſealed with two ſeals by himſelf appointed, " one at each end of the roll: and ſuch as was not " ſealed to be ſeized, appointing ſix-pence the " pound for a reward to ſuch perſons as ſhould " ſeize the ſame; which proclamation was rigo- " rouſly put in execution, by ſeizing the goods, " fining, impriſoning, whiping, and puting the " offenders in the pillory. And tho' he inhanced " the cuſtoms, where it concerned the merchants in " general, yet he drew down the impoſt formerly " taken on tobacco, from ſix-pence to three-pence " per pound, it being for his own profit ſo to do.

" That he raiſed ſeveral other monopolies and " unlawful exactions for his own gain, viz. on ſtarch, " iron-pots, glaſſes, tobacco-pipes, &c.

" XIII. That, flax being one of the principal " and native commodities of Ireland, the ſaid earl " having got great quantities thereof into his hands, " and growing on his own lands, did iſſue out " ſeveral proclamations, preſcribing and injoining " the working of flax into yarn and thread, and " the ordering it in ſuch ways wherein the natives " of that kingdom were unpractiſed, and unſkilful; " and the flax, wrought or ordered in other manner " than as the ſaid proclamation preſcribed, was " ſeized and imployed to the uſe of him and his " agents, and thereby the ſaid earl did gain, in " effect, the ſole ſale of that native commodity.

" XIV. That the ſaid earl, by proclamation, CHARLES I " did impoſe upon the owners, maſters, purſers, An' 1641. " and boatſwains of every ſhip, a new and un- " lawful oath, viz. That they, immediately after " the arrival of a ſhip within any port or creek " in the kingdom of Ireland, ſhould give in a " true invoice of the outward bulk of wares and " merchandiſes firſt laden aboard them, together " with the ſeveral marks and numbers of goods, " and their qualities and condition; the names of " the ſeveral merchants, proprietors of the ſaid " goods, and the place from whence they were " freighted, and whither they were bound, &c.

" XV. That, by his own authority, without any " warrant or color of law, he did tax and impoſe " great ſums of money upon diverſe towns and " places in Ireland; and did cauſe the ſame to be " levied upon the inhabitants of thoſe towns by " troops of ſoldiers, with force of arms, in a war- " like manner; and ſent numbers of ſoldiers to " lie on the lands and houſes of ſuch as would not " conform to his orders, until they ſhould render " obedience to his ſaid orders; and this he did at " ſeveral times, and in diverſe places, by which " means he levied war within the ſaid realm againſt " his Majeſty and his liege people of that king- " dom.

" XVI. That the ſaid earl did make a propo- " ſition, and obtained from his Majeſty allowance " thereof, that no complaint of injuſtice or op- " preſſion, done in Ireland, ſhould be received in " England againſt any, unleſs it appeared that " the party made firſt his addreſs to him the ſaid " earl: and to deprive the ſubjects of that realm " of all means of complaints to his Majeſty, and " of redreſs againſt him and his agents, he did iſſue " a proclamation, thereby commanding all the no- " bility, undertakers and others, who held eſtates " and offices in the ſaid kingdom, to make their " perſonal reſidence in the ſaid kingdom of Ireland, " and not to depart thence without licenſe of him- " ſelf; which proclamation the ſaid earl had by " ſeveral rigorous ways, as by fine, impriſonment, " and otherwiſe, put in execution; by means where- " of the ſubjects of that realm were reſtrained from " ſeeking relief againſt the oppreſſions of the ſaid " earl.

" XVII. That, ſpeaking of the army in Ireland, " he did declare, that his Majeſty was ſo well " pleaſed with the army of Ireland, and the con- " ſequences thereof, that his Majeſty would cer- " tainly make the ſame a pattern for all his three " kingdoms.

" XVIII. That, in order to draw dependency " upon himſelf, of the Papiſts in both kingdoms of " England and Ireland, during the time of his go- " vernment in Ireland, he reſtored diverſe frieries " and maſs-houſes (which had been formerly ſup- " preſſed by the precedent deputies of that king- " dom; two of which houſes are in the city of " Dublin, and had been aſſigned to the uſe of " the univerſity there) to the pretended owners " thereof.

" That, in the months of May and June laſt, " the ſaid earl did raiſe an army in Ireland, con- " ſiſting of eight thouſand foot, all of which, ex- " cept a thouſand or thereabouts, were Papiſts; " and the ſaid thouſand were drawn out of the old " army there, and in their places there were a " thouſand Papiſts put into the ſaid old army by " the ſaid earl.

" That the more to ingage and tie the ſaid new " army of Papiſts to himſelf, and to incourage " them, he did ſo provide, that the ſaid new army " of Papiſts were duly paid, &c. but the ſaid old " army were, for the ſpace of one whole year and " upwards, unpaid.

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" That being appointed a commiſſioner within " eleven ſeveral counties of the northern parts of " England, for compounding with recuſants for " their forfeitures due to his Majeſty; and being " alſo receiver of the compoſition money thereby " ariſing, he did compound with them at low and " under rates, and provided, that they ſhould " be diſcharged of all proceedings againſt them in " all his Majeſty's courts, both temporal and eccle- " ſiaſtical, contrary to the laws and ſtatutes of this " realm.

" XIX. That he did, of his own authority, " contrive and frame a new and unuſual oath, by " the purport whereof the party, taking the ſaid " oath, was to ſwear, that he ſhould not proteſt " againſt any of his Majeſty's royal commands, " but ſubmit himſelf in all due obedience thereunto; " which oath he inforced on the ſubjects of the " Scotiſh nation, inhabiting in Ireland; and com- " peled diverſe of his Majeſty's ſaid ſubjects there " to take the ſaid oath againſt their wills; and of " ſuch as refuſed to take it, ſome he grievouſly " fined and impriſoned, and others he deſtroyed " and exiled; namely, he fined Henry Steward " and his wife, who refuſed to take the ſaid oath, " five thouſand pounds each, and their two daugh- " ters, with James Gray, each three thouſand pounds, " and impriſoned them for not paying the ſaid " fines.

" That he did upon that occaſion declare, that " the ſaid oath did not only oblige them in point " of allegiance to his Majeſty, and acknowledg- " ment of his ſupremacy only, but to the cere- " monies and government of the church eſtabliſhed, " and to be eſtabliſhed by his Majeſty's royal au- " thority, and ſaid, that the refuſers to obey he " would proſecute to the blood.

" XX. That he was the chief incendiary of the " laſt war againſt the Scotiſh nation, by inciting " and provoking his Majeſty againſt his ſubjects of " Scotland; and had declared and adviſed his Ma- " jeſty, that the demands made by the Scots in " their parliament, were a ſufficient cauſe of war " againſt them: that he ſaid, that the nation of " the Scots were rebels and traitors; and he being " then about to come to England, farther ſaid, " that if it pleaſed his Majeſty to ſend him back " again, he would root out of the kingdom of " Ireland the Scotiſh nation both root and branch: " that he had cauſed diverſe of the ſhips and goods " of the Scots to be ſtayed, ſeized and moleſted, " to the intent to ſet on a war between the two " nations.

" XXI. That, at his arrival to England, find- " ing that his Majeſty had compoſed the troubles " in the north, and made a pacification with his " ſubjects of Scotland, he labored by all means to " procure his Majeſty to break that pacification: " and having incited his Majeſty to an offenſive " war againſt his Scotiſh ſubjects, he counſeled him " to call a parliament in England, yet he intended " that, if the proceedings of that parliament ſhould " not be ſuch as would ſtand with his miſchievous " deſigns, he would then procure his Majeſty to " break the ſame; and, by ways of force and " power, to raiſe monies upon the ſubjects of this " kingdom; and for the incouragement of his " Majeſty to hearken to his advice, he did before " his Majeſty and his privy council, then ſiting in " council, make a large declaration, that he would " ſerve his Majeſty in any other way, in caſe the " parliament ſhould not ſupply him.

" XXII. That, before the begining of laſt par- " liament, the ſaid earl of Strafford went into " Ireland, and procured the parliament of that " kingdom to declare their aſſiſtance in a war " againſt the Scots, and gave directions for the " raiſing an army there, conſiſting of eight thou- " ſand foot, and one thouſand horſe, being for the " moſt part Papiſts, as aforeſaid: and, confederat- " ing with one ſir George Ratcliffe, did together " with him traiterouſly conſpire to imploy the ſaid " army for the ruin and deſtruction of the kingdom " of Scotland, and of altering and ſubverting the " fundamental laws, and eſtabliſhed government of " that kingdom.

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" Shortly after, the ſaid earl returned into Eng- " land, and to ſundry perſons declared his opinion " to be, that his Majeſty ſhould firſt try the par- " liament here, and if that did not ſupply him " according to his occaſions, he might uſe then his " prerogative as he pleaſed, to levy what he needed; " and that he ſhould be acquited both of God and " man if he took ſome other courſes to ſupply " himſelf, tho' it were againſt the wills of his " ſubjects.

" XXIII. That, upon the thirteenth day of " April laſt, the parliament of England met, and " the commons houſe did enter into debate and " conſideration of the grievances of this kingdom; " he the ſaid earl of Strafford, and the archbiſhop " of Canterbury, did procure his Majeſty, by ſun- " dry ſpeeches and meſſages, to urge the ſaid com- " mons houſe to enter into ſome reſolution for his " Majeſty's ſupply, for maintenance of his war " againſt his ſubjects of Scotland, before any courſe " taken for the relief of thoſe grievances where- " with this kingdom was then afflicted; whereupon " a demand was then made from his Majeſty of " twelve ſubſidies, for the releaſe of ſhip-money " only. And while the ſaid commons were in " debate and conſideration concerning ſome ſup- " ply, before any reſolution by them made, he " the ſaid earl of Strafford, with the help and " aſſiſtance of the ſaid archbiſhop, did procure his " Majeſty to diſſolve the ſaid parliament; and upon " the ſame day, the ſaid earl did indeavor to in- " ſenſe his Majeſty againſt his ſubjects who had been " members of the ſaid houſe of commons, by telling " his Majeſty, they had denied to ſupply him; " and afterwards upon the ſame day, did adviſe his " Majeſty to this effect, that having tried the " affections of his people, he was looſe and abſolved " from all rules of government; and that he was " to do every thing that power would admit; and " that his Majeſty had tried all ways, and was " refuſed, and ſhould be acquited towards God and " man; and that he had in Ireland an army which " he might imploy to reduce this kingdom.

" XXIV. That in the ſame month of May, he " declared before others of his Majeſty's privy " council, that the parliament of England had for- " ſaken the King, and that, in denying to ſupply " his Majeſty, they had given him advantage to " ſupply himſelf by other ways; and that he was " not to ſuffer himſelf to be maſtered by the fro- " wardneſs and undutifulneſs of the people.

" And having ſo maliciouſly ſlandered the ſaid " late houſe of commons, he did, with the help " and advice of the ſaid archbiſhop of Canterbury, " and lord Finch, late lord-keeper of the great- " ſeal of England, cauſe to be printed and pub- " liſhed, in his Majeſty's name, a falſe and ſcanda- " lous book, full of bitter and malicious invectives, " intitled, 'His Majeſty's Declaration of the Cauſes " which moved him to diſſolve the laſt Parlia- " ment.'

" XXV. That, not long after, he the ſaid earl " of Strafford did adviſe the King to go on vigo- " rouſly in levying ſhip-money, and did procure " the ſheriffs of ſeveral counties, who did not levy " the ſhip-money, to be ſent for, diverſe of whom " were by him threatened to be ſued in the ſtar- " chamber.

" And

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" And a great loan of one hundred thouſand " pounds was demanded of the city of London, " and the lord mayor, ſheriffs and aldermen of " the ſaid city were often ſent for, by his advice, " to the council-table, and required to certify the " names of ſuch inhabitants of the city as were fit " to lend; which they with much humility refuſing " to do, he the ſaid earl of Strafford did uſe theſe " and the like ſpeeches, viz. That they deſerved " to be put to fine and ranſom; and that no good " would be done with them 'till examples were " made of them, and they were laid by the heels, " and ſome of the aldermen hanged up.

" XXVI. That the ſaid earl having brought " his Majeſty into exceſſive charge, without any " juſt cauſe, did counſel and approve the two fol- " lowing dangerous and wicked projects, viz.

" To ſeize upon the bullion and money in the " mint: and to imbaſe his Majeſty's coin with the " mixture of braſs.

" And accordingly he procured one hundred and " thirty thouſand pounds, which was then in the " mint, and belonging to diverſe merchants, ſtran- " gers and others, to be ſeized on, and ſtayed to " his Majeſty's uſe. And when diverſe merchants " of London, owners of the ſaid bullion and mo- " ney, came to his houſe, to let him underſtand " the great miſchief that courſe would produce here " and in other parts, he the ſaid earl told them, " that the city of London dealed undutifully and " unthankfully with his Majeſty; and that they " were more ready to help the rebels than to help " his Majeſty: and that if any hurt came to them " they may thank themſelves; and that it was the " courſe of other Princes to make uſe of ſuch mo- " nies to ſerve their occaſions.

" And when the officers of his Majeſty's mint " came to him, and gave him diverſe reaſons againſt " imbaſing the ſaid money; he told them, that " the French King did uſe to ſend commiſſioners of " horſe, with commiſſion to ſearch into mens " eſtates, and to peruſe their accounts, that ſo they " may know what to levy of them by force, " which they did accordingly levy; and turning " to lord Cottington, then preſent, ſaid, that " this was a point worthy of his lordſhip's conſi- " deration.

" XXVII. That he was made lieutenant-general " of all his Majeſty's forces in the north; and be- " ing at York, did, by his own authority, impoſe " a tax on his Majeſty's ſubjects in the county of " York of eight pence per diem, for maintenance " of every ſoldier of the trained-bands of that " county; which ſums of money he cauſed to be " levied by force: and to compel his Majeſty's " ſubjects out of fear to pay the ſame, he did de- " clare, that he would commit them who refuſed the " payment thereof; and they who refuſed it, were " in very little better condition than of high-treaſon.

" XXVIII. That being lieutenant-general of his " Majeſty's army, he did not provide for defenſe of " the town of Newcaſtle as he ought to have done, " but ſuffered the ſame to be loſt, that ſo he might " the more inſenſe the Engliſh againſt the Scots.

" And, for the ſame purpoſe he did write to " lord Conway, general of the horſe, that he ſhould " fight with the Scotiſh army at the paſſage over " the Tine, whatſoever ſhould follow; notwith- " ſtanding that the ſaid lord Conway had formerly " by letters informed the ſaid earl, that his Ma- " jeſty's army, then under his command, was not " of force ſufficient to incounter the Scots."

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The parliament of Ireland hearing the earl of Strafford was in the Tower, immediately ſent a commitee of both houſes to England, to lay before the parliament remonſtrances concerning the grievances indured by the Iriſh under that earl's adminiſtration. But as theſe remonſtrances contained little but what is mentioned in the twenty-eight articles, I think it not neceſſary they ſhould be inſerted.

Commitee from the Iriſh parliament to complain of Strafford. Ruſhworth, Vol. IV. p. 220.

This proceſs was not ready to be tried before the twenty-ſecond of March, 1640-1, and laſted 'till the twelfth of April. It would be too tedious to give a particular account of the proofs, depoſitions of the evidences, anſwers of the party accuſed upon each article, and replies of the commons. To give a general idea of the matter, it will ſuffice to ſay in two words, that the impeachment runing wholly upon the earl of Strafford's pretended intention to ſubvert the fundamental laws of the kingdom, the greateſt part of the crimes he was accuſed of could be accounted high-treaſon but on ſuppoſition of this ſame intention: and therefore the managers (1) inſiſted upon every one of the articles in order to prove this intention, maintaining that tho' each ſingly was not capable of proving it, they were however, when joined together, of the utmoſt evidence. But beſide that each of theſe articles was not equally well proved, it remained alſo to decide, whether the intention could render a man guilty of treaſon. The earl of Strafford's counſel maintained that tho', by law, the bare intention of killing the King was high-treaſon, it did not follow, that the intention could be conſidered on the ſame foot, with reſpect to other treaſons, which the law had not explained in the ſame manner. Strafford moreover ſhewed, that none of the particular crimes he was charged with could be deemed treaſon, and that a hundred felonies could never amount to one treaſon. But this diſpute concerned only the nature of the offenſe, in which the accuſed had a great advantage, eſpecially if it be conſidered that, in England, in criminal caſes, the judges are wonderfully careful not to miſtake, and to attend only to what proves directly the nature of the offenſe contained in the indictment. Had the commons been ſatisfied with accuſing the earl of Strafford of felony, or miſdemeanors, very probably they would have obtained againſt him a ſpeedy ſentence: but having ſolely impeached him of high-treaſon, it belonged to the peers to condemn or acquit him ſolely upon that ſpecies of offenſe. In the reign of Edward VI, the duke of Somerſet was accuſed of high-treaſon and felony. He was acquited as to the firſt, but condemned for the latter.

Reaſons for and againſt the earl.

The earl of Strafford defended himſelf with all the ability, preſenſe of mind, judgment and temper could be expected from a perſon of his great capacity (2). Accordingly, the commons readily perceived that the lords would not eaſily be induced

(1) Viz. George lord Digby, John Hampden, John Pym, Oliver St John, ſir Walter Earl, Jeoffrey Palmer, John Mainard, John Glynn, Tho. Howard earl of Arundel was lord high ſteward. The place of Trial was Weſtminſter-Hall; in which a theater and ſeats were erected for both houſes of parliament and the judges. The members of the houſe of commons ſat uncovered; and the lords in their robes. Ruſhworth, Vol. VIII, p. 40, 41. Whitlock, p. 41.

(2) Dr. Welwood (p. 46.) obſerves, that he expreſſed, in his defenſe, ſuch nervous and moving flights of eloquence, as came nothing ſhort of the moſt celebrated pieces of antiquity. This appeared from his ſuming up his long anſwer extempore, with this pathetic concluſion: " My lords, I have troubled you longer than I ſhould have done, were it " not for the intereſt of theſe dear pledges, a ſaint in heaven has left me. " ——— At this he ſtoped, pointing to his children who ſtood by him, and droped ſome tears, then went on ——— " What I forfeit for my ſelf is no- " thing; but that my indiſcretion ſhould extend to my poſterity, wounds me to the very ſoul. You will pardon my " infirmity: ſomething I ſhould have added, but am not able, therefore let it paſs. And now, my lords, for my " ſelf,

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duced to condemn him: and therefore they determined on taking a different courſe to attain their purpoſes.

Votes of the commons. Ruſhworth, Vol. IV. p. 224, 225. Vol. VIII. p. 50.

The nineteenth of April, it was voted by the commons, that the earl of Strafford's indeavor to ſubvert the fundamental laws of the realms of England and Ireland, and to introduce a tyrannical arbitrary government in both thoſe kingdoms, was high-treaſon. Two days after, a bill of attainder was brought in againſt him. The bill was read twice in the morning, and the third time in the afternoon, and paſſed with the majority of two hundred and four againſt fifty nine, after which it was ſent up to the lords.

Bill of attainder paſſed and ſent up to the lords. Id. Vol. I. p. 54.

Among thoſe who oppoſed the bill, lord Digby diſtinguiſhed himſelf by a very eloquent ſpeech, wherein he indeavored to ſhew, that to condemn the earl of Strafford in that manner was a real murder. Great exceptions were taken at this ſpeech, and tho' the houſe ſeemed at firſt not much to regard it, they afterwards ordered that it ſhould be publicly burned by the hangman.

Lord Digby's ſpeech againſt the bill. Ruſhworth, Vol. IV. p. 225. Vol. VIII. p. 50, 55,

The effect this bill of attainder produced was not ſuch as the commons deſired. Their lordſhips were not in any haſte to examine it, or to anſwer the commons impatience; being willing previouſly to conſider the arguments for and againſt the bill. In this interval, the peers cauſed ſir William Balfour to be examined concerning the earl of Strafford's projected eſcape. Several thouſands of Londoners preſented to both houſes a petition againſt his ſaid lordſhip, urging that he was the city's ſworn enemy. The twenty-ninth of April, mr. St. John, in name of the commons, made their lordſhips a long ſpeech, tending to prove the bill of attainder not contrary to law. May the firſt, Charles went to the parliament, and thus harangued both houſes.

Petition againſt the earl. Id. Vol. IV. p. 333. Vol. VIII. p. 56, 742.

St. John's ſpeech for the bill. Id. p. 675.

My lords,

Charles's ſpeech in favor of Strafford. Id. IV. p. 239. VIII. 734.

"I Had not any intention to have ſpoken to you "of this buſineſs this day, which is the great "buſineſs of the earl of Strafford, becauſe I would "do nothing which might ſerve to hinder your oc-"caſions: but now it comes ſo to paſs that ſeeing, "of neceſſity, I muſt have part in the judgment, "I think it moſt neceſſary for me to declare my "conſcience therein. I am ſure you all know, "that I have been preſent at the hearing of this "great caſe, from the one end to the other (1), "and I muſt tell you, that I cannot in my con-"ſcience condemn him of high-treaſon; it is not "fit for me to argue the buſineſs; I am ſure you "will not expect that. 'A poſitive doctrine "beſt becomes the mouth of a Prince:' yet I muſt "tell you three great truths, which I am ſure no "body knows ſo well as my ſelf. 1. That I "never had any intention of bringing over the "Iriſh army into England; nor ever was adviſed "by any body ſo to do. 2. That there was never "any debate before me, neither in public council, "nor at private commitee, of the diſloyalty of my "Engliſh ſubjects, nor ever had I any ſuſpicion of "them. 3. I was never counſeled by any to alter "the leaſt of any of the laws of England, much "leſs to alter all the laws: nay, I muſt tell you "this, I think no body durſt ever be ſo impudent "as to move me in it; for, if they had, I ſhould "have put ſuch a mark upon them, and made them "ſuch an example, that all poſterity ſhould know "my intentions by it; for my intention was ever to "govern according to law, and no otherwiſe (2).

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"I deſire to be rightly underſtood. I told you "in my conſcience, I cannot condemn him of high-"treaſon; yet I cannot ſay I can clear him of miſ-"demeanors: therefore I hope you may find a way "to ſatisfy juſtice, and your own fears, and not "preſs upon my conſcience. My lords, I hope you "know what a tender thing conſcience is: yet I muſt "declare unto you, that to ſatisfy my people I would "do great matters: but this of conſcience, no fear, "no reſpect whatſoever, ſhall ever make me go "againſt it. Certainly I have not ſo ill deſerved of "the parliament at this time, that they ſhould preſs "me in this tender point; and therefore I cannot "expect that you will go about it.

"Nay, I muſt confeſs for matters of miſdemea-"nors, I am ſo clear in that, that tho' I will not "chalk out the way, yet let me tell you, that I "do think my lord Strafford is not fit hereafter to "ſerve me, or the common-wealth, in any place "of truſt, no, not ſo much as that of a conſtable. "therefore I leave it to you, my lords, to find "ſome ſuch way as may bring me out of this great "ſtreight, and keep ourſelves, and the king-"dom from ſuch great inconveniencies; certainly "he who thinks him guilty of high-treaſon, in his "conſcience may condemn him of miſdemeanors."

This ſpeech produced a quite contrary effect to what his Majeſty had expected. Accordingly, the earl of Clarendon intimates, that lord Say adviſed King Charles to it, in order to draw him into a ſnare, and render Strafford's ruin more certain (3). The commons were highly offended with it, ſaying, it was unprecedented for a King to meddle with bills before they were preſented to him, and a means to take away the freedom of votes, and inſtantly adjourned 'till Monday the third of May.

This ſpeech no way anſwers King Charles's intention. Clarendon, p. 201. Ruſhworth, Vol. VIII. 725.

That was the day whereon the London mob flocked to Weſtminſter: and on the ſame day the houſe of commons drew the already-mentioned proteſtation, and on the morrow, May the fourth, their lordſhips approved it, and paſſed the ſaid earl's bill of attainder, there being not in the houſe more than forty-ſix lords of the eighty who had conſtantly attended the trial (4). It is pretended, that thoſe who abſented themſelves, were terrified by threats from the populace.

The lords paſs the bill of attainder. P. 741, 755.

May 7.

Clarendon, p. 201.

King Charles was then in the moſt uneaſy ſituation. He loved Strafford, and was ſatisfied of that

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"ſelf, I have been by the bleſſing of God taught, that the afflictions of this preſent life are not to be compared to "that eternal weight of glory which ſhall be revealed hereafter. And ſo, my lords, even ſo, with all tranquillity of "mind, I freely ſubmit myſelf to your judgment, and whether that judgment be life or death, 'Te Deum Lau-"damus.'" ——— Whitlock, (p. 44.) obſerves, "That certainly never any man acted ſuch a part, on ſuch a "theater, with more wiſdom, conſtancy and eloquence, with greater reaſon, judgment and temper, and with a better "grace in all his words and geſtures, than this great and excellent perſon did; and he moved the hearts of all his auditors "(ſome few excepted) to remorſe and pity."

(1) At the trial there was on the ſtage, a chair and cloth of ſtate for the King, on either ſide whereof was a cloſe gallery for the King, Queen and Prince to be private. In this place his Majeſty remained all the time of the trial. Whitlock, p. 41.

(2) It is very hard to reconcile this aſſertion of King Charles's with his government the firſt fifteen years of his reign. Rapin.

(3) When the earl of Strafford was told, with joy, by his friends, that the King had made a warm ſpeech in his favor to both houſes, he received it as his doom, and told them, "The King's kindneſs had ruined him, and that he had little elſe to "do but to prepare himſelf for death. Welwood's Mem. p. 46.

(4) Lord Clarendon (Vol. I. p. 401.) ſays, of the forty-ſix, eleven only diſſented. According to Whitlock (Mem. p. 45.) there were but forty-five, of whom twenty-ſix voted the earl guilty of high-treaſon, upon the fifteenth article. "For levying money in Ireland by force, in a warlike manner." And upon the nineteenth article, "For impoſing "an oath upon the ſubjects in Ireland.

earl's

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earl's not having done any thing but what was agreeable to his intentions and his maxims of government. He might be guilty, with regard to the people, on many accounts, but certainly he was not ſo with reſpect to the King, who had conſtantly approved his conduct. Beſide, his Majeſty had proteſted in full parliament, that he neither could nor would act againſt his conſcience, and that he did not believe, in his conſcience, the earl was guilty. On the other hand, if he conſented to the bill of attainder, after ſuch a declaration, he would manifeſt himſelf reduced to this extremity by the neceſſity of his affairs, ſo would not be thanked for it, and for the future would have nothing more to deny his parliament: but in caſe he rejected the bill, he plainly perceived the conſequences of his refuſal, and that at leaſt he ſhould be accuſed of denying his people juſtice, contrary to the advice of both houſes of parliament.

The continuance-bill paſſed in the upper houſe. Ruſhworth, Vol. IV. p. 251. Clarendon, p. 204.

It is not unlikely that, in this extremity, ſome one counſeled King Charles to diſſolve the parliament: at leaſt, the commons imagined he had no other means of extricating himſelf from his preſent imbaraſs. Wherefore, to deprive him of this refuge alſo, the ſame day, the fourth of May, they ordered the bringing in of a bill for this parliament's continuance, that it might not be diſſolved without the conſent of both houſes (1); which bill was read thrice in two days after in the upper-houſe, with the bill of attainder of the earl of Strafford. In theſe two or three days, the commons, as has been obſerved, vigorouſly puſhed the plot buſineſs to fill the people with fears, and force the lords to paſs thoſe two bills.

Charles's conſultations about the bill of attainder. May 9. Clarendon, Vol. I. p. 201. Ruſhworth, Vol. IV. p. 262. Vol. VIII. p. 755. Nalſon, Vol. II. p. 192.

The bill of attainder having paſſed the upper-houſe, Charles aſſembled the privy-council, and ſent for his lawyers. He laid before them his ſcruples and reaſons for not conſenting to the bill. But Juxon, biſhop of London, was the only perſon who ventured to adviſe his Majeſty, to reject a bill preſented him by both houſes. All the reſt indeavored to perſuade him to ſatisfy his people, and that the life of any one perſon ought not to be put in a balance with the whole kingdom's ſafety. As to his ſcruples, they told him, he might conſult his biſhops, who would give him the propereſt advice. Charles, not meeting with the ſatisfaction he expected from his council, ſent for ſome biſhops to adviſe with. It is affirmed, that the archbiſhop of York, ſaid to him on this occaſion, "That "there was a private and a public conſcience; "that his public conſcience, as a King, might "not only diſpenſe with, but oblige him to do that "which was againſt his private conſcience, as a "man." And therefore, in plain terms, adviſed "even for conſcience ſake, to paſs the act (2)." But what contributed moſt to determine him was a letter from Strafford himſelf, who hearing of the ſtreights his Majeſty was in, "humbly beſought "him to paſs the bill, to remove him out of "the way towards a bleſſed agreement, which he "doubted not God would for ever eſtabliſh be-"twixt him and his ſubjects. Adding, That his "conſent would more acquit his Majeſty therein "to God, than all the world could do beſide. "To a willing man there is no injury." Finally Charles, no longer able to withſtand the preſſing inſtances of the parliament and his own counſellors, or rather the fear of the calamities he foreſaw would befal both himſelf and poſterity if he refuſed conſenting to the bill, ſigned a commiſſion to four peers, to paſs it in his name (3). By the ſame commiſſion, he impowered thoſe lords to give the royal aſſent to the bill for continuing the parliament, which was of much greater importance to him than the earl of Strafford's life, but which however it does not appear he much regarded, ſo full was he of the other. This bill, which was of ſuch conſequence to Charles, was brought in the ſixth of May, and in five days paſſed both houſes, and received his ſaid Majeſty's approbation, as if it had been a mere trifle.

Letter from Strafford to the King. Ruſhworth, Vol. IV. p. 251. Vol. VIII. p. 743. Nalſon, p. 190.

Charles paſſes the two bills. Ruſhworth, Vol. IV. p. 262. Vol. VIII. p. 755.

The earl of Strafford beheaded. Ib. IV. p. 267, &c. Reaſons for and againſt him.

On the twelfth of May, the ſecond day after the royal aſſent to the bill of attainder, the earl of Strafford was executed, and ſuffered death with great firmneſs. It was then, and is yet a ſubject of diſpute, whether or no he merited capital puniſhment. Such as are for him, urge, That there needs only to examine the articles of accuſation, the evidences produced againſt him, and his anſwers, to be convinced that he was not guilty of high-treaſon: that this is ſtill farther proved by the conviction of his accuſers themſelves, who, finding they could not expect from the peers a ſentence anſwering their wiſhes, imployed, in order to attain their ends, ſo many extraordinary methods. Firſt, changing the judicial accuſation into a bill of attainder. Secondly, that tumultuous concourſe of the populace. Thirdly, the diſcovery made to the houſe of commons of the pretended conſpiracy, preciſely at this juncture, tho' it had been long neglected (4). Fourthly, their proteſtation, the ſole deſign whereof was to terrify the people, and inſenſe them againſt the King and his party. Laſtly, the violence uſed towards their lordſhips, to extort their conſent to the bill, and which obliged many to abſent themſelves, to avoid being expoſed to popular fury. It is pretended, all this ſhews that the commons themſelves did not believe him guilty, ſince they uſed ſo many artifices to take away his life.

They who are againſt him, allege; It cannot be denied that King Charles had formed a deſign to eſtabliſh arbitrary government, and aſſumed to himſelf a power contrary to law: that he had made choice of ſuch miniſters and counſelors as he thought moſt proper to ſerve him in the execution of his deſign: that from the council-board had proceeded all thoſe oppreſſions ſo long complained of by the people, and conſequently the King's miniſters and counſellors could not be innocent, except theſe op-

(1) This bill was brought into the houſe of commons, the next morning after it was propounded, and the ſame day it was perfected, and paſſed the houſe. The firſt motion for this bill was made by a Lancaſhire knight, who offered to procure the King 650,000 l. 'till the ſubſidies ſhould be raiſed, if he would paſs ſuch a bill. Whitelock, p. 45. The pretended reaſon of making ſuch a law was, That the great ſums of money which the Scots were to have, could not ſuddenly be raiſed; and that being to be borrowed for their preſent ridance, lenders would hardly be found, unleſs they ſaw a certain way to ſecure their monies, which the danger of diſſolving this parliament would hazard. Dugdale's View, p. 70. Clarendon, Vol. I. p. 204.

(2) Biſhop Hacket gives a different account of this particular. See Part II. p. 162.

(3) Nothwithſtanding Strafford's letter to the King, when his Majeſty ſent ſecretary Carleton to acquaint him with what was done, and the motives of it, the earl ſeriouſly aſked the ſecretary, Whether his Majeſty had paſſed the bill or not? As not believing, without ſome aſtoniſhment, that the King would have done it. And being again aſſured that it was paſſed, he roſe from his chair, lift up his eyes to heaven, laid his hand on his heart, and ſaid, "Put "not your truſt in Princes, nor in the ſons of men, for in them there is no ſalvation. Whitelock, p. 46. The ſame author adds, it was reported that, in order to bring the King to ſign this bill, he was promiſed the earl's life ſhould be ſpared.

(4) From the middle of April, 'till May 3. See Clarendon, Vol. I. p. 196.

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preſſions, which were as clear as the ſun, were denied: that the earl of Strafford was univerſally known to be the chief of theſe miniſters, and the perſon in whom his Majeſty moſt confided, and to hold the firſt place in the ſecret council called the Junto, conſiſting of four or five perſons only, where all reſolutions for the ſubjects oppreſſion were taken: that he could not be ſuppoſed to be againſt all theſe reſolutions, ſince his arriving to ſo high a degree of favor was intirely owing to his attachment to his Majeſty's pleaſure: that it was no leſs evident that, in his three great poſts of privy-counſellor, preſident of the North, and lord-deputy of Ireland, he had always carried himſelf agreeably to Charles's principles and maxims, tho' he knew thoſe principles were contrary to law: that all his indeavors tended to augment the King's revenues, and extend his prerogative, by all methods, even the moſt irregular: that, in England, obedience to the King's orders excuſes not miniſters in illegal proceedings: that therefore it muſt either be denied, that the King ever did any thing contrary to law, or be confeſſed, that his miniſters, and eſpecially the chiefs, were not innocent of theſe violations: that the ſtreſs of the commons accuſation lay not ſo much upon each particular article, as upon all together, to ſhew that the earl of Strafford really intended to eſtabliſh arbitrary government: that every article was a proof of this intention, and it was a deluſion to repreſent them as being each ſingly a ſeparate charge of ſome particular crime: that this intention, joined to the manner of exerciſing the power given him by his Majeſty, was a crime unpardonable, ſince it tended to ſubvert all law, and alter the conſtitution: that it was not the ſame with the intention of ſubverting the laws, as with the intention of commiting any other offenſe, even treaſon itſelf: that theſe latter, when commited, may be puniſhed by law; but if the intention of ſubverting the laws be not puniſhable 'till put in execution, there is no remedy; aboliſhed laws not being of any uſe: that, upon theſe grounds, parliaments had, at all times, puniſhed ſeveral miniſters on this account. In ſhort, that examples being neceſſary to deter miniſters in after times from ſo abſolutely devoting themſelves to the King's will to oppreſs the ſubject, there could not be a properer one for that purpoſe than the earl of Strafford, whoſe power had made every one tremble, and who was moreover the object of public hatred, the whole nation conſidering him as the chief author of their miſeries.

To finiſh what relates to the earl of Strafford, I ſhall here ſubjoin that, not long after his death, this ſame parliament paſſed an act for reſtoring his children in blood and honor, and for ſettling his eſtate upon his heirs, and that in Charles II's reign the act of attainder was repealed. I believe not that ever any Engliſh ſubject has had beſtowed on him ſo many eulogies as the earl of Strafford. Diverſe, in mentioning him, have not been able to forbear adding always to his name ſome honorable epithet, to expreſs their eſteem. In a word, he is repreſented as one of the greateſt men, one of the moſt accompliſhed miniſters England ever produced. I pretend not by any means to queſtion his natural or acquired abilities: but in reality, on conſidering his life and actions, I ſee not what can ſerve for foundation to ſuch exalted encomiums. In the firſt place, after he was in favor, King Charles had no quarrel with any foreign ſtate: ſo, he had no opportunity to diſplay his talents in negociations and embaſſies. As to war, he was imployed but once, in the late war againſt Scotland, in quality of lieutenant-general, commanding the army in the general's abſenſe. On this occaſion, he may be charged with a very great error, in not being ready to oppoſe the Scots paſſage of the Tine, and in ſuffering them to take Newcaſtle, if perhaps it was not deſignedly done to ingage inevitably the two nations in a war, which certainly can be matter of no great commendation. It muſt therefore be acknowledged, that his talents were confined to the diſcharge of his employments. As to that, I find him charged with having prevaricated, and intirely devoted himſelf to accompliſh the King's deſign of ſeting up arbitrary government. Admiting this to be a calumny, and that he had never any ſuch thought, I nevertheleſs ſee not that his innocence can be matter of praiſe to him, any more than to many others who had before him been in the ſame imploys. What then did he perform in the adminiſtration of his offices to deſerve the character of a moſt accompliſhed miniſter, a very great man, which is generally given him? If it is urged, that he made uſe of his extraordinary talents to ſerve his royal maſter faithfully, and promote his deſigns, which doubtleſs is the ſole foundation of all thoſe eulogies beſtowed on him, it is to be feared, many will not allow that he ought to have ſerved the King in that manner, or that he did him any real ſervice, as the event has manifeſted. Wherefore, the high commendations given to this earl muſt be conſidered only as a ſenſible proof of the principles of his panegyriſts, who perhaps are very much out of humor he ſucceeded no better.

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The earl of Strafford's death was to King Charles a great, tho' not his only mortification. After the commons had made this eſſay of their ſtrength, they reſolved to complete the government's reformation, which 'till now was only commenced. The King, on his part, indeavored, tho' in vain, to cool the great ardor of the commons, by granting or promiſing places to ſuch as were moſt agreeable to them. He had made ſir Edward Littleton lord-keeper, in the room of lord Finch, who was forced to withdraw. For the ſame reaſon, dr. Juxon, biſhop of London, reſigned his treaſurer's ſtaff, which was to be given to the earl of Bedford: but that earl died, while he was earneſtly laboring to procure ſome wholſome agreement between his Majeſty and the commons. Oliver St. John, a leading man in the houſe of commons, had been made ſollicitor-general. Lord Cottington was to ſurrender the office of chancellor of the exchequer in favor of mr. Pym, and the place of maſter of the wards to make room for lord Say. The office of ſecretary of ſtate, exerciſed by Windebank, was deſigned for Denzil Hollis. The earl of Eſſex, lord Kimbolton, and mr. Hampden, were likewiſe to have places: but the earl of Bedford's death put a period to moſt of theſe projects. However King Charles ceaſed not, after the earl of Strafford's death, to gratify the commons, by making the earl of Eſſex lord-chamberlain, having firſt removed the earl of Pembroke; for Eſſex was a great favorite of the commons. But all this produced not the great alterations Charles expected: the wound was too deep to be cured by ſuch lenitives.

Charles in vain tries to pacify the commons. Clarendon. p. 166, 167, 199. Whitlock, p. 46.

The parliament's general aim was not only to redreſs paſſed grievances, but likewiſe to free the kingdom from all apprehenſion of being expoſed hereafter to like calamities. On the contrary, King Charles imagined that, by giving or promiſing good poſts to the leaders of the adverſe party, he ſhould ſtop their mouths, and render them dumb dogs: but they were too wiſe to fall into the ſnare. They were very ſenſible theſe places which the King gave, or offered to give them would be always at his diſpoſal, and that when the motive of his giving them ſhould ceaſe, it would be ever in his power to diſmiſs them: beſide, many of them were too conſcientious to ſacrifice the good of their country

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try to their own private intereſt. This diſpoſition of the leaders manifeſtly appeared, in that his Majeſty's favors were not forcible enough to make them drop their pretenſions; ſuch was their diſtruſt of his ſincerity. They could not believe that a Prince, who had ſo openly diſcovered a deſign to eſtabliſh arbitrary government, had ſuddenly changed his principles and maxims: nay, what he did in their favor convinced them of the neceſſity of firmly adhering to their project, perceiving his aim was to raiſe among them diviſions.

Extreme diffidence of the King.

Their project conſiſted, as has been intimated, firſt, in redreſſing all the grievances: ſecondly, in taking meaſures to prevent this Prince's reſuming his former conduct. This they labored with great diligence, after Strafford's execution. Hitherto they had only, by votes, prepared matters which plainly manifeſted their drift, and by the proteſtation ſubſcribed by both houſes. But they expected to meet, in the upper-houſe, with obſtacles ſo much the greater as Charles had there a very powerful party.

Obſervation on the houſe of peers.

The houſe of peers conſiſted of one hundred and twenty nobles, the two archbiſhops, and twenty-four biſhops. Among the firſt, the two Princes Charles and James, the duke of Buckingham, and ſeven or eight others, were yet minors; and there were ſome whoſe age, infirmities, or affairs hindered them from being preſented in this parliament. The archbiſhop of Canterbury, lord Finch and the earl of Strafford were no longer there at the time I am ſpeaking of: ſo that the prelates would have made a fifth part of the houſe, had it been complete. But as, according to lord Clarendon, there were not above eighty peers at the earl of Strafford's trial, a third part may be reckoned abſent; and as, on the other hand, there were vacant ſees, the biſhops and Popiſh lords may, withour a very erroneous calculation, be counted about a quarter part of the upper-houſe. As they were all his Majeſty's devotees, it is eaſy to perceive they rendered Charles's party very powerful in that houſe. Accordingly, this was the reaſon which obliged the commons to uſe their utmoſt efforts to take away their votes in parliament. Moſt of them had already rendered themſelves odious, by ſtretching their power as far as poſſible to promote the King's projects, and perſecuting the Puritans, and they ſtill continued to obſtruct the deſign of redreſſing grievances, by the number of their votes among the peers.

[p. 201.]

Political reaſons for the biſhops excluſion.

This was the plea made uſe of by the leading Preſbyterians, who had ſecret and more extenſive views, to induce ſuch of the church of England members as ſided not with his Majeſty, to ſacrifice the biſhops privilege of ſiting in parliament. They inſinuated to them, That while the King had ſo many votes in the upper-houſe, it would be almoſt impoſſible effectually to labor a redreſs of grievances: that in effect depriving biſhops of this privilege would, inſtead of being detrimental, be rather advantageous to religion, ſince they would thereby be more attached to their ſpiritual functions: that it would be no leſs beneficial to the ſtate, ſince it would deprive the King of a means he had always, too ſucceſsfully, uſed to break the parliament's meaſures.

Difference between the Puritans.

King Charles's opponents in this parliament, conſiſted indeed of Puritans; but they were, as I obſerved, of two ſpecies. Some were true Preſbyterians: others State Puritans, i. e. men whom the court had ever conſidered as Puritans; not that they were enemies to the church of England, but becauſe their maxims concerning civil government were thought to be founded upon Puritan principles. Theſe two ſorts of Puritans had been equally oppreſſed the firſt fifteen years of this reign, as well by the court as by the clergy, ſo that the hierarchy was become extremely odious to the one, and not a little ſuſpicious to the other. The true Preſbyterians moſt ardently wiſhed the utter extirpation of epiſcopacy. The other Puritans were highly inſenſed againſt the prelates and other eccleſiaſtics, who had conſtantly ſupported and countenanced Charles's deſigns. Theſe were therefore eaſily perſuaded, that it would be a great ſervice to the ſtate, to clip the clergy's wings, and render them leſs uſeful to the King: beſide, tho' church of England men, they agreed not in ſentiment with thoſe who believed religion could not ſubſiſt without biſhops, and that epiſcopacy was ſo cloſely united with the monarchy, that one could not be aboliſhed without the other's deſtruction. So far was the hierarchy itſelf from cauſing them any uneaſineſs, that they would very gladly have contributed towards its preſervation, provided church-men could have been confined to their ſpiritual functions: but they were uneaſy at ſeeing the clergy inveſted with a ſecular power, which they abuſed. It muſt be farther added that, being thus diſpoſed, they perceived the Preſbyterians, who were numerous throughout England and ſupported by the Scots, ſtrenuouſly inſiſt upon depriving all prelates of their votes among the peers. It was dangerous to diſpleaſe them, for a very forcible reaſon: for, tho' the Preſbyterians affected mentioning the ſtate only, it was well known that religion was their main object, and that their proceedings with regard to the civil government tended only to diſable the King from oppreſſing them, if he remained too powerful. Had King Charles therefore tried to gain the Preſbyterians, by offering them reaſonable terms, they might have accepted them, and relinquiſhed their deſign of reforming the civil government, and then the State Puritans would have been at the court's mercy. Union between the Puritans was therefore abſolutely neceſſary: for, it was no leſs dangerous for the Preſbyterians, that his Majeſty ſhould content the State Puritans, in which caſe they would have infallibly abandoned the Preſbyterians.

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Both theſe factions therefore ſtood greatly in need of each other, and it was their intereſt to ſupport one another, leſt Charles ſhould take advantage of their diviſion: but that Prince could never reſolve either to grant the Preſbyterian party any terms, or to ſatisfy thoſe I ſtile politicians. He was thereby himſelf the inſtrument of forming ſuch a ſtrict union between theſe two parties, that they became one and the ſame. The politicians choſe rather, thro' condeſcenſion to the Preſbyterians, to ſacrifice the biſhops privilege, than be expoſed to the danger of ſeeing themſelves again ſubject to a deſpotic government.

Charles himſelf contributes towards uniting the Puritans.

Anſwerably to theſe diſpoſitions, and the conſequent reſolutions, the houſe of commons equally labored the redreſs of grievances, and the execution of their ſcheme againſt prelates. Thus both church and ſtate affairs went hand in hand, ſo that ſcarce a day paſſed but the commons gave Charles ſome mortification, one while by paſſing bills or votes againſt his former proceedings, another while by proſecuting the authors of grievances or innovations; ſometimes by exclaiming againſt the late plot, and other times by loading freſh burdens upon the Papiſts.

The commons labor to exclude the biſhops and redreſs grievances.

All this tended to the end propoſed by Charles's oppoſites. It was ſuppoſed, as a thing notorious, that there had been a ſettled deſign to introduce Popery, and that ſome of the biſhops were therein deeply concerned. Thus, by accuſing the Papiſts of having miſchievous views, and by rigorouſly proſecuting them, this accuſation was made in ſome meaſure to reflect on the prelates and clergy. It was pretended, that thoſe innovations introduced into

into divine ſervice were a conſequence of this project, and therefore, by their condemnation, the clergy, who had countenanced them, incurred a public odium. Accuſations againſt particular perſons, who had ſhewed moſt zeal in ſupporting theſe innovations, produced alſo the ſame effect. In a word, nothing was omited which could contribute to ſhew a neceſſity for reſtoring the government to its natural ſtate, and convince people, that the eccleſiaſtical hierarchy was, to both church and ſtate, more prejudicial than neceſſary. Theſe two articles found the commons imployment for three months, from the earl of Strafford's execution to Charles's journey to Scotland.

Ruſhworth, Vol. IV. p. 283, 284, 286.

Firſt, with reſpect to the ſtate, it was during this interval that bills were brought in to aboliſh the ſtar-chamber and court of York; to regulate the council-table; to aboliſh ſhip-money; prevent vexatious proceedings concerning knighthood; againſt illegal impriſonments; and for aſcertaining the bounds and limits of foreſts. Each judge in particular was accuſed. The tax Charles had impoſed on the ſhires, for the muſter-maſter's ſalary, was declared illegal. The conſpiracy to ſeduce the army was alſo examined, and Wilmot, Aſhburnham and Pollard were expeled the houſe and impriſoned. All patents for monopolies, moſt of which were ſuppreſſed, were brought before the houſe. It was likewiſe examined, by what means a certain clauſe had been inſerted in the petition of right, concerning tonage and poundage, and care was taken to regiſter a declaration on that head, to prevent poſterity's being deceived by that ſurreptitious clauſe. I paſs over in ſilence ſundry votes flowing from all theſe articles, or which concerned particular perſons.

Nalſon, Vol. II. p. 288.

Proceedings of the commons as to religion. Ruſhworth, Vol. IV. p. 278, 279, 281, 283, 285, 303, 359, &c. Nalſon, Vol. II. p. 257, 260, 282, 395, 418.

As to religion, beſide what was tranſacted with reſpect to the Papiſts, and whereof mention has already been made, the commons declared illegal the oath by which miniſters were bound to maintain the hierarchy in the church. A bill was brought in againſt pluraliſts. Thoſe canons made by the late convocation were condemned. A bill was paſſed to aboliſh the high commiſſion. Suppreſſion of deans and chapters was voted. Matthew Wren, biſhop of Ely, was impeached. The proteſtation was ordered to be ſubſcribed by the whole nation. Accuſations were laid before their lordſhips againſt thirteen biſhops, who had aſſiſted at the convocation.

Difference between both houſes touching the proteſtation. Ruſhworth, Vol. IV. p. 357, 358.

Theſe articles I have but juſt mentioned, becauſe a particular account of each ſeemed to me needleſs. I ſhall only add, that there were ſome differences between the two houſes concerning the proteſtation. The lords were for leaving every one at liberty to ſign it; but did not think proper to uſe compulſion. The commons, contrariwiſe, regarded this proteſtation as a Shiboleth, to diſtinguiſh the Ephramites (1); and their lordſhips finally agreed to what the commons required.

The commons explain a clauſe in the proteſtation. Ib. p. 273. Nalſon, Vol. II. p. 241. Clarendon, p. 199. Diurn. Occur. p. 101.

One article of the proteſtation occaſioning ſome diſputes, the commons more fully explained that article, which was thus worded: "I ſwear to defend the true reformed Proteſtant religion, expreſſed in the doctrine of the church of England, againſt all Popery and Popiſh innovations, within this realm, contrary to the ſame doctrine." Some, inſiſting on the firſt part of this clauſe, pretended, that there was no other doctrine of the church of England than what is contained in the thirty-nine articles drawn up in Queen Elizabeth's reign, one of which is "to preſerve the government of the church by archbiſhops, biſhops, deans, &c." Hence they infered, that thoſe who ſhould take the proteſtation were bound to maintain epiſcopacy. But the commons, conſidering that whole clauſe literally as expreſſed in the proteſtation, declared, "That by theſe words was, and is meaned, only the public doctrine profeſſed in the ſaid church, ſo far as it is oppoſite to Popery and Popiſh innovations; and that the ſaid words are not to be extended to the maintaining any form of worſhip, diſcipline or government, nor of any rites or ceremonies of the ſaid church of England." This clearly manifeſted what was their intention with regard to the hierarchy.

Another difference about the ſtar-chamber. Ruſhworth, Vol. IV. p. p. 304.

There was likewiſe another diſpute between both houſes, touching the ſtar-chamber. The peers were willing to agree it ſhould be reformed, but refuſed conſenting to its abolition. Mean while, the commons vigorouſly ſupporting the bill they had ſent their lordſhips, it finally paſſed, and, on the fifth of July, Charles gave his aſſent.

In this interval, I mean, from the earl of Strafford's death to his Majeſty's going into Scotland, certain other paſſages occurred which muſt neceſſarily be mentioned.

The cuſtomers offer 150,000l. which is accepted. Ruſhworth, Vol. IV. p. 277, 278.

The cuſtomers, who had collected the duties impoſed on merchandiſes, by his Majeſty's ſole authority without conſent of parliament, finding themſelves in no ſmall danger of being attacked, voluntarily offered a hundred and fifty thouſand pounds for an act of oblivion, and their offer was accepted (2).

Lord Digby called to the houſe of peers. p. 283.

Lord Digby, the earl of Briſtol's ſon, and member of the houſe of commons, was called by writ to the upper-houſe, the tenth of June. In the begining of this parliament, he had diſtinguiſhed himſelf by his zeal for the redreſs of grievances: but his ſpeech againſt the earl of Strafford's bill of attainder made him forfeit the commons affection. Whether he was already gained by the King, or on this occaſion firſt joined his party, his Majeſty thought proper to ſcreen him from the commons reſentment, by calling him to the houſe of peers. He will hereafter appear King Charles's chief miniſter and counſelor, a great enemy to the commons, as they on their part never pardoned his defection.

Charles inclinable to give Spain part of the Iriſh army. p. 357, 360, 381. Nalſon, Vol. II. p. 411, 426, 465.

The Iriſh army ought to have been long ſince diſbanded, as there was no occaſion to keep it on foot, and the commons had frequently deſired it of his Majeſty: nevertheleſs, this army ſubſiſted the laſt, tho' the commons had taken care for their payment. When they came to be diſbanded, Charles acquainted both houſes, that the Catholic King having deſired to take this army into his ſervice, and intimated as much by his embaſſador, he had promiſed to ſend him four thouſand men. The lords ſcrupled not agreeing to his Majeſty's ingagement. But the commons, ever full of fears and ſuſpicions, judged it no way proper theſe troops ſhould remain on foot in name of the Spaniard, who would make them ſerve in the Netherlands, whence Charles might draw them whenever he pleaſed. Beſide, the French embaſſador had deſired the reſidue of that army for his maſter, to which Charles had likewiſe conſented. They deemed it one of the King's artifices to detain this Popiſh army, which was devoted to him, and whereon he could much better rely than on that of England. They therefore deſired him to recall his promiſe.

The commons oppoſe it. Ruſhworth, Vol. IV. p. 381.

(1) They declared, that whoſoever ſhould not take the proteſtation, was unfit to bear office in church or commonwealth, and ordered this vote to be printed, and ſent down to every county, city and borough. Ruſhworth, Vol. IV. p. 357.

(2) This petition was delivered to the houſe by the great farmers of tonage and poundage, namely, ſir Paul Pindar, ſir Abraham Daws, ſir John Wolſtenholm, and ſir John Jacob. The petty cuſtomers had the liberty likewiſe to come in upon compoſition, and then have the benefit of the act of oblivion. Nalſon, Vol. II. p. 256.

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On this occaſion, ſeveral conferences paſſed between both houſes, wherein the commons alleged ſundry reaſons to ſupport their opinion, without expreſſing the true one; but it was pretty obvious. King Charles was highly diſpleaſed with the commons oppoſition; whether he thought himſelf bound in honor to keep his word, or really aimed at retaining this army, by lending it to the Kings of France and Spain, in order to uſe it himſelf in caſe of neceſſity: what leaves room to ſuſpect he had formed ſuch a project is, its not appearing that their Catholic and moſt Chriſtian Majeſties had then any great occaſion for thoſe troops. Howſoever this was, Charles, without regarding the commons oppoſing it, ſhewed that he deſigned to perform his promiſe; and this affair was not yet decided when his ſaid Majeſty ſet out for Scotland. Some time after, he ſent a meſſage to the lords, dated from Edinburg, wherein he appeared firm in ſtanding to his ingagement, let what would be the conſequence; but the two houſes found means to render his reſolution ineffectual, by publiſhing an ordinance declaring, that whoever ſhould aſſiſt in tranſporting theſe Iriſh troops into any foreign country, ſhould be deemed enemies to the ſtate. This ordinance broke all Charles's meaſures, not one owner of a ſhip caring, for his ſake, to hazard inevitable ruin.

Charles bent on keeping his word. Nalſon, Vol. II. p. 457. Ruſhworth, Vol. IV. p. 381.

Ordinance againſt tranſporting forces into foreign parts. Sep. 9. Nalſon, Vol. II. p. 477.—481.

King Charles, as has been obſerved, thought the parliament would have granted him aid capable of inabling him to drive the Scots out of England. He ſoon found his miſtake, and clearly perceived, that the Scots had entered England at the ſollicitation of the Engliſh male-contents, and that theſe male-contents were the very perſons who had moſt credit and authority in both houſes. He judged therefore that, inſtead of thinking any longer of expeling the Scots by arms, he ſhould rather indeavor to agree with them, in order to diſjoin their intereſt from that of the Engliſh, and induce them to diſband their army, which was ever ready to ſupport the parliament. When therefore the commiſſioners of both kingdoms met at London, to continue the Rippon-treaty, they found no reſiſtance from the King who, by granting the Scots firſt demand, plainly ſhewed he was diſpoſed to refuſe them nothing. This demand was, that Charles ſhould cauſe to be publiſhed, in his name, the parliament of Scotland's acts, as well thoſe already paſſed in the firſt ſeſſion, as thoſe which ſhould be paſſed in the ſecond. So great a condeſcenſion on this point, which had properly occaſioned the ſecond war, convinced the commons, that Charles's aim was ſpeedily to get rid of the Scotiſh army, which to him was a no ſmall incumbrance, but to them very neceſſary for the execution of their projects: and therefore, as the Scotiſh commiſſioners had a good underſtanding with the commons, they ſo managed that the pacific negociation was prolonged 'till the ſeventh of Auguſt, 1641, tho' Charles, by granting whatever was required, did to the very utmoſt of his power remove all difficulties.

His reaſons for ſo doing.

Ruſhworth, Vol. IV. p. 363.

Finally, the negociation being near a period, and nothing more wanting to conclude the treaty, but to agree upon certain articles of no great importance, Charles permited the parliament of Scotland to meet, and promiſed to be there in perſon, to paſs ſuch acts as ſhould be judged requiſite. The commons, having knowledge of his Majeſty's reſolution, entertained ſome ſuſpicion of this journey, and were apprehenſive his deſign was to put himſelf at the head of his army in the north, under color of going to Scotland. They deſired therefore a conference with the lords, and moved, that the armies might be diſbanded before his Majeſty's departure, and that both houſes ſhould preſent a petition, intreating him to defer his journey. They ſupported their motion with diverſe arguments, and among others with this; That it was neceſſary to prevent the peoples ſuſpicions, and the deſigns ſome might have to make uſe of the army to raiſe diſturbances: that beſide, ſeveral bills were ſent up to the lords, and not yet paſſed; that others were now under conſideration in the lower-houſe, and it was requiſite his Majeſty ſhould give the royal aſſent to them before his departure (1). In a word after ſundry conferences, it was reſolved, with Charles's conſent, that he ſhould defer his journey 'till the tenth of Auguſt, and that the two armies ſhould by that time be diſmiſſed (2). Nevertheleſs, as the Engliſh army could not be intirely diſbanded before the King's departure, for want of money, the commons deſired a farther delay of a fortnight, alleging ſtill the peoples jealouſies: but their lordſhips refuſed to concur with them, and Charles departed the tenth of Auguſt, as had been agreed.

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They move its being poſtponed. Ruſhworth, Vol. IV. p. 361. Nalſon, Vol. II. p. 320. Diurn. Occur. p. 329. Ruſhworth, Vol. IV. p. 375. Nalſon, Vol. II. p. 430, 433, 439.

Charles ſets out for Scotland.

He promiſes to go into Scotland.

The commons are jealous of this journey.

The commons diſtruſt of this Prince ſtill ſubſiſting, they deſired the peers concurrence, that a commitee of lords and commoners might be ſent to the parliament of Scotland to remain there, and inform them from time to time of their proceedings; to which their lordſhips conſented. The perſons nominated commiſſioners to Scotland, were the earl of Bedford, lord Howard of Eſerick, Nathaniel Fiennes, ſir William Armyne, ſir Philip Stapleton, and John Hampden, and a draught of a commiſſion was diſpatched away by a courier, for his Majeſty to ſign: but Charles refuſed it, as ſeeing no neceſſity for ſuch a commiſſion. He however conſented that the commitee ſhould come and attend him in Scotland, to ſee the treaty ratified. As this commitee were properly deſigned only for ſpies upon the King's actions, both houſes thought fit to ſend them into Scotland, on ſome other pretenſe: but the earl of Bedford went not on this ſervice.

The parliament ſend a commitee into Scotland to watch his motions. Id. p. 451, 455. Ruſhworth, Vol. IV. p. 375. Diurn. Occur. Clarendon, p. 220, 235. Ruſhworth, Vol IV. p. 367.

Some days after, the houſe of commons came to ſeveral reſolutions againſt the monopoly of ſoap, which was declared illegal. They moreover voted, that the ſentence in the ſtar-chamber againſt certain ſoap-boilers of London ſhould be reverſed, and the judges of that court, who had given their votes in the ſentence, ſhould pay the parties coſts and damages. It was likewiſe ordered, that inquiry ſhould be made, what members of the privy-council had given their conſent to the illegal orders made at the council-table about the ſoap-monopoly.

Votes againſt the monopoly of ſoap. p. 377, 378. Nalſon, Vol. II. p. 449.

As the commons had undertaken to redreſs all grievances, that of London, concerning the plantation of Londonderry, was alſo taken into conſideration while King Charles was in Scotland. The houſe paſſed ſundry votes upon this ſubject, and declared illegal all the ſtar-chamber's proceedings, reverſed the ſentence againſt the city of London, as unjuſt and given by incompetent judges. They declared, that when his Majeſty ſhould be pleaſed to repay to the city thoſe ſums he had received, the patent thereupon granted ſhould be cancelled or ſurrendered.

Votes concerning the plantation of Londonderry. Aug. 26. p. 461. Ruſhworth, Vol. IV. p. p. 379.

This done, both houſes reſolved to adjourn, from the ninth of September to the twentieth of October, that the members might go to their homes, whence they had been ten months abſent. No ſooner was this reſolution taken, but a great number

Reſolve of both houſes to adjourn. p. 385, 388. Nalſon, Vol. II. p. 463.

(1) The commons moved, That the King might be deſired to appoint a 'Cuſtos regni,' becauſe many emergent occaſions might happen in parliament, where uſe muſt be made of the King's authority. Ruſhworth, Vol. IV. p. 360.

(2) They were both diſbanded together, Auguſt 6. Whitelock, p. 47. The Scots coming into England, coſt the nation 1,100,000 l. beſide damages. Ibid.

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of peers and commoners retired into the country, to gain a little more time to repoſe themſelves, ſo that only twenty-two lords remained in the upper, and a hundred and fifteen members in the lower-houſe. Then ſome one, who was doubtleſs a Preſbyterian, willing to improve ſuch a favorable opportunity, moved, that it was neceſſary to make ſome alterations in the common-prayer-book. This motion occaſioned a very warm debate. Mr. Hyde, afterwards earl of Clarendon, ſtrenuouſly defended the liturgy, ſo that, contrary to the expectation of him who had raiſed the debate, nothing was determined.

Debate about the liturgy. Ruſhworth, Vol. IV. p. 385.

But, ſome few days after, the affair of innovations in the church was canvaſſed, and the houſe paſſed ſeveral votes declaring, that certain innovations ought to be aboliſhed. Alſo then, the remaining peers, finding that the lower-houſe called in queſtion the liturgy's authenticneſs, voted, that it ſhould be obſerved in all churches as before, without any omiſſion or alteration. This begot a conference between both houſes, wherein the commons requeſted their lordſhips conſent to the following declaration, and that they would join with them in its publication.

Votes againſt Innovations. Ibid.

Peers votes touching the liturgy. Nalſon, Vol. II. p. 413.

Declaration of the eighth of September, 1641.

The commons declaration concerning innovations. Ruſhworth, Vol IV. p. 386. Nalſon, Vol. II. p. 482. Diurn. Occur.

"WHereas diverſe innovations, in or about "the worſhip of God, have been lately "practiſed in this kingdom, by injoining ſome "things, and prohibiting others, without warrant "of law, to the great grievance and diſcontent "of his Majeſty's ſubjects: for the ſuppreſſion of "ſuch innovations, and for preſervation of the "public peace, it is this day ordered by the com"mons in parliament aſſembled, that the church"wardens of every pariſh-church, and chapel re"ſpectively, do forthwith remove the communion"table from the eaſt end of the church, chapel, "or chancel, into ſome other convenient place, "and that they take away the rails, and level the "chancels as heretofore they were, before the late "innovations.

"That all crucifixes, ſcandalous pictures of any "one or more perſons of the Trinity, and all "images of the virgin Mary, ſhall be taken away "and aboliſhed; and that all tapers, candleſticks "and baſons be removed from the communion"table.

"That all corporal bowing at the name Jeſus, "towards the eaſt end of the church, chapel, or "chancel, or towards the communion-table, be "henceforth forborne.

"That the orders aforeſaid be obſerved in all "the ſeveral cathedral churches of this kingdom, "and all the collegiate churches or chapels in "the two univerſities, or any other part of the "kingdom; and in the Temple church, and the "chapels of the other inns of court, by the deans "of the ſaid cathedral churches, by the vice"chancellor of the ſaid univerſities; and by the "heads and governors of the ſeveral colleges and "halls aforeſaid, and by the benchers and readers "in the ſaid inns of court reſpectively.

"That the Lord's-day ſhall be duely obſerved "and ſanctified: all dancing and other ſports, either "before or after divine ſervice, be forborne and re"ſtrained; and that the preaching of God's word "be permited in the afternoon, in the ſeveral "churches and chapels of this kingdom, and that "miniſters and preachers be incouraged thereunto.

"That in caſe theſe orders be not obſerved, "complaints thereof ſhall be delivered in parlia"ment, before the thirtieth of October next.

The lords renew their order concerning divine ſervice. Ruſhworth, Vol. IV. p. 387.

Their lordſhips regarded not the commons requeſt. But next day, September the ninth, appointed for the adjournment, they communicated to the commons, in a conference, an order dated January the ſixteenth, 1640-1, injoining that divine ſervice ſhould be performed without any alteration, as appointed by acts of parliament, and a confirmation of the ſame, purſuant to a reſolution taken on the preſent ninth of September, deſiring the commons to concur with them in publiſhing this order.

The commons refuſe their conſent.

The commons abſolutely refuſed to join in ſuch publication, deeming it unſeaſonable, at ſuch a juncture, to preſs a rigorous obſervance of the laws concerning divine ſervice, when a great part of the nation called for a reformation. Beſide, they knew this laſt order, which confirmed that of the ſixteenth of January, was made when there were only twenty peers in the houſe, and by a majority of but two voices, eleven againſt nine. Then they drew up a declaration, inſerting that of the day before, to which their lordſhips had not returned any anſwer, with the peers order of the ſixteenth of January, and the confirmation of the ſame order of the ninth of September, with the refuſal of the commons to concur with them, and ordered, that their declaration ſhould be printed and publiſhed.

Declaration of the commons without the peers concurrence. Sept. 9.

Remarks on theſe differences.

I preſume it will not be amiſs to remark, concerning this diſſenſion between the two houſes;---First; that paſſion reigned on both ſides, ſince the time of making theſe two motions was no way convenient, there not being more than a fifth part of the members preſent in each houſe.

Secondly; that there was a great difference in the two points in queſtion, with reſpect to their importance. One concerned the preſervation of the public worſhip and liturgy, appointed by law ſince the reformation, but wherein however many people ardently wiſhed great alterations might be made; nay, wiſhed they might be utterly ſuppreſſed, while the reſt of the nation believed them abſolutely neceſſary. This was a thing of ſuch conſequence that, ſeemingly, nothing ought to have been decided for or againſt it, but upon mature deliberation, and when both houſes had their complete number of members. For this reaſon, if the motion for making alterations in the liturgy had been approved in the lower-houſe, doubtleſs the peers would have juſtly oppoſed it, and refuſed their concurrence. But, contrariwiſe, as the commons had taken no reſolution, there ſeems not to have been any neceſſity for the lords to renew their order of the ſixteenth of January, which remained in force, and wanted not this confirmation: nay, it appeared that this order was renewed purely thro' pique, becauſe the commons had made a declaration againſt innovations. Had their lordſhips been ſatisfied with refuſing their conſent to the commons declaration of the eighth of September, there would have been nothing to object: but, in refuſing to return any anſwer to the commons, and renewing withal their order of the ſixteenth of January, they diſcovered that they acted out of ſpleen and revenge, and it was not doubted but the right reverend were the chief promoters of renewing this order.

The ſecond point, which concerned innovations, was not alike important. The queſtion was only to know, whether they were really innovations, and if ſo, whether illegal, or dangerous to religion. But this was a matter not to be debated at ſuch a juncture, when both houſes were on the point of adjourning, and moſt of the members already gone into the country. So their lordſhips might have refuſed their conſent to the commons votes, tho' it had been only on pretenſe of the houſes being ſo thin of members: but, in returning no anſwer to the commons, they ſhewed in ſome meaſure that they approved theſe innovations, which had ſo long ſerved for occaſion of complaints and murmurs in the kingdom.

The

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The same day, before the adjournment, the commons appointed a commitee of forty three (1), to take care, during the recess, of the most weighty and urgent affairs. Their lordships likewise nominated a commitee, consisting of only seven peers, which done, both houses adjourned to the twentieth of October.

Both houses appoint commitees during the recess. Rushworth, Vol. IV. p. 387, 388. Nalson, Vol. II. p. 484, 486.

During this recess, the commitee which had followed King Charles into Scotland wrote to the house's commitee, that there was a sort of conspiracy in Scotland, and that the aim of the parties concerned seemingly was, to interrupt the Scotish parliament's proceedings, and destroy marquis Hamilton, with the earls of Argyle and Lanerick. As the commitee received this notice but two days before the parliament re-assembled, they only ordered the lord-mayor of London to post convenient guards in several places of the city, fearing the conspirators of Scotland might have correspondents in England, to disturb all at once the peace of both kingdoms.

Notice of a plot in Scotland. Vol. II. p. 488. Rushworth, Vol. IV. p. 390, 391.

The parliament meeting October twenty, mr. Pym made a report of what the commitee had done during the recess: whereupon the commons desired a conference with their lordships, whereat they represented to them:

Report of the commitee, p. 390. Nalson, ib.

"1. That a letter from the commitee in Scotland gave ground to think, that when there was a design in England to seduce the King's army, and interrupt the parliament, that there was the like design at that time in Scotland.

"2. That the principal party named in that design in Scotland, lord Crawford, is a person thought to be Popishly affected; and therefore may have correspondence with the like party in England.

"3. That it has been lately published in England, that some things were to be done in Scotland, before it broke out there: therefore we may suspect some correspondence here."

Conference about the Scotish conspiracy.

Rushworth, Vol. IV. p. 390, 391.

On these grounds, the commons proposed to their lordships, that a strong guard should be kept in the cities of London and Westminster, and care taken for defense of the whole kingdom, and that a messenger be sent expressly to the commitee of both houses in Scotland, to acquaint them, that the parliament of England was ready to give the Scots all necessary assistance against those who should disturb the peace.

p. 392.

These proposals being approved by their lordships, instructions were sent to the commitee agreeable to the commons desires.

The same day, October twenty, both houses desired the earl of Essex, whom his Majesty had made general on the south of the Trent, to place a guard at Westminster, for the parliament's security, which was done accordingly. This Scotish conspiracy made a great noise at that time: but it was not possible to discover it fully. See what Burnet says of it, in his Memoirs of the duke of Hamilton.

The parliament desire a guard of the earl of Essex. Ibid. Nalson, Vol. II. p. 492.

Account of the pretended conspiracy in Scotland.

"A gentleman not known to the marquis of Hamilton, brought him and the earl of Argyle the discovery of a plot which, he said, was laid for their lives, and the earl of Lanerick's, which he said he could justify by one witness who was invited to the execution of it. He told also a long formal story of the persons to be actors, of the time, place and manner: and said it was to be executed that very night. This the marquis carried to the King, without naming particulars; which could not be done fately by the law of Scotland, since he had but one witness to prove them by. The King desired him to examine the thing to the bottom, and bring him what farther evidence he could find. In the evening, other presumptions were brought to the marquis, but no clear evidence: however, the matter was got abroad, and in every body's mouth, so that all who depended on these lords came about them in great numbers; and those on whom the design was fastened gave out, it was a forgery to make them odious, and gathered also together. The marquis, hearing this, did not stir out of doors, lest some of their too officious followers should raise tumults; and next day in the evening, he, with the earl of Argyle, and his brother the earl of Lanerick, and half a dozen servants went out of town to his house of Keneel, twelve miles from Edinburg, and sent his excuse to his Majesty, with an account of the reasons. Upon this many discourses went about, people of all sides passing constructions as they were affected: but the parliament took the whole matter into consideration. Those who had given the information owned what they had said, and those on whom the plot was fixed did as positively deny all; so that, no clear proof being brought, the parliament could come to no other decision, but that the lords had good reason to withdraw themselves; and so they were invited to return to their place in parliament."

There is however, in lord Clarendon's history, a particular which may give some light to this affair. The earl of Montross told the King, that the marquis of Hamilton was false to him, and even offered to rid him of this secret enemy; but the King abhored the expedient. Perhaps the earl of Montross thought he should do his Majesty a pleasure in having the marquis assassinated, and mentioning it to some person, the secret was divulged. Howsoever this be, the commons of England were, it seems, extremely jealous of Charles, or at least they did their utmost to inspire the people with distrust: for their fear was grounded but upon very slight presumptions, and a bare possibility, that this pretended plot against three Scotish lords could have any influence in England.

Remark on this conspiracy. Clarendon, p. 236.

Next day, a complaint was made to the commons against some persons, for not obeying the declaration, of the ninth of September, published by order of the house. As this affair was debated with great warmth, sir Edward Deering made a speech, which I think proper to insert, to shew that it was not without ground that the commons were accused of exceeding their power, in publishing that declaration, without obtaining the peers concurrence.

Complaint to the commons concerning the non-observance of their declaration. Rushworth, Vol. IV. p. 393. Diurn. Occurr.

Mr. speaker,

"IT is very true (as is instanced unto you) that your late order and declaration, of the eighth and ninth of September, are much debated and disputed abroad; perhaps it may be a good occasion for us to re-dispute them here.

Sir Edward Deering's speech. Rushworth, Vol. IV. p. 392. Nalson, Vol. II. p. 610.

"The intent of your order to me seems doubtful, and therefore I am bold, for my own instruction, to propound two queries.

"1. How far an order of this house is binding?

"2. Whether this particular order be continuant, or expired?

"Your orders (I am out of doubt) are powerful, if they be grounded upon the laws of the land. Upon that warranty we may, by an order, inforce any thing that is undoubtedly so grounded, and by the same rule we may abrogate whatsoever is introduced contrary to the undoubted foundation of our laws. But, sir, this order is of another nature, another temper, especially in one part of it, of which (in particular) at some other time.

(1) Rushworth names forty-seven. Vol. IV. p. 387.

"Sir,

" Sir, there want not ſome abroad, men of " birth, quality and fortune, ſuch as know the " ſtrength of our votes here as well as ſome of us " (I ſpeak my own infirmities) men of the beſt " worth, and of good aſſiſtance in us, and no way " obnoxious to us: they know they ſent us hither " as their truſtees, to make and unmake laws; " they know they did not ſend us hither to rule " and govern them by arbitrary, revocable and diſ- " putable orders, eſpecially in religion. No time " is fit for that, and this time as unfit as any: I " deſire to be inſtructed herein.

" Mr. ſpeaker, in the ſecond place, there is a " queſtion, whether this order (whereupon the pre- " ſent complaint is grounded) be permanent and " binding, or elſe expired, and by our ſelves de- " ſerted? I obſerve, that the order being made the " eighth of September, in hope then of concurrence " therein by the lords; that failing, you did iſſue " forth your laſt reſolution by way of declaration, " wherein thus you expreſs your ſelf; " That it " may well be hoped, when both houſes ſhall meet " again, that the good propoſitions and prepara- " tions in the houſe of commons, for preventing " the like grievances, and reforming the diſorders " and abuſes in matters of religion, may be brought " to perfection; wherefore you do expect that " the commons of this realm do in the mean " time:"---(what, obey and perform your order " made the day before? No ſuch thing, but in the " mean time) " quietly attend the reformation in- " tended."

" Theſe are your words, and this my doubt upon " them; whether by theſe words you have not ſu- " perſeded your own order? Sure I am, the words " do bear this ſenſe, and good men may think and " hope it was your meaning.

" My humble motion therefore is this; I be- " ſeech you to declare that, upon this our recon- " vention, your order of the eighth of September " is out of date; and that the commons of Eng- " land muſt (as you ſay) " quietly attend the refor- " mation intended;" which certainly is intended to " be perfected up into acts of parliament. And " in the mean time, that they muſt patiently in- " dure the preſent laws, until you can make new, " or mend the old."

The commons carry on the bill againſt biſhops. Ruſhworth, Vol. IV. P. 394.

The twenty-ſecond of October, the bill for diſ- abling perſons in holy orders to exerciſe temporal juriſdiction was again debated, and ſeveral ſpeeches made pro and con. At laſt, it was reſolved to proſecute thoſe biſhops who had aſſiſted at the late convocation, and to puſh the bill for excluding biſhops from their votes in parliament. To that end, the houſe deſired a conference with their lord- ſhips, whereat mr. Pym and mr. St. John explain- ed the commons demands, with reaſons to ſupport them. Pym ſpake firſt thus:

Pym's ſpeech before the lords againſt prelates. p. 395. Diurn. Occur. p. 381. Nalſon, Vol. II. p. 500.

My lords,

" THE parliament, the fountain of juſtice, " ought to be preſerved pure from corrup- " tion, and free from partiality, which will add " not only luſter, reputation and honor, but autho- " rity to what is done in parliament. All mens " eſtates and liberties are preſerved under the ſafe- " cuſtody of parliament; this moveth us to be " careful of any thing which may prejudice the par- " liament in point of freedom and integrity.

" Therefore the knights, citizens and burgeſſes " of the houſe of commons, have commanded me, " with my collegue, to repreſent unto your lord- " ſhips two propoſitions, which they hold of very " great importance and neceſſity to be put in exe- " cution at this time.

" Firſt, that thoſe thirteen biſhops who ſtand " accuſed before your lordſhips, for making the " late book of canons, and puting them in execu- " tion, may be excluded from their votes in par- " liament.

" Secondly, that all the biſhops may be excluded " from having any vote in that act, come from the " houſe of commons to your lordſhips, intitled, " ' An act to take away the biſhops votes in par- " liament, &c.

" That which concerneth the thirteen biſhops " falleth to my charge to open, as I am command- " ed to tell your lordſhips, that it ſtandeth not with " honor and with juſtice, that theſe biſhops ſhould " have votes, ſtanding thus charged with the " breach of truſt, and of the higheſt truſt, againſt " the prerogative of the King, againſt the privilege " of the parliament, againſt the property of the " ſubject, and againſt the peace of the kingdom; " theſe are the jewels which are depoſited under the " truſt and ſafeguard of parliament, and all theſe " have been broken; and this appeareth by making " the new canons voted by your lordſhips to be " againſt all theſe truſts.

" That theſe perſons have been parties to the " breach of this truſt, will appear by the journals " of the convocation, which are now in the coun- " try, and may be ſent for; the entry of the book " is, that all the thirteen biſhops were parties, and " did confirm and ſubſcribe theſe canons; there- " fore it is hoped by theſe canons, that thoſe who " have aſſumed to themſelves a legiſlative power, " whereby they have, as much as in them lies, " rooted out the foundation of parliament; ſhould " have no intereſt in the legiſlative power at all in " parliament.

" Next, that thoſe who have deprived the ſub- " jects of thoſe good laws which are already made " for them, ſhould have no intereſt or part of mak- " ing future laws for the ſubject; this they con- " ceive ſtandeth with a great deal of equity and " juſtice, which is one reaſon to deſire they ſhould " be excluded from their votes in parliament.

" Next is, the heinouſneſs of their offenſe. It is " very fit they ſhould be innocent men, and faith- " ful men, who ſhould have the exerciſe of ſo great " a thing as it is; much leſs then ſhould they be " delinquents of ſo high a nature, actors in ſub- " verting the laws of the realm, that they ſhould " continue their votes and places in parliament: " and that their delinquency may the better ap- " pear, you are deſired to read the votes paſſed in " the houſe of commons (nullo contradicente) " and with which the lords have concurred and " agreed."

Next were read by mr. Goodwin, the votes about making the ſaid canons.

Then mr. ſollicitor St. John thus proceeded.

" That he was in the next place to preſent ſome " reaſons and precedents concerning the biſhops not " having their votes touching the bill, intitled, " ' An act to take away the biſhops votes in par- " liament, &c.

" 1. Becauſe they have no ſuch inherent right " and liberty of being there, as the lords tempo- " ral and peers of the realm have; for they are " not there repreſentative of any body elſe; no, " not of the clergy; for if ſo, then the clergy were " twice repreſented by them, viz. in the lords- " houſe, and in the convocation: for their writ of " election is to ſend two clerks, ' ad conſentien- " dum, &c.' Beſide, none are there repreſentative " of others, but thoſe who have their ſuffrages " from others; and therefore only the clerks in the " convocation do repreſent them.

" 2. They have not the inherent right of peer- " age, as the lords have, becauſe in ſome things " they cannot do that there which the lords may " do, in caſe of treaſon and matter of blood.

" Upon

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" Upon trial of any peer, they have no liberty of " vote, which could not be taken away by any " canon, if their right of voting there was inhe- " rent.

" 3. If they were repreſentative of the clergy, " as a third eſtate and degree, no act of parlia- " ment could be good, if they did wholly diſaſſent; " and yet they have diſaſſented and the law good " and in force; as in the act for eſtabliſhing the " book of common-prayer in Queen Elizabeth's " time, they did diſaſſent from the confirming " that law, which could not have been good, if " they had been a third eſtate and diſaſſented.

" 4. The King may hold his parliament with- " out calling the biſhops at all to it, as hath been " adjudged by all the judges of England, 7 Hen. 8, " occaſioned by the convocation's citing one dr. " Standiſh, for ſpeaking words againſt their power " and privilege, as they conceived. In that caſe " all the judges of England, in preſenſe of the " King, declared, that the King might hold his " parliament without calling them at all.

" So 25 Edward 1, in reſpect the prelacy would " not agree with the reſt of the kingdom, in grant- " ing a reaſonable and neceſſary aid and ſupply, " they were excluded in the parliament at Carliſle: " and, before that parliament, an act paſſed againſt " ſeveral oppreſſions of the abbots, priors and " biſhops upon the inferior clergy of the kingdom, " by purveyance, and ſeting high prices, &c. to " be collected; and ſix or ſeven acts more, all to " this purpoſe, concerning the carriage of the pre- " lates to the inferior clergy; ſo that when them- " ſelves were concerned, they were excluded their " votes.

" In all theſe records of the matter concerning " the clergy, the entry is; that the King, 'habito " tractatu,' &c. with the earls, the barons, and " others the nobles, &c. hath agreed to this act, " or 'by the aſſent of the earls, barons, and other " lay-people:' which ſhews, that the biſhops did " not conſent, for if they had they ſhould have " been firſt named before the earls and barons: for " the order of naming the degrees of nobility, in " all ancient records, is prelates, earls and ba- " rons.

" Thus, 3 Richard 2. there being proviſion the " Pope ſhould not make preſentation, &c. it is " ſaid, that the petition of the commons was aſ- " ſented unto by the King and the lords tempo- " ral, and was always eſteemed a firm act of par- " liament, notwithſtanding the biſhops oppoſed the " ſame."

The biſhops affair remains in ſuſpenſe.

This affair was carried no farther at that time, doubtleſs by reaſon of the obſtacles which occurred in the upper-houſe, where the biſhops gave their voices, to decide whether they were to vote or not. But it was reſerved for another time (1).

Deſigns of Charles's opponents.

Grievances being near redreſſed, the parliament ſeemed to have little more to do: but their diſtruſt with regard to the King being exceſſive, the leaders of that party which oppoſed Charles believed redreſſing paſſed grievances not to be ſufficient: they had likewiſe a mind to prevent ſuch like for the future, by diſabling the King to abuſe his power. It cannot well be denied that this deſign was founded on reaſons very plauſible, and apt to gain the conſent of thoſe who had in view only their country's welfare: for if the King, while he was inveſted with all the prerogatives allowed him by laws, had abuſed his power to eſtabliſh deſpotiſm; if he had purſued the execution of this deſign fifteen years ſucceſſively; if he had deſiſted but by a ſuperior force obliging him to call this parliament; how could it be imagined he would alter his principles and maxims, if left in poſſeſſion of the ſame power which had ſerved him to execute his project? Now there were ſcarce any of the members of both houſes, I ſay, even of thoſe moſt attached to the King, who were not fully convinced that; the conſtitution had of late years been greatly indangered. See what lord Clarendon ſays, on this occaſion, in his hiſtory of the civil wars.

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" For the better ſupport of theſe extraordinary Clarendon, " ways, and to protect the agents and inſtruments p. 53. " who muſt be imployed in them, and to diſcoun- " tenance and ſuppreſs all bold inquiries and oppo- " ſers, the council-table and ſtar-chamber inlarge " their juriſdictions to a vaſt extent. The council- " table, by proclamations, injoining to the people " what was not injoined by the law, and prohibit- " ing that which was not prohibited; and the " ſtar-chamber cenſuring the breach and diſobe- " dience to thoſe proclamations by very great fines " and impriſonment; ſo that any diſreſpect to any " acts of ſtate, or to the perſons of ſtateſmen, was " in no time more penal; and theſe foundations of " right, by which men valued their ſecurity, to " the apprehenſion and underſtanding of wiſe men, " never more in danger to be deſtroyed."

If perſons moſt devoted to the King, as was the earl of Clarendon, had ſuch ſentiments, we may eaſily judge what others thought, and whether they had reaſon to believe, that the redreſs of paſſed grievances was a ſufficient ſecurity for after-times.

But it cannot contrariwiſe be denied, that this parliament contained perſons who were projecting ſecret machinations againſt church-government, and that theſe men thought a diminution of the regal power was abſolutely neceſſary to the execution of their deſigns, conſcious that King Charles would oppoſe them, while cloathed with his uſual authority. It cannot however be infered, from their uſing the above-cited reaſons to inflame the parliament's diſtruſt of this Prince, for a private end of their own, that therefore theſe reaſons were defective. On the other hand, we may venture to aſſert, it was ſolely by the weight of theſe reaſons, that the Preſbyterians, whoſe number was inconſiderable in the parliament and kingdom, finally prevailed to perſuade the other members of the neceſſity to reſtrain the regal power. Had not theſe reaſons been capable of convincing ſuch minds as were leaſt prejudiced, they would never have ſucceeded in cauſing the parliament to take thoſe reſolutions we ſhall ſee in the ſequel. For what intereſt could the major part of the parliament's members have to alter the conſtitution of church and ſtate, had not the paſſed afforded them a juſt occaſion for future apprehenſions?

Two oppoſite opinions concerning the parliament's deſigns.

From what has been advanced reſult two opinions, which have and ſtill do divide all England. The firſt aſcribes to the commons in general, and to ſeveral peers, the private end deſigned by the Preſbyterians. The followers of this opinion will not allow moſt of the members propoſed to themſelves a leſs ſiniſter end in all their proceedings againſt King Charles. Thoſe who ſtickle for the ſecond opinion, refuſe likewiſe to admit of this diſtinction of ends and principles. They pretend, that the King's opponents always acted on motives of equity, juſtice and love of their country. For my own particular part, I ſhall not ſcruple ſaying, that I deem both theſe opinions very groundleſs.

(1) July 9, it was propoſed by ſome of the commons, that the biſhops lands might be put into the hands of feoffees, nine of the laity, and three of the clergy in every dioceſe; and the reſt of the lands belonging to deans, &c. to be imployed for the advancement of learning, and the biſhops to have a liberal allowance during life. Ruſhorth, Vol. IV. p. 438.

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I can never believe, that a great majority of this parliament's members, who, even by the confeſſion of Charles's partiſans, had at firſt no deſire to make any alterations in the conſtitution of either church or ſtate, ſhould ſuffer themſelves to be corrupted by a ſmall number of other members, of whoſe views and deſigns they were not ſo ignorant as to be guided ſolely by their directions: neither can I think that they run into the project of ſubverting church and ſtate thro' mere ſupineneſs, ignorance or ſtupidity, or that they fell into all the ſnares the others laid for them, as lord Clarendon inſinuates. I am rather of opinion, that they weighed the reaſons which were to ingage them to maintain the civil and eccleſiaſtical conſtitution, with the danger of leaving it in its natural ſtate, and that this danger appeared to them ſo great, that, to prevent it, they determined on agreeing to the alterations projected by the Preſbyterians.

On the other hand, I can as difficultly believe, that they who took ſo much care to cheriſh diſtruſt between the King and parliament, who were always ready to give ſiniſter turns to all Charles's words and actions, who inſtead of healing inflamed the wound, that theſe men, I ſay, ſhould have in view only juſtice and the good of their country: eſpecially as they were ſeen to practiſe all methods to accompliſh their private end, I mean, the change of church-government, wherein the other members had no intereſt: nay rather, it would have concerned them to oppoſe it, had they not dreaded a greater miſchief.

If therefore a man blindly follows either of theſe two opinions, without any limitation, he will never be able to give a juſt idea of this parliament's conduct. It is as difficult to believe, that a whole parliament, or at leaſt its majority, may combine together to ſubvert the government of church and ſtate, as it is to conceive, that all theſe ſame members may have acted only upon diſintereſted motives, and with the ſole view of procuring their country's welfare at ſuch a juncture. This, however, is the error into which all the Engliſh hiſtorians have fallen. They have all imbraced one or other of theſe opinions, the ſpirit of party not ſuffering them fairly to conſider the ſeveral motives whereon the members of this parliament proceeded; and this has occaſioned great obſcurity in all they have ſaid upon this ſubject. The trueſt and moſt probable hypotheſis, in my opinion, is briefly this:

The author's hypotheſis.

King Charles had, during the firſt fifteen years of his reign, given his ſubjects great cauſe of complaint. It is therefore no wonder that he had created himſelf abundance of enemies, who earneſtly wiſhed to have the government reſtored to its natural ſtate. Among theſe enemies, the Preſbyterians, who beſide the general grievances had their own private ones, were the moſt eager. They deſired not only to diminiſh the King's power, that he might not be able to hurt them, but likewiſe to ſubvert the eccleſiaſtical hierarchy, and eſtabliſh Preſbytery in its ſtead, wherein they were ſupported by the Scots. Charles being, much againſt his will, obliged to call this parliament, moſt of its members were well diſpoſed to redreſs paſſed grievances, and prevent the like hereafter. Even they who were not that Prince's enemies were in this diſpoſition, and it may be affirmed, that this was both houſes general ſentiment at opening the parliament: but even among thoſe who deſired a redreſs of grievances, there were two different views. Some were for ſtoping at the redreſs of grievances, without proceeding any farther, believing that would be ſufficient to prevent their Sovereign's again attempting ſo unſucceſsful a project. This was Charles's ſentiment, as well as that of many members of both houſes. Others were not only for redreſſing grievances, but likewiſe for taking proper meaſures to prevent ſuch miſchiefs for the future. The Preſbyterians were of this number: but they had alſo more extenſive views, and other ſecret deſigns, viz. to introduce into the church a Preſbyterian government. To attain this end, it was neceſſary to deprive the King of a power which they foreſaw he would not fail to exert in oppoſition to their deſign; and there was no better method than by cheriſhing the parliaments diſtruſt, to which moſt of the members were already but too well diſpoſed. They had therefore only to gain a ſufficient number of thoſe who were willing to ſtop at the redreſs of grievances, and nothing was properer to obtain their concurrence than to fill them with fears and ſuſpicions. This was the reaſon why ſuch care was taken to agravate the plot for ſeducing the army; to dwell continually upon the pretended deſign of marching them to London; to ſpread rumors of a French army ready to land and ſeize Portſmouth with the King's conſent, and I know not how many other reports alike improbable. This was the cauſe of ſo many efforts to exclude prelates from the upper-houſe, in order to diminiſh as much as poſſible the party of thoſe who were for ſtoping at the redreſs of grievances. This was alſo the reaſon, why ſo many mortifications were given King Charles to induce him to take ſome meaſures, which ſhould give advantage againſt him, and be apt to convince the more moderate, that it was dangerous to leave him in poſſeſſion of his whole power. It is not therefore much to be wondered at that many of thoſe who were againſt puſhing matters to extremities ſhould, in the end, be prevailed on by the fears and ſuſpicions wherewith they were continually inſpired. To confirm themſelves in their ſentiment, they had no other ground than their confidence in the King's word, againſt which there were unanſwerable objections, as for inſtance, his violation of the petition of right.

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By theſe direct and indirect means, the Preſbyterians finally ſucceeded in gaining a ſufficient number of votes to give them a ſuperiority in the houſe of commons, at leaſt, as to the deſign of diminiſhing the regal power. When this faction was grown ſuperior, their oppoſers indeavored in vain to curb their fury. On the other hand, King Charles himſelf fell into the ſnares laid for him, and took meaſures which, as will hereafter appear, made him loſe a great number of thoſe who had thitherto appeared the moſt moderate. The following paſſage, from lord Clarendon's hiſtory, will ſerve to illuſtrate this matter.

" I know not how theſe men have already an- p. 253.
" ſwered it to their own conſciences, who having
" aſſumed their country's truſt, and it may be
" with great earneſtneſs labored to procure that
" truſt, by their ſupine lazineſs, negligence and
" abſenſe, were the firſt inlets to thoſe inundations;
" and ſo contributed to thoſe licenſes which have
" overwhelmed us. For by this means a handful
" of men, much inferior in the begining, in num-
" ber and intereſt, came to give laws to the major
" part; and to ſhew that three diligent perſons are
" really a greater and more ſignificant number than
" ten unconcerned, they, by plurality of voices, in
" the end, converted or reduced the whole body to
" their opinions. It is true, men of activity and
" faction in any deſign have many advantages which
" a compoſed and ſettled council, tho' induſtrious
" enough, uſually have not; and ſome which
" gallant men cannot give themſelves leave to enter-
" tain, even for the prevention of all the miſchief
" the others intend.

The earl of Clarendon grants, that a handful of men, at firſt much inferior in number and credit, finally converted the whole houſe to their opinions. But as he was a zealous advocate for the King, he took

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I took care not to aſcribe the ſucceſs of this handful of men to the weight of thoſe reaſons they alleged to the others to bring them over. It was however neceſſary to give ſome reaſon of it, and he found no better, than the lazineſs, negligence, abſenſe and unconcernedneſs of King Charles's friends, and the adverſe party's vigilance. I know not whether this reaſon will be capable to ſatisfy the impartial.

This, as I verily believe, is the true hypotheſis which ought to be eſtabliſhed, in order to form a clear idea of this parliament's conduct; and I hope this digreſſion will not be unſerviceable for the better comprehending the ſequel.

The commons prepare a remonſtrance of the kingdom's condition. Ruſhworth, Vol. IV. p. 425, &c.

The parliament ſeemed to have nothing more to do, all the grievances being in a manner redreſſed, and the armies diſmiſſed. But after what has been ſaid, it will not doubtleſs be thought ſtrange, that the houſe of commons ſhould order the commitee, which at the parliament's firſt aſſembling was charged with preparing a remonſtrance of the nation's ſtate and condition, to reſume and finiſh that work. Nothing would have been more needleſs than ſuch a remonſtrance, after the grievances were redreſſed, had it not been purpoſely deſigned to quarrel with the King, and afford a pretenſe for poſtponing the ſetling his revenues, which was the only buſineſs which remained unfiniſhed, and which his Majeſty expected. I have already obſerved, there was in the parliament a party who intended not to ſtop at redreſſing grievances. Theſe were the men who cauſed the remonſtrance to be reſumed, in expectation of Charles's being thereat diſguſted, and taking ſome ſtep which ſhould promote the execution of their project.

The Iriſh rebellion. p. 398.

But while this remonſtrance was geting ready, there occurred a certain affair of ſuch conſequence, and ſo unexpected, that the commons were obliged for a time to lay aſide all other buſineſs. I mean the Iriſh rebellion, the news whereof reached London the firſt of November, 1641.

Since the end of Queen Elizabeth's reign, when Tir-Oen's rebellion was happily quelled, the Iriſh had lived peaceably under the dominion of James I, and Charles I. Not but that the lords-deputies had continually over that people a vigilant eye, conſidering them as men whoſe fidelity was very ſuſpicious: however, they had at leaſt no occaſion to complain, they were worſe treated than in the former reigns. Touching their religion, it may readily be ſuppoſed they had not ſuffered new troubles under theſe two Princes, who thought of nothing leſs than of perſecuting the Catholics. Nevertheleſs, in March or April this year 1641, the Iriſh formed the project of caſting off the Engliſh yoke; of ſeizing all the fortified places, and of cuting the throats of all the Engliſh in that iſland. The day appointed for executing this bloody deſign was the twenty-third of October, when the inſurrection was to be general all over Ireland. This deſign was really executed as projected, and it is ſaid, on that and ſome few ſucceeding days, upwards of forty thouſand Engliſh Proteſtants were maſſacred by the Iriſh. But their project of ſeizing the ſame day upon Dublin caſtle, where was a great magazine of proviſions and ſtores, was diſcovered over-night, and prevented by the diligence of the lords juſtices of Ireland, who governed in the abſenſe of the earl of Leiceſter, he having been appointed lord-lieutenant ſome months before, and was yet in England.

Nov. 1. p. 249. Nalſon, Vol. II. p. 513.

This news being communicated to the commons by the lords of the privy-council, filled the houſe with terror and conſternation, and at the ſame time with indignation againſt thoſe inhuman revolters. They inſtantly turned themſelves into a grand commitee, and paſſed the following reſolves:

That fifty thouſand pounds ſhould be forthwith provided for the ſervice of Ireland.

That a conference be had with the lords to move them, that a ſelect commitee of the members of both houſes may be appointed to go to the city of London, and propoſe to them the loan of that ſum.

That a ſelect commitee of both houſes may be named to conſider of the affairs of Ireland, and of ſending men and ammunition from hence into that kingdom.

That Owen O Conally, who diſcovered this great treaſon in Ireland, ſhall have five hundred pounds preſently paid him, and two hundred pounds per annum penſion, 'till proviſion be made for an inheritance of greater value.

That the cuſtody of the Iſle of Wight be taken for the preſent from lord Weſton, ſuſpected of being a Catholic, and ſequeſtered into another hand.

That the perſons of Papiſts of quality in the ſeveral counties of this kingdom, where ever they reſide, may be ſecured.

That the lords be deſired to join concerning the diſſolution of the houſe of Capuchins, and the ſpeedy ſending them away, according to the former deſires of this houſe.

That the embaſſadors may be ſent to from both houſes to deliver up ſuch prieſts of the King's ſubjects as are in their houſes.

That a liſt be brought in of the Queen's prieſts, and others her ſervants.

That a proclamation be iſſued forth, commanding all ſtrangers who are not of the Proteſtant religion, to deliver in tickets of their names, and account of their ſtay here, within two days after iſſuing the ſaid proclamation, or elſe depart the kingdom forthwith, &c.

Their lordſhips agreed to the propoſed loan, and nominated ſome of their members to form a commitee of both houſes. Whereupon the commons appointed fifty two to meet the lords, and to be a ſtanding commitee for the affairs of Ireland.

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Votes of the commons about Ireland. Sir John Temple. p. 48. Ruſhworth, Vol. IV. p. 404. Diurn. Occur. Nalſon, Vol. II. p. 524.

Other votes. Temple, P. 49. Nalſon, Ibid.

Two days after the commons farther voted;

That the houſe holds fit, that twenty thouſand pounds be forthwith ſupplied for the preſent occaſions of Ireland.

That a convenient number of ſhips ſhall be provided for guarding the ſea-coaſt of Ireland.

That ſix thouſand foot, and two thouſand horſe ſhall be raiſed, with all convenient ſpeed, for the preſent expedition into Ireland: and that the lord-lieutenant ſhall preſent, to both houſes of parliament, ſuch officers as he ſhall think fit to ſend into Ireland, to command any forces to be tranſported thither.

That the magazines of victuals ſhall be forthwith provided at Weſt-Cheſter, to be ſent over to Dublin, as the occaſions of that kingdom ſhall require.

That the magazines of arms, ammunition, powder, &c. now in Carliſle, ſhall be forthwith ſent over to Knockfergus in Ireland.

That it be refered to the King's council to conſider of ſome fit way, and to preſent it to the houſe, for a publication to be made of rewards to be given to ſuch as ſhall do ſervice in this expedition into Ireland, and for a pardon of ſuch of the rebels as ſhall come in by a time limited, and of a ſum of money to be appointed for a reward of ſuch as ſhall bring in the heads of ſuch principal rebels as ſhall be nominated.

That letters ſhall be forthwith ſent to the juſtices in Ireland, to acquaint them how ſenſible this houſe is of the affairs of Ireland.

That the commitee of Iriſh affairs ſhall conſider how, and in what manner this kingdom ſhall make uſe of the friendſhip and aſſiſtance of Scotland in the buſineſs of Ireland.

That directions ſhall be given for drawing a bill for preſſing men, for this particular of Ireland.

A few

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A few days after, both houſes publiſhed a declaration, to acquaint the public of their having reſolved on aſſiſting his Majeſty, with their whole power, to reduce the Iriſh rebels.

Rushworth, Vol. IV. p. 406.

Charles, who was ſtill in Scotland, had received notice of what had paſſed in North Ireland, but knew not that the Iriſh had miſcarried in their deſign upon Dublin caſtle. He immediately communicated his intelligence to the parliament of Scotland, and demanded their aſſiſtance. The parliament replied, "That "Ireland being dependent on the crown of Eng- "land, and his Majeſty having already writ to "the parliament of England, and ſent to Ireland "for farther information, no other courſe could be "taken, and the rather as the parliament of Eng- "land might conceive jealouſies; but that, after "fuller information, if the Engliſh ſhould think the "aſſiſtance of Scotland neceſſary, it ſhould be ready "as ſoon as England."

Charles demands aid of the Scotiſh parliament.

Their anſwer. Octob. 28. Nalſon, Vol. II. p. 604. Rushworth, Vol. IV. p. 407.

The rebellion daily augmented. Even thoſe very Engliſh termed of the Pale joined with the Iriſh, having pretended being for ſome time attached to the intereſt of England. Theſe Engliſh of the Pale are deſcendants of the ancient conquerors of Ireland, who ſettled there in the reign of Henry II, and who at the reformation continued in the Roman Catholic religion. It was therefore neceſſary a ſtrong force ſhould be ſent into Ireland, to reduce thoſe revolters. Nevertheleſs, tho' the letters from the lords juſtices for aſſiſtance were frequent and preſſing; tho' the rebels continually increaſed in number and ſtrength; tho' his Majeſty moſt earneſtly preſſed both houſes to ſend men, money and ammunition to Ireland; tho' the parliament expreſſed a great deſire to reduce that kingdom, it is certain, that the ſuccors ſent thither were but ſmall, and properer to continue than terminate the war. It would doubtleſs be thought ſtrange to ſee ſo much ardor in words, and ſo little deſire to ſhew it in deeds, if the reaſon of this conduct was not known: and therefore it will be requiſite we explain this matter.

Ireland's great neceſſity of a powerful ſuccor. Ib. p. 410, Cox's Hiſt. of Ireland. P. II. p. 97.

Weak ſupplies are ſent;

and why.

The houſe of commons diſpoſition, while King Charles was in Scotland has been already intimated. A reſolution was taken to diveſt him of part of his power. The views of ſome were only to hinder him from abuſing it for the future. Others added to this motive the deſign of rendering him unable to oppoſe the change they were meditating, with reſpect to church-government. The houſe's order to the commitee to prepare their remonſtrance of the kingdom's condition, was a clear evidence they had ſome ſecret deſign which would ſhew itſelf when occaſion offered. While meaſures are taking to execute this deſign, the Iriſh riſe in rebellion, at a time when they ſeemed to have leaſt reaſon, ſince the government had never treated them with greater lenity than under this preſent reign. They maſſacre in cold blood more than forty thouſand Engliſh Proteſtants (1), and, unfortunately for King Charles, ſpread a report, that they had his authority for what they did. They call themſelves the Queen's army, and diſperſe every where copies of a ſuppoſed commiſſion under the great ſeal, which they pretend to have from the King to authoriſe their taking arms. All this muſt be owned ſufficient to make impreſſions on the minds of thoſe who were already diſaffected to this Prince, and believed him capable of any thing to avoid the dependency which was preparing for him. Indeed, the unprejudiced and moſt conſiderate did not think it poſſible, or even probable, that the King ſhould deſire his Proteſtant ſubjects of Ireland ſhould be maſſacred: yet they ſuſpected that this rebellion, raiſed at ſuch a juncture, was not wholly owing to the diſcontent of the Iriſh, and that very poſſibly his Majeſty might have excited it, to find the parliament imployment, and divert them from the project they had formed. As to maſſacring the Proteſtants, they did not believe the King had any hand in it, but imagined it very poſſible that, after raiſing the rebellion, it was not in his power to reſtrain the Iriſh. Charles, on his part, ignorant of what was ſaid againſt him in England, uſed his utmoſt indeavors to clear himſelf from this atrocious imputation, by preſſing the parliament to ſend a ſpeedy aid into Ireland. But theſe ſollicitations produced a quite contrary effect, ſince it was believed his aim was to leave England unprovided of forces, and to ingage the parliament in a dangerous and moſt expenſive Iriſh war. This was the reaſon why the commons proceeded with deliberation, and ſent but inconſiderable ſuccors into Ireland, being apprehenſive this Iriſh rebellion was a ſnare Charles had laid, to make them conſume the Engliſh ſoldiery and treaſure.

The Iriſh pretend to act by Charles's orders. Rushworth, Vol. IV. p. 400. Borlaſe.

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Burnet.

As diverſe have treated of this imaginary commiſſion from King Charles to the Papiſts of Ireland, authoriſing them to take arms, and as ſome have repreſented it as genuine, others as dubious, but moſt as a notorious forgery, I judged my inſerting it would not be unacceptable. I ſhall add a circular letter ſent with the copy of this pretended commiſſion from the principal rebels to thoſe of their party.

Orders from the chief rebels to publiſh Charles's pretended commiſſion.

From our camp at the Newry, this fourth of November, 1641.

Phelim O Neal, Rory Mac Guire, &c (2).

To all Catholics of the Roman party, both Engliſh and Iriſh, within the kingdom of Ireland, we wiſh all happineſs, freedom of conſcience, and victory over the Engliſh heretics, who have for a long time tyranniſed over our bodies, and uſurped by extortion our eſtates.

Rushworth, Vol. IV. p. 400.

"BE it hereby made known unto you all, our "friends and countrymen, that the King's "moſt excellent Majeſty, for many great and ur- "gent cauſes thereunto moving, repoſing truſt and "confidence in our fidelity, has ſignified unto us, "by his commiſſion under the great ſeal of Scotland, "bearing date at Edinburg the firſt day of this in- "ſtant October, 1641, and alſo by letters under "his ſign manual, bearing date with the ſaid com- "miſſion, of diverſe great and heinous affronts, "that the Engliſh Proteſtants, eſpecially the par- "liament there, have publiſhed againſt his royal "perſon and prerogative, and alſo againſt our Ca- "tholic friends within the kingdom of England; "the copy of which commiſſion we have here ſent "unto you to be publiſhed with all ſpeed in all "parts of this kingdom, that you may be aſſured

(1) Upwards of 154,000 Proteſtants were maſſacred in that kingdom, from the 23d of October 1641, to the firſt of March following, according to the computation of the very prieſts who were preſent. Rushworth, Vol. V. p. 355, 734. But according to ſir J. Temple, there were, ſince the rebellion firſt broke out, to the ceſſation made September 15, 1643, above 300,000 Britiſh and Proteſtants cruelly murdered in cold blood, deſtroyed ſome other way, or expeled out of their habitations. Iriſh Rebel p. 6. See Cox, p. 73.——It ſeems cardinal Richlieu was deeply concerned in this maſſacre. See R. Coke, Vol. I. p. 340, and Vol. II. p. 5.

(2) The other leading confederates were, Turlogh O Neal, Philip O Rely, Mulmore O Rely, ſir Conne Mac-gennis, colonel Mac-brian, Mac-mahon. Temple, p. 39.

"of

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" of our ſufficient warrant and authority herein, " viz.

" CHARLES by the grace of God King " of England, Scotland, France and Ireland, " defender of the faith, &c. To all Catholic " ſubjects within our kingdom of Ireland greeting. " Know you that we, for the ſafeguard and pre- " ſervation of our perſon, have been forced to " make our abode and reſidence in our kingdom of " Scotland, for a long ſeaſon, occaſioned by rea- " ſon of the obſtinate and diſobedient carriage of " our parliament of England againſt us, who have " not only preſumed to take upon them the go- " vernment, and diſpoſing of thoſe princely rights " and prerogatives which have juſtly deſcended " unto us from our predeceſſors, both Kings and " Queens of the ſaid kingdom, for many hundred " years paſſed, but alſo have poſſeſſed themſelves " of the whole ſtrength of the ſaid kingdom, in " appointing governors, commanders and officers, " in all parts and places therein, at their own will " and pleaſure, without our conſent; whereby we " are deprived of our ſovereignty, and left naked " without defenſe. And foraſmuch as we are in " ourſelves very ſenſible, that theſe ſtorms blow " aloft, and are very likely to be carried by the " vehemency of the Proteſtant party into our king- " dom of Ireland, and indanger our royal power " and authority there alſo; know ye therefore, that " we, repoſing much care and truſt in your duty " and obedience, which we have for many years " paſſed found, do hereby give unto you full power " and authority to aſſemble and meet together, " with all the ſpeed and diligence that a buſineſs of " ſo great a conſequence doth require, and to ad- " viſe and conſult together by a ſufficient and diſ- " crete number, at all times, days and places " which you ſhall, in your judgment, hold moſt " convenient and material for the ordering, ſettling " and effecting of this great work, mentioned and " directed to you in our letters, and to uſe all po- " litic ways and means poſſible to poſſeſs yourſelves, " for our uſe and ſafety, of all the forts, caſtles " and places of ſtrength and defenſe within the ſaid " kingdom, except the places, perſons and eſtates " of our loyal and loving ſubjects the Scots: and " alſo to arreſt and ſeize the goods, eſtates and " perſons of all the Engliſh Proteſtants within the " ſaid kingdom to our uſe; and, in your care and " ſpeedy performance of this our will and pleaſure, " we ſhall perceive your wonted duty and alle- " giance unto us, which we ſhall acknowledge and " reward in due time."

Witneſs ourſelf at Edinburg, the firſt day of October, in the ſeventeenth year of our reign.

Arguments that King Charles cannot have given this commiſſion.

Tho', for many reaſons, it be more than probable that King Charles never granted the Iriſh a commiſſion to take arms, it is however certain they boaſted of having ſuch a thing. But it is no leſs certain that it cannot be the ſame with what was above peruſed, nor can this be the commiſſion publiſhed by the leaders of the Iriſh rebels. My reaſon is, becauſe in this commiſſion his Majeſty is made to ſay things which happened not 'till ſeveral months after the day of its date, and which thoſe who are ſuppoſed to have publiſhed it the fourth of November could not foreſee. Charles is introduced ſaying, on the firſt of October 1641, that the parliament had poſſeſſed themſelves of his ſovereignty, and appointed governors, commanders and officers, in all places; which certainly was not done before the month of October 1642. Ruſhworth therefore, who has inſerted this commiſſion in his collections, muſt have had unfaithful memoirs and little judgment, not to diſcern in this pretended commiſſion, of the firſt of October 1641, paſſages which occurred not 'till the inſuing year 1642. Nothing is however truer than that the Iriſh boaſted of having his Majeſty's commiſſion: but it is pretended they themſelves forged it, and fixed thereto a ſurreptitious impreſſion of the great ſeal, taken from ſome grant or patent (1).

Ruſhworth, Vol. IV. p. 402. Nalſon, Vol. II. p. 529.

What conſequence this rumor was of to King Charles. Nalſon, p. 526, &c. Clarendon, p. 237.

Howſoever this be, the pretenſion of the Iriſh, that they had the King's and Queen's authority, was of very ill conſequence to his Majeſty. There were but too many who harbored a very indifferent opinion of his zeal for the Proteſtant religion, and believed him capable of being induced by the Queen's ſollicitations to reſtore Popery in England. The former parliaments had diſcovered their ſuſpicions, and this Prince, inſtead of undeceiving them, had given only words, not ſeconded with any effects. When therefore notice came that the Iriſh Papiſts were in arms, and had maſſacred the Proteſtants, it was very natural to dread ſome ſuch combination in England, which could not but be extremely to his Majeſty's prejudice. Tho' the parliament ſeemed not much to regard this calumny ſpread againſt him, they were however full of diffidence, and this diffidence made them judge it not proper to leave England without troops, money and ammunition, in order to aſſiſt Ireland, leſt England ſhould be unprovided in caſe a like conſpiracy was hatching there alſo: nay, it was the leading members intereſt to feign a greater diſtruſt than they really had, to confirm in their dreads and ſuſpicions ſuch of their aſſociates as were not fully perſuaded. This ſerved to convince them how neceſſary it was to bridle the King's power, and diſable him to execute his deſigns.

Charles's adverſaries attain their ends gradually and by various methods.

Nevertheleſs, tho' the partiſans of thoſe who were for diminiſhing the regal power was numerous in the parliament, they were not yet in condition to proceed as they pleaſed. Matters were to be prepared gradually, one while by cheriſhing ſuſpicions and fears, other whiles by ingaging the houſe to take ſuch ſteps as might conduct them to their real purpoſe, whereof all the members were not appriſed.

Inſtructions to the commitee in Scotland mortifying to King Charles.

With this view it was that, under color of thanking the Scots for their promiſed aſſiſtance to ſuppreſs the rebellion in Ireland, and of treating with them about it, they ingaged the houſe to ſend to the commitee in Scotland freſh inſtructions, which were to Charles extremely mortifying. In theſe inſtructions the houſe ſaid:

" That they had juſt cauſe to believe, that the " conſpiracies and commotions in Ireland were but " the effects of the counſels of thoſe who con- " tinued in credit, authority and imployment about " his Majeſty; therefore they feared that the great " aids, which ſhould be raiſed for ſubduing the " rebellion in Ireland, would be applied to the

Ruſhworth, Vol. IV. p. 422. Nalſon, Vol. II. p. 616.

(1) It was an impreſſion of the broad ſeal, which hung to a patent found by O Neal, in the caſtle of Charlemount, at the taking of it. Nalſon, Vol. II. p. 529. ——— To theſe reaſons, to prove the forgery of this commiſſion, may be added another, which ſeems demonſtrative. The commiſſion is ſuppoſed to be under the great ſeal of Scotland, and yet, in the enumeration of the King's titles, England is named before Scotland, which doubtleſs never was done in any writings publiſhed by authority in that kingdom. Ruſhworth himſelf (Vol. IV. p. 400.) obſerves, that the words of the commiſſion are enough to ſhew the villanous practiſe of the authors, and its bare recital a ſufficient refutation and detection of the unparalleled forgery. See Borlaſe, p. 29.

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" fomenting it there, and incouraging ſome ſuch " like attempt in England. Therefore the commons beſought his Majeſty to change thoſe councils, from which ſuch ill courſes had proceeded, " and to imploy ſuch miniſters as ſhould be approved of by his parliament, who were his greateſt " and moſt faithful council. But if his Majeſty did " not condeſcend to their ſupplications, they ſhould " be forced to reſolve upon ſome way of defending " Ireland from the rebels, and of ſecuring themſelves from miſchievous counſels and deſigns, and " command thoſe aids and contributions which " ſhould be raiſed for the reducing Ireland to the " cuſtody and diſpoſing of ſuch perſons of honor " and fidelity as they had cauſe to confide in."

Theſe inſtructions cloſe with the ſubſequent article.

" You ſhall repreſent to his moſt excellent Ma" jeſty this our humble and faithful declaration, " that we cannot, without much grief, remember the " great miſeries, burdens and diſtempers which " have, for diverſe years, afflicted all his king" doms and dominions, and brought them to the laſt " point of ruin and deſtruction; all which have " iſſued from the cunning, falſe and malicious " practiſes of ſome of thoſe who have been ad" mitted into very near places of counſel and au" thority about him, who have been favorers of " Popery, ſuperſtition and innovation; ſubverters " of religion, honor and juſtice; factors for pro" moting the deſigns of foreign Princes and ſtates, " to the great apparent danger of his royal perſon, " crown and dignity, and of all his people; authors " of falſe ſcandals and jealouſies betwixt his Ma" jeſty and his loyal ſubjects; enemies to the peace, " union and confidence betwixt him and his par" liament, which is the ſureſt foundation of proſ" perity and greatneſs to his Majeſty, of comfort " and hope to them: that, by their counſels and " indeavors, thoſe great ſums which have been " lately drawn from the people, have been either " conſumed unprofitably, or in the maintenance of " ſuch deſigns as have been miſchievous and de" ſtructive to the ſtate; and while we have been " laboring to ſupport his Majeſty, to purge out the " corruption, and reſtore the decays both of church " and ſtate, others of their faction and party have " been contriving by violence and force to ſuppreſs " the liberty of parliament (1), and indanger the " ſafety of thoſe who have oppoſed ſuch wicked " and pernicious courſes.

Great debates touching the remonſtrance. Ruſhworth, Vol. IV. p. 425. Nalſon, Vol. II. p. 667, &c.

This was properly a preparative to the remonſtrance of the kingdom's ſtate and ſituation, which was to be brought into the houſe the firſt opportunity, and which was indeed read the twenty-ſecond of November. It met with ſuch ſtrong oppoſition, that the debates held from three in the afternoon 'till three in the morning (2). Many thought it needleſs to reproach the King with grievances, to the redreſs whereof he had without ſollicitation given a full conſent, and that, beſide the uſeleſneſs of their remonſtrance, it would ſerve only to open old wounds, to which a cure had been applied, and infallibly widen the breach between King and parliament. But this very reaſon was preciſely what excited others to get the remonſtrance approved, becauſe they wanted a diſſenſion between Charles and his parliament, in order to obtain the conſent of both houſes to the diminution of regal power. I pretend not to determine, whether the deſign of diſabling Charles from governing thence-forwards as he had done during fifteen years, was in itſelf equitable, or neceſſary for the kingdom's ſafety and welfare: but it cannot well be denied that the reaſons wherewith it was ſupported were very plauſible. I will not aſſert, that they who formed it, or preſſed its execution, had only in view their country's benefit; as, on the other hand, I do not ſee what could be hoped for or depended on by thoſe who were for leaving that Monarch in poſſeſſion of the ſame power he had thitherto injoyed. Howſoever this be, the remonſtrance was as a ſort of criterion, which was to ſhew which of the two parties ſhould prevail, and withal in ſome meaſure to decide the fate of King Charles's affairs. In ſhort, after a debate of twelve hours, it was carried, by a plurality of nine voices only, that the remonſtrance ſhould be preſented to his Majeſty. Lord Clarendon ſays, " It was carried " by the hour of the night, which drove away a " greater number of old and infirm oppoſers than " would have made thoſe of the negative ſuperior " in number." But to me this reaſon appears little forcible; ſince it might be alleged to ſhew the remonſtrance would have paſſed by more than nine voices, had not ſeveral of thoſe who were for it left the houſe: for why ſhould infirmity or fatigue produce a greater effect on one party than on the other (3)?

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It paſſes by nine votes only. p. 247.

No ſooner was this reſolution taken, but mr. Hampden, who was of the victorious party, moved for the immediate printing this remonſtrance, not ſeeing, as he ſaid, any neceſſity for imparting it to their lordſhips, ſince it ran only in name of the commons. His deſign was it ſhould be diſperſed every where to excite people againſt the King, which was likewiſe the drift of that whole faction. This motion, which was contrary to cuſtom, ſince the remonſtrance ſhould have been at leaſt preſented to his Majeſty before its publication was thought on, produced a violent debate in the houſe, every one manifeſtly foreſeeing the conſequence: but, at length, the ſame party which prevailed in the firſt, prevailed alſo in the ſecond queſtion, and the remonſtrance was ordered to be printed. Some of the oppoſers offered to enter a proteſtation againſt it, but as it was not cuſtomary for the houſe to admit of proteſtations, mr. Palmer, who firſt cried, " I do " proteſt," was ſent to the Tower, but was a few days after releaſed, and reſumed his place in the houſe.

Ordered to be printed. Clarendon, p. 246. p. 248. Ruſhworth, Vol. IV. p. p. 428.

Three days after, viz. the twenty-fifth of November, his Majeſty, being returned from Scotland, paſſed thro' the city of London, and dined at Guildhall. He was received in his capital with the ſame demonſtrations of joy, reſpect and ſubmiſſion as were given on like occaſions to the moſt popular of his predeceſſors, and had all reaſon to be pleaſed with the manner wherein every one ſtrove to do him honor: but the ſatisfaction he received from theſe public demonſtrations of the Londoners affection was not of long continuance.

Charles returns from Scotland. p. 429, &c. Nalſon, Vol. II. p. 675, &c.

Immediately on Charles's arrival at Whitehall, the earl of Eſſex ſurrendered up his commiſſion as captain-general of the ſouth part of the kingdom, and next day his Majeſty diſmiſſed the guards given by that earl to both houſes, at their requeſt. The commons appeared diſpleaſed at this, and deſired their lordſhips to concur with them in petitioning

Eſſex reſigns his commiſſion.

The commons deſire their guards may be continued;

(1) Alluding to the conſpiracy to ſeduce the army. Rapin.

(2) The debate (ſays Whitlock, p. 51.) laſted 'till ten next morning. Lord Clarendon ſays, from nine in the morning, 'till after twelve at night. The ſiting up all night, made one compare it to 'the verdict of a ſtarved jury.' Oliver Cromwell told lord Falkland, " That if the remonſtrance had been rejected, he would have ſold all he had next morning, and never have ſeen " England more." Clarendon, Vol. I. p. 246.

(3) Whitlock (ubi ſupra) ſays indeed, that ſiting up all night cauſed many, thro' weakneſs or wearineſs, to leave the houſe; but ſays not they were of this or that party.

the

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the King, that thoſe guards might be continued 'till they had ſatisfied his Majeſty of the reaſons, why a guard was neceſſary. To this the peers conſented, and the earl of Warwick, with lord Digby, were ordered to move his Majeſty on this affair; but they could not prevail. Charles replied; He ſaw no reaſon for continuing that guard; but however, he would command the earl of Dorſet to appoint ſome of the trained-bands, for a few days only, to wait on both houſes, and if in that time he ſhould be ſatisfied there was juſt reaſon, he would continue them. He perceived, that the aim of thoſe who deſired a continuance of the guards, was purely to cheriſh the peoples fears and ſuſpicions. Upon this anſwer, the commons preſented to his Majeſty a memorial, containing the reaſons why they deſired a guard, adding, they would not have it under the command of any perſon not choſen by themſelves. But as their reaſons were founded upon very improbable ſuppoſitions, they produced no effect.

which Charles refuſes. Ruſhworth, Vol. IV. p. 434. Nalſon, Vol. II. p. 684, 685. He offers another guard. The commons refuſe it. Ib. p. 687.

The commons inſiſted no farther on this ſubject, but within a few days ſent a commitee, to preſent to Charles, then at Hampton-court, the remonſtrance, with a petition. This was, as we may ſay, the alarm of diſcord between King and parliament, as this Prince's adverſaries had viſibly foreſeen. I deem it wholly requiſite to inſert here what paſſed with reſpect to this remonſtrance, which was attended with ſuch conſequences; the report of the commitee ſent to his Majeſty; the houſe's petition, with the remonſtrance itſelf; whereon I ſhall make ſome remarks, to inable my readers to judge of what is genuine and reaſonable, as alſo of what is agravated or diſguiſed.

Commitee to preſent the remonſtrance. p. 689. Ruſhworth, Vol. IV. p. p. 436.

Sir Ralph Hopton's report to the houſe of commons, of what paſſed at his preſenting the petition and remonſtrance to the King, Dec. 1, 1641.

Sir Ralph Hopton's report. Ibid.

"HE ſaid, that laſt night, in the evening, he, and thoſe who accompanied him, came into Hampton-court, where meeting with ſir Richard Wynn, he went in to his Majeſty, and gave him notice of our being there; and, within a quarter of an hour, the King ſent a gentleman-uſher to call us in, with directions for none to come in but ourſelves; whereupon I did, according to your order, and the reſt with me, upon our knees, preſent the petition and remonſtrance, and begun to read it kneeling; but his Majeſty would not permit that, but commanded us all to riſe, and ſo I read it.

"The firſt thing his Majeſty ſpake at the reading thereof, was to that part of the petition which charges a malignant party to be about his Majeſty, with a deſign to change religion; to which his Majeſty with a hearty fervency ſaid, 'The devil take him, whoſoever he be, who has a deſign to change religion.' Then I proceeded to read on; and when I came to that part of the remonſtrance, of reſerving the lands of the rebels in Ireland toward the ſuppreſſing them: his Majeſty ſpake and ſaid, 'We muſt not diſpoſe of the bear's ſkin, 'till the bear be dead.'

"After the petition was read, his Majeſty ſaid, he deſired to aſk us ſome queſtions; but I anſwered, we had no power to ſpeak to any thing, but wherein we had commiſſion; then ſaid his Majeſty; Doth the houſe intend to publiſh this declaration? We ſaid, we could not anſwer to it. 'Well then (ſaid his Majeſty) I ſuppoſe you do not expect a preſent anſwer to ſo long a petition; but this let me tell you, I have left Scotland well in peace; they are well ſatisfied with me, and I with them; and tho' I ſtayed longer than I expected, I think if I had not gone, you had not been ſo ſoon rid of the army. I ſhall give you my anſwer to this buſineſs, with as much ſpeed as the weight thereof will permit.' And ſo was pleaſed to give us his hand to kiſs; and thereupon we took our leave, and afterwards mr. Comptroller came to us with this meſſage; that the King deſired there ſhould be no publiſhing of this declaration, 'till we had received his anſwer. We were all that night treated by mr. Comptroller at ſupper, entertained with great reſpect, and lodged by the King's harbinger."

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Petition of the houſe of commons, which accompanied the remonſtrance of the ſtate of the kingdom, when it was preſented to his Majeſty, at Hampton-court, Dec. 1, 1641.

Moſt gracious Sovereign,

The petition which accompanied the remonſtrance. p. 437. Nalſon, Vol. II. p. 692.

"YOUR Majeſty's moſt humble and faithful ſubjects, the commons in this preſent parliament aſſembled, do, with much thankfulneſs and joy, acknowledge the great mercy and favor of God, in giving your Majeſty a ſafe and peaceable return out of Scotland, into your kingdom of England, where the preſſing dangers and diſtempers of the ſtate have cauſed us with much earneſtneſs to deſire the comfort of your gracious preſenſe, and likewiſe the unity and juſtice of your royal authority, to give more life and power to the dutiful and loyal counſels and indeavors of your parliament, for the prevention of that imminent ruin and deſtruction wherein your kingdoms of England and Scotland are threatened. The duty which we owe to your Majeſty, and our country, cannot but make us very ſenſible and apprehenſive, that the multiplicity, ſharpneſs and malignity of thoſe evils under which we have now many years ſuffered, are fomented and cheriſhed by a corrupt and ill-affected party, who, among other their miſchievous deviſes for the alteration of religion and government, have ſought by many falſe ſcandals and imputations, cunningly inſinuated and diſperſed among the people, to blemiſh and diſgrace our proceedings in this parliament, and to get themſelves a party and faction among your ſubjects, for the better ſtrengthening themſelves in their wicked courſes, and hindering thoſe proviſions and remedies, which might, by the wiſdom of your Majeſty, and counſel of your parliament, be oppoſed againſt them.

"For preventing whereof, and the better information of your Majeſty, your peers, and all other your loyal ſubjects, we have been neceſſitated to make a declaration of the ſtate of the kingdom, both before and ſince the aſſembly of this parliament, unto this time, which we do humbly preſent to your Majeſty, without the leaſt intention to lay any blemiſh upon your royal perſon, but only to repreſent how your royal authority and truſt have been abuſed, to the great prejudice and danger of your Majeſty, and all your good ſubjects. (1)

REMARK (1) The deſign of this declaration or remonſtrance was not to inform the King, as the commons aſſured him, but ſolely to make their apology, and exaſperate the people againſt him. Firſt, the remonſtrance is not directed to the King, and he is always mentioned in the third perſon. Secondly, the commons voted that the remonſtrance ſhould be printed, before they had received any anſwer from the King, and publiſhed it againſt his will. So that what they ſay at the cloſe of this article is all a flouriſh, without one word of truth.

"And becauſe we have reaſon to believe, that thoſe malignant parties, whoſe proceedings evidently appear to be mainly for the advantage and increaſe of Popery, are compoſed, ſet up and acted

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" acted by the ſubtil practiſe of the Jeſuits, and " other engineers and factors for Rome, to the " great danger of this kingdom, and moſt grievous " affliction of your loyal ſubjects, have ſo far pre- " vailed, as to corrupt diverſe of your biſhops and " others in prime places of the church; (2) and " alſo to bring diverſe of theſe inſtruments to be " of your privy-council, (3) and other imploy- " ments of truſt and nearneſs about your Majeſty, " the Prince, and the reſt of your royal chil- " dren.

Rem. (2) The commons pointed at Laud archbiſhop of Canterbury, Neile (a) biſhop of Wincheſter, Wren biſhop of Ely, Coſins dean of Peterborough.

Rem. (3) As Windebank ſecretary of ſtate, and ſome others.

" And by this means have had ſuch operation " in your council, and the moſt important affairs " and proceedings of your government, that a moſt " dangerous diviſion, and chargeable preparation " for war betwixt your kingdoms of England and " Scotland, the increaſe of jealouſies betwixt your " Majeſty and your moſt obedient ſubjects, the " violent diſtraction and interruption of this par- " liament, the inſurrection of the Papiſts in your " kingdom of Ireland, and bloody maſſacre of your " people, have been not only indeavored and at- " tempted, but in a great meaſure compaſſed and " effected.

" For preventing the final accompliſhment " whereof, your poor ſubjects are inforced to in- " gage their perſons and eſtates, to the maintaining " of a very expenſeful and dangerous war, notwith- " ſtanding they have already, ſince the begining " of this parliament, undergone the charges of " one hundred and fifty thouſand pounds ſterling, " or thereabouts, for the neceſſary ſupport and ſup- " ply of your Majeſty in theſe preſent and perilous " deſigns. And becauſe all our moſt faithful indea- " vors and ingagements will be ineffectual for the " peace, ſafety and preſervation of your Majeſty " and your people, if ſome preſent, real and effec- " tual courſe be not taken for ſuppreſſing this wick- " ed and malignant party:

" We your Majeſty's moſt humble and obedient " ſubjects do, with all faithfulneſs and humility, " beſeech your Majeſty: 1. That you would be " graciouſly pleaſed to concur with the humble de- " ſires of your people in a parliamentary way, (4) " for preſerving the peace and ſafety of the king- " dom from the malicious deſigns of the Popiſh " party.

Rem. (4) That is to ſay, by conſenting to the bills which ſhould be preſented him.

" For depriving the biſhops of their votes in " parliament, (5) and abridging their immoderate " power uſurped over the clergy, and other your " good ſubjects, which they have perniciouſly " abuſed, to the hazard of religion, great pre- " judice and oppreſſion of the laws of the kingdom, " and juſt liberty of your people.

Rem. (5) The commons were not ſatisfied with requiring that thoſe biſhops whom they ſuppoſed guilty of the deſign to countenance Popery ſhould be puniſhed, but thence alſo took occaſion to in- flict a penalty on the whole bench, by depriving them of the privilege of ſiting in parliament.

" For the taking away ſuch oppreſſions in reli- " gion, church-government and diſcipline, as have " been brought in and fomented by them; for " uniting together all ſuch your loyal ſubjects as " join in the ſame fundamental truths againſt the " Papiſts, by removing ſome oppreſſions and un- " neceſſary ceremonies, by which diverſe weak " conſciences have been ſcrupled, and ſeem to be " divided from the reſt, (6) and for the due exe- " cution of thoſe good laws, which have been made " for ſecuring the liberty of your ſubjects.

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Rem. (6) The meaning whereof, in the lan- guage of the commons or their leaders was, that he ſhould aboliſh the hierarchy and liturgy; but they durſt not yet ſpeak out, and therefore veiled their intention under this expreſſion, 'by removing un- 'neceſſary ceremonies.'

" 2. That your Majeſty will likewiſe be pleaſed " to remove, from your council, all ſuch as perſiſt " to favor and promote any of thoſe preſſures and " corruptions wherewith your people have been " grieved; and that, for the future, your Majeſty " will vouchſafe to imploy ſuch perſons in your " great and public affairs, and to take ſuch to be " near you in places of truſt, as your parliament " may have cauſe to confide in; that, in your " princely goodneſs to your people, you will reject " and refuſe all mediation and ſollicitation to the " contrary, how powerful and near ſoever. (7)

Rem. (7) Meaning the Queen.

" That you will be pleaſed to forbear to alienate " any of the forfeited and eſcheated lands in Ire- " land, which ſhall accrue to your crown by rea- " ſon of this rebellion; that out of them the crown " may be the better ſupported, and ſome ſatisfac- " tion made to your ſubjects of this kingdom, for " the great expenſes they are like to undergo this " war.

" Which humble deſires of ours being graciouſly " fulfilled by your Majeſty, we will, by the bleſ- " ſing and favor of God, moſt chearfully undergo " the hazard and expenſes of this war, and apply " ourſelves to ſuch other courſes and counſels as " may ſupport your royal eſtate, with honor and " plenty at home, with power and reputation abroad, " and by our loyal affections, obedience and ſervice, " lay a ſure and laſting foundation of the greatneſs " and proſperity of your Majeſty, and your royal " poſterity in future times.

A remonſtrance of the ſtate of the kingdom, pre- ſented to the King, from the houſe of commons, the firſt of December, 1641.

" THE commons in this preſent parliament " aſſembled, having with much earneſtneſs " and faithfulneſs of affection and zeal to the pub- " lic good of this kingdom, and his Majeſty's ho- " nor and ſervice, for the ſpace of twelve months, " wreſtled with great dangers and fears, the preſ- " ſing miſeries and calamities, the various diſtem- " pers and diſorders which had not only aſſaulted, " but even overwhelmed and extinguiſhed the li- " berty, peace and proſperity of this kingdom, " the comfort and hopes of all his Majeſty's good " ſubjects, and exceedingly weakened and under- " mined the foundation and ſtrength of his own " royal throne.

" Do yet find an abounding malignity and op- " poſition in thoſe parties and factions who have " been the cauſe of thoſe evils, and do ſtill labor " to caſt aſperſions upon that which hath been done, " and to raiſe many difficulties for the hinderance " of that which remains yet undone, and to foment " jealouſies betwixt the King and parliament, that " ſo they may deprive him and his people of the " fruit of his own gracious intentions, and their " humble deſires of procuring the public peace, " ſafety and happineſs of this realm. For the pre-

(a) Neile was tranſlated from Wincheſter to York in 1631, in which honor he died, three days before the long parliament was opened.

" venting

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" venting thoſe miſerable effects, which ſuch mali-
" cious indeavors may produce, we have thought
" good to declare: (1)

Remark (1) This was all flouriſh, and a pretenſe uſed by the commons to have occaſion to publiſh this remonſtrance, which was reſolved on at the very firſt aſſembling of this parliament, before any one thought of cenſuring their conduct.

" The root and growth of theſe miſchievous
" deſigns.

" The maturity and ripeneſs to which they
" have attained before the begining of the parlia-
" ment.

" The effectual means which have been uſed for
" the extirpation of thoſe dangerous evils, and the
" progreſs which hath therein been made by his
" Majeſty's goodneſs, and the wiſdom of the par-
" liament.

" The ways of obſtruction and oppoſition, by
" which that progreſs hath been interrupted.

" The courſes to be taken for the removing thoſe
" obſtacles, and for accompliſhing our moſt
" dutiful and faithful intentions and indeavors of
" reſtoring and eſtabliſhing the ancient honor,
" greatneſs and ſecurity of this crown and nation.

" The root of all this miſchief we find to be a
" malignant and pernicious deſign of ſubverting the
" fundamental laws and principles of government,
" upon which the religion and juſtice of this king-
" dom are firmly eſtabliſhed. The actors and pro-
" moters hereof have been,

" 1. The jeſuited Papiſts, who hate the laws,
" as they are the obſtacles of that change and ſub-
" verſion of religion which they ſo much long
" for.

" 2. Tbe biſhops, and the corrupt part of the
" clergy, who cheriſh formality and ſuperſtition,
" as the natural effects, and more probable ſup-
" ports of their own eccleſiaſtical tyranny and uſur-
" pation.

" 3. Such counſellors and courtiers as, for pri-
" vate ends, have ingaged themſelves to farther
" the intereſts of ſome foreign Princes or ſtates, to
" the prejudice of his Majeſty and the ſtate at
" home.

" The common principles by which they mould-
" ed and governed all their particular counſels and
" actions were theſe:

" Firſt, to maintain continual differences and
" diſcontents betwixt the King and the people,
" upon queſtions of prerogative and liberty, that
" ſo they might have the advantage of ſiding with
" him, and, under the notions of men addicted to
" his ſervice, gain to themſelves and their parties
" the places of greateſt truſt and power in the king-
" dom. (2)

Rem. (2) It is certain, this was the method whereby archbiſhop Laud, and the Arminian party, grew powerful at court.

" A ſecond, to ſuppreſs the purity and power of
" religion, and ſuch perſons as were beſt affected
" to it, as being contrary to their own ends, and
" the greateſt impediment to that change which
" they thought to introduce.

" A third, to conjoin thoſe parties of the king-
" dom which were moſt propitious to their own
" ends, and to divide thoſe who were moſt oppo-
" ſite, which conſiſted in many particular obſerva-
" tions.

" To cheriſh the Arminian party, in thoſe
" points wherein they agree with the Papiſts; to
" multiply and inlarge the difference between the
" common Proteſtants, and thoſe whom they call
" Puritans; to introduce and countenance ſuch opi-
" nions and ceremonies as are fiteſt for accommo-
" dation with Popery; to increaſe and maintain ig-
" norance, looſeneſs and profaneneſs in the people:

" that of thoſe three parties, Papiſts, Arminians and Libertines, they might compoſe a body fit to act ſuch counſels and reſolutions, as were moſt conducible to their own ends. Charles I An' 1641.

" A fourth to diſaffect the King to parliaments,
" by ſlanders and falſe imputations, and by puting
" him upon other ways of ſupply, which in ſhew
" and appearance were fuller of advantage than the
" ordinary courſe of ſubſidies, tho' in truth they
" brought more loſs than gain both to King and
" people, and have cauſed the great diſtractions
" under which we both ſuffer.

" As, in all compounded bodies, the operations
" are qualified according to the predominant ele-
" ment, ſo in this mixed party the jeſuited counſels,
" being moſt active and prevailing, may eaſily be
" diſcovered to have had the greateſt ſway in all
" their determinations, and if they be not prevent-
" ed, are likely to devour the reſt, or to turn them
" into their own nature.

" In the begining of his Majeſty's reign, the
" party began to revive and flouriſh again,
" having been ſomewhat damped by the breach
" with Spain, in the laſt year of King James, and
" by his Majeſty's marriage with France; the in-
" tereſts and counſels of that ſtate being not ſo con-
" trary to the good of religion, and the proſperity
" of this kingdom, as thoſe of Spain; and the Pa-
" piſts of England, having been ever more addict-
" ed to Spain than France, yet they ſtill retained a
" purpoſe and reſolution to weaken the Proteſtant
" parties in all parts, and even in France, where-
" by to make way for the change of religion, which
" they intended at home.

" 1. The firſt effect and evidence of their reco-
" very and ſtrength, was the diſſolution of the par-
" liament at Oxford, after there had been given
" two ſubſidies to his Majeſty, and before they re-
" ceived relief in any one grievance: many other
" more miſerable effects followed.

" The loſs of the Rochel fleet, by the help of
" our ſhiping ſet forth and delivered over to the
" French, in oppoſition to the advice of parlia-
" ment, (3) which left that town without defenſe
" by ſea, and made way, not only to the loſs of
" that important place, but likewiſe to the loſs of
" all the ſtrength and ſecurity of the Proteſtant re-
" ligion in France.

Rem. (3) It cannot properly be ſaid, that the ſeven ſhips lent by King Charles to the King of France were delivered to the French, in oppoſition to the advice of parliament, ſince the thing was done before the parliament was acquainted with it. It is likewiſe a great agravation, to impute the loſs of the Rochel fleet, and of Rochel itſelf, to the aid of the ſeven Engliſh ſhips, which the mariners of that nation had deſerted.

" 3. The diverting his Majeſty's courſe of wars,
" from the Weſt-Indies, which was the moſt facile
" and hopeful way for this kingdom to prevail
" againſt the Spaniards, to a moſt expenſive and un-
" ſucceſsful attempt upon Cadiz, which was ſo or-
" dered, as if it had rather been intended to make
" us weary of war, than to proſper it. (4)

Rem. (4) This accuſation ſeems ſomewhat too far-ſtretched, ſince Queen Elizabeth had taken both courſes with ſucceſs.

" 4. The precipitate breach with France, by
" taking their ſhips to a great value, without
" making recompenſe to the Engliſh, whoſe goods
" were thereupon imbarked, and confiſcate in that
" kingdom.

" 5. The peace with Spain, without conſent of
" parliament, contrary to the promiſe of King
" James to both houſes, whereby the Palatine's
" cauſe was deſerted and left to chargeable and
" hopeleſs treaties, which, for the moſt part, were

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" managed by thoſe who might juſtly be ſuſpected " to be no friends to that cauſe. (5)

Rem. (5) This article contains three accuſations againſt the King, 1. of making peace with Spain without conſent of parliament; 2. of neglecting, in this peace, the intereſt of the elector Palatine. 3. of treating of that Prince's affairs by ſuſpected perſons: As to the firſt, it is true, King James had promiſed not to make peace with Spain without the parliament's approbation: but it was at a time when the parliament began to ſupply him with money for the war, and ingaged to inable him to continue it. But the face of affairs was changed when his ſon King Charles made peace. As to the ſecond charge, of neglecting the elector Palatine's cauſe, it is properly a cavil; for King Charles, not having money to continue the war againſt Spain, was in no condition to ſupport the elector's intereſt. All can be ſaid is, that he would have had money from the parliament, had he been diſpoſed to redreſs grievances. As to the third accuſation, I am wholly ignorant of its foundation.

" 6. The charging the kingdom with billeted " ſoldiers in all parts of it, and that concomitant " deſign of German horſe, that the land might " either ſubmit with fear, or be inforced with rigor " to ſuch arbitrary contributions as ſhould be re- " quired of them. (6)

Rem. (6) Theſe two accuſations are unanſwerable. There was but too much reaſon to believe this was done purpoſely to eſtabliſh a deſpotic government.

" 7. The diſſolving the parliament in the ſecond " year of his Majeſty's reign, after a declaration of " their intent to grant five ſubſidies. (7)

Rem. (7) That parliament was diſſolved to ſave the duke of Buckingham.

" 8. The exacting the like proportion of five " ſubſidies after the parliament was diſſolved, by " commiſſion of loan; and diverſe gentlemen and " others impriſoned for not yielding to pay that " loan, whereby many of them contracted ſuch " ſickneſſes as coſt them their lives.

" 9. Great ſums of money required and raiſed " by privy-ſeals. (8)

Rem. (8) Theſe articles were notoriouſly true: there is no juſtifying them, but by aſſerting, that the King had a right to do whatever he did. But that is a very diſputable quere.

" 10. An unjuſt and pernicious attempt to extort " great payments from the ſubject by way of ex- " ciſe, and a commiſſion iſſued under ſeal for that " purpoſe.

" 11. The petition of right, which was granted " in full parliament, blaſted with an illegal declara- " tion, to make it deſtructive to itſelf, to the " power of parliament, to the liberty of the ſub- " ject, and to that purpoſe printed with it; and the " petition made of no uſe but to ſhew the bold and " preſumptuous injuſtice of ſuch miniſters as durſt " break the laws, and ſuppreſs the liberties of the " kingdom, after they had been ſo ſolemnly and " evidently declared.

" 12. Another parliament diſſolved 4 Car; the " privilege of parliament broken, by impriſoning " diverſe members of the houſe, detaining them " cloſe priſoners for many months together, with- " out the liberty of uſing books, pen, ink, or pa- " per, denying them all the comforts of life, all " means of preſervation of health, not permiting " their wives to come near them, even in time of " their ſickneſs.

" 13. And for the compleating that cruelty, af- " ter many years paſſed in ſuch miſerable durance, " depriving them of the neceſſary means of ſpiri- " tual conſolation, not ſuffering them to go abroad " to injoy God's ordinances in God's houſe, or " God's miniſters to viſit them to adminiſter com- " fort to them in their private chambers.

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" 14. And to keep them ſtill in this oppreſſed " condition, not admiting them to be bailed ac- " cording to law, yet vexing them with informa- " tions in inferior courts, ſentencing and fining ſome " of them for matters done in parliament, and ex- " torting the payments of thoſe fines from them, " inforcing others to put in ſecurity of good beha- " vior before they could be releaſed.

" 15. The impriſonment of the reſt who refuſed " to be bound ſtill continued, which might have " been perpetual, if neceſſity had not the laſt year " brought another parliament to relieve them, of " whom one * died by the cruelty and harſhneſs " of his impriſonment, which would admit of no " relaxation, notwithſtanding the imminent danger " of his life did ſufficiently appear by the declara- " tion of his phyſician; and his releaſe, or at leaſt " his refreſhment, was ſought by many humble " petitions: and his blood ſtill cries either for ven- " geance or the repentance of thoſe miniſters of ſtate " who have at once obſtructed the courſe both of " his Majeſty's juſtice and mercy. (9)

* Sir John Elliot.

Rem. (9) The rigor exerciſed upon theſe members of parliament is one of the ſtrongeſt proofs of the deſign to eſtabliſh arbitrary power: and therefore the commons largely inſiſt upon this article.

" 16. Upon the diſſolution of both theſe parlia- " ments, untrue and ſcandalous declarations were " publiſhed to aſperſe their proceedings, and ſome " of their members, unjuſtly to make them odious, " and color the violence which was uſed againſt " them. (10) Proclamations were ſet out to the " ſame purpoſe; and to the great dejecting the " hearts of the people, forbiding them even to " ſpeak of parliaments.

Rem. (10) If by theſe declarations are underſtood thoſe publiſhed to notify the cauſes of diſſolving theſe parliaments, the commons may be ſaid to have ſwerved from the reſpect due to his Majeſty, by terming them untrue and ſcandalous, ſince they were publiſhed in his name.

" 17. After the breach of the parliament in the " fourth of his Majeſty, injuſtice, oppreſſion and " violence broke in upon us, without any reſtraint " or moderation, and yet the firſt project was the " great ſums exacted thro' the whole kingdom, " for default of knighthood, which ſeemed to have " ſome color and ſhadow of a law; yet, if it be " rightly examined by that obſolete law which was " pretended for it, will be found to be againſt all " the rules of juſtice, both in reſpect of the perſons " charged, the proportion of the fines demanded, " and the abſurd and unreaſonable manner of their " proceedings.

" 18. Tonage and poundage have been received " without color or pretenſe of law; many other " heavy impoſitions continued againſt law; and " ſome ſo unreaſonable, that the ſum of the charge " exceeds the value of the goods.

" 19. The book of rates lately inhanced to a " high portion; and ſuch merchants as would not " ſubmit to their illegal and unreaſonable payments " were vexed and oppreſſed above meaſure; and " the ordinary courſe of juſtice, the common birth- " right of the ſubjects of England, wholly obſtruct- " ed and taken from them.

" 20. And altho' this was taken on pretenſe of " guarding the ſeas, yet a new and unheard-of tax " of ſhip-money was deviſed, and upon the ſame " pretenſe: by both which there was charged upon " the ſubject near ſeven hundred thouſand pounds " ſome years; and yet the merchants have been " left ſo naked to the violence of the Turkiſh py- " rates, that many great ſhips of value, and thou-

" ſands

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" ſands of his Majeſty's ſubjects, have been taken " by them, and do ſtill remain in miſerable ſlavery.

" 21. The inlargement of foreſts, contrary to " Charta de Foreſta,' and the compoſition there- " upon.

" 22. The exactions of coat and conduct money, " and diverſe other military charges. (11)

REM. (11) King Charles being ingaged in a war againſt Scotland, ordered that every county ſhould find a certain number of ſoldiers, and cloathe and pay them, 'till they came to the place of general rendezvous, on condition of being reimburſed. On this pretenſe it was agreed with the counties, that they ſhould ſupply his Majeſty with a certain ſum proportionable to the number of ſoldiers each county was to cloathe and pay, for which the King took the whole charge upon himſelf. This was ſtiled coat and conduct-money, i. e. money for cloathing and conducting the troops. But thoſe monies were not ever repaid.

" 23. The taking away the arms of the trained- " bands of diverſe counties. (12)

REM. (12) His Majeſty deſigning to make a magazine of arms in Edinburg caſtle, found no ſpeedier way than to take, in ſome counties, the arms of the militia, and ſend them to Scotland. But it was pretended, that, at the ſame time, his drift was, under that pretext, to diſarm ſuch perſons as were not well-affected to him. Accordingly, this is inſinuated by the remonſtrance, in the following article concerning powder.

" 24. The deſperate deſign of ingroſſing all the " gun-powder into one hand, keeping it in the " Tower of London, and ſeting ſo high a rate " upon it, that the poorer ſort were not able to " buy it; nor could any have it without licenſe; " thereby to leave the ſeveral parts of the kingdom " deſtitute of their neceſſary defenſe; and by ſelling " ſo dear that which was ſold, to make an unlawful " advantage of it, to the great charge and detri- " ment of the ſubject.

" 25. The general deſtruction of the King's " timber, eſpecially that in the foreſt of Dean, ſold " to Papiſts, which was the beſt ſtore-houſe of " this kingdom for the maintenance of our ſhip- " ing. (13)

REM. (13). Theſe points are perhaps ſomewhat exagerated, at leaſt in reſpect to the motives and conſequences.

" 26. The taking away of mens right, under " color of the King's title to land between high and " low water marks.

" 27. The monopolies of ſoap, ſalt, wine, leather, " ſea-coal, and in a manner of all things of moſt " common and neceſſary uſe.

" 28. The reſtraint of the liberties of the ſub- " jects in their habitations, trades and other in- " tereſts.

29. Their vexation and oppreſſion by purveyors, " clerks of the market, and ſalt-petre men.

" 30. The ſale of pretended nuſances, buildings " in and about London.

" 31. Converſion of arable into paſture, con- " tinuance of paſture under the name of depopula- " tion, have drawn many millions out of the ſub- " jects purſes, without any conſiderable profit to " his Majeſty. (14)

REM. (14) The woollen trade being the great ſourſe of the riches of England, the ſubjects were, by ſeveral ſtatutes, injoined not to change paſture into arable land, for fear of leſſening the flocks, and conſequently the wool. In King Charles's reign, the offenders againſt theſe ſtatutes were ſtrictly inquired after, not with a view to hinder the abuſes, but to authorife them by a compoſition with his Majeſty.

" 32. Large quantities of common, and ſeveral " grounds have been taken from the ſubject, by " color of the ſtatute of improvement, and by " abuſe of the commiſſion of ſewers, without their " conſent, and againſt it. (15)

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REM. (15) Commiſſioners of ſewers are ſuch as, by authority under the great ſeal, ſee drains and ditches well ordered and maintained in marſhy and fenny countries, for better conveyance of the water into the ſea, and preſerving graſs upon the land for feeding flocks and herds. The commons complained of this commiſſion's being abuſed.

" 33. And not only private intereſt, but alſo " public faith hath been broken, in ſeizing the " money and bullion in the mint, and the whole " kingdom like to be robbed at once, in that " abominable project of braſs-money. (16)

REM. (16) King Charles took out of the mint only forty thouſand pounds, which money was afterwards returned to the proprietors.

" 34. Great numbers of his Majeſty's ſubjects, " for refuſing thoſe unlawful charges, have been " vexed with long and expenſive ſuits; ſome fined " and cenſured, others commited to long and hard " impriſonments and confinements, to the loſs of " health in many, of life in ſome; and others have " had their houſes broken up, their goods ſeized, " ſome have been reſtrained from their lawful callings.

" 35. Ships have been interrupted in their " voyages, ſurpriſed at ſea in hoſtile manner by " projectors, as by a common enemy.

" 36. Merchants prohibited to unlade their goods " in ſuch ports as were for their own advantage, " and forced to bring them to thoſe places which " were much for the advantage of the monopoliſers " and projectors.

" 37. The court of ſtar-chamber hath abounded " in extravagant cenſures, not only for the main- " tenance and improvement of monopolies, and " other unlawful taxes, but for diverſe other cauſes, " where there hath been no offenſe, or very ſmall; " whereby his Majeſty's ſubjects have been op- " preſſed by grievous fines, impriſonments, ſtig- " matiſing, mutilations, whipings, pillories, gags, " confinements and baniſhments, after ſo rigid a " manner, as hath not only deprived men of the " ſociety of their friends, exerciſe of their profeſſions, " comfort of books, uſe of paper and ink, but even " violated that near union which God hath eſta- " bliſhed betwixt men and their wives, by forced " and conſtrained ſeparation, whereby they have " been bereaved of the comfort and converſation " one of another for many years together, without " hope of relief, if God had not, by his over- " ruling providence, given ſome interruption to the " prevailing power and counſel of thoſe who were " the authors and promoters of ſuch peremptory " and heady courſes. (17)

REM. (17.) This whole article relates to the rigorous treatment of Pryn, Baſtwick, Burton, and others, by the ſtar-chamber.

" 38. Judges have been put out of their places " for refuſing to do againſt their oaths and con- " ſciences: others have been ſo awed that they durſt " not do their duties, and the better to hold a rod " over them, the clauſe, 'Quam diu ſe bene geſſerit,' " was left out of their patents, and a new clauſe, " Durante bene placito,' inſerted.

" 39. Lawyers have been checked for being faith- " ful to their clients: ſollicitors and attornies have " been threatened, and ſome puniſhed for following " lawful ſuits: and by this means all the approaches " to juſtice were interrupted and forecluded.

" 40. New oaths have been forced upon the ſub- " ject againſt law.

" 41. New judicatories erected without law. The " council-table have by their orders offered to bind " the ſubjects in their freeholds, eſtates, ſuits and " actions.

" 42. The

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" 42. The pretended court of the earl-marſhal " was arbitrary and illegal in its being and pro- " ceedings.

" 43. The chancery, exchequer-chamber, court " of wards, and other Engliſh courts, have been " grievous in exceeding their juriſdiction.

" 44. The eſtate of many families weakened, " and ſome ruined by exceſſive fines, exacted from " them for compoſitions of wardſhips.

" 45. All leaſes of above one hundred years " made to draw on wardſhip contrary to law.

" 46. Undue proceedings uſed in the finding of " offices, to make the jury find for the King.

" 47. The common-law courts, ſeeing all men " more inclinable to ſeek juſtice there, where it " may be fited to their own deſires, are known " frequently to forſake the rules of the common- " law, and ſtraying beyond their bounds, under " pretenſe of equity, to do injuſtice. (18)

Rem. (18) The laws of England are divided into common law, and ſtatute law; the firſt is founded on ancient cuſtom, &c. and the other on acts of parliament: from theſe laws the judges are not allowed to deviate, either to the right or left (a). The court of chancery only may, in ſome caſes, judge according to equity. Now the King's courts, in aſſuming the liberty of judging according to equity, and not ſtrictly to the letter of the law, had exceeded their juriſdiction, in order to favor the court.

" 48. Titles of honor, judicial places, ſerjeant- " ſhips at law, and other offices have been ſold for " great ſums of money; whereby the common " juſtice of the kingdom hath been much indangered, " not only by opening a way of employment in " places of great truſt and advantage to men of " weak parts, but alſo by giving occaſion to " bribery, extortion and partiality; it ſeldom hap- " pening that places ill-gotten are well uſed. (19)

Rem. (19) A ſerjeant at law, 'Serviens ad legem,' is the higheſt degree taken in that profeſſion, as that of doctor is in the civil law. One court is peculiar to them, viz. the court of common pleas, tho' they are not reſtrained from pleading in any other court. Out of theſe are choſe one or more King's ſerjeants, to plead for him in all cauſes, eſpecially in thoſe of treaſon.

" 49. Commiſſions have been granted for examin- " ing the exceſs of fees: and when great exactions " have been diſcovered, compoſitions have been " made with delinquents, not only for the time " paſſed, but likewiſe for immunity, and ſecurity " in offending for the time to come, which, under " color of remedy, hath but confirmed and in- " creaſed the grievance to the ſubject.

" 50. The uſual courſe of pricking ſheriffs not " obſerved, but many times ſheriffs made in an " extraordinary way, ſometimes as a puniſhment " and charge unto them, (20) ſometimes ſuch were " pricked out as would be inſtruments to execute " whatſoever they would have to be done.

Rem. (20) To hinder them from being choſen to ſerve in parliament, as ſir Edward Coke*.

* Alſo ſir Robert Philips and ſir Tho. Wentworth.

" 51. The biſhops and the reſt of the clergy " did triumph in the ſuſpenſions, excommunications, " deprivations, and degradations of diverſe painful, " learned and pious miniſters, in the vexation and " grievous oppreſſions of great numbers of his Ma- " jeſty's good ſubjects.

" 52. The high commiſſion grew to ſuch exceſs " of ſharpneſs and ſeverity, as was not much leſs " than the Romiſh Inquiſition, as yet in many caſes, " by the archbiſhop's power, was made much more " heavy, being aſſiſted and ſtrengthened by au- " thority of the council-table.

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" 53. The biſhops and their courts were as eager " in the country; altho' their juriſdiction could not " reach ſo high in rigor and extremity of puniſh- " ment, yet were they no leſs grievous in reſpect of " the generality and multiplicity of vexations, which, " lighting upon the meaner ſort of tradeſmen and " artificers, did impoveriſh many thouſands;

" 54. And ſo afflict and trouble others, that " great numbers, to avoid their miſeries, departed " out of the kingdom; ſome into New-England " and other parts of America, others into Holland:

" 55. Where they have tranſported their manu- " factures of cloth; which is not only a loſs, by " diminiſhing the preſent ſtock of the kingdom, " but a great miſchief, by impairing, and indanger- " ing the loſs of that peculiar trade of clothing, " which hath been a plentiful fountain of wealth and " honor to this nation.

" 56. Thoſe were fiteſt for eccleſiaſtical prefer- " ments, and ſooneſt obtained it, who were moſt " officious in promoting ſuperſtition, moſt virulent " in railing againſt godlineſs and honeſty. (21)

Rem. (21) By theſe are to be underſtood ſuch as were moſt inveterate againſt Preſbytery.

" 57. The moſt public and ſolemn ſermons be- " fore his Majeſty were, either to advance prero- " gative above law and decry the property of the " ſubject, or full of ſuch kind of invectives;

" 58. Whereby they might make thoſe odious who " ſought to maintain the religion; laws and liber- " ties of the kingdom; and ſuch men were ſure to " be weeded out of the commiſſion of the peace, " and out of all other imployments of power in " the government of the country.

" 59. Many noble perſons were counſellors in " name, but the power and authority remained in " a few of ſuch as were moſt addicted to this party: " whoſe reſolutions and determinations were brought " to the table for countenance and execution, and " not for debate and deliberation; and no man could " offer to oppoſe them without diſgrace and hazard " to himſelf.

" 60. Nay, all thoſe who did not wholly con- " cur, and actively contribute to the fartherance of " their deſigns, tho' otherwiſe perſons of ever ſo " great honor and abilities, were ſo far from being " imployed in any place of truſt and power, that " they were neglected, diſcountenanced and, upon " all occaſions, injured and oppreſſed.

" 61. This faction was grown to that height and " intireneſs of power, that now they began to think " of finiſhing their work, which conſiſted of theſe " three parts:

" 62. I. The government muſt be ſet free from " all reſtraint of laws concerning our perſons and " eſtates.

" 63. II. There muſt be a conjunction betwixt " Papiſts and Proteſtants in doctrine, diſcipline and " ceremonies, only it muſt not yet be called Popery.

" 64. III. The Puritans, under which name they " include all thoſe who deſire to preſerve the laws " and liberties of the kingdom, and to maintain " religion in the power of it, muſt be either rooted " out of the kingdom with force, or driven out " with fear.

" 65. For the effecting this, it was thought ne- " ceſſary to reduce Scotland to ſuch Popiſh ſuper- " ſtitions and innovations, as might make them apt " to join with England in that great change which " was intended.

" 66. Whereupon new canons and a new liturgy

(a) Here we have rectified a blunder of our author, who confounds both laws, making them one and the ſame. The like has been done alſo with regard to ſome other ſmall miſtakes in his next remark.

" were

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" were preſſed upon them; and when they refuſed " to admit them, an army was raiſed to force them " to it, towards which the clergy and the Papiſts " were very forward in their contribution.

" 67. The Scots likewiſe raiſed an army for their " defenſe.

" 68. And when both armies were come to- " gether, and ready for a bloody incounter, his " Majeſty's own gracious diſpoſition, the counſel of " the Engliſh nobility, and dutiful ſubmiſſion of " the Scots, did ſo far prevail againſt the evil " counſel of others, that a pacification was made, " and his Majeſty returned with peace and much " honor to London.

" 69. The unexpected reconciliation was moſt " acceptable to all the kingdom, except to the ma- " lignant party; whereof the archbiſhop and the " earl of Strafford being heads, they and their " faction began to inveigh againſt the peace, and " to agravate the proceedings of the ſtates, which " ſo inſenſed his Majeſty, that he forthwith pre- " pared again for war.

" 70. And ſuch was their confidence that, having " corrupted and diſtempered the whole frame and " government of the kingdom, they did now hope " to corrupt that which was the only means to re- " ſtore all to a right frame and temper again.

" 71. To which end, they perſuaded his Ma- " jeſty to call a parliament, not to ſeek counſel and " advice of them, but to draw countenance and " ſupply from them, and to ingage the whole " kingdom in their quarrel.

" 72. And in the mean time, continued all their " unjuſt levies of money, reſolving either to make " the parliament pliant to their will, and to eſtabliſh " miſchief by a law, or elſe to break it, and with " more color to go on by violence to take what they " could not obtain by conſent. The ground alleged " for the juſtification of this war was this:

" 73. That the undutiful demands of the par- " liaments in Scotland were ſufficient reaſons for " his Majeſty to take arms againſt them, without " hearing the reaſon of thoſe demands, and there- " upon a new army was prepared againſt them; " their ſhips were ſeized in all parts both of Eng- " land and Ireland, and at ſea, their petitions re- " jected, their commiſſioners refuſed audience.

" 74. This whole kingdom moſt miſerably di- " ſtempered with levies of men and money; and " impriſonments of thoſe who denied to ſubmit " to thoſe levies.

" 75. The earl of Strafford paſſed into Ireland, " cauſed the parliament there to declare againſt the " Scots, to give four ſubſidies towards that war; " and to ingage themſelves, their lives and fortunes, " for the proſecution of it; and gave directions for " an army, of eight thouſand foot, and one thouſand " horſe, to be levied there, which were for the moſt " part Papiſts.

" 76. The parliament met upon the thirteenth of " April 1640. The earl of Strafford and arch- " biſhop of Canterbury, with their party, ſo pre- " vailed with his Majeſty, that the houſe of com- " mons was preſſed to yield a ſupply for maintenance " of the war with Scotland, before they had pro- " vided any relief for the great and preſſing grie- " vances of the people; which being againſt the " fundamental privilege and proceeding of parlia- " ment, was yet in humble reſpect to his Majeſty " ſo far admited, as that they agreed to take the " matter of ſupply into conſideration, and two " ſeveral days it was debated.

" 77. Twelve ſubſidies were demanded for the " releaſe of ſhip-money alone. A third day was " appointed for concluſion, when the heads of that " party began to fear the people might cloſe with " the King in ſatisfying his deſires of money; but " that withal they were like to blaſt their malicious " deſigns againſt Scotland, finding them very much " indiſpoſed to give any countenance to that war.

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" 78. Thereupon they wickedly adviſed the King " to break off the parliament, and to return to the " ways of confuſion, in which their own evil inten- " tions were moſt like to proſper and ſucceed. (22)

REM. (22) Lord Clarendon, then a member of the houſe of commons, affirms, that the houſe was very well inclined to ſatisfy the King, if he would have had a little patience, and that he repented afterwards his precipitation. This confirms what is ſaid here, that the parliament was diſſolved, for ſome private ends of thoſe who moſt influenced the King's council.

" 79. After the parliament ended, the fifth of " May 1640, this party grew ſo bold, as to counſel " the King to ſupply himſelf out of his ſubjects " eſtates, by his own power, at his own will, with- " out their conſent.

" 80. The very next day, ſome members of " both houſes had their ſtudies and cabinets, yea " their pockets ſearched. Another of them, not " long after, was commited cloſe priſoner, for not " delivering ſome petitions which he received by " authority of that houſe.

" 81. And if harſher courſes were intended (as " was reported) it is very probable that the ſickneſs " of the earl of Strafford, and the tumultuous " riſing in Southwark and about Lambeth, were " the cauſes that ſuch violent intentions were not " brought to execution.

" 82. A falſe and ſcandalous declaration againſt " the houſe of commons was publiſhed, in his Ma- " jeſty's name, which yet wrought little effect with " the people, but only to manifeſt the impudence " of thoſe who were authors of it.

" 83. A forced loan of money was attempted in " the city of London.

" 84. The lord-mayor and aldermen, in their " ſeveral wards, injoined to bring in a liſt of the " names of ſuch perſons as they judged fit to lend, " and of the ſums they ſhould lend, and ſuch alder- " men as refuſed ſo to do were commited to priſon.

" 85. The archbiſhop, with the other biſhops " and clergy, continued the convocation, and by a " new commiſſion turned it into a provincial ſynod, " in which, by an unheard-of preſumption, they " made canons which contain in them many matters " contrary to the King's prerogative; to the fun- " damental laws and ſtatutes of the realm; to the " right of parliaments; to the property and liberty " of the ſubject; with matters tending to ſedition " and of dangerous conſequence; thereby eſtabliſh- " ing their own uſurpations, juſtifying their altar- " worſhip, and thoſe other ſuperſtitious innovations, " which they formerly introduced without warrant " of law.

" 86. They impoſed a new oath upon diverſe of " his Majeſty's ſubjects, both eccleſiaſtical and lay, " for maintenance of their own tyranny, and laid a " great tax upon the clergy for ſupply of his Ma- " jeſty, and generally they ſhewed themſelves very " affectionate to the war with Scotland, which was " by ſome of them ſtiled 'Bellum Epiſcopale,' " and a prayer compoſed and injoined to be read in " churches, calling the Scots rebels, to put the two " nations in blood, and make them irreconcileable.

" 87. All thoſe pretended canons and conſtitu- " tions were armed with the ſeveral cenſures of " ſuſpenſion, excommunication, deprivation, by " which they would have thruſt out all the good " miniſters, and moſt of the well-affected people " of the kingdom, and left an eaſy paſſage to their " own deſign of reconciliation with Rome. (23)

REM. (23) The commons go doubtleſs too far, when they impute to the whole convocation of 1640 a deſign

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a deſign of reſtoring Popery. This is not at all likely, ſuppoſing it true that ſome of the biſhops had formed ſuch a project, which was never well proved (a).

" 88. The Popiſh party injoyed ſuch exemptions " from penal laws as amounted to a toleration, be- " ſide many other incouragements and court-favors.

" 89. They had a ſecretary of ſtate, ſir Francis " Windebank, a powerful agent for ſpeeding all " their deſires.

" 90. A Pope's nuncio reſiding here, to act and " govern them according to ſuch influences as he " received from Rome, and to intercede for them, " with the moſt powerful concurrence of the foreign " Princes of that religion.

" 91. By his authority, Papiſts of all ſorts, no- " bility, gentry and clergy were convocated, after " the manner of a parliament.

" 92. New juriſdictions were erected of Romiſh " archbiſhops, taxes levied, another ſtate moulded " within this ſtate, independant in government, " contrary in intereſt and affection, ſecretly cor- " rupting the ignorant or negligent profeſſors of " our religion, and cloſely uniting and combining " themſelves againſt ſuch as were found in this " poſture, waiting for an opportunity, by force, to " deſtroy thoſe whom they could not hope to ſeduce.

" 93. For the effecting whereof, they were " ſtrengthened with arms and munition, incouraged " by ſuperſtitious prayers, injoined by the nuncio to " be weekly made for the proſperity of ſome great " deſign.

" 94. And ſuch power had they at court, that " ſecretly a commiſſion was iſſued out, or intended " to be iſſued to ſome great man of that profeſſion, " for the levying ſoldiers, and to command and " imploy them according to private inſtructions, " which we doubt were framed for the advantage of " thoſe who were the contrivers of them.

" 95. His Majeſty's treaſure was conſumed, his " revenue anticipated.

" 96. His ſervants and officers compeled to lend " great ſums of money.

" 97. Multitudes were called to the council- " table, who were tired with long attendances there, " for refuſing illegal payments.

" 98. The priſons were filled with their com- " mitments; many of the ſheriffs ſummoned into " the ſtar-chamber, and ſome impriſoned for not " being quick enough in levying ſhip-money; the " people languiſhed under grief and fear; no viſi- " ble hope being left but in deſperation.

" 99. The nobility began to be weary of their " ſilence and patience, and ſenſible of the duty and " truſt which belong to them; and thereupon " ſome of the moſt ancient of them did petition " his Majeſty, at ſuch a time when evil counſellors " were ſo ſtrong that they had occaſion to expect " more hazard to themſelves, than redreſs of thoſe " public evils for which they interceded.

" 100. While the kingdom was in this agitation " and diſtemper, the Scots, reſtrained in their trades, " impoveriſhed by the loſs of many of their ſhips, " bereaved of all poſſibility of ſatisfying his Ma- " jeſty by any naked ſupplications, entered with a " powerful army into the kingdom, and, without " any hoſtile act or ſpoil in the country they paſ- " ſed, more than forcing a paſſage over the Tine " at Newburne, near Newcaſtle, poſſeſſed them- " ſelves of Newcaſtle; and had a fair opportunity " to preſs on farther upon the King's army.

" 101. But duty and reverence to his Majeſty, " and brotherly love to the Engliſh nation, made " them ſtay there, whereby the King had leiſure " to entertain better counſels.

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" 102. Wherein God ſo bleſſed and directed " him, that he ſummoned the great council of peers " to meet at York, upon the twenty-fourth of Sep- " tember, and there declared a parliament, to be- " gin the third of November then following.

" 103. The Scots, the firſt day of the great coun- " cil, preſented their humble petition to his Majeſty; " whereupon the treaty was appointed at Rippon.

" 104. A preſent ceſſation of arms agreed upon, " and the full concluſion of all differences refered to " the wiſdom and care of the parliament. (24)

Rem. (24) The commons ſuppoſe that, as the Scots had petitioned the King to redreſs their griev- ances, with advice of the parliament of England, and as on that occaſion his Majeſty had called a par- liament, this was a tacit conſent of both parties to leave matters to the Engliſh parliament. But this is merely ſuppoſition; there not being any agree- ment to refer matters to the parliament.

" 105. At our firſt meeting, all oppoſition " ſeemed to vaniſh, the miſchiefs were ſo evident " which thoſe evil counſellors produced, that no " man durſt ſtand up to defend them, yet the work " itſelf afforded difficulty enough.

" 106. The multiplied evils and corruptions of " ſixteen years, ſtrengthened by cuſtom and autho- " rity, and the concurrent intereſt of many pow- " erful delinquents, were now to be brought to " judgment and reformation.

" 107. The King's houſhold was to be provided " for; they had brought him to that want, that he " could not ſupply his ordinary and neceſſary ex- " penſes without the aſſiſtance of his people.

" 108. Two armies were to be paid, which " amounted very near to eighty thouſand pounds a " month.

" 109. The people were to be tenderly charged, " having been formerly exhauſted with many bur- " denſome projects.

" 110. The difficulties ſeemed to be inſupera- " ble, which by the divine providence we have " overcome. The contrarieties incompatible, which " yet in a great meaſure we have reconciled.

" 111. Six ſubſidies have been granted, and a " bill of poll-money (b), which if it be duly levied, " may equal ſix ſubſidies more, in all ſix hundred " thouſand pounds.

" 112. Beſide, we have contracted a debt to " the Scots of two hundred and twenty thouſand " pounds; yet God hath ſo bleſſed the indeavors of " this parliament, that the kingdom is a great " gainer by all theſe charges.

" 113. The ſhip-money is aboliſhed, which coſt " the kingdom above two hundred thouſand pounds " a year.

" 114. The coat and conduct-money, and other " military charges are taken away, which in " many counties amounted to little leſs than the " ſhip-money.

" 115. The monopolies are all ſuppreſſed, " whereof ſome few did prejudice the ſubject above " a million yearly.

" 116. The ſoap, a hundred thouſand pounds.

" 117. The wine, three hundred thouſand pounds.

" 118. The leather muſt needs exceed both; and " ſalt could be no leſs than that.

" 119. Beſide, the inferior monopolies, which, " if they could be exactly computed, would make " up a great ſum.

(a) It is obſervable, that this very convocation cenſured Goodman, biſhop of Gloceſter, for favoring Popery.

(b) This poll-tax was raiſed for paying the Scotiſh army. And it was according to the following proportion. A duke paid 100l. a marquis 80l. earls 60l. viſcounts and barons 40l. knights of the Bath 30l. knights bachelors 20l. eſquires 10l. every gentleman who could ſpend 100l. a year 5l. and others in proportion. Hiſt. of Taxes, p. 287.

" 120. That

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" 120. That which is more beneficial than all " this, is, that the root of theſe evils is taken away, " which was the arbitrary power pretended to be " in his Majeſty of taxing the ſubject, or charging " their eſtates without conſent in parliament, which " is now declared to be againſt law, by the judgment " of both houſes, and likewiſe by act of parliament.

" 121. Another ſtep of great advantage is this; " the living grievances, the evil counſellors and " actors of theſe miſchiefs have been ſo quelled:

" 122. By the juſtice done upon the earl of Strafford, " the flight of lord Finch, and ſecretary Windebank:

" 123. The accuſation and impriſonment of the " archbiſhop of Canterbury, of judge Berkley; and,

" 124. The impeachment of diverſe other biſhops " and judges; that it is like not only to be an eaſe to " the preſent times, but a preſervation to the future.

" 125. The diſcontinuance of parliaments is pre- " vented by the bill for a triennial parliament, and " the abrupt diſſolution of this parliament by an- " other bill, by which it is provided, it ſhall not " be diſſolved or adjourned without the conſent of " both houſes.

" 126. Which two laws, well conſidered, may " be thought more advantageous than all the for- " mer, becauſe they ſecure a full operation of the " preſent remedy, and afford a perpetual ſpring of " remedies for the future.

" 127. The ſtar-chamber;

" 128. The high-commiſſion;

" 129. The courts of the preſident and council in " the north, were ſo many forges of miſery, oppreſſion " and violence, and are all taken away; whereby " men are more ſecured in their perſons, liberties " and eſtates, than they could by any law, or ex- " ample, for the regulation of thoſe courts of terror " of the judges.

" 130. The immoderate power of the council- " table, and the exceſſive abuſe of that power is ſo " ordered and reſtrained, that we may well hope " no ſuch things as were frequently done by them, " to the prejudice of public liberty, will appear in " future times but only in ſtories, to give us and " our poſterity more occaſion to praiſe God for his " Majeſty's goodneſs, and the faithful indeavors of " this parliament.

" 131. The canons and power of canon-making " are blaſted by the votes of both houſes.

" 132. The exorbitant power of biſhops and " their courts are much abated, by ſome proviſions " in the bill againſt the high-commiſſion courts, " authors of the many innovations in doctrine and " ceremonies.

" 133. The miniſters who have been ſcandalous " in their lives have been ſo terrified, by juſt com- " plaints and accuſations, that we may well hope " they will be more modeſt for the time to come; " either inwardly convicted by the ſight of their " own folly, or outwardly reſtrained by the fear " of puniſhment.

" 134. The foreſts are, by a good law, reduced " to their right bounds.

" 135. The incroachments and oppreſſions of " the ſtannery courts, the extortions of the clerk " of the market.

" 136. And the compulſion of the ſubject to re- " ceive the order of knighthood againſt his will, " paying fines for not receiving it, and the vexatious " proceedings thereupon for levying thoſe fines, " are by other beneficial laws reformed and prevented.

" 137. Many excellent laws and proviſions are " in preparation for removing the inordinate power, " vexation and uſurpations of biſhops; for reform- " ing the pride and idleneſs of many of the clergy; " for eaſing the people of unneceſſary ceremonies " in religion; for cenſuring and removing unworthy " and unprofitable miniſters, and for maintaining " godly and diligent preachers thro' the kingdom.

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" 138. Other things of main importance for the " good of this kingdom are in propoſition, tho' " little could hitherto be done in regard of the many " other more preſſing buſineſſes, which yet before " the end of this ſeſſion we hope may receive ſome " progreſs and perfection.

" 139. The eſtabliſhing and ordering the King's " revenue, that ſo the abuſe of officers, and ſuper- " fluity of expenſes may be cut off, and the neceſſary " diſburſements for his Majeſty's honor, the defenſe " and government of the kingdom, may more cer- " tainly be provided for.

" 140. The regulating courts of juſtice, and " abridging both the delays and charges of law-ſuits.

" 141. The ſetling ſome good courſes for pre- " venting the exportation of gold and ſilver, and " the inequality of exchanges betwixt us and other " nations, for the advancing native commodities, " increaſe of our manufacturies, and well-balancing " of trade, whereby the ſtock of the kingdom may " be increaſed, or at leaſt kept from impairing, as " thro' neglect hereof it hath done for many years " laſt paſſed.

" 142. Improving the hering-fiſhing upon our " own coaſts, which will be of mighty uſe in the " imployment of the poor, and a plentiful nurſery " of mariners, for inabling the kingdom in any " great action.

" 143. The oppoſitions, obſtructions, and other " difficulties wherewith we have been incountered, " and which ſtill lie in our way, with ſome ſtrength " and much obſtinacy, are theſe; the malignant " party, whom we have formerly deſcribed to be " the actors and promoters of all our miſery, who " have taken heart again.

" 144. They have been able to prefer ſome of " their own factors and agents to degrees of honor, " to places of truſt and imployment, even during " the parliament:

" 145. They have indeavored to work in his " Majeſty ill impreſſions and opinions of our pro- " ceedings, as if we had altogether done our own " work, and not his, and had obtained from him " many things very prejudicial to the crown, both " in reſpect of prerogative and profit.

" 146. To wipe out this ſlander, we think good " only to ſay thus much: that all we have done is " for his Majeſty, his greatneſs, honor and ſupport, " when we yield to give twenty-five thouſand " pounds a month for relief of the northern coun- " ties; this was given to the King, for he was " bound to protect his ſubjects.

" 147. They were his Majeſty's evil counſellors, " and their ill inſtruments, who were actors in " thoſe grievances which brought in the Scots.

" 148. And if his Majeſty pleaſe to force thoſe " who were the authors of this war to make ſatiſ- " faction, as he might juſtly and eaſily do, it ſeems " very reaſonable that the people might well be ex- " cuſed from taking upon them this burden, being " altogether innocent, and free from being any cauſe " of it.

" 149. When we undertook the charge of the " army, which coſt above fifty thouſand pounds a " month, was not this given to the King? Was it " not his Majeſty's army? Were not all the com- " manders under contract with his Majeſty at higher " rates, and greater wages than ordinary:

" 150. And have not we taken upon us to diſ- " charge all the brotherly aſſiſtance of three hundred " thouſand pounds, which we gave the Scots? Was " it not toward repair of thoſe damages and loſſes " which they received from the King's ſhips, and " from his miniſters?

" 151. Theſe three particulars amount to above " eleven hundred thouſand pounds.

" 152. Beſide,

" 152. Beſide his Majeſty hath received, by " impoſitions upon merchandiſe, at leaſt four hun- " dred thouſand pounds.

" 153. So that his Majeſty hath had out of the " ſubjects purſe, ſince the parliament began, one " million and a half; and yet theſe men can be ſo " impudent as to tell his Majeſty, that we have " done nothing for him.

" 154. As to the ſecond branch of this ſlander, " we acknowledge with much thankfulneſs, that " his Majeſty hath paſſed more good bills to the " advantage of the ſubjects, than have been in " many ages.

" 155. But withal we cannot forget, that thoſe " venomous counſels did manifeſt themſelves in " ſome indeavors to hinder theſe good acts.

" 156. And for both houſes of parliament we " may with truth and modeſty ſay thus much: " that we have ever been careful not to deſire any " thing which ſhould weaken the crown, either in " juſt profit or uſeful power.

" 157. The triennial parliament, for the mat- " ter of it, doth not extend to ſo much as by " law we ought to have required, there being two " ſtatutes ſtill in force for a parliament to be once " a year (25); and, for the manner of it, it is in " the King's power that it ſhall never take effect, " if he, by a timely ſummons, ſhall prevent any " other way of aſſembling. (26)

Rem. (25) But theſe ſtatutes, by diſuſe, were grown obſolete, like that of Edward II, on which the King proceeded to compel people to receive the order of knighthood.

Rem. (26) The commons might have ſaid, that he was himſelf the cauſe of this act, for not calling a parliament in twelve years.

" 158. In the bill for continuance of this preſent " parliament, there ſeems to be ſome reſtraint of " the royal power in diſſolving parliaments, not " to take it out of the crown, but to ſuſpend the " execution of it for this time and occaſion only; " which was ſo neceſſary for the King's own ſecu- " rity, and the public peace, that without it we " could not have undertaken any of theſe great " charges, but muſt have left both the armies to " diſorder and confuſion, and the whole kingdom " to blood and rapine. (27)

Rem. (27) The commons underſtand here more than they expreſs. Their aim is to ſhew that, without this act, the King would not have failed to diſſolve this parliament; conſequently the peace with Scotland could not have been concluded, and the two armies would have ravaged the kingdom.

" 159. The ſtar-chamber was much more fruit- " ful in oppreſſion than in profit, the great fines " being for the moſt part given away, and the reſt " ſtalled at long times.

" 160. The fines of the high-commiſſion were in " themſelves unjuſt, and ſeldom or never came " into the King's purſe. Theſe four bills are par- " ticularly and more ſpecially inſtanced.

" 161. In the reſt, there will not be found ſo " much as a ſhadow of prejudice to the crown.

" 162. They have ſought to diminiſh our repu- " tation with the people, and to bring them out " of love with parliaments.

" 163. The aſperſions which they have attempt- " ed this way have been ſuch as theſe;

" 164. That we have expended much time and " done little, eſpecially in thoſe grievances which " concern religion.

" 165. That the parliament is a burden to the " kingdom, by the abundance of protections which " hinder juſtice and trade (28), and by many ſub- " ſidies granted, much more heavy than any for- " merly indured.

Rem. (28) Every member of parliament has a right to grant protections to his ſervants and dependants, ſo that they cannot be proſecuted in any courts. It is certain, this right was abuſed by many members, in granting protections to perſons without any lawful foundation, nay, ſome even ſold them.

" 166. To which there is a ready anſwer; if " the time expended in this parliament be conſider- " ed in relation backward; to the long growth " and deep root of thoſe grievances which we have " removed; to the powerful ſupports of thoſe de- " linquents whom we have purſued; to the great " neceſſities and other charges of the common- " wealth, for which we have provided.

" 167. Or if it be conſidered in relation for- " ward; to many advantages, which not only the " preſent but future ages are like to reap by the " good laws, and other proceedings in this parlia- " ment, we doubt not but it will be thought, by " all indifferent judgments, that our time hath been " much better imployed, than in a far greater pro- " portion of time in many former parliaments put " together, and the charges which have been laid " upon the ſubjects, and the other inconveniencies " which they have borne, will ſeem very light, in " reſpect of the benefit they have and may receive.

" 168. And for the matter of protection, the " parliament is ſo ſenſible of it, that therein they " intended to give them whatſoever eaſe may ſtand " with honor and juſtice, and are in a way of " paſſing a bill to give them ſatisfaction.

" 169. They have ſought, by many ſubtil prac- " tiſes, to cauſe jealouſies and diviſions betwixt us " and our brethren of Scotland, by ſlandering " their proceedings and intentions toward us, and " by ſecret indeavors to inſtigate and inſenſe them " and us one againſt another.

" 170. They have had ſuch a party of biſhops, " and Popiſh lords, in the houſe of peers, as hath " cauſed much oppoſition and delay in the proſecu- " tion of delinquents, hindered the proceedings of " diverſe good bills paſſed in the commons houſe, " concerning the reformation of ſundry great abuſes " and corruptions, both in church and ſtate.

" 171. They have labored to ſeduce and corrupt " ſome of the commons houſe, to draw them into " conſpiracies and combinations againſt the liberty " of the parliament.

" 172. And, by their inſtruments and agents, " they have attempted to diſaffect and diſcontent " his Majeſty's army; and to ingage it for the " maintenance of their wicked and traitorous de- " ſigns; the keeping up of biſhops in votes and " functions, and by force to compel the parliament " to order, limit and diſpoſe their proceedings, in " ſuch manner as might beſt concur with the inten- " tions of this dangerous and potent faction.

" 173. And when one miſchievous deſign and " attempt of theirs, to bring on the army againſt " the parliament and city of London, had been " diſcovered and prevented;

" 174. They preſently undertook another of the " ſame damnable nature, with this addition, to in- " deavor to make the Scotiſh army neutral, while " the Engliſh army, which they had labored to " corrupt and invenom againſt us by their falſe and " ſlanderous ſuggeſtions, ſhould execute their ma- " lice, to the ſubverſion of our religion, and the " diſſolution of our government.

" 175. Thus they have been continually prac- " tiſing to diſturb the peace, and ploting the de- " ſtruction even of all the King's dominions; and " have imployed their emiſſaries and agents in " them, all for the promoting their deviliſh de- " ſigns, which the vigilancy of thoſe who were well " affected hath ſtill diſcovered and defeated, before " they were ripe for execution in England and " Scotland.

" 176. Only

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" 176. Only in Ireland, which is farther off, " they have had time and opportunity to mould " and prepare their work, and had brought it to " ſuch perfection, that they had poſſeſſed them- " ſelves of that whole kingdom; totally ſubverted " the government of it; rooted out religion, and " deſtroyed all the Proteſtants, whom the conſci- " ence of their duty to God, their King and coun- " try would not have permitted to join with them, " if by God's wonderful providence their main en- " terpriſe upon the city and caſtle of Dublin had " not been detected and prevented, upon the very " eve before it ſhould have been executed.

" 177. Notwithſtanding they have, in other " parts of that kingdom, broken out into open " rebellion, ſurpriſing towns and caſtles, commit- " ed murders, rapes and other villanies, and " ſhaken off all bounds of obedience to his Majeſty, " and the laws of the realm. (29)

REM. (29) The commons, in theſe two laſt articles, conſider the malignant party of England as the principal authors of the Iriſh rebellion, and artfully confound whatever had been done in England for fifteen years, and the maſſacre of Ireland in 1641, under the ſame idea, as proceeding from the ſame ſourſe, which was never well proved.

" 178. And in general have kindled ſuch a fire, " as nothing but God's infinite bleſſing upon the " wiſdom and indeavors of this ſtate will be able to " quench.

" 179. And certainly had not God, in his great " mercy unto this land, diſcovered and confounded " their former deſigns, we had been the prologue " to this tragedy in Ireland, and had by this been " made the lamentable ſpectacle of miſery and con- " fuſion.

" 180. And now what hope have we but in God, " when the only means of our ſubſiſtence and power " of reformation is, under him, in the parliament?

" 181. But what can we the commons, without " the conjunction of the houſe of lords; and what " conjunction can we expect there, when the bi- " ſhops and recuſant lords are ſo numerous, and " prevalent, that they are able to croſs and inter- " rupt our beſt indeavors for reformation, and by " that means give advantage to this malignant " party to traduce our proceedings?

" 182. They infuſe into the people, that we " mean to aboliſh all church-government, and leave " every man to his own fancy, for the ſervice and " worſhip of God, abſolving him of that obe- " dience which he owes under God to his Ma- " jeſty; whom we know to be intruſted with the " eccleſiaſtical law, as well as with the temporal, " to regulate all the members of the church of Eng- " land, 'by ſuch rule of order and diſcipline, as " are eſtabliſhed by parliament; which is his " great council, in all affars, both in church and " ſtate.' (30)

REM. (30) It is true, the commons declare here, that their intention is not to ſet up independency in matter of religion: but as to what concerns the government of the church they ſpeak obſcurely, becauſe it was not yet time to declare themſelves more openly. They are contented with aſſerting, that the King ought to take the parliament's advice in the church's concerns; a maxim they deſigned to make great uſe of.

" 183. We confeſs our intention is, and our in- " deavors have been, to reduce within bounds that " exorbitant power, which the prelates have aſſum- " ed unto themſelves, ſo contrary both to the word " of God, and to the laws of the land; to which " end we paſſed the bill for the removing them " from their temporal power and imployments; " that ſo the better they might with meekneſs ap- " ply themſelves to the diſcharge of their functions; " which bill themſelves oppoſe, and were the prin- " cipal inſtruments of croſſing it.

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" 184. And we do here declare, that it is far " from our purpoſe or deſire, to let looſe the golden " reins of diſcipline and government in the church, " to leave private perſons, or particular congrega- " tions, to take up what form of divine ſervice they " pleaſe; for we hold it requiſite, that there ſhould " be throughout the whole realm a conformity to " that order which the laws injoin, according to the " word of God. (31) And we deſire to unburden " the conſciences of men of needleſs and ſuperſti- " tious ceremonies, ſuppreſs innovations, and take " away the monuments of idolatry.

REM. (31) Great uſe was afterwards made of this reſtriction, 'according to the word of God,' to introduce greater alterations than thoſe mentioned in this article.

" 185. And the better to effect the intended re- " formation, we deſire there may be a general " ſynod of the moſt grave, pious, learned and ju- " dicious divines of this iſland, aſſiſted with ſome " from foreign parts, profeſſing the ſame religion " with us; who may conſider of all things neceſſa- " ry for the peace and good government of the " church, and repreſent the reſults of their conſul- " tations unto the parliament, to be there allowed " of and confirmed, and receive the ſtamp of au- " thority, thereby to find paſſage and obedience " throughout the kingdom. (32)

REM. (32) The commons diſcover here more clearly their intentions, in that, 1. It does not appear that they would admit biſhops into this ſynod. 2. In that they would have it to conſiſt of divines of the iſland, and conſequently of Scots, who were all Preſbyterians, and of ſome foreigners who were ſo likewiſe.

" 186. They have maliciouſly charged us, that " we intend to deſtroy and diſcourage learning; " whereas it is our chiefeſt care and deſire to ad- " vance it, and to provide a competent main- " tenance for conſcionable and preaching miniſters " throughout the kingdom, which will be a great " incouragement to ſcholars, and a certain means " whereby the want, meanneſs and ignorance, to " which a great part of the clergy is now ſubject, " will be prevented.

" 187. And we intend likewiſe to reform and " purge the fountains of learning, the two univer- " ſities, that the ſtreams flowing from thence may " be clear and pure, a comfort and honor to the " whole land. (33)

REM. (33) It is certain, at the time this remonſtrance was publiſhed, the reſolution of aboliſhing the eccleſiaſtical hierarchy was already taken, tho' it was not yet openly declared. Accordingly, the deſign to purge both univerſities was executed, by turning out the heads and profeſſors of the church of England, and puting in Preſbyterians.

" 188. They have ſtrained to blaſt our proceed- " ings in parliament, by wreſting the interpreta- " tions of our orders from their genuine intention.

" 189. They tell the people, that our medling " with the power of epiſcopacy hath cauſed ſecta- " ries and conventicles, when idolatry and Popiſh " ceremonies, introduced into the church by com- " mand of the biſhops, have not only debared the " people from thence, but expeled them from the " kingdom.

" 190. Thus, with Eliab, we are called by this " malignant party, 'troublers of the ſtate,' and " ſtill while we indeavor to reform their abuſes, " they make us the authors of thoſe miſchiefs we " ſtudy to prevent.

" 191. For perfecting the work begun, and re- " moving all future impediments, we conceive " theſe courſes will be very effectual, ſeeing the

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" religion of the Papiſts hath ſuch principles as do " certainly tend to the deſtruction and extirpation " of all Proteſtants, when they ſhall have oppor- " tunity to effect it.

" 192. It is neceſſary, in the firſt place, to keep " them in ſuch condition, as that they may not be " able to do us any hurt, and for avoiding ſuch " connivance and favor as hath heretofore been " ſhewed unto them:

" 193. That his Majeſty be pleaſed to grant a " ſtanding commiſſion to ſome choice men, named " in parliament, who may take notice of their in- " creaſe, their counſels and proceedings, and uſe all " due means, by execution of the laws, to prevent " all miſchievous deſigns againſt the peace and ſafety " of this kingdom.

" 194. That ſome good courſe be taken to diſ- " cover the counterfeit and falſe conformity of " Papiſts to the church, by color whereof perſons, " very much diſaffected to the true religion, have " been admited into places of greateſt truſt and au- " thority in the kingdom.

" 195. For the better preſervation of the laws " and liberties of the kingdom, that all the illegal " grievances and exactions be preſented and puniſhed " at the ſeſſions and aſſizes.

" 196. And that judges and juſtices be very " careful to give this in charge to the grand juries, " and both the ſheriff and juſtices to be ſworn to " the due execution of the petition of right, and " other laws.

" 197. That his Majeſty be humbly petitioned, " by both houſes, to imploy ſuch counſellors, em- " baſſadors and other miniſters, in managing his " buſineſs at home and abroad, as the parliament " may have cauſe to confide in, without which we " cannot give his Majeſty ſuch ſupplies for ſupport " of his own eſtate, nor ſuch aſſiſtance to the Pro- " teſtant party beyond the ſea, as is deſired.

" 198. It may often fall out, that the commons " may have juſt cauſe to take exceptions at ſome " men for being counſellors, and yet not charge " thoſe men with crimes; for there be grounds of " diffidence which lie not in proof.

" 199. There are others which, tho' they may " be proved, yet are not legally criminal.

" 200. To be a known favorer of Papiſts, or to " have been very forward in defending or coun- " tenancing ſome offenders queſtioned in parlia- " ment; or to ſpeak contemptuouſly of either par- " liaments, or parliamentary proceedings: (34)

REM. (34) It is not unlikely the commons here had in view lord Digby, the earl of Briſtol's ſon.

" 201. Or ſuch as are factors or agents for any " foreign Prince of another religion; ſuch as are " juſtly ſuſpected to get counſellors places, or any " other of truſt concerning public imployment for " money; for all theſe, and diverſe others, we may " have great reaſon to be earneſt with his Majeſty " not to put his great affairs into ſuch hands, tho' " we may be unwilling to proceed againſt them in " any legal way of charge or impeachment.

" 202. That all counſellors of ſtate may be ſworn " to obſerve thoſe laws which concern the ſubject " in his liberty; that they may likewiſe take an " oath not to receive, or give reward or penſion " from any foreign Prince, but ſuch as they ſhall, " within ſome reaſonable time, diſcover to the lords " of his Majeſty's council.

" 203. And altho' they ſhould wickedly for- " ſwear themſelves, yet it may herein do good to " make them known to be falſe and perjured to " thoſe who imployed them, and thereby bring " them into as little credit with them as with us.

" 204. That his Majeſty may have cauſe to be " in love with good counſel and good men, by " ſhewing him, in humble and dutiful manner, " how full of advantage it would be to himſelf to " ſee his own eſtate ſettled in a plentiful condition to " ſupport his honor; to ſee his people united in " ways of duty to him, and indeavors of the public " good; to ſee happineſs, wealth, peace and ſafety " derived to his own kingdom, and procured to " his allies, by the influence of his own power and " government."

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It is eaſy to perceive, after reading this remon- ſtrance or declaration, that it was a real manifeſto againſt the King, under name of counſellors, miniſters and malignants: and therefore, before we proceed, it is reaſonable to lay before my reader King Charles's anſwer to the petition which accom- panied this remonſtrance, and then to the remon- ſtrance itſelf.

His Majeſty's anſwer to the petition, which accompanied the declaration preſented him, at Hampton-court, December 1, 1641.

" WE having received from you, ſoon after " our return out of Scotland, a long peti- " tion, conſiſting of many deſires of great moment, " together with a declaration of a very unuſal na- " ture annexed thereunto, we had taken ſome time " to conſider of it, as befited us in a matter of that " conſequence, being confident that your own " reaſon and regard to us, as well as our expreſs " intimation, by our controller, to that purpoſe, " would have reſtrained you from publiſhing it, " 'till ſuch time as you ſhould have received our " anſwer to it; but, much againſt our expecta- " tion, finding the contrary, that the ſaid declara- " tion is already abroad in print, by directions from " your houſe, as appears by the printed copy, we " muſt let you know, that we are very ſenſible of " the diſreſpect. Ruſhworth, Vol. IV. p. 452. Nalſon, Vol. II. p. 744.

" Notwithſtanding it is our intention, that no " failing on your part ſhall make us fail in ours, " of giving all due ſatisfaction to the deſires of " our people in a parliamentary way; and there- " fore we ſend you this anſwer to your petition, " reſerving ourſelf in point of the declaration, " which we think unparliamentary, and ſhall take " a courſe to do that which we ſhall think fit in " prudence and honor.

" To the petition we ſay, that altho' there are " diverſe things in the preamble of it, which we " are ſo far from admiting, that we profeſs we " cannot at all underſtand them, as of a 'wicked " and malignant party prevalent in the government; " of ſome of that party admited to our privy- " council, and to other imployments of truſt, and " neareſt to us and our children; of indeavors to " ſow among the people falſe ſcandals and im- " putations, to blemiſh and diſgrace the proceed- " ings of the parliament:' all, or any of which, " did we know of, we ſhould be as ready to remedy " and puniſh, as you to complain of; ſo that the " prayers of your petition are grounded upon ſuch " premiſes as we muſt in no wiſe admit; yet not- " withſtanding, we are pleaſed to give this anſwer " to you. (1)

REM. (1) This ſo general a reply from his Majeſty was not capable of combating the particular facts, whereby the commons pretended to prove, in the remonſtrance, that for ſeveral years paſſed, the court or malignant party had indeavored to eſtabliſh arbi- trary government.

" To the firſt, concerning religion, conſiſting " of ſeveral branches, we ſay that, for preſerving " the peace and ſafety of this kingdom from the " deſigns of the Popiſh party, we have, and will " ſtill concur with all the juſt deſires of our people " in a parliamentary way: (2) that for de- " priving the biſhops of their votes in par- " liament,

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" liament, we would have you conſider, that their " right is grounded upon the fundamental law of this " kingdom, and conſtitution of parliament. This " we would have you conſider; but ſince you de- " ſire our concurrence herein in a parliamentary " way, we will give no farther anſwer at this " time.

REM. (2) It is true, King Charles had never rejected the petitions preſented him on this occaſion by the parliament, but had always granted whatever was deſired: but then it is no leſs true, that his promiſes in this reſpect had never been executed. Wherefore the parliament did not complain of want of concurrence, but want of performance. So the King's anſwer, as to his concurrence, was not properly to the purpoſe.

" As for the abridging of the inordinate power " of the clergy, we conceive that the taking away " of the high-commiſſion court hath well mode- " rated that; but if there continue any uſurpations " or exceſſes in their juriſdictions, we therein nei- " ther have nor will protect them. (3)

REM. (3) It would have been very difficult to agree with this Prince upon what ſhould be conſidered as uſurpations or exceſſes in the clergy's juriſdiction. So Charles properly bound himſelf to nothing by this general promiſe.

" Unto that clauſe which concerneth corruptions " (as you ſtile them) in religion, in church-go- " vernment, and in diſcipline, and the removing " of ſuch neceſſary ceremonies as weak conſciences " might check: that for any illegal innovations " which may have creeped in, we ſhall willingly " concur in the removal of them: that if our par- " liament ſhall adviſe us to call a national ſynod, " which may duly examine ſuch ceremonies as give " juſt cauſe of offenſe to any, we ſhall take into " conſideration, and apply ourſelf to give due ſatiſ- " faction therein; (4) but we are very ſorry to hear, " in ſuch general terms, corruption in religion ob- " jected, ſince we are perſuaded, in our conſcience, " that no church can be found upon the earth which " profeſſeth the true religion with more purity of " doctrine than the church of England doth, nor " where the government and diſcipline are jointly " more beautiful, and free from ſuperſtition, than " as they are here eſtabliſhed by law; which by " the grace of God we will with conſtancy main- " tain (while we live) in their purity and glory, not " only againſt all invaſions of Popery, but alſo " from the irreverence of thoſe many Schiſmatics " and Separatiſts wherewith, of late, this kingdom " and this city abound, to the great diſhonor and " hazard both of church and ſtate, for the ſuppreſ- " ſion of whom we require your timely aid and " active aſſiſtance.

REM. (4) Another general anſwer which ſignifies nothing.

" To the ſecond prayer of the petition, con- " cerning the removal and choice of counſellors, " we know not any of our council to whom the " character ſet forth in the petition can belong. " That by thoſe whom we had expoſed to trial, " we have already given you ſufficient teſtimony, " that there is no man ſo near unto us, in place or " affection, whom we will not leave to the juſtice " of the law, if you ſhall bring a particular charge " and ſufficient proofs againſt him; and of this we " do again aſſure you: but, in the mean time, we " wiſh you to forbear ſuch general aſperſions as " may reflect upon all our council, ſince you name " none in particular.

" That for the choice of our counſellors and mi- " niſters of ſtate, it were to debar us that natural " liberty all freemen have; and as it is the un- " doubted right of the crown of England to call " ſuch perſons to our ſecret councils, to public em- " ployment, and our particular ſervice, as we ſhall " think fit; ſo we are, and ever ſhall be very " careful to make election of ſuch perſons, in thoſe " places of truſt, as ſhall have given good teſtimo- " nies of their abilities and integrity, and againſt " whom there can be no juſt cauſe of exception, " whereon reaſonably to ground a diffidence; and " to choices of this nature we aſſure you, that the " mediation of the neareſt unto us hath always " concurred. (5)

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REM. (5) Meaning his Queen.

" To the third prayer of your petition, con- " cerning Ireland, we underſtand your deſire, of not " alienating the forfeited lands thereof, to proceed " from much care and love, and likewiſe that it " may be a reſolution very fit for us to take; but " whether it be ſeaſonable to declare reſolutions of " that nature, before the events of a war be ſeen, " that we much doubt of. Howſoever, we cannot " but thank you for this care, and your chearful " ingagement for the ſuppreſſion of that rebellion; " upon the ſpeedy effecting whereof, the glory of " God in the Proteſtant profeſſion, the ſafety of the " Britiſh there, our honor, and that of the nation " ſo much depend; all the intereſts of this king- " dom being ſo involved in that buſineſs, we can- " not but quicken your affections therein, and ſhall " deſire you to frame your counſels to give ſuch " expedition to the work, as the nature thereof, " and the preſſures in point of time require; and " whereof you are put in mind by the daily inſo- " lence and increaſe of thoſe rebels.

" For concluſion; your promiſe to apply your- " ſelves to ſuch courſes as may ſupport our royal " eſtate with honor and plenty at home, and with " power and reputation abroad, is that which we " have ever promiſed ourſelf, both from your loy- " alties and affections, and alſo for what we have " already done, and ſhall daily go adding unto, for " the comfort and happineſs of our people."

His Majeſty's anſwer to the remonſtrance appeared not 'till ſome time after; for, as far as I can conjecture, it was not ſent to the commons before January, 1641-2. I ſhall however inſert it in this place, as well not to divide this matter, as that the anſwer may be peruſed before the remonſtrance is out of memory.

The King's declaration, in anſwer to the remonſtrance of the ſtate of the kingdom.

" ALtho' we do not believe that our houſe of " commons intended, by their remonſtrance " of the ſtate of the kingdom, to put us to any " apology, either for our paſſed or preſent actions: " notwithſtanding, ſince they have thought it ſo " very neceſſary (upon their obſervation of the pre- " ſent diſtempers) to publiſh the ſame, we, for the " ſatisfaction of all our loving ſubjects, have thought " it very ſuitable to the duty of our place (with " which God hath truſted us) to do our part to ſo " good a work, in which we ſhall not think it " below our kingly dignity to deſcend to any par- " ticular which may compoſe and ſettle the affec- " tions of our meaneſt ſubjects, ſince we are ſo con- " ſcious to ourſelf of ſuch upright intentions and " indeavors, and only of ſuch (for which we give " God thanks) for the peace and happineſs of our " kingdom, in which the proſperity of our ſubjects " muſt be included, that we wiſh from our heart " that even our moſt ſecret thoughts were publiſh- " ed to their view and examination: tho' we muſt " confeſs, we cannot but be very ſorry, in this " conjuncture of time (when the unhappineſs of this " kingdom is ſo generally underſtood abroad) there " ſhould be ſuch a neceſſity of publiſhing ſo many " particulars, from which we pray no inconvenien- " cies may inſue which were not intended.

" We

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" We ſhall in few words paſs over that part of " the narrative, wherein the misfortunes of this " kingdom, from our firſt entering to the crown " to the begining of this parliament, are remembered " in ſo ſenſible expreſſions. (1) And that other " which acknowledgeth the many good laws paſſed, " by our grace and favor, this parliament, for the " ſecurity of our people; of which we ſhall only " ſay thus much, that as we have not refuſed to " paſs any bill preſented to us by our parliament, " for redreſs of thoſe grievances mentioned in " the remonſtrance, ſo we have not had a greater " motive for the paſſing thoſe laws than our own " reſolution (grounded upon our obſervation, and " underſtanding the ſtate of the kingdom) to have " freed our ſubjects, for the future, from thoſe " preſſures which were grievous to them, if thoſe " laws had not been propounded, (2) which there- " fore we ſhall as inviolably maintain, as we look " to have our own rights preſerved; not doubting " but that all our loving ſubjects will look on thoſe " remedies with that full gratitude and affection, " that even the memory of what they have for- " merly undergone, by the accidents and neceſſities " of thoſe times, will not be unpleaſant to them: " and poſſibly, in a pious ſenſe of God's bleſſing " upon this nation (how little ſhare ſoever we ſhall " have of the acknowledgment) they will confeſs " they have injoyed a great meaſure of happineſs " (even theſe laſt ſixteen years) both in peace and " plenty, not only comparatively in reſpect of their " neighbors, but even of thoſe times which were " juſtly accounted fortunate. The fears and jealou- " ſies which may make ſome impreſſion in the " minds of our people, we will ſuppoſe may be " of two ſorts; either for religion, or liberty and " their civil intereſt. The fears for religion may " haply be, not only as ours here eſtabliſhed may " be invaded by the Romiſh party, but as it is ac- " companied with ſome ceremonies, at which ſome " tender conſciences really are, or pretend to be " ſcandaliſed; for of any other which have been " uſed, without any legal warrant or injunction, " and already are or ſpeedily may be aboliſhed, " we ſhall not ſpeak.

Remark (1). His Majeſty could not more ingenuouſly own what is ſaid in the remonſtrance, concerning the firſt fifteen years of his reign, than by intirely paſſing it over without anſwer.

Rem. (2) This is alſo a confeſſion that grievances were juſtly complained of. Charles ſays, his reſolution was to redreſs them, and it was not poſſible to convict him of the contrary: but after all, he was believed but by few perſons.

" Concerning religion, as there may be any ſuſ- " picion of favor or inclination to the Papiſts, we " are willing to declare to all the world, that as " we have been from our childhood brought up in, " and practiſed the religion now eſtabliſhed in this " kingdom, ſo it is well known, we have (not con- " tented ſimply with the principles of our educa- " tion) given a good proportion of our time and " pains to the examination of the grounds of this " religion, as it is different from that of Rome, " and are from our ſoul ſo fully ſatisfied and aſſured, " that it is the moſt pure and agreeable to the ſacred " word of God, of any religion now practiſed in " the Chriſtian world, that as we believe we can " maintain the ſame by unanſwerable reaſons, ſo " we hope we ſhould readily ſeal to it by the effu- " ſion of our blood, if it pleaſed God to call us " to that ſacrifice. And therefore nothing can be " ſo acceptable unto us, as any propoſition which " may contribute to the advancement of it here, or " the propagation of it abroad, being the only " means to draw down a bleſſing from God upon " our ſelves and this nation. And we have been " extremely unfortunate, if this profeſſion of ours " be wanting to our people: our conſtant practiſe " in our own perſon having always been (without " oſtentation) as much to the evidence of our care " and duty herein, as we could poſſibly tell how " to expreſs. (3)

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Rem. (3) The remonſtrance did not accuſe King Charles of being a Papiſt in his heart, but of having countenanced Papiſts, by not executing the laws againſt them. He clears himſelf here from being inclined to the Romiſh creed, and leaves the conſequence to be drawn, that ſince he is perſuaded of the truth of the Proteſtant religion, it is not poſſible he ſhould incourage the Roman. But his conduct had ſhewn that this conſequence did not neceſſarily follow, ſince it was notorious, he had countenanced Catholics from the very begining of his reign, whether thro' complaiſance to the Queen, or with ſome political views.

" For differences among ourſelves, for matters " indifferent in their own nature, concerning reli- " gion, we ſhall, in tenderneſs to any number of " our loving ſubjects, very willingly comply with " the advice of our parliament, that ſome law " may be made for the exemption of tender con- " ſciences from puniſhment, or proſecution for ſuch " ceremonies, and in ſuch caſes, which by the judg- " ment of moſt men are held to be matters indif- " ferent, and of ſome to be abſolutely unlawful. " Provided that this eaſe be attempted and pur- " ſued with that modeſty, temper and ſubmiſſion " that, in the mean time, the peace and quiet of " the kingdom be not diſturbed, the decency and " comelineſs of God's ſervice diſcountenanced, nor " the pious, ſober and devout actions of thoſe re- " verend perſons who were the firſt laborers in the " bleſſed reformation, or of that time, be ſcan- " daled and defamed (4): for we cannot, without " grief of heart, and without ſome tax upon our " ſelf, and our miniſters, for the non-execution of " our laws, look upon the bold licenſe of ſome " men, in printing pamphlets, in preaching and " printing ſermons, ſo full of bitterneſs and " malice againſt the preſent government, againſt " the laws eſtabliſhed; ſo full of ſedition againſt " ourſelf, and the peace of the kingdom, that we " are many times amazed to conſider by what eyes " theſe things are ſeen, and by what ears they are " heard. And therefore we have good cauſe to " command, as we have done, and hereby do, all our " judges and miniſters of juſtice, our attorney and ſol- " licitor-general, and the reſt of our learned council, " to proceed with all ſpeed againſt ſuch, and their " abetors, who either by writing or words, have " ſo boldly and maliciouſly violated the laws, di- " ſturbed the peace of the commonwealth, and as " much as in them lies, ſhaken the very founda- " tion upon which that peace and happineſs is " founded and conſtituted. And we doubt not but " all our loving ſubjects will be very ſenſible, that " this buſy, virulent demeanor is a fit prologue to " nothing but confuſion; and if not very ſeaſonably " puniſhed and prevented, will not only be a " blemiſh to that wholſome accommodation we in- " tend, but an unſpeakable ſcandal and imputa- " tion, even upon the profeſſion and religion of " this our kingdom of England.

Rem. (4) King Charles was not in the wrong to ſupport the eſtabliſhed worſhip, and to regard as an indulgence whatever ſhould be granted to tender conſciences. But after all, this indulgence was reduced to a very ſmall compaſs, if we conſider all the limitations contained in this article.

" Concerning the civil liberties and intereſts of " our ſubjects, we ſhall need to ſay the leſs, having " erected ſo many laſting monuments of our princely " and fatherly care of our people, in thoſe many

" excellent

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" excellent laws, paſſed by us this parliament, " which in truth (with very much content to our- " ſelf) we conceive to be ſo large and ample, that " very many ſober men have very little left to wiſh " for.

" We underſtood well the right, and pretenſes " of right we departed from in conſenting to the " bills of the triennial parliament, for the conti- " nuance of this preſent parliament, and in the pre- " amble to the bill of tonage and poundage: the " matter of which, having begot ſo many diſturb- " ances in late parliaments, we were willing to re- " move, that no intereſt of ours might hereafter " break that correſpondence; abundantly content- " ing ourſelf with an aſſurance (which we ſtill have) " that we ſhould be repaired and ſupplied by a juſt " proportion of confidence, bounty and obedience " of our people. In the bills for taking away the " high-commiſſion and ſtar-chamber courts, we be- " lieve we had given that real ſatisfaction, that all " jealouſies and apprehenſions of arbitrary preſ- " ſures, under the civil or eccleſiaſtical ſtate, " would eaſily have been abandoned, eſpecially " when they ſaw all poſſible doubts ſecured by the " viſitation of a triennial parliament.

" Theſe, and others of no mean conſideration, " we had rather ſhould be valued in the hearts and " affections of our people, than in any mention of " our own; not doubting but, as we have taken all " theſe occaſions to render their condition moſt " comfortable and happy, ſo they will always, in " a grateful and dutiful relation, be ready with " equal tenderneſs and alacrity to advance our " rights, and preſerve our honor, upon which their " own ſecurity and ſubſiſtence ſo much depend: " and we will be ſo careful, that no particular " ſhall be preſented unto us, for the compleating " and eſtabliſhing that ſecurity, to which we will " not with the ſame readineſs contribute our beſt " aſſiſtance.

" If theſe reſolutions be the effects of our preſent " counſels (and we take God to witneſs that they " are ſuch, and that all our loving ſubjects may " confidently expect the benefit of them from us) " certainly no ill deſign upon the public can ac- " company ſuch reſolution, neither will there be " greater cauſe of ſuſpicion of any perſons prefered " by us to degrees of honor, and places of truſt " and imployment, ſince this parliament. And " we muſt confeſs that, among our misfortunes, " we reckon it not the leaſt, that having not re- " tained in our ſervice, nor protected any one " perſon, againſt whom our parliament hath ex- " cepted during the whole ſiting of it, and having " in all that time ſcarce vouchſafed to any man one " inſtance of our grace and favor, but to ſuch " who were under ſome eminent character of eſti- " mation among our people, there ſhould ſo ſoon " be any miſunderſtanding or jealouſy of their " fidelity and uprightneſs, eſpecially in a time " when we take all occaſions to declare, that we " conceive ourſelf only capable of being ſerved by " honeſt men, and in honeſt ways. However, if " in truth we have been miſtaken in ſuch our " election, the particular ſhall be no ſooner diſ- " covered to us, either by our own obſervation, " or other certain information, than we will leave " them to public juſtice, under the marks of our " diſpleaſure.

" If, notwithſtanding this, any malignant party " ſhall take heart, and be willing to ſacrifice the " peace and happineſs of their country to their " own ſiniſter ends and ambitions, under what " pretenſe of religion and conſcience ſoever; if " they ſhall indeavor to leſſen our reputation and " intereſt, and to weaken our lawful power and " authority with our good ſubjects; if they ſhall " go about, by diſcountenancing the preſent laws, " to looſen the bands of government, that all diſ- " order and confuſion may break in upon us, we " doubt not but God, in his good time, will diſ- " cover them unto us, and the wiſdom and courage " of our high court of parliament join with us in " their ſuppreſſion and puniſhment.

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" Having now ſaid all we can to expreſs the " clearneſs and uprightneſs of our intentions to our " people, and done all we can to manifeſt thoſe " intentions, we cannot but confidently believe, " all our good ſubjects will acknowledge our part " to be fully performed, both in deeds paſſed and " preſent reſolutions, to do whatſoever with juſtice " may be required of us, and that their quiet and " proſperity depend now wholly upon themſelves, " and is in their own power, by yielding all obe- " dience and due reverence to the law, which is " the inheritance of every ſubject, and the only " ſecurity he can have for his life, liberty, or eſtate, " and the which being neglected or diſeſteemed " (under what ſpecious ſhews ſoever) a very great " meaſure of infelicity, if not irreparable confuſion, " muſt without doubt fall upon them: and we " doubt not, it will be the moſt acceptable decla- " ration a King can make to his ſubjects that, for " our part, we are reſolved not only duly to ob- " ſerve the laws ourſelf, but to maintain them " againſt what oppoſition ſoever, tho' with the " hazard of our being. (5)

Rem. (5) Unhappily for King Charles, theſe general promiſes, to which he could give what ſenſe he thought proper, produced not upon the commons the effect he expected, or rather they produced the quite contrary, and increaſed their diffidence. This the reader will be convinced of, when he comes to ſee what had paſſed, ſeemingly before this declaration was publiſhed.

" And our hope is, that not only the loyalty " and good affections of all our loving ſubjects, " will concur with us in the conſtant preſerving a " good underſtanding between us and our people, " but, at this time, their own and our intereſt, " and compaſſion of the lamentable condition of " our poor Proteſtant ſubjects in Ireland, will in- " vite them to a fair intelligence and unity among " themſelves, that ſo we may, with one heart, " intend the relieving and recovering that unhappy " kingdom, where thoſe barbarous rebels practiſe " ſuch inhuman and unheard-of outrages upon our " miſerable people, that no Chriſtian ear can hear " without horror, nor ſtory parallel. And as we " look upon this as the greateſt affliction it hath " pleaſed God to lay upon us, ſo our unhappineſs " is increaſed, in that, by the diſtempers at home, " ſo early remedies have not been applied to thoſe " growing evils as the expectation and neceſſity " there requires, tho' for our part, as we did upon " the firſt notice acquaint our parliament of Scot- " land (where we then were) with that rebellion, " requiring their aid and aſſiſtance, and gave like " ſpeedy intimation and recommendation to our " parliament here; ſo ſince our return hither, we " have been forward to all things which have been " propoſed to us towards that work, and have " lately ourſelf offered (by a meſſage to our houſe " of peers, and communicated to our houſe of " commons) to take upon us the care to raiſe " ſpeedily ten thouſand Engliſh volunteers for that " ſervice, if the houſe of commons ſhall declare, " that they will pay them (6); which particulars " we are (in a manner) neceſſitated to publiſh, " ſince we are informed, that the malice of ſome " perſons have whiſpered it abroad, that no ſpeedier " advancing of the buſineſs hath proceeded from " ſome want of alacrity in us to this great work; " whereas we acknowledge it a high crime againſt " Almighty

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" Almighty God, and inexcuſable to our good " ſubjects of our three kingdoms, if we did not to " the utmoſt imploy all our powers and faculties " to the ſpeedieſt and moſt effectual aſſiſtance and " protection of that diſtreſſed people.

Rem. (6) It appears by the above paſſage, that this anſwer was not publiſhed 'till after his Majeſty's offer of levying ten thouſand men for Ireland, viz. in January 1641-2.

" And we ſhall now conjure all our good ſub- " jects (of what degree ſoever) by all the bonds of " love, duty or obedience, which are precious to " good men, to join with us for the recovery of " the peace of that kingdom, and the preſervation " of the peace of this, to remove all thoſe doubts " and fears which may interrupt their affection to " us, and all their jealouſies and apprehenſions " which may leſſen their charity to each other, " and then (if the ſins of this nation have not pre- " pared an inevitable judgment for us all) God will " yet make us a great and glorious King, over a " free and happy people."

The bare peruſing this declaration ſufficiently evidences that Charles had no intention to give a particular anſwer to this remonſtrance of the ſtate of the kingdom, which contained ſo many different articles untouched by this Prince's declaration: and, poſſibly, he would never have made any reply to it, had not his enemies triumphed on his ſilence. He thought proper therefore to publiſh this declaration, that he might ſay he had anſwered the remonſtrance, and not with deſign to anſwer it in reality; and beſide, he publiſhed it not 'till long after the remonſtrance was received. Mean while, the commons publiſhing this paper againſt his will, made a deep impreſſion on his mind, and convinced him they had ſome grand deſign, ſince they ſhewed him ſo little regard.

Effect of the remonſtrance.

It was not much to be wondered at that King Charles ſhould be highly diſpleaſed with ſuch a remonſtrance, which was properly no other than a ſeries of reproaches for his paſſed conduct, and againſt his government; with a remonſtrance, not directed to himſelf, but to the public, the authors whereof meaned only to inſenſe the people againſt him, and which was made at a time when it ſeemed leaſt neceſſary. Accordingly, the begining of the rupture between King Charles and his parliament is properly to be dated from this time, tho' ſome meaſures were yet kept on both ſides.

Ruſhworth, Vol. IV. p. 433.

On the morrow, December the ſecond, Charles coming to the parliament, the ſpeaker preſented to him the bill for tonage and poundage for ſome months only, wherein his Majeſty expreſly owned, he had 'till then levied theſe duties without a legal power. He made, on this occaſion, a fine ſpeech, full of praiſes for his Majeſty's goodneſs and affection to his people. After which, that Monarch addreſſed both houſes in theſe terms, viz.

My lords and gentlemen,

His Majeſty's ſpeech to both houſes. Dec. 2 Nalſon, Vol. II. p. 708. Ruſhworth, Vol. IV. P. 454.

" I Think it fit, after ſo long abſenſe, at this firſt " occaſion to ſpeak a few words unto you: but " it is in no ways in anſwer to mr. ſpeaker's learned " ſpeech.

" Albeit I have ſtayed longer than I expected to " have done, when I went away, yet in this I have " kept my promiſe with you, that I have made " all the haſte back again the ſetling of my " Scotiſh affairs could any ways permit: in which " I have had ſo good ſucceſs, that I will confidently " affirm to you, that I have left that nation a " moſt peaceable and contented people; ſo that " altho' I have a little miſreckoned in time, yet I " was not deceived in my end.

" But if I have deceived your expectations a little " in the time of my return, I am aſſured, that my " expectation is as much and more deceived, in " the condition wherein I hoped to have found ſome " buſineſſes at my return. For that ſince before " my going I ſettled the liberties of my ſubjects, " and gave the laws a free and orderly courſe, I " expected to have found my people reaping the " fruits of theſe benefits, by living in quietneſs and " ſatisfaction of mind: but inſtead of this, I find " them diſturbed with jealouſies, frights and alarms " of dangerous deſigns and plots; in conſequence " of which, guards have been ſet to defend both " houſes. I ſay not this as in doubt that my ſub- " jects affections are any way leſſened unto me, in " this time of my abſenſe, for I cannot but re- " member, to my great comfort, the joyful re- " ception I had now at my entry into London; " but rather, as I hope, that my preſenſe will eaſily " diſperſe theſe fears; for I bring as perfect and " true affections to my people, as ever Prince did, " or as good ſubjects can poſſibly deſire: and I am " ſo far from repenting me of any act I have done " in this ſeſſion for the good of my people, that I " proteſt, if it were to do again, I would do it; " and will yet grant what elſe can be juſtly deſired, " for ſatisfaction in point of liberties, or in main- " tenance of the true religion which is here eſta- " bliſhed.

" Now I have but one particular to recommend " unto you at this time; it is Ireland; for which, " tho' I doubt not your care, yet methinks the " preparations for it go but ſlowly on. The occa- " ſion is the fiter for me now to mention, becauſe " of the arrival of two lords from Scotland, who " come inſtructed from my council there (who now " by act of parliament have full power for that " purpoſe) to anſwer that demand it pleaſed both " houſes to make me by way of petition, which " met me at Berwick, and which the duke of " Richmond ſent back, by my command, to my " Scotiſh council. Therefore my deſire is, that " both houſes would appoint a ſelect commitee to " end this buſineſs with theſe noblemen.

" I muſt conclude in telling you, that I ſeek my " peoples happineſs: for their flouriſhing is my " greateſt glory, and their affections my greateſt " ſtrength."

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It was not without abundance of reaſon that King Charles reſolved to ſhew a ſingular fervency of zeal for the public welfare, ſince the commons remonſtrance evidently taught him, that indeavors were uſing to make him forfeit his peoples affection. It was therefore neceſſary to countermine the deſigns of his adverſaries, by repeated aſſurances of great love to his ſubjects, and by intimating that he had intirely changed his principles and maxims: but herein he had one great diſadvantage, in that for his future deportment he could give no other ſecurity than his word, which his enemies pretended to demonſtrate was not to be relied on. They chiefly urged that, notwithſtanding his Majeſty had ſolemnly given his aſſent to the petition of right, he had never executed what he promiſed. The conſequence they drew from this non-performance was ſo much the ſtronger, as this Prince had nothing to oppoſe to it but bare promiſes, which were of no more force than thoſe he had made before with regard to that petition.

A commitee to treat about the Scotiſh ſuccors. p. 455. Nalſon, Vol. II. p. 711, 729, 732.

As Charles had earneſtly recommended to the parliament's conſideration the affairs of Ireland, both houſes immediately appointed a commitee to treat with the Scots about ſuccors. The commons in particular paſſionately defired to negociate with Scotland. In their preſent belief that his Majeſty aimed at ingaging them to ſend into Ireland a body of forces purely in order to be more at eaſe in England, they could not find a more effectual way to break his meaſures, than to imploy Scotiſh troops in

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in that kingdom's defenſe. As they had already taken the reſolution, tho' ſecretly, of diveſting Charles of great part of his power, they eaſily foreſaw that a rupture would be the infallible conſequence, and then they ſhould ſtand in need of thoſe troops which this Prince was for having ſent into Ireland.

Great likelihood of a rupture.

On account of the remonſtrance, all things manifeſtly tended to a quarrel between Charles and his parliament, and the commons miſſed no occaſion of infuſing ſuſpicions into the people againſt their Sovereign. To this purpoſe, Daniel O Neal, who was concerned in the plot to ſeduce the army, was voted guilty of a ſecond attempt, in July laſt, to perſuade the chief officers of the army to declare for Charles againſt the parliament. This was done to inſinuate that this Prince had not relinquiſhed his project, of uſing force to awe the parliament.

Vote againſt O Neal. Nalſon, Vol. II. p. 714, 754, &c. Ruſhworth, Vol. IV. p. 455.

The Iriſh demand a toleration. Ibid.

Contrariwiſe, the revolted Iriſh having preſented, to the lords juſtices of that kingdom, a letter in the nature of a remonſtrance, wherein they demanded "free exerciſe of their religion," and "a repeal "of all laws to the contrary," the commons grew thereupon very clamorous. They knew that lord Coſtelough, with lord Taaff, were on their way to England, with propoſitions to be offered his Majeſty concerning means for procuring the peace of Ireland. So, fearing, or pretending to fear Charles would grant the Iriſh Papiſts liberty of conſcience, they deſired and had a conference with the peers: after which, it was ſolemnly declared by both houſes, That they would never conſent to any toleration of the Popiſh religion in Ireland *. One may readily comprehend how much this contributed towards rendering King Charles ſuſpected.

Vote of both houſes thereupon. p. 455. Nalſon, Vol. II. p. 723, 737, 754.

* Nor any other of his Majeſty's dominions.

Admiting (anſwerably to what I have inſinuated) that the commons, or at leaſt the greateſt part of their houſe, aimed at puting it out of King Charles's power to govern thenceforwards as he had governed before this parliament, and that, to prepare the people for this change, it was neceſſary to fill them with fears and ſuſpicions, the motives of all their proceedings, and that Monarch's infelicitous ſituation, will be perfectly underſtood. His ſubjects were prejudiced againſt him, and he had given but too much occaſion. Every ſtep taken by the commons tended to increaſe this prejudice, and Charles, to remove it, could allege only the ſincerity of his intentions, of which many were far from being convinced. This gave his enemies a great advantage, which on all occaſions they failed not to improve; nay, they deſcended even to the ſmaleſt trifles, to cheriſh the peoples jealouſies and apprehenſions: for on information that, among ſome barrels of ſoap, a merchant of London ſent to Dorcheſter, a barrel of Gun-powder was found, the houſe appointed a commitee to make ſtrict inquiſition, as into a matter of the utmoſt importance.

Motives of the commons proceedings.

p. 719.

Meſſage from the King touching certain condemned prieſts. p. 719, 732, 736, 740, 741.

About the ſame time, happened another affair, which gave ſome advantage againſt his Majeſty. The eighth of December, he ſent to acquaint both houſes, that ſix prieſts (1) having been condemned that week, the French embaſſador had requeſted him to change the ſentence of death into that of baniſhment, upon which he deſired to have their advice. Some days after, the commons voted, that thoſe prieſts ſhould be executed, and their lordſhips concurring with this vote, both houſes petitioned Charles to order execution. His Majeſty replied; he would baniſh the prieſts, if both houſes would give their conſent. As they thought not proper to return any anſwer, Charles took occaſion from their ſilence to ſuſpend the execution. Two months after, his Majeſty communicated to them a letter which ſecretary Nicholas had received from Venice, wherein he was aſſured, that the Pope threatened to ſend an army into Ireland, if the prieſts ſuffered death. Upon this menace, both houſes again prayed the King to execute thoſe prieſts: but he granted not their requeſt. His reaſon was, the fear of repriſals, and that this rigor might be highly prejudicial to ſuch of the Engliſh Proteſtants in Ireland, as ſhould fall into the rebels hands. This reaſon was ſo much the weaker, as it ſerved not only for the preſent caſe, but alſo for all which ſhould offer hereafter, and tended to render the laws ineffectual: beſide, the Iriſh having already, without any cauſe, maſſacred above forty thouſand Proteſtant Engliſh, the fear of repriſals from them ſeems a no very valid motive for ſparing the ſaid condemned prieſts; accordingly, it was generally thought to be owing to the Queen's ſollicitations. Be it ſo or otherwiſe, the prieſts were not put to death; for tho' afterwards Charles left it to both houſes, they did not think fit either to pardon or execute. All this was greatly to this Prince's detriment, ſince, at the very time he ſolemnly proteſted a reſolution of executing the laws, he protected theſe legally-convicted prieſts, ſhewing no regard to the inſtances of both houſes.

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Ib. p. 719.

At this time, I mean in December 1641, two affairs ſucceſſively imployed the houſe of commons, viz. the ſuccors for Ireland and the accuſation laid before their lordſhips againſt the biſhops. I ſhall now touch on the firſt only.

Cauſes of the backwardneſs to aſſiſt Ireland. Clarendon, p. 257.

Both King and parliament equally allowed a neceſſity of relieving Ireland, and all the advices from thence were a demonſtration of that neceſſity. The Iriſh army was at the gates of Dublin, and had cut off a body of men ſent to Drogheda: ſo to all appearance, the lords-juſtices, with their few troops, could not long withſtand the rebels. The Scotiſh commiſſioners, who were at London to treat with the parliament, had offered a ſuccor of five thouſand men, who could eaſily be ſent, from Scotland, into the North of Ireland, to make a diverſion, and the commons had prevailed with them to treat for ten thouſand. The commons intention was to imploy only Scotiſh troops in the reduction of Ireland, that England might not be left unprovided of forces. Charles refuſed not the aſſiſtance of Scotland, but would have England ſend into Ireland the like number of Engliſh forces, on pretenſe, that there was danger of the Scots ſeizing upon Ireland when the Iriſh ſhould be ſubdued. He had found means to gain the peers, ſo that when the motion was made to their lordſhips for ſending into Ireland ten thouſand Scots, they conſented to it, provided a like number of Engliſh were alſo ſent thither.

Nalſon, Vol. II. p. 761.

The Scotiſh commiſſioners complaining, by a memorial, that in a fortnight they had no poſitive anſwer to their offers, the commons preſſed their lordſhips to diſpatch the affair, declaring, if they neglected it, the whole blame would fall upon them. They farther declared that, except the bill for preſſing ſoldiers paſſed, it was impoſſible for England to raiſe troops for this ſervice. Whereupon the lords debated theſe three queſtions, which were all reſolved in the negative.

Votes of the peers concerning Ireland. p. 763.

1. Whether this houſe ſhall conſent to ſend ten thouſand Scots into Ireland, before it can be aſcertained that ten thouſand Engliſh will be ſent thither alſo?

2. Whether this houſe ſhall conſent to ſend

(1) Nalſon in one place ſays eight, and ſeven in another.

ten

ten thouſand Scots before the bill of preſſing be paſſed?

3. Whether this houſe ſhall join with the commons, in ſending now ten thouſand Scots into Ireland?

Sharp anſwers of the commons. p. 771.

The commons in a conference replied to theſe votes, That for aſcertaining their lordſhips deſire of ſending ten thouſand Engliſh into Ireland, the commons were not uſed to be capitulated with: that their actions are free, as well without conditions as capitulations, and deſire it may be ſo no more: that they had already given ſufficient certainty by a vote communicated to their lordſhips, and ſee no neceſſity of voting it again: that they deſire their lordſhips would vote the ſending ten thouſand Scots, without any relation to the ten thouſand Engliſh; and that ſpeedily, the preſervation of Ireland depending upon it: that they have the more reaſon to deſire this, as the Engliſh troops cannot go, unleſs the bill for preſſing paſſes. However, this ſufficed not to make the lords depart from their former reſolutions.

The commons impriſon the two lords ſent from Ireland. Ruſhworth, Vol. IV. p. [413.]

Mean while, the commons, who had already commited to priſon the lords Coſtelough and Taaff (ſent to the King with propoſitions about procuring the peace of Ireland) cauſed all their papers to be examined, in their diſtruſt of the King, and doubtleſs in expectation of finding what might do him a prejudice.

Charles offers to raiſe ten thouſand men. Nalſon, Vol. II. p. 757, 762, 768, 769, 771. Clarendon, Vol. II. p. 259.

At the ſame time, his Majeſty acquainted the lords, that he would ingage to raiſe ten thouſand men for Ireland, if the commons would promiſe to pay them: but they were far from accepting this propoſition, being ſenſible he himſelf would iſſue the commiſſions, and give them only to ſuch officers as were his devotees; ſo the commons choſe rather to hazard the utter loſs of Ireland, than ſend thither ten thouſand Engliſh, at ſuch a juncture; and the lords choſe rather to run the riſk of ſeeing the Engliſh quite expulſed that iſland, than of ſeeing the Scots in condition to ſeize it. Charles perfectly knew the motive of the commons conduct, while they were not ignorant that the lords acted wholly by his direction.

A commitee to examine the cauſe of delaying the ſuccors. Ruſhworth, Vol. IV. p. 466. Nalſon, Vol. II. p. 761.

The ſuccors for Ireland being ſtill retarded by theſe diſputes, the commons appointed a commitee to examine whence proceeded the obſtacles occuring in this affair. It was really difficult, for thoſe who were not acquainted with the King's and commons ſecret motives, to know where the blame lay, that Ireland was not relieved, ſince they ſeemed equally deſirous that a ſpeedy aid ſhould be ſent thither. Charles's partiſans urged, that his Majeſty's offer to raiſe ten thouſand men, provided the commons would ingage to pay them, was a clear evidence that the obſtructions did not proceed from him. His adverſaries contrariwiſe affirmed, that the refuſal of their lordſhips, or rather of the King who directed them, to accept the aid of ten thouſand Scots, on a frivolous pretenſe, plainly ſhewed, that the difficulties came not from the houſe of commons, ſince they were very ready to promiſe to pay theſe auxiliaries. For my part, I am of opinion, that both King and commons thought leſs ſeriouſly of aſſiſting Ireland, than of drawing from the Iriſh rebellion private advantages with regard to their reſpective differences. Charles wiſhed the parliament would ſend into Ireland a ſtrong army, that they might find it leſs eaſy to raiſe forces in caſe of a rupture with him, whereof there was but too much appearance. The commons, on their part, had prevailed with the Scots to offer ten thouſand men, in the belief that, if they were accepted, they ſhould be freed from the trouble and danger of ſending Engliſh forces over to Ireland, and, if they were refuſed, the delay of relief would be imputed to his Majeſty.

Howſoever this be, the houſe, on the commitee's report, found that one great obſtruction of relief to Ireland was, that the Iriſh had not yet been, by proclamation, declared rebels. Wherefore, on the firſt of January 1641-2, his Majeſty iſſued a proclamation, wherein the Iriſh were expreſly termed traitors and rebels: but only forty copies were printed, which were all ſent to ſecretary Nicholas, according to an order received by the printer, to this effect:

Proclamation declaring the Iriſh to be rebels and traitors. p. 809. Ruſhworth, Vol. IV. p. 466.

Order to the printer. P. 472.

"It is his Majeſty's pleaſure, that you forth-
"with print, on very good paper, and ſend unto
"me, for his Majeſty's ſervice, forty copies of
"the proclamation incloſed, leaving convenient
"ſpace for his Majeſty to ſign above, and to
"affix the privy ſignet underneath. And his Ma-
"jeſty's expreſs command is, that you print not
"above the ſaid number of forty copies, and for-
"bear to make any farther publication of them
"'till his pleaſure be farther ſignified.

For his Majeſty's
Printer (1) Ed. Nicholas.

We ſhall ſee what uſe the commons made of this order, the original whereof they had in their hands, with his Majeſty's anſwer.

Proceedings of King and parliament.

I have already obſerved that, ſince King Charles's return from Scotland, there were between him and the commons ſeeds of diviſion, which menaced a near approaching rupture. This appeared on all occaſions, and the mutual diſtruſt continually increaſed; but with this difference, that the commons took not the leaſt ſtep but what tended to their main view of infuſing into the people fears and jealouſies; whereas Charles, not having yet formed any project, managed according to the preſent emergencies, without propoſing to himſelf a fixed and certain end, which was to him no ſmall diſadvantage. Soon after his return from Scotland, on notice that there was to be a tumultuous concourſe of the populace at Weſtminſter, he ſent a writ to the ſheriff, to poſt a guard near the houſes of parliament. At this the commons took offenſe, and, after ſome inquiry to ſhew it was done by the King's order, diſmiſſed thoſe guards.

Charles ſets a guard near the parliament. Decemb. 8. The commons diſmiſs them. p. 456. Nalſon, Vol. II. p. 726, 727, 729, 732.

Two days after, King Charles iſſued another proclamation, ſtrictly commanding that divine ſervice ſhould be performed, in all the churches of England and Wales, according to the law and ſtatutes of the realm. This proclamation, which indeed contained nothing illegal, was however unſeaſonable, when the commons publicly ſhewed that, in the laws concerning divine worſhip, there were things offenſive to the conſciences of many people. But this Prince had ſometimes the misfortune to forget the ſituation of his affairs, and remember only his former ſtate, when his proclamations met with a ready compliance. He might eaſily have foreſeen, that this would be at leaſt uſeleſs, and conſequently he ſhould not have attempted it at ſuch a juncture. But he furniſhed his enemies with a far greater advantage againſt him, in another affair, which procured him no ſmall mortification.

Proclamation concerning divine ſervice. p. 730. Clarendon, p. 255. Ruſhworth, Vol. IV. p. 456.

Remarks on this ſubject. Nalſon, Vol. II. p. 733.

Bill for preſſing ſoldiers. Nalſon, Vol. II. p. 750, 771. Clarendon. p. 257.

The commons had voted, as I obſerved, that a body of troops ſhould be ſent into Ireland. But as they were extremely jealous of the King, they deviſed a good expedient to prevent his being concerned in raiſing theſe forces. They were apprehenſive, if theſe levies were made in the uſual manner, i. e. by liſting voluntiers, theſe troops

(1) Nalſon has omited this order to the printer, tho' the King denied it not. Rapin.

would

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would be too much at Charles's devotion. This expedient was to levy ſoldiers by way of compulſion, called in England, "Preſſing," and to paſs an act for that purpoſe. A bill was accordingly brought in, and ſent up to the lords. Very ſeemingly there was in this bill ſome clauſe repugnant to the prerogative royal, to hinder the King from having any hand in levying theſe troops (1). Charles, having thereof notice, repaired to the parliament, and made the following ſpeech to both houſes.

Charles's ſpeech in parliament. Dec. 4. Ruſhworth, Vol. IV. p. 457. Nalſon, Vol. II. p. 738.

My lords and gentlemen,

"THE laſt time I was in this place, and the laſt thing I recommended unto you, was "the buſineſs of Ireland; whereby I was in good "hope, that I ſhould not have needed again to "have put you in mind of that buſineſs. But ſtill, "ſeeing the ſlow proceedings therein, and the "daily diſpatches which I have out of Ireland, of "the lamentable eſtate of my Proteſtant ſubjects "there, I cannot but again earneſtly recommend "the diſpatch of that expedition unto you; for it "is the chief buſineſs which at this time I take to "heart, and there cannot almoſt be any buſineſs I "can have more care of.

"I might now take up ſome of your time in "expreſſing my deteſtation of rebellions in general, "and of this in particular; but knowing that deeds "and not declarations muſt ſuppreſs this great in"ſolency, I do here in a word offer you whatſo"ever my power, pains, or induſtry can contribute "to this good and neceſſary work, of reducing "the Iriſh nation to their true and wonted obe"dience.

"And, that nothing may be omited on my "part, I muſt here take notice of the bill for "preſſing ſoldiers, now depending among you, my "lords; concerning which, I here declare that, "in caſe it come ſo to me as it may not infringe "or diminiſh my prerogative, I will paſs it: and "farther, ſeeing there is a diſpute raiſed (I being "little beholding to him whoſoever at this time "began it) concerning the bounds of this ancient "and undoubted prerogative; to avoid farther "debate at this time, I offer that the bill may paſs "with a 'Salvo Jure' both for King and people, "leaving ſuch debates to a time which may better "bear them. If this be not accepted, the fault is "not mine if this bill paſs not, but theirs who re"fuſe ſo fair an offer.

"To conclude, I conjure you by all that is or "can be dear to you, or me, that, laying aſide all "diſputes, you go on chearfully and ſpeedily for "the reducing Ireland."

Tho' it manifeſtly appeared that, in this ſpeech, King Charles had no intention to violate the privilege of parliament, but only to remove the obſtacles occurring on account of this bill, both houſes were alike diſguſted. They appointed a joint commitee to examine his Majeſty's ſpeech, and, upon their report, the lords unanimouſly voted,

Votes of the peers. P. 739, 741.

1. That the privileges of parliament were broken, by his Majeſty's taking notice of the bill for preſſing ſoldiers, being in agitation in both houſes, and not agreed on.

2. That his Majeſty's propounding a limitation and proviſional clauſe to be added to the bill, before it was preſented him by the conſent of both houſes, was a breach of the privilege of parliament.

3. That his Majeſty's expreſſing his diſpleaſure againſt ſome perſons, for matters moved in parliament, during the debate and preparation of that bill, was a breach of the privilege of parliament.

Theſe votes were likewiſe readily paſſed in the houſe of commons, after which both houſes united in a ſolemn declaration, importing, "That the "King ought not to take notice of any matter in "agitation or debate in either houſe of parliament, "but by their information and agreement: and "that his Majeſty ought not to propound any con"dition, proviſion, or limitation to any bill or "act in debate, or preparation in either houſe of "parliament; or to manifeſt or declare his conſent "or diſſent, approbation or diſlike of the ſame, "before it be preſented to his Majeſty in due courſe "of parliament; and that every particular mem"ber of either houſe hath free liberty of ſpeech to "propound or debate any matter according to the "order and courſe of parliament: and that his Ma"jeſty ought not to conceive diſpleaſure againſt "any man for ſuch opinions and propoſitions as "ſhall be delivered in ſuch debate; it belonging "to the ſeveral houſes of parliament reſpectively "to judge and determine ſuch errors and offenſes, "in words or actions, as ſhall be commited by "any of their members, in the handling or debating "any matters depending; and that his Majeſty "will be pleaſed to declare the authors of this miſ"information and evil counſel (2)."

Declaration of both houſes. P. 750. Ruſhworth, Vol. IV. p. 458.

Purſuant to this declaration, both houſes preſented to the King a more extenſive petition, which a few days after Charles anſwered in writing. The force of his reply conſiſted in, his not having any intention to infringe the privilege of parliament, and only aimed at haſtening the relief of Ireland. The houſes were ſatisfied with this explication, and the diſpute went no farther: but there ſtill remained upon Charles the blemiſh of violating the privilege of parliament, which was then of the utmoſt conſequence. This evidences that his ſaid Majeſty had not then about him any very able counſellors: for had they penetrated the commons drift ſince reaſſembling the parliament, they would have been careful not to adviſe the King to take ſo many not only unneceſſary ſteps, but ſuch as furniſhed his adverſaries with great advantages. Of this nature was the proclamation concerning divine ſervice. In the ſame rank I likewiſe place that extraordinary zeal he expreſſed for the church of England, which ſerved only to alienate ſtill farther from him all the commons adherents, and to ſhew them what they were to expect ſhould he be reſtored to his priſtine authority. In a word, nothing could be more unſeaſonable than this laſt ſpeech to both houſes, as if the bare threat of not paſſing the bill was ſufficient to awe them, whereas, at leaſt in regard to the commons, it was a very ſtrong argument to make them inſiſt upon their demand. Beſide, the breach of privilege muſt have been evident, ſince there was not in both houſes a ſingle member but what believed that Charles had violated it by his ſaid propoſal.

Petition to the King and his anſwer. Nalſon, Vol. II. p. 751, 762. Clarendon, p. 258.

Faults of the King or his council.

Six or ſeven days after, King Charles gave a freſh occaſion of complaint by removing, from his poſt ſir William Balfour, lieutenant of the Tower,

Charles removes Balfour; Dec. 20. Ruſhworth, Vol. IV. p. 459. Clarendon, p. 262.

(1) In the preamble of the bill it was declared, "That the King had, in no caſe, but the invaſion from a foreign power, "authority to preſs the free-born ſubject, which could not conſiſt with the freedom and liberty of his perſon." Clarendon, Vol. II. p. 275.

(2) The ſame noble hiſtorian ſays, in his next page, that when the clauſe in the bill for preſſing put a ſtop to the bill in the houſe of lords, mr. St. John, the King's ſollicitor, went preſently to his Majeſty, and perſuaded him to go to the parliament houſe, and ſay thoſe very words in his ſpeech, relating to the Salvo Jure, as an expedient to remove rubs in the way of the Iriſh affairs. Upon which both houſes reſolving to do nothing 'till this manifeſt breach ſhould be repaired by paſſing the bill, the King was compelled to paſs it, as they had prepared it.

and gives his place to Lunsford; which creates jealousies.

with whom he had no reason to be pleased, on account of his evidence concerning the design of promoting the earl of Strafford's escape. This was universally perceived to be the sole cause of Balfour's disgrace: but possibly his removal would not have been of such ill consequence to this Prince, had he not intrusted that important place to colonel Lunsford, known to be a man of profligate manners, and fit for any purpose. This change induced the commons to mistrust that his Majesty designed to secure the Tower, in order to awe both city and parliament. As their jealousy of him was excessive, and as it is moreover certain they sought occasions to persuade the people that he had pernicious designs, they failed not improving this which offered so opportunely. The very day whereon Lunsford was put in possession of the Tower, a great number of Londoners, of whom some were of the common-council, presented a petition to the lower-house, representing, "That the whole state is deeply in-
"terested in the safe custody of the Tower, but
"more especially the city of London: that colonel
"Lunsford is a man out-lawed, and most notorious
"for outrages, and therefore fit for any dangerous
"attempt. For which reason the petitioners, and
"many more, who have intelligence of his having
"the office of lieutenant bestowed on him, are put
"into such a height of fear and jealousy, as makes
"them restless 'till they have represented the same
"to the house of commons, humbly desiring them
"to take this affair into such consideration as may
"secure both the city and kingdom."

Petition of many Londoners. Dec. 23. Rushworth, Vol. IV. p. 495. Nalson, Vol. II. p. 773.

It must be owned that Charles made a very bad choice in bestowing on Lunsford this imploy, and thereby gave room for disadvantageous suspicions: beside, it seems scarce excusable to intrust the Tower with one of so very indifferent a character, at a time when his enemies missed no opportunity to inspire the people with jealousies. The most favorable construction can be put upon King Charles's conduct in this particular is, that there being but few persons who would be at his devotion, for fear of the commons indignation, he thought himself obliged to chuse for lieutenant of the Tower one less scrupulous, and of a desperate fortune, who would depend on him; and it was not easy to find many so disposed.

The commons require Lunsford's removal. Dec. 23. p. 774. Rushworth, Vol. IV. p. 459.

The commons, having taken into consideration the petition presented them, desired a conference with their lordships, whereat they represented, "That colonel Lunsford was not a fit person for so
"great a trust as the lieutenancy of the Tower.
"But if his Majesty saw cause that there should be
"a lieutenant of the Tower, the same being
"already under the command of the earl of New-
"port, who is constable thereof by his Majesty's
"appointment, then that sir John Conyers may be
"recommended to his Majesty for that place."

The lords refuse concurring.

The lords answered, they could not concur with them in addressing the King to remove colonel Lunsford, because they conceived the same would be an intrenchment upon his Majesty's prerogative.

Votes against Lunsford. p. 460. Nalson, Vol. II. p. 778.

The commons, nettled at the peers refusal, unanimously voted, "That colonel Lunsford was un-
"fit to be lieutenant of the Tower, as being a
"person in whom the commons could not confide."

The commons declaration, sent to the lords, who adjourn the debate;

At the same time they made a declaration, seting forth their reasons of apprehension and distrust; as the conspiracy to seduce the army; a former project for seizing the Tower; the Irish rebellion, and the continual delays and interruptions they met with in the upper-house, thro' the great number of bishops and Romish peers; wherefore they held themselves bound in conscience to protest themselves innocent of the blood which was like to be shed, and the confusions which might overwhelm the state, if Lunsford was continued in his charge: they moreover hoped, that such of their lordships as had the same apprehensions, would also take some course to make the same known to his Majesty. This declaration being communicated to the peers, it was resolved, by a majority of votes, that the debate should be adjourned 'till next Monday: but against this vote the lords entered their protest.

which vote is by the lords protested against. Rushworth, Vol. IV. p. 461.

Also that day, the commons desired the earl of Newport, to reside within the Tower, as constable, and to take that fortress into his custody.

The earl of Newport desired to reside in the Tower.

Beside the London citizens, whose petition had occasioned the commons declaration, the apprentices had flocked together in great numbers, and presented a petition to his Majesty, praying him to concur with the commons in rooting out Papists, innovators and bishops, as having all combined to subvert the government, and introduce Popery.

Petition of the apprentices. p. 462. Nalson, Vol. II. p. 773.

The lord mayor informs Charles of the peoples disposition. Rushworth, Vol. IV. p. 462.

Next day, December twenty-six, being Sunday, the lord-mayor seeing the apprentices begin to reassemble, and knowing they designed to go on the morrow to Whitehall for an answer to their petition, waited on his Majesty to inform him of it. He withal represented, that great mischiefs might insue if Lunsford was not removed; adding, that multitudes of Londoners were determined on attempting the Tower, to force him thence. Charles thereupon, that same evening, took the keys from Lunsford, but at the same time dismissed the earl of Newport from his constableship.

Lunsford removed; and also the earl of Newport.

Pretense against the earl of Newport. p. 463. Nalson, Vol. II. p. 780.

The reason, or perhaps the pretense of this nobleman's disgrace was, Charles's having been told that, at a meeting at Kensington, while he was in Scotland, the earl of Newport, on discourse of certain conspiracies there, said; "if there be such
"a plot, yet here are his wife and children."
But his lordship hearing such a rumor had reached the Queen, waited on her Majesty, and with many protestations assured her, that never any such words were spoken, not the least thought conceived of any such matter: with which she seemed well satisfied. Nevertheless, several months after, and the same day sir William Balfour was removed from the lieutenancy of the Tower, Charles asked him, whether he had heard any debate at Kensington, "about seizing the Queen and her Children?"
The earl strongly denied it; to which his Majesty answered, "that he was sorry for his lord-
"ships memory." This is what was by the earl of Newport himself positively affirmed in the house of peers.

Decemb. 23.

Petition of the lords. Rushworth, Vol. IV. p. 465.

Their lordships being convinced that his Majesty, on a false rumor, had entertained suspicions of the earl of Newport, espoused his cause, and presented Charles a petition, praying him to declare the reporter of those words. The earl of Bath, December thirty, reported his Majesty's answer, viz.

Charles's answer. Ib. p. 465. Nalson, Vol. II. p. 796.

"It is true, that I have heard rumors of some
"proposition which should have been made at
"Kensington, for seizing the persons of my wife
"and children; and, in things of so high a nature,
"it may be fit for any Prince to inquire, even
"where he hath no belief nor persuasion of the
"thing; so I have asked Newport some questions
"concerning that business, but far from that way
"of expressing a belief of the thing, which
"Newport hath had the boldness and confi-
"dence to affirm; which I could easily make
"appear, but that I think it beneath me to con-
"test with any particular person. But let this
"suffice, that I assure you, I neither did nor do
"give credit to any such rumor. As for telling
"the name of him who informed me, I do stick
"to the answer which I gave to your last petition,
"upon the like particular.

What color soever King Charles put upon his behavior to the earl of Newport, it evidently appeared,

peared, that he fell out with that nobleman purpoſely to remove him from the conſtableſhip of the Tower, juſt when he was deſired by the commons to reſide there. This no way helped to cure the commons ſuſpicions.

New meaſures of the commons.

I have already intimated what project had been formed by the leaders and managers of the houſe of commons againſt King Charles, viz. to diveſt him of great part of his power. To compaſs this end, it was neceſſary to remove the obſtacles which inceſſantly occurred in the houſe of peers, where the biſhop and Popiſh lords, by the number of their voices, were always able to oppoſe the execution of this deſign. Hitherto the commons had in vain indeavored to exclude the biſhops from the upper-houſe, and there was no likelihood that their ſollicitations would thenceforwards prove more effectual. They were therefore either to drop their pretenſions, or take more efficacious methods to obtain forcibly what would never have been by fair means effected. I am very ſenſible, ſome will take amiſs my poſitively affirming the tumults I am about mentioning to have been a mere effect of the intrigues of thoſe who oppoſed the King, and that ſeveral pretended it was all owing to accident, and the peoples diſcontents. The reader will be able to judge, when he has ſeen what paſſed about the cloſe of December.

Concourſe of the populace at Weſtminſter. Ruſhworth, Vol. IV. p. 463. Clarendon, p. 264, 266.

On Monday the twenty-ſeventh of this month, there was a great concourſe of people at Weſtminſter, whither flocked they who had preſented the Londoners petition, abundance of apprentices, infinite numbers of others, with pretenſe of waiting for his Majeſty's and the parliament's anſwer. Among theſe multitudes, many were heard to cry aloud, "No Biſhops! No Biſhops!" This correſponded with the apprentices petition. The biſhop of Lincoln*, lately nominated to the ſee of York, repairing with the earl of Dover to the houſe of peers, and obſerving a young fellow bellowing louder than the reſt againſt biſhops, ran and ſeized him, in order to have him ſent to priſon: but the mob reſcued the youth, and, gathering around the prelate, ſo hemmed him in that he could not ſtir, ſo that he was near being preſſed to death. However, they at length let him go, ſtill crying out as loud as they could, "No Biſhops!"

Tumult.

* Williams.

Origin of the name of Roundheads. p. 267. Ruſhworth, Vol. IV. p. 463.

At the ſame time, three or four officers, who had lately ſerved againſt the Scots, walking near Weſtminſter-hall, one of them, captain David Hide, drew his ſword, ſaying, "He would cut "the throats of thoſe round-headed crop-eared "dogs who bawled againſt the biſhops." But his brother-officers refuſing to ſecond him, he was laid hold on by ſome citizens, brought before the commons and by them impriſoned. There is no other known origin of the name of Roundheads, which thenceforwards was given to the parliamentarians (1).

Lunsford and others wound ſome citizens. p. 464.

The ſame day colonel Lunsford, with thirty or forty officers, coming thro' Weſtminſter-hall, and meeting the multitudes, drew their ſwords and hurt about twenty apprentices and citizens. Notice thereof being carried into the city, great numbers of apprentices and others, haſted down to Weſtminſter with ſwords and ſtaves, which occaſioned a terrible uproar both in London and Weſtminſter. The lord-mayor, to prevent farther diſorders, commanded the city gates to be ſhut, and put in arms the militia, while on the other hand Charles ordered ſome of the Middleſex and Weſtminſter trained-bands to come by turns and guard his perſon.

The lords try in vain to appeaſe the tumults. p. 463. Nalſon, Vol. II. p. 781.

The lords, ſeeing ſo great a tumult, ordered the gentleman-uſher of the black rod, to command that mutinous rabble to depart home. Their anſwer was, they could not, becauſe Lunsford, with other ſwordſmen, lay in wait for them in Weſtminſter-hall, and had already wounded ſeveral. Thereupon their lordſhips appointed a commitee to examine, what warrant Lunsford and the other officers had to come to Weſtminſter, as alſo, what notice had been given to any others to come in multitudes about the parliament-houſe. They tried once more to ſend away the people; but, not ſucceeding, deſired the commons to join with them in publiſhing a declaration againſt tumults, and in petitioning the King for a guard. The commons replied, it was now ſo late, that they had not time to take this requeſt into conſideration. Mean while, on information that ſome of the mob were ſent to priſon, they appointed a commitee to examine, by whoſe authority they were impriſoned, with power to releaſe them if it was thought proper. A clear evidence that this tumult was not diſagreeable to the commons (2).

The commons act coldly. p. 784, 792.

The tumult continued. Ruſhworth, Vol. IV. p. 465.

Next morning, the twenty-eighth, the tumult was renewed in the ſame manner as the day before, and the commons were as little ſollicitous to have it appeaſed. On the contrary, they adjourned the debate of their lordſhips requeſt 'till the morrow. Finally, on the twenty ninth, a rabble being reaſſembled, they acquainted the lords, that they were ready to join in all lawful ways and means to appeaſe theſe tumults, but for printing a declaration, it was a matter which would require ſome farther deliberation (3).

Remark on the commons procedure. Nalſon. Vol. II. p. 788. Dugdale's view, p. 80.

It is very apparent that the commons deſired not to have theſe tumults ſo ſoon ended, eſpecially if what is reported of mr. Pym, one of the leading members, be real fact. It is affirmed, he ſaid to one who perſuaded him to indeavor preventing theſe tumultuous aſſemblies, "God forbid the people "ſhould be hindered from obtaining their juſt de-"ſires." Indeed, the houſe in general cannot be charged with having taken any reſolution to incourage theſe tumults. Nevertheleſs, it is but too probable, not to ſay certain, that they were cauſed by the intrigues and direction of ſome of the leaders of his Majeſty's opponents.

To be convinced of this truth, one needs only to conſider, what was the ſituation of affairs at the end of December, 1641. The redreſs of grievances was no longer the point; that was now compleated without any oppoſition from the King. He could therefore affirm, that his conſent to the acts paſſed in this parliament was the effect of his love for his people, with as much reaſon as his adverſaries could allege its being all diſſimulation and merely by compulſion. It is certain that, after King Charles's return from Scotland, there were in the parliament many members who wiſhed the reform might be carried no farther, perſuaded as they were, that what was already done ſufficed for the kingdom's ſafety, and prevention of arbitrary government hereafter. This was the prevailing opinion in the upper-houſe, chiefly becauſe of the biſhops and Popiſh lords, who always made the balance incline to his Majeſty's ſide, when this capital point was in queſtion, either directly or indirectly.

(1) The apprentices it ſeems wore the hair of their head cut round, and the Queen obſerving, from a window, Samuel Barnardiſton among them, cryed out: "See what a handſome young Roundhead is there!" This ſome aſſert to have given riſe to that appellative.

(2) Cornelius Burgeſs, a Puritan miniſter, uſed to ſay of the rabble, "Theſe are my ban-dogs, I can ſet them on, and I can "fetch them off again."

(3) This anſwer to the lords was on the eighth. Ruſhworth, Vol. IV. p. 465.

In

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In the houſe of commons it was quite otherwiſe. Moſt of the members, not contenting themſelves with having redreſſed grievances, were alſo for leſſening the royal authority, and incapacitating the King from governing thenceforwards as he had done before this parliament. Some acted thro' pure diffidence of Charles's ſincerity: others thro' fear of being expoſed to his reſentment, if he ſhould ever be in a condition to make them feel its effects. Beſide theſe two motives, the Preſbyterians had a third, viz. to alter church-government, which they evidently foreſaw could never be effected, but by diſabling Charles to make oppoſition. All theſe members were united in one ſcheme of retrenching great part of this Prince's power: but the difference between them was very wide as to their animoſity againſt him, and the zeal wherewith they purſued the execution of their project. The Preſbyterians were warmeſt and moſt paſſionate; while others, who acted only from motives of jealouſy and diffidence behaved with more moderation. They could not, without a ſort of remorſe, contribute towards precipitating the whole nation into confuſion, upon the foundation of a bare diſtruſt, or of a fear which would not admit of any remedy. This had occaſioned great debates among the members concerning their remonſtrance of the ſtate of the kingdom. Many conſidered it as unneceſſary; while others ſupported it, becauſe they ſaw no ſurer way of making a breach between King and parliament: and without ſuch rupture they looked on themſelves as undone; for they could not otherwiſe hope to execute their projects. Oliver Cromwell, who as yet made no figure in the houſe, told lord Falkland,

Clarendon, p. 247.

"That if the remonſtrance had been rejected, he "would have ſold all he had next morning, and "never ſeen England more."

After this remonſtrance was preſented to King Charles, his enemies loſt no opportunity to cheriſh the peoples fears and jealouſies, wherein they had a double proſpect 1. They prepared them for the change they were meditating, by urging the abſolute neceſſity of diminiſhing the regal power. 2. By irritating Charles, they hoped to ingage him in ſome violent meaſures, proper to confirm the ſuſpicions they were ſtriving to infuſe into the people, in which they ſucceeded but too well; that Prince being ſo unhappy as not to have about him any able counſellors, to warn him of the ſnares laid for him by his inſidious adverſaries. Nevertheleſs, they were ſtill very far from their end, by reaſon of the obſtacles they met with in the houſe of peers, where the biſhops and Popiſh lords brake all their meaſures.

Very poſſibly, this contraſt between the two houſes would have been of much longer continuance had not the tumultuous concourſe of the Londoners about Weſtminſter very opportunely occurred to terrify the prelates and Popiſh peers, as will be ſeen preſently. When therefore ſuch multitudes were ſeen flocking to Weſtminſter, exclaiming againſt the biſhops and Catholic lords, inſulting the peers of Charles's party, in a word, acting ſo conformably to the commons deſires and intentions, one cannot eaſily help thinking but they were countenanced and incouraged by ſome of that houſe's members; and the rather, as no other probable reaſon of ſo ſudden a commotion can be aſſigned.

As to the juſtice of the commons project of diſabling their Sovereign from purſuing the courſe he had followed during fifteen years, it is a queſtion not readily to be decided. The point is to know whether, at the time we are now upon, in reſtoring King Charles to all his rights, there was juſt ground to confide in him, without any apprehenſion of his future abuſing ſuch power. But there is ſo much to be ſaid on either ſide of the queſtion, that unbiaſſed perſons muſt needs be at a loſs, and the more as the thing is to know perfectly, what was this Prince's intention, which no one can poſſibly diſcover. It is therefore barely on conjectures that ſome decide, that, after his Majeſty's conceſſions in this parliament, in favor of his ſubjects, it was reaſonable to rely on his word; and that others affirm, it was imprudent to conſider this Prince's aſſent to the acts as a proof of his intention to govern according to law, ſince this aſſent was not altogether voluntary. On this queſtion run all the papers which were afterwards publiſhed, either by King or parliament.

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The tumults ſtill continuing about the parliament houſe, and the commons not appearing very urgent to appeaſe them, twelve biſhops met at the archbiſhop of York's, to conſult what was to be done. Here, by advice of the archbiſhop, they reſolved on not going any more to the houſe of peers, but preſented to his Majeſty and their lordſhips the following proteſtation (1).

The tumults continue. Ruſhworth, Vol IV. p. 466. Nalſon, Vol. II. p. 794. Hacket, Part II. p. 178. Clarendon, p. 271, &c.

To the King's moſt excellent Majeſty, and the lords and peers, now aſſembled in parliament; the humble petition and proteſtation of all the biſhops and prelates now called by his Majeſty's writs to attend the parliament, and preſent about London and Weſtminſter for that ſervice.

"THAT whereas the petitioners are called "up by ſeveral and reſpective writs, and "under great penalties, to attend in parliament, "and have a clear and indubitate right to vote in "bills, and other matters whatſoever, debatable "in parliament, by the ancient cuſtoms, laws and "ſtatutes of this realm, and ought to be protected "by your Majeſty, quietly to attend and proſecute "that great ſervice.

"They humbly remonſtrate and proteſt before "God, your Majeſty, and the noble lords and "peers now aſſembled in parliament, that, as they "have an indubitate right to ſit and vote in the "houſe of lords, ſo are they (if they may be protected from force and violence) moſt ready and "willing to perform their duties accordingly: and "that they do abominate all actions and opinions "tending to Popery, and the maintenance thereof; "as alſo all propenſion and inclination to any ma"lignant party, or any other ſide or party what"ſoever, to the which their own reaſon and con"ſciences ſhall not move them to adhere.

"But whereas they have been, at ſeveral times, "violently menaced, affronted and aſſaulted by "multitudes of people, in their coming to per"form their ſervices in that honorable houſe; and "lately chaſed away, and put in danger of their "lives, and can find no redreſs or protection, upon "ſundry complaints made to both houſes in theſe "particulars.

(1) This proteſtation was penned in heat and haſte, by Williams, archbiſhop of York, juſt after the treatment he had met with from the apprentices and others, and, without delay, preſented by him to the King, with an humble deſire, that his Majeſty would ſend it to the houſe of peers, ſince the biſhops could not do it themſelves, and that he would command, it ſhould be entered into the journal of the houſe. His Majeſty juſt caſt his eye upon it, and believing it drawn by mature advice, delivered it to the keeper, who unfortunately happened to be preſent, commanding him to deliver it to the houſe. Clarendon, Vol. I. p. 276. Some ſay, that the lord keeper was ordered not to read it, 'till the King, at the biſhops inſtance, came into the houſe of peers. But, that to ingratiate himſelf with the parliament, to whom he was become obnoxious, he communicated the petition to ſome unfriendly members of both houſes. Collier's Eccl. Hiſt. Vol. II. p. 818.

"They

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"They likewiſe humbly proteſt, before your "Majeſty, and the noble houſe of peers, that, "ſaving unto themſelves all their rights and inte- "reſt of ſiting and voting in the houſe at other "times, they dare not ſit or vote in the houſe of "peers, until your Majeſty ſhall farther ſecure "them from all affronts, indignities and dangers in "the premiſes.

"Laſtly; whereas their fears are not builded upon "fantaſies and conceits, but upon ſuch grounds and "objects as may well terrify men of good reſolu- "tion and much conſtancy, they do, in all duty "and humility, proteſt before your Majeſty, and "the peers of that moſt honorable houſe of parlia- "ment, againſt all laws, orders, votes, reſolutions "and determinations, as in themſelves null, and "of none effect, which in their abſenſe, ſince the "twenty-ſeventh of this inſtant month of Decem- "ber, 1641, have already paſſed; as likewiſe, "againſt all ſuch as ſhall hereafter paſs in that "moſt honorable houſe, during the time of their "forced and violent abſenſe from the ſaid moſt ho- "norable houſe; not denying but, if their abſent- "ing themſelves were wilful and voluntary, that "moſt honorable houſe might proceed in all theſe "premiſes, their abſenſe, or this their proteſtation "notwithſtanding.

"And humbly beſeeching your moſt excellent "Majeſty to command the clerk of that houſe of "peers, to enter this their petition and proteſtation "among his records,"

They will ever pray to God to bleſs and preſerve, &c.

Joh. Eborac: Tho. Dureſme: Rob. Co. & Lich: Joſ. Norwich: Jo. Aſaphen: Guil. Ba. & Wells: Geo. Hereford: Rob. Oxon: Mat. Ely: Godfr. Gloceſt. Jo. Peterburg: Morg. Landaff.

Remark on this proteſtation.

We are to obſerve that, among theſe twelve biſhops, there were nine of thoſe thirteen whom the commons accuſed on account of the late convocation's canons.

It is evident, that this proteſtation tended to diſſolve the parliament, without Charles's interpoſing: for if, according to the proteſtation, the houſe of peers could do nothing but what was in itſelf void, without the prelates concurrence, it was no leſs certain, that the houſe of commons could do nothing valid without concurrence of the peers; whence it followed, that the parliament was become uſeleſs, or ſuſpended, in the intention of the biſhops by this proteſtation. It is likewiſe manifeſt, that King Charles had the ſame thought, by his haſte to communicate the proteſtation to their lordſhips, poſſibly even before its being examined by his council. Very probably, he imagined their lordſhips would eſpouſe the biſhops cauſe, as making, according to his notion, a third eſtate of parliament, and that this affair might occaſion the parliament's diſſolution. But he found that this houſe of peers, hitherto ſo favorable to him, was no longer in the ſame diſpoſitions, ſince the biſhops and Popiſh lords were frightened away by tumults. The majority of voices not being now for his Majeſty, the houſe looked on this proteſtation with a very different eye from what Charles expected. They deſired a conference with the commons, where the lord-keeper, in name of all the peers, told them, "That this "proteſtation containing matters of dangerous con- "ſequence, extending to the deep intrenching upon "the fundamental privileges and being of parlia- "ments, the lords had thought fit to communicate "it to the commons, as a thing of great and ge- "neral concernment." CHARLES I AN' 1641. Ruſhworth, Vol. IV. p. 467. Nalſon, Vol. II. p. 795.

No ſooner had the commons received the report of this conference, but they determined on inſtantly charging thoſe twelve biſhops of high-treaſon, for attempting to ſubvert the fundamental laws and the very being of parliaments. This reſolution ought not to ſeem ſtrange, after having ſeen how the commons ſtood affected towards prelates. They were very careful not to loſe ſuch a fair opportunity of freeing themſelves from thoſe obſtacles they perpetually met with, in the upper-houſe, from the biſhops; and beſide, the peers ſeemed diſpoſed to come into their meaſures. So, that very moment, mr. Glyn was deputed away to their lordſhips above, formally to accuſe the twelve biſhops of high-treaſon, and to deſire they might be put into ſafe cuſtody (1). The lords thereupon ordered the black-rod to bring thoſe twelve biſhops to the bar of their houſe, which was done by eight at night, and ten of them were commited to the Tower. Moreton biſhop of Durham, and Wright biſhop of Litchfield and Coventry, in regard of their great age, remained in the black-rod's cuſtody. The commons accuſe twelve biſhops of high-treaſon; p. 406, &c. Ruſhworth, Vol. IV. p. 467. Clarendon, p. 277, 278. who are ſent to the Tower. Ruſhworth, Vol. IV. p. 468.

On the morrow, December 31, the commons deſired their lordſhips to take into conſideration the bill, ſent up ſome months ſince, for taking away the biſhops votes; to which the lords anſwered; "They "would take the ſame into conſideration in con- "venient time (2)." Nalſon, Vol. II. p. 800.

Alſo that day, the commons ſent his Majeſty a commitee, repreſenting, "That the houſe was "under great apprehenſions, by reaſon of a malig- "nant party who were continually forming perni- "cious deſigns: nay, that ſome of them had im- "brued their hands in the blood of his ſubjects, at "the gates of his palace, in the face and at the "doors of the parliament. That therefore they "humbly beſought his Majeſty, that they might "have a guard * commanded by the earl of Eſſex, "of whoſe fidelity there could be no ſuſpicion." The commons deſire a guard. p. 793, 801. Ruſhworth, Vol. IV. p. 471. * From London.

As the London populace were diſperſed, and the officers ſtill kept about Weſtminſter, the houſe was under ſome apprehenſion of inſults from theſe reformades, and particularly Lunsford, who was a deſperate perſon. So, the King deſiring to have this meſſage in writing, which had been delivered by word of mouth only, and not returning any anſwer that day, the commons ordered, that thirty or forty halberts ſhould be brought into the houſe, for their better ſecurity. They cauſe arms to be brought into their houſe. Ibid.

Their apprehenſions were farther increaſed on notice, that the young gentlemen of the inns of court were aſſembled, and gone to Whitehall, to offer their ſervice to his Majeſty, who had received them very graciouſly, and ordered them to be handſomely entertained at tables provided for them. The inns of court gentlemen offer to guard the King. Nalſon, Vol. II. p. 803.

King Charles, on his part, was not free from uneaſineſs. He feared the tumultuous concourſe of people would be renewed on New-year's day; and Charles injoins the lord mayor to prevent diſorders. Ibid. Ruſhworth, Vol. IV. p. 469.

(1) Lord Clarendon (Vol. I. p. 279.) ſays, the biſhops friends took ſo great offenſe at this indiſcreet proteſtation, that, tho' they deſired to preſerve their function, they had no compaſſion or regard of their perſons, or what became of them; inſomuch as, in the whole debate, there was only one gentleman who ſpake in their behalf, and ſaid, "He "did not believe they were guilty of high-treaſon; but that they were ſtark mad, and therefore deſired they might be "ſent to Bedlam."

(2) Not long before this, the King had filled in the following manner, ſome ſees which were made vacant. Dr. Prideaux was made biſhop of Worceſter, dr. Winniff of Lincoln, dr. Brownrigg of Exeter, dr. Henry King of Chicheſter, and dr. Weſtfield of Briſtol. The commons were, it ſeems, thereupon much troubled, that, at a time when they reſolved to take away the old, the King ſhould preſume to make new biſhops.——Mr. Edward Hyde (afterwards earl of Clarendon) was now admited into the King's favor. Clarendon, Vol. I. p. 239, 269. Warwick, p. 194.

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therefore ſent orders to the common-council of London, to take good meaſures for prevention of all ſuch diſorders as had lately happened, wherein he was obeyed moſt punctually.

The parliament having adjourned from Friday 'till Monday, the morrow being New-year's day, and next day Sunday, it was the third of January before Charles returned his anſwer to the commons meſſage concerning a guard, which was to this purport:

His Majeſty's anſwer concerning the required guard. p. 471. Nalſon, Vol. II. p. 803.

"That it was with great grief of heart, he found "the commons, inſtead of reaping the fruits of "his grace and affection to his people, ſhould "ſuffer jealouſies, diſtruſts and fears to be ſo pre-"valent among them, as to induce them to declare "them unto him in ſo high a meaſure as they had "done: that he was wholly ignorant of the grounds "of their apprehenſions; but if he had any "knowledge or belief of the leaſt deſign, in any, "of violence againſt them, he would purſue them "with the ſame ſeverity and deteſtation as he "would do the greateſt attempt upon his crown. "Withal, he ingaged ſolemnly, on the word of a "King, that the ſecurity of all and every of them "from violence, was and ſhould ever be as much "his care, as the preſervation of himſelf and his "children: and if this general aſſurance ſhould not "ſuffice to remove their apprehenſions, he would "command ſuch a guard to wait upon them, as he "would be reſponſible for to him who had charged "him with the ſafety and protection of his "ſubjects."

Before we proceed, it will be neceſſary to ſhew exactly the ſituation of King Charles's affairs, in the begining of the year 1642. There was in the houſe of commons a ſtrong party, who were laboring to deprive him of good part of his prerogatives, ſome thro' fear or diſtruſt, others for more hidden deſigns; but theſe laſt took care not to divulge their intentions: they pretended to act only on the ſame motives of diſtruſt which influenced the firſt, in expectation of ingaging them by degrees to ſecond them in their projects. For this reaſon, they loſt no opportunity to inflame this diffidence of the King, by agravating whatſoever could be blamed in his government during the firſt fifteen years of his reign; and by refering all his actions, ſince this parliament began, to the ſame principles by which he had formerly governed: in ſhort, their drift was to make him thought ſtill the ſame, and not to have any way altered his maxims: that his condeſcenſion for the parliament had been forced, and was all diſſimulation: that he only waited for a proper ſeaſon to return to his old courſes, and when once he was reſtored to his authority, he would uſe it to be revenged on thoſe by whom he thought himſelf injured, and to take juſter meaſures to eſtabliſh a deſpotic government.

In effect, as all theſe particulars depended on this Prince's ſecret intentions, they could not be manifeſtly proved; yet ſuch hints were given as ſerved to make impreſſion on many people. It was obſerved, that Charles always talked of his aſſent to the acts of this parliament, as being of pure grace, and not of juſtice; whence it was eaſy to infer, that he reſerved to himſelf the power of revoking them when he ſhould find occaſion: that there was but too much reaſon to ſuſpect he was concerned in the Iriſh rebellion, conſidering in what juncture of time it brake out, and the rebels declaration, that they had the King's and Queen's authority for what they did: that it was very probable, he ſhewed a regard to the Papiſts, to make uſe of them on occaſion: that he could not reſolve to execute the ſeven prieſts legally condemned, tho' he had been earneſtly deſired by both houſes of parliament: that notwithſtanding his conſtant promiſes to put the laws in execution againſt recuſants, it had never been performed; but, on the contrary, he truſted recuſants with the moſt important charges: that the conſpiracy to ſeduce the army plainly diſcovered his deſigns: that, very lately, he had violated the privileges of parliament in ſo evident a manner, that there was not a ſingle member, in both houſes, who was not perſuaded of the reality of this violation: that nevertheleſs, inſtead of ſatisfaction, he had anſwered, "That he himſelf did not believe "he had violated the privileges of parliament, "nor ever intended it:" that therefore it was abſolutely neceſſary to limit his power, and diſable him from governing thenceforward at his pleaſure, as he had done during fifteen years ſucceſſively.

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Theſe reaſons produced in mens minds various effects, according to the temper, underſtanding and principles of thoſe to whom they were addreſſed. To ſome they appeared too uncertain to ground thereon projects of retrenching the regal power, and conſequently of altering the government's conſtitution. Others looked on them as unanſwerable. There were however many members who wavered between their diſtruſt of the King, and their fear of involving the nation in troubles, on a doubtful foundation. Nevertheleſs, theſe were eaſily perſuaded to join in proceedings repreſented to them as neceſſary precautions, without being let into their real deſign; as for inſtance, to conſent to the bill for excluding the biſhops. Had the leaders of the Preſbyterian faction told them, that it was their intention to diminiſh the royal power, in order more eaſily to eſtabliſh Preſbytery upon the ruins of Epiſcopacy, they would never have ſucceeded; nay, they would have rendered themſelves ſo ſuſpected as to have utterly forfeited their whole credit: for we are to recollect that the heads of that party which oppoſed the King, tho' moſtly Preſbyterians, had not yet acted as ſuch, but only as zealous aſſertors of the peoples rights, and as enemies to tyranny, wherein the whole faction were perfectly united. When therefore they ſtarted any motion againſt prelates, they inſinuated it not to be in hatred of epiſcopacy, but to leſſen the biſhops credit, which they had abuſed in ſupporting deſpotiſm, and to diſable them from doing ſo for the future. Unluckily, diverſe of the right reverend had given too much cauſe of complaint, and by their conduct ingaged even many church of England men to concur in the deſign of limiting the authority of prelates in general.

Before the biſhops and Popiſh peers had abſented themſelves from the houſe of lords, the laſt-mentioned faction met with unſurmountable obſtructions in that houſe: nay, even after that, the remnant were not alike devoted to this party. A good number of peers ſtill remained who, tho' oppoſite to Charles, and extremely jealous of him, could not however reſolve on taking any ſtep which ſtruck at the government of either church or ſtate, or at leaſt which tended to alter the conſtitution. So, ever ſince the parliament's re-aſſembling, the Preſbyterians had yet been as it were only ſtrugling with the reſt of King Charles's opponents, gradually to induce them to concur in retrenching the royal authority. They had got paſſed the remonſtrance of the kingdom's ſtate and condition, ſpread ſuſpicions of his Majeſty touching the Iriſh rebellion, and prevented ſending to Ireland any Engliſh forces. Their intrigues had bred great diſtruſt concerning the Popiſh party, countenanced and protected by Charles, and produced mortifying addreſſes to that Prince upon the breach of parliamentary privileges, and the lieutenancy of the Tower; tumultuous aſſemblies of mobs at Weſtminſter; the petition for a guard, as if the houſe of commons was greatly in danger from the King's party. Finally, diverſe biſhops,

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biſhops, their principal enemies, were in the Tower. In all this Preſbyterianiſm ſcarcely ſhewed itſelf at all, and if ſome ſuſpected it to be the chief cauſe of thoſe diſturbances, at leaſt to prove it would have been no eaſy matter.

Notwithſtanding all theſe advantages, the Preſbyterians ſtill ſaw themſelves very remote from their purpoſe. They had ſufficient credit to get paſſed in the houſe of commons votes agreeable to the whole party's general deſign; yet were they themſelves very ſenſible they durſt not yet venture openly to diſcover their particular end, I mean the church of England's overthrow, and Preſbytery's eſtabliſhment. It was firſt of all neceſſary to diſable Charles to oppoſe it. For that purpoſe were to be gained thoſe members of both houſes who ſtill wavered between their diffidence of this Prince, and the fear of involving in dangerous confuſions their country, if the conſtitution ſhould be attacked. Theſe members were ſufficiently numerous to raiſe invincible obſtacles to this project, by ſiding with the royaliſts: for it muſt not be imagined that all who oppoſed King Charles were of the ſame character, and acted on like principles and motives. They were only united in this ſingle point, i. e. tyranny being equally odious to them, they wiſhed to be intirely freed from it, with equal ardor.

Charles orders a peer and five commoners to be accuſed of high-treaſon. Ruſhworth, Vol. IV. p. 473. Nalſon, Vol. II. p. 811. Annals, p. 906. Clarendon, p. 280.

Matters being in this poſition, Charles, as adviſed by lord Digby then his chief counſellor, took a ſtep the moſt imprudent, and moſt fatal to his affairs, he could poſſibly take at ſuch a juncture. The third of January, 1641-2, his attorney-general, ſir Edward Herbert, coming to the houſe of peers, acquainted them, that his Majeſty had commanded him to accuſe of high-treaſon lord Kimbolton (1), and five commoners, viz. Denzil Hollis, ſir Arthur Haſlerig, John Pym, John Hampden, and William Strode: At the ſame time he delivered the general articles of impeachment, which Charles himſelf gave him; viz.

Articles againſt them.

1. That they had traiterouſly indeavored to ſubvert the fundamental laws and government of the kingdom of England; to deprive the King of his royal power, and to place in ſubjects an arbitrary and tyrannical power over the lives, liberties and eſtates of his Majeſty's liege people.

2. That they had traiterouſly indeavored, by many foul aſperſions upon his Majeſty and his government, to alienate the affections of his people, and to make his Majeſty odious unto them.

3. That they had indeavored to draw his Majeſty's late army to diſobedience to his Majeſty's command, and to ſide with them in their traiterous deſigns.

4. That they had traiterouſly invited and incouraged a foreign power to invade his Majeſty's kingdom of England.

5. That they had traiterouſly indeavored to ſubvert the rights, and the very being of parliaments.

6. That, for the compleating of their traiterous deſigns, they had indeavored, ſo far as in them lay, by force and terror, to compel the parliament to join with them in their traiterous deſigns; and to that end had actually raiſed and countenanced tumults againſt the King and parliament.

7. That they had traiterouſly conſpired to levy, and actually had levied, war againſt the King.

Then mr. attorney ſaid, that he was farther charged to deſire, on his Majeſty's behalf:

1. That a ſelect commitee, under a command of ſecreſy, may be appointed to take the examination of ſuch witneſſes as the King will produce in this buſineſs, as formerly hath been done in caſes of like nature, according to the juſtice of this houſe.

2. Liberty to add and alter, if there ſhould be cauſe.

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3. That their lordſhips would take care for ſecuring the perſons, as in juſtice there ſhould be cauſe.

Conſiderations on King Charles's conduct in this particular.

One cannot well conceive what Charles's driſt could be in this extraordinary accuſation, and what he could thence hope for, conſidering the numberleſs difficulties which preſented, and which it was ſcarcely poſſible not to foreſee.

Firſt; his Majeſty demanded of the peers juſtice againſt five members of the commons houſe, the parliament ſiting, which was a moſt evident irregularity, ſince their lordſhips were not the members of the lower-houſe's proper judges, while the parliament was aſſembled, without the conſent of that houſe, whereof King Charles could not be ignorant. Conſequently they had no power to commit the five members. Why then was it deſired?

Secondly; in this accuſation, Charles attacked five commoners, who were leading members in that houſe. How therefore could he expect, in ſuch junctures, that the commons would deliver up their leaders, on pretenſe of a general acculation which deſcended not to any particulars?

Thirdly; his Majeſty, in accuſing thoſe five members, properly accuſed of treaſon the whole houſe, as was eaſy to perceive by barely looking on the articles.

Finally; how could he expect that the parliament, who had given the Scots three hundred thouſand pounds, as a compenſation for their brotherly aſſiſtance, would conſider as high-treaſon the inviting them into the kingdom, ſuppoſing he had been able to prove this aſſertion?

All this manifeſts King Charles's having been very ill adviſed when he undertook this affair, at ſuch a juncture. Accordingly, not a ſingle hiſtorian, even among thoſe moſt devoted to him, who does not at leaſt own it was a moſt imprudent and unſeaſonable procedure.

The peers ſcrutiniſe the regularity of his Majeſty's procedure. Ruſhworth, Vol. IV. p. 474. Nalſon, Vol. II. p. 812.

After reading the articles of accuſation, lord Kimbolton ſtood up and prayed, that, as he had a public charge, he might have a public clearing. But the peers proceeded not ſo haſtily as his Majeſty expected. The firſt ſtep they took was appointing a commitee to examine the regularity of this charge, and to ſearch the records, whether there ever had been any ſuch proceeding, and whether accuſations againſt a peer might be brought into their houſe by the attorney-general. As to the accuſation againſt the five commoners, they did not ſo much as take it into conſideration, whether they ſhould receive it, but contented themſelves with acquainting that houſe, that certain of their members were accuſed of high-treaſon by the attorney-general.

The papers, &c. of the parties accuſed ſealed up.

Alſo then the commons had notice, that ſeveral perſons were at mr. Hollis's and mr. Pym's, ſealing up their trunks, doors and papers. The like was done in the houſes of the three other parties accuſed. Thereupon the commons ordered their ſerjeant to break open the ſeals, and apprehend thoſe who put them on. Moreover they paſſed an order, "that "if any perſons whatever ſhould come to the "lodgings of any member of the houſe, and there "offer to ſeal the doors, trunks, or papers, that "then ſuch members ſhould require the aſſiſtance "of the conſtable to keep ſuch perſons in ſafe "cuſtody, 'till the houſe ſhould give farther order. "That if any perſon ſhould offer to arreſt or de-"tain a member, without firſt acquainting the "houſe therewith, it was lawful for ſuch member "to ſtand upon his guard of defenſe, and for any

Order of the commons. p. 813. Ruſhworth, Vol. IV. p. 474, 476.

(1) Son of the earl of Mancheſter, who was ſtill alive, and this lord, who had been called to the houſe of peers by the title of lord Kimbolton, was himſelf afterwards earl of Mancheſter. Rapin.

"perſon

" perſon to aſſiſt him, according to the proteſtation " taken to defend the privileges of parliament.

Conference between both houſes. Nalſon, Ibid.

Very ſoon after, the commons repreſented to their lordſhips, in a conference, that the King had ordered the trunks, chambers and ſtudies of ſeveral of their members to be ſealed up, and had in a warlike manner, poſted a guard at Whitehall; wherefore they deſired, that there might likewiſe be placed about the parliament ſuch guards as ſhould be approved by both houſes, or elſe that their lordſhips join with them in adjourning to a place of ſafety. During this conference, a ſerjeant at arms came from his Majeſty to the houſe of commons, and required the five members accuſed. The ſerjeant being ordered to withdraw, the commons appointed ſome of their members to wait on the King, and acquaint him, " That his meſſage was a matter of " great conſequence; that it concerned the pri- " vilege of parliament, and of all the commons of " England: that they will take it into conſideration, " and attend his Majeſty with their anſwer, with as " much ſpeed as the greatneſs of the buſineſs will " permit; and, in the mean time, the five mem- " bers ſhall be ready to anſwer any legal charge " made againſt them." Then they diſmiſſed the ſerjeant who had brought this meſſage. At the ſame time, they injoined the five members to give their daily attendance on the houſe.

Charles demands the five members. Ibid. Clarendon, p. 281. Ruſhworth, Vol. IV. p. 475.

Thoſe members ordered to attend daily on the houſe.

During this, the peers had ordered the doors and trunks of the members of both houſes which were ſealed ſhould be opened, and reſolved to join with the commons in a petition to his Majeſty for ſuch a guard as both houſes ſhould approve. They had moreover ordered, that two of their body, with ſome commoners, ſhould repreſent to the King, that the privileges of parliament had been violated.

Reſolution of the peers. Ibid.

Next morning, January four, lord Falkland reported his Majeſty's anſwer to the commons meſſage touching breach of privilege. He ſaid, the King aſked him, whether the houſe did expect any anſwer? and, before lord Falkland replied, told him, he would ſend his anſwer to-morrow as ſoon as the houſe was ſet. Mean while, he bid him acquaint the houſe, that the ſerjeant had done nothing but what he had directions from himſelf to do.

Report of the King's anſwer. p. 476.

Preſently after this report, the commons ſent and deſired a conference with their lordſhips, to acquaint them, that a ſcandalous paper was publiſhed, containing articles of high-treaſon againſt lord Kimbolton, &c. and to deſire they would concur in puniſhing the authors and publiſhers thereof.

Demand of the commons to their lordſhips. Ibid.

Then the gentlemen of the inns of court, who offered themſelves to be a guard to his Majeſty, were ſent to and examined, on a rumor that they were injoined to be ready the fourth of January. Thoſe of Lincoln's-Inn anſwered, " That laſt " week they went to White-hall to offer their ſer- " vice to the King, upon hearing that his perſon " was in danger: that yeſter-night, they had re- " ceived a meſſage from his Majeſty, by ſir William " Killigrew and ſir William Flemming, that they " ſhould keep within to-morrow, and be ready at " an hour's warning, if the King ſhould have oc- " caſion to uſe them: that they brought to them " likewiſe a paper of articles of accuſation againſt " lord Kimbolton and five members of the houſe " of commons: that they had only an intent to " defend the King's perſon, and would do their " utmoſt alſo to defend the parliament; being not " able to make any diſtinction between the King " and his parliament." The gentlemen of the other inns anſwered to the ſame effect (1).

The gentlemen of the inns of court examined. Ibid. Nalſon, Vol. II. p. 816, 817.

That afternoon, the five accuſed members came into the houſe, as they had been injoined. They were no ſooner in their places, but one captain Langriſh informed the houſe, that the King was coming with a guard of military men, commanders and ſoldiers (2). As there was room to believe that Charles intended to ſeize the five members, they were immediately ordered to depart the houſe. They were ſcarcely got out when his Majeſty appeared, and going up to the chair, ſaid, " By " your leave, mr. ſpeaker, I muſt borrow your " chair a little." Being there ſeated, he looked round to ſee if he could diſcern any of the five members, and then harangued the houſe thus; his guard waiting at the door.

Charles goes to the lower-houſe. Id. p. 477.

His Majeſty's ſpeech there. Ruſhworth, Vol. IV. p. 477. Nalſon, Vol. II. p. 820.

Gentlemen,

" I Am ſorry for this occaſion of coming unto " you. Yeſterday I ſent a ſerjeant at arms up- " on a very important occaſion, to apprehend ſome " who, by my command, were accuſed of high- " treaſon; whereunto I did expect obedience, and " not a meſſage. And I muſt declare unto you " here, that albeit no King of England ever had " or ſhall be more careful of your privileges, to " maintain them to the uttermoſt of his power, " than I ſhall be; yet you muſt know that, in " caſes of treaſon, no perſon hath a privilege. " And therefore I am come to know if any of theſe " perſons who were accuſed are here: for I muſt " tell you, gentlemen, that ſo long as theſe perſons, " whom I have accuſed (for no ſlight crime, but " for treaſon) are here, I cannot expect that this " houſe will be in the right way as I do heartily " wiſh it: therefore I am come to tell you, that " I muſt have them whereſoever I find them. " Well! ſince I ſee all the birds are flown, I do " expect from you, that you ſhall ſend them unto " me, as ſoon as they return hither. But I aſſure " you, on the word of a King, I never did intend " any force, but I ſhall proceed againſt them in a " legal and fair way, for I never meaned any " other.

" And now ſince I ſee I cannot do what I came " for, I think this no unfit occaſion to repeat what " I have ſaid formerly, that whatſoever I have " done in favor, and to the good of my ſubjects, " I do mean to maintain it.

" I will trouble you no more, but tell you, I " do expect, as ſoon as they come to the houſe, " you will ſend them to me; otherwiſe I muſt " take my own courſe to find them.

The houſe adjourns. Ruſhworth, Vol. IV. p. 478.

No ſooner was his Majeſty gone, but many members cried out aloud, ſo as he might hear them, Privilege! Privilege! and forthwith the houſe adjourned 'till next day at one.

Vote that the King had violated the privilege of parliament.

The commons, aſſembling on the morrow, January five, at the hour appointed, inſtantly voted, that the King had violated the houſe's privileges, and that they could not ſit any longer there, without a full vindication of ſo high a breach, and a guard for the ſafety of their perſons. Then it was

(1) Only thoſe of the Middle-Temple ſent their anſwer in writing, in which they ſaid, " That their intention to defend the " King's perſon, was no more than they were bound to by the oath of allegiance. Ruſhworth, Vol. IV. p. 477.

(2) A certain member had alſo private intimation from the counteſs of Carliſle, relict of James Hay earl of Carliſle, and ſiſter to the earl of Northumberland, that indeavors would be uſed this day to apprehend the five members. Ibid. Manley, p. 33. Lord Clarendon (Vol. I. p. 282.) ſays, it was generally believed, that the King's purpoſe of going to the houſe was communicated to William Murray of the bed-chamber, by lord Digby, and that it was diſcovered by the ſaid Murray.——According to Whitlock (p. 52.) it was ſuppoſed, that the Papiſts, by the means and influence of her Majeſty, perſuaded the King to this raſh action.

reſolved

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The commons appoint a commitee to sit at Guild-hall. p. 479. Nalson, Vol. II. p. 822, 823. Clarendon, p. 284.

resolved to adjourn 'till the eleventh of the same month, and a commitee of twenty-four was appointed to sit, during the adjournment, at Guild-hall, and to consider all things concerning the good and safety of the city and kingdom, and particularly how their privileges might be vindicated, and their persons secured (1). The commitee for the Irish affairs was ordered likewise to sit during the adjournment. That done, a message was sent the lords, to acquaint them with what had passed the preceding day, with their adjournment and commitee appointed to sit at Guild-hall.

Charles goes to the common-council of London. p. 283.

His Majesty, having that very day ordered the lord mayor to assemble the common-council, went to Guild-hall. As he passed the streets, he had the mortification to hear people cry, "Privileges "of parliament! Privileges of parliament!" Nay, one Henry Walker was so insolent as to throw into his coach a paper, wherein was written, "To your "tents, O Israel." Charles, arriving at Guild-hall, spake thus to the common-council.

His speech to them. Rushworth, Vol. IV. p. 479.

Gentlemen,

"I Am come to demand such persons as I have "already accused of high-treason, and do be-"lieve are shrouded in the city. I hope no good "man will keep them from me; their offenses are "treason, and misdemeanors of high-nature. I "desire your loving assistance herein, that they may "be brought to a legal trial.

"And whereas there are diverse suspicions raised, "that I am a favorer of the Popish religion; I "do profess, in the name of a King, that I did "and ever will, and that to the utmost of my "power, be a prosecutor of all such as shall any "ways oppose the laws and statutes of this king-"dom, either Papists or Separatists; and not only "so, but I will maintain and defend that true Pro-"testant religion which my father did profess; and "I will continue in it during my life.

Remark on this speech.

King Charles seems to have forgot the situation of his affairs, and to fancy himself still in the same state as before his war with Scotland. He could not surely be ignorant that the city of London was not very well affected to him, nor had reason to be so: yet he believed they would espouse his cause against the parliament, and deliver up the five members, whereof there was not the least probability. On the other hand, he could be still less ignorant, that it was chiefly in London that the Presbyterians were numerous and powerful, and yet he affected to say, he would maintain and defend the Protestant religion which the King his father had professed, and prosecute to the utmost of his power as well Separatists as Papists. To be frank, I see not the necessity or use of such a declaration, before the common-council of a city much more inclined to Presbyterianism than to the church of England, as was soon after notoriously evident.

The commitee full of business. Jan. 6, 7, 8. p. 480. Clarendon, p. 285.

During this the commitee, which sat at Guild-hall, were diligently taking informations of what passed the fourth of January, and preparing matters for their report to the house against their meeting. The commitee had intelligence, that sir John Byron, made lieutenant of the Tower, in Lunsford's stead, had sent to Whitehall a hundred fire-arms, with two barrels of powder. Rushworth, the relator of this particular, affirms the matter, being farther inquired into, was found to be true: but I know not whether we may intirely credit his testimony, tho' what he says is not improbable.

On the seventh, the Londoners presented to his Majesty a petition, which plainly shewed they were more inclined to the parliament than to him. "They represented their great fears and distrac-"tions, by reason of the progress of the rebels in "Ireland, fomented by the Papists in England "and their adherents: the want of aid to suppress "them, and the intimations received from abroad "and at home, of a design to extirpate the Pro-"testants: the puting out persons of honor and "trust from being constable and lieutenant of the "Tower: the preparations there lately made: the "fortifying Whitehall in a very unusual manner: "the indeavors used to the inns of court: the call-"ing diverse canoneers into the Tower: the disco-"very of sundry fire-works in the hands of a Pa-"pist: the misunderstanding betwixt his Majesty "and the parliament, thro' misinformation: his "Majesty's late going to the house of commons, "attended with a great multitude of armed men, "beside his ordinary guard, for the apprehending "diverse members, contrary to the privilege of "parliament:

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The city of London's petition. Rushworth, Vol. IV. p. 480. Nalson, Vol. II. p. 481.

This petition was very sufficient to convince Charles how far he was mistaken in his opinion, that the city of London was well disposed in his favor. He nevertheless returned a very mild answer to each of the articles, viz.

The King's answer. Rushworth, Vol. IV. p. 481.

"That, as for the business of Ireland, there was "nothing on his part unoffered or undone; and he "hoped, by the speedy advice and assistance of his "parliament, that great and necessary work would "be put in a sure forwardness, to which he would "contribute all his power.

"For the Tower; he wondered that, having "removed a servant of good trust and reputation "from that charge, only to satisfy the fears of the "city, and put in another of unquestionable repu-"tation and known ability, the petitioners should "still entertain those fears: and whatever prepara-"tions were there made, it was with as great an "eye of safety and advantage to the city as to his "own person.

"For the fortifying Whitehall with men and "munition, he doubted not but the petitioners "had observed the strange provocation he had re-"ceived to entertain that guard; and if any citi-"zens were wounded or ill treated, he was confi-"dently assured, that it happened by their own evil "and corrupt demeanors.

"That he knew no other indeavors to the inns "of court than a gracious intention; that he re-"ceived the tender of their loyal and dutiful affec-"tions with very good approbation and accept-"ance, with incouragement given them to continue "the same upon all occasions.

"For his going to the house of commons; he "was verily persuaded that, if the petitioners knew "the clear grounds upon which those persons stood "accused of high-treason, they would believe his "going thither was an act of grace and favor to "that house, and the most peaceable way of hav-"ing that necessary service for the apprehension of "those persons performed; especially, if such or-"ders had been made, which he was not willing "to believe, for the resistance of all lawful autho-"rity, as were discoursed of: and for the proceed-"ings against those persons, he ever intended the "same should be with all justice and favor, accord-"ing to the laws of the realm.

He concluded with these words, "And this ex-"traordinary way of satisfying a petition of so un-"usual a nature, his Majesty is confidently per-"suaded will be thought the greatest instance "can be given of his Majesty's clear intentions to "his subjects, and of the singular estimation he hath

(1) Beside the twenty-four, all who would come were to have voices at this commitee. Rushworth, Vol. IV. p. 479.

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" of the good affections of this city, which he believes in gratitude will never be wanting to his juſt " commands and ſervice."

Jan. 8. Proclamation to apprehend the five members. Ruſhworth, Vol. IV. p. 482.

On the morrow, January 8, Charles iſſued a proclamation, commanding all magiſtrates, and officers of juſtice, to apprehend the accuſed members, and carry them to the Tower.

While the commitee was aſſembled at Guild-Hall, they took the information of two witneſſes, who depoſed, that they heard captain Hide ſay what plainly evidenced his having ſome ill deſign againſt the houſe of commons.

Reſolution of the commitee. p. 481.

It was thereupon reſolved, that the ſheriffs of London and Middleſex ſhould raiſe the 'poſſe comitatus' for their ſafe going to Weſtminſter that day the parliament ſhould meet. Whereupon the watermen (1) came and tendered their ſervice, to guard the commitee by water to the parliament-houſe, which offer was accepted. But the apprentices proffer of accompanying them by land was refuſed.

p. 483.

Mean while, the commitee of twenty-four, having appointed a ſub-commitee to examine the affairs in queſtion, made their report, January 10, of what reſolutions had been taken; viz.

That the publiſhing ſeveral articles of high-treaſon againſt lord Kimbolton, and the five members of the houſe of commons, was a high breach of the privileges of parliament, a ſeditious act, tending to the ſubverſion of the peace of the kingdom.

That the privileges of parliament, ſo violated and broken, could not be fully and ſufficiently vindicated, unleſs his Majeſty would be pleaſed to diſcover the names of thoſe perſons who adviſed him to ſeal the chambers and ſtudies of the accuſed members; to ſend a ſerjeant at arms to the houſe of commons to demand them; to iſſue warrants under his own hand to apprehend them; to come in perſon to the houſe; to publiſh the articles of accuſation in the form of a proclamation; that ſuch pernicious counſellors might receive condign puniſhment.

His Majeſty quits London. p. 484.

The commitee of twenty-four determining to return next day to the parliament with a numerous guard, the King thought not proper to be expoſed to the danger of receiving ſome affront from the populace; and therefore choſe to withdraw to Hampton-court, and two days after to Windſor.

The commitee return to the houſe. Ibid.

January eleven, the commons being aſſembled at Weſtminſter, the commitee of twenty-four came thither by water, conducted by great numbers of ſeamen and others, while the London militia marched thro' the city in arms, to guard them alſo by land.

Charles repents his conduct.

It was then that Charles found he had taken wrong meaſures, and that his imprudent conduct could not but grieve him, and ruin his affairs. He repented of what he had done, and wiſhed he could appeaſe the diſorder himſelf had raiſed. To this end, next day, January twelve, he ſent the following meſſage to both houſes:

His meſſage to both houſes p. 484. Nalſon, Vol. II. p. 488.

" His Majeſty, taking notice that ſome conceive
" it diſputable, whether his proceedings againſt
" lord Kimbolton, mr. Hollis, ſir Arthur Haſlerig,
" mr. Pym, mr. Hampden, mr. Strode, be legal
" and agreeable to the privileges of parliament;
" and being very deſirous to give ſatisfaction to all
" men, in all matters which may ſeem to have
" relation to privilege, is pleaſed to wave his for-
" mer proceedings, and all doubts by this means
" being ſettled, when the minds of men are com-
" poſed, his Majeſty will proceed thereupon in an
" unqueſtionable way, and aſſures his parliament,
" that upon all occaſions he will be as careful of
" their privileges, as of his life or his crown.

He deſiſts from his method of proceeding.

Had there not been a ſettled deſign againſt King Charles, this meſſage would have ſufficed to pacify all, ſince he plainly manifeſted a repentance for what he had done, and in ſome meaſure acknowledged his fault. But he had given his adverſaries too many advantages for them to neglect improving this fair occaſion. I have obſerved, there were many members, in both houſes, not yet determined to join with thoſe who ſought only to throw all into diſorder and confuſion. Some began to penetrate into the Preſbyterians deſigns. Others had ſcruples, which they could not maſter when they reflected that the kingdom's utter ruin would be indangered by a bare diſtruſt, of a no very certain foundation. But their doubts became certainties, after the King's late procedure. Before the accuſation of the ſix members, it was dubious whether Charles had any thought of ſeeking vengeance on thoſe who had offended him: but this accuſation rendered ſuch deſign very manifeſt. It was doubtful, whether his condeſcenſion for the parliament was conſtrained: but this accuſation diſcovered, that he believed himſelf deprived of part of his rightful authority, and conſidered what the parliament had done, with reſpect to himſelf, as high-treaſon: for if the depriving him of part of his authority was treaſon, thoſe who had voted for triennial parliaments, and the continuance of this, could not be guiltleſs. If attempting to render the Sovereign odious to his ſubjects was treaſon, aſſuredly the ſix members were not the only criminals. If inviting the Scotiſh army into England was treaſon, how could the houſe of commons clear themſelves, after having rewarded the Scots, for their invaſion, with a preſent of three hundred thouſand pounds? If it was treaſon to indeavor ſubverting the rights, and the very being of parliaments, both houſes were guilty of this crime, when they aſſumed, by an act, the power of not being diſſolved, or prorogued, without their own conſent, ſince this was altering the nature of parliaments. If raiſing tumults was treaſon, the countenancing and incouraging ſuch tumults was no leſs ſo, and of this the whole houſe of commons were guilty. Finally, the charge againſt theſe particular members for conſpiring to levy, and for actually levying war againſt the King, neceſſarily aimed at the whole houſe, who had countenanced tumultuous aſſemblies, ſet themſelves a guard, and provided themſelves arms.

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Conſiderations on the imprudent accuſation of the members, in reſpect to the juncture.

All theſe filled with reflections thoſe who, 'till then, had preſerved a good-will for King Charles and entertained of him ſome favorable ſentiments. They plainly ſaw what judgment this Prince made of the parliament's actions, tho' he attacked ſix members only. The ſhallow artifice of loading on a few the whole body's crimes, had been proper, with regard to former parliaments, while the King was maſter: but it was ineffectual with the preſent parliament, and at ſuch a juncture. After redreſſing paſſed grievances, the point was to know, whether his Majeſty's word was to be relied on, and he reſtored to his natural ſtate. Many were of this ſentiment, as they could not imagine that, after what had been tranſacted in this parliament, that Monarch would attempt governing thenceforwards, as he had done before. They could not, from a bare motive of apprehenſion and diffidence, reſolve to alter the government's conſtitution, by abridging the Sovereign's authority. Others maintained, that Charles's condeſcenſion was all diſſimulation, and his word not to be depended on. Theſe men, to bring the reſt to their opinion, were forced to uſe various artifices to agravate and miſinterpret this Prince's actions, and nevertheleſs were not yet able to compaſs their ends: but, by accuſing the ſix members, Charles himſelf furniſhed them with

(1) Certain mariners and ſeamen brought a petition, ſigned by a thouſand hands. Ruſhworth, Vol. IV. p. 481.

arguments

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arguments not eaſy to be anſwered. They had no farther need of uſing ſigns and conjectures to prove what they advanced, ſince the King himſelf ſupplied them with ſuch evident demonſtrations. So we may ſay, that King Charles never followed more pernicious counſel than this. If lord Digby was his counſellor, as is reported, it may be affirmed, that he drew him to a precipice whence it was not poſſible ever to free himſelf.

Thenceforwards, the queſtion was not to know, whether it was neceſſary to limit the regal power, but to know within what bounds it ſhould be confined; they who had hitherto been moſt moderate, having intirely loſt their doubts touching Charles's ſincerity: ſo the party which was moſt oppoſite to him, being grown incomparably ſuperior in both houſes, and meeting with little oppoſition, they who wiſhed to do him ſervice judged it ſafeſt, either to abſent themſelves from the parliament, or to be ſilent, in expectation of ſome opportunity to ſerve him effectually, ſhould affairs take a new turn. Hereby the adverſe party became ſtill more powerful.

It is therefore apparent that, in the parliament's then diſpoſition, Charles's laſt meſſage was not a ſufficient means to oblige his adverſaries to alter their meaſures; eſpecially as by this meſſage he deſiſted not from the accuſation, but only from the manner of proceeding, tho' it was eaſy to perceive he took this method only to extricate himſelf leſs diſhonorably. Accordingly, the commons expreſſed not for it much regard. January ſeventeen, they came to the like reſolutions with thoſe taken by the commitee in London, and digeſted them into a declaration. They only added the depoſitions of ſome witneſſes, touching the number of armed men who attended his Majeſty's going to the houſe, and who, according to theſe depoſitions, were about five hundred; touching the inſolent behavior of certain officers who accompanied him, with the words they uſed at the houſe door, which ſeemed to denote their waiting only for a ſignal to fall upon the members. Queſtionleſs, all theſe particulars were highly agravated: but theſe agravations were ſubſervient to thoſe ends the commons propoſed. They however declared, "That they deſigned "not to ſcreen their members, when accuſed of "treaſon or miſdemeanor, and proſecuted accord- "ing to law and the privileges of parliament: on "the contrary, they ſhould be always ready to "bring them to a ſpeedy and due trial; being "ſenſible that it equally imported them, as well "to ſee juſtice done againſt criminals, as to de- "fend the juſt rights and liberties of the ſubjects "and parliament of England."

Declaration of the commons. Ruſhworth, Vol. IV. p. 484. Clarendon, p. 286, 294.

Before this declaration was publiſhed, Charles had ſent to both houſes the following meſſage, which ſhewed how deſirous he was of giving them content, and terminating this unhappy affair.

Charles's ſecond meſſage to the parliament. Jan. 14. Ruſhworth, Vol. IV. p. 488. Nalſon, Vol. II. p. 858.

"His Majeſty being no leſs tender of the pri- "vileges of parliament, and thinking himſelf no "leſs concerned that they be not broken, and that "they be aſſerted and vindicated whenſoever they "are ſo, than the parliament itſelf, hath thought "fit to add to his laſt meſſage this profeſſion; "that in all his proceedings againſt lord Kim- "bolton, and the reſt of the accuſed members, "he had never the leaſt intention of violating the "leaſt privilege of parliament: and, in caſe any "doubt of breach of privilege remains, will be "willing to clear that, and aſſert thoſe by any "reaſonable way which his parliament ſhall adviſe "him to; upon confidence of which, he no way "doubts his parliament will forthwith lay by all "jealouſies, and apply themſelves to the public "and preſſing affairs, and eſpecially to thoſe of "Ireland, wherein the good of this kingdom and "the true religion (which ſhall ever be his Ma- "jeſty's firſt care) are ſo highly and ſo nearly "concerned. And his Majeſty aſſures himſelf, "that his care of their privileges will increaſe their "tenderneſs of his lawful prerogative, which are "ſo neceſſary to the mutual defenſe of each other; "and both which will be the foundation of a per- "petual perfect intelligence between his Majeſty "and the parliament, and of the happineſs and "proſperity of his people."

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This meſſage (for the above reaſon) was not capable of ſatisfying the commons. On the contrary, next day they had the attorney-general, ſir Edward Herbert, examined at the bar of the upper-houſe. His anſwers being laid before the commons, they ordered him to be accuſed of ſeveral high crimes and miſdemeanors, viz. of having violated the privileges of parliament, in exhibiting to the houſe of lords the articles he received from Charles's own hand, with expreſs command to exhibit them.

The commons impeach the attorney-general. Ruſhworth, Vol. IV. p. 488, 489. Nalſon, Vol. II. p. 850, 873.

Two days after, both houſes petitioned his Majeſty, that they might be informed, what proof he had againſt the ſix members, that they might be ſpeedily proſecuted *. Charles replied, "He "thought it unuſual or unfit to diſcover what proof "was againſt them, before he was certain of the "way he was to proceed, leſt a new miſtake ſhould "breed more delays. That it ſhould therefore be "reſolved, whether his Majeſty was bound, in "reſpect of privilege, to proceed againſt them by "impeachment in parliament, or whether he was "at liberty to prefer an indictment at common "law, in the uſual way, or have his choice of "either."

Petition that his Majeſty would ſhew what proof was againſt the accuſed members. Jan. 21.

* In a parliamentary way. Charles's anſwer. Ruſhworth, Vol. IV. p. 491. Jan. 21.

This anſwer could not but imbaraſs the two houſes, ſince his Majeſty was willing to follow their directions, in the proſecution of thoſe accuſed members. Accordingly, they thought not proper to reſolve upon either of the methods Charles had propoſed. They contented themſelves with replying, in a ſecond petition, "That finding there "was ſtill no legal and parliamentary proceedings "againſt the accuſed members, they thought it "their duty once more to beſeech his Majeſty to "inform the parliament, what proof there was "againſt them, that they might be called to a "legal trial, it being the undoubted right and pri- "vilege of parliament, 'That no member can "be proceeded againſt without conſent of parlia- "ment."

The parliament inſiſt on their demand. Feb. 2. p. 492.

Charles, plainly perceiving there would be no end, and that new difficulties would be perpetually ſtarted, indeavored at once to terminate this affair by the following anſwer.

"That, as he once conceived that he had ground "enough to accuſe them, ſo now his Majeſty finds "as good cauſe wholly to deſert any proſecution of "them. And for a farther teſtimony of his Ma- "jeſty's real intention towards all his loving ſub- "jects (ſome of whom haply may be involved in "ſome unknowing and unwilling errors) for the "better compoſing and ſettling of all fears and jea- "louſies of what kind ſoever, his Majeſty is ready "to grant as free and general a pardon, for the "full contentment of all his loving ſubjects, as "ſhall, by the approbation of both houſes of par- "liament, be thought convenient for that purpoſe.

The King's third meſſage. Ruſhworth, Vol. IV. p. 492.

It was eaſy to perceive that Charles offered this general pardon only to have it ſaid, that the ſix members were exempted from the law's rigor by virtue of his pardon. But the parliament, not ſatisfied with his offer, addreſſed him with a third petition, deſiring that, according to two acts of the thirty ſeventh and thirty eighth of Edward

The parliament demand thoſe who were the King's adviſers. p. 492. Feb. 14.

ward III (1), his Majeſty would be pleaſed to ſend to the parliament thoſe perſons who had made ſuggeſtion or information to him of the ſix members crimes, that ſo the rights and privileges of parliament might be vindicated, which in juſtice ought not to be denied.

Sentence upon the attorney-general. April 23. Ruſhworth, Vol. IV. p. 490.

Charles not returning any anſwer to the petition, the affair reſted here, except that in April following the houſe of peers gave ſentence againſt the attorney-general, declaring him incapable of all offices but that of attorney-general, and commiting him to the Fleet-priſon during the houſe's pleaſure.

Tho' this affair was ſeemingly concluded, his Majeſty was upbraided with it a thouſand times afterwards. But before we quite leave it, I am of opinion it will not be amiſs to make ſome remarks on this ſubject, that I may not be obliged to reſume it elſewhere.

Remarks on the commons procedure.

Tho' the commons made much noiſe about the breach of their privileges, that was not the thing whereat they were moſt inſenſed. Their main grievance was Charles's having ſelected, to charge with high-treaſon, five members of their houſe who were its chief leaders and directors: ſo, to accuſe theſe five members was, as I obſerved, to accuſe the whole houſe. Now, if his Majeſty deemed the houſe guilty of treaſon, for having done that whereof he accuſed only five members, what aſſurance could there be that he would ſtrictly obſerve his promiſes, which, in his opinion, were extorted from him by traitors? There was reaſon therefore to ſuſpect his having ſome grand deſign, and that before the execution he was willing to ſecure thoſe who were moſt capable to obſtruct it, as well by their abilities, as by their great credit in the parliament and with the people. Such was the impreſſion that unſeaſonable accuſation made on the parliament; and to this contributed likewiſe Charles's zeal to ſeize thoſe five members, which even made him go perſonally to the houſe of commons to apprehend them, a thing never before done by any King of England: nay, very probably, had they been in the houſe, and made any reſiſtance, he would have imployed armed men, who attended him to the number of about five hundred, to carry them away. This was ſufficient to inſenſe againſt him thoſe who had hitherto conſidered as a doubtful point, whether his promiſes were to be relied on. It could not be conceived that, at a time when the moderate members began to unite in his favor, to eſtabliſh a ſolid peace, he ſhould be induced to take a ſtep ſo odiouſly extravagant, and ſo deſtructive of it, had he not deſigned to cruſh the parliament by violence. Thus the complaints of both houſes, about the breach of their privileges, was properly only a pretenſe to cover the true reaſon of their apprehenſions. As this reaſon was not of ſufficient evidence to convince the people, who could regard it but as a bare ſuſpicion, they inſiſted only on their privileges, 'till they ſhould ingage Charles to declare himſelf more openly. Their real aim was therefore to oblige this Prince to take ſome new ſtep, which might ſhew the nation it was not without cauſe they accuſed his Majeſty of ſiniſter deſigns. Certainly this was the motive of the parliament's petition, to be informed of the proofs before the method of proceeding ſhould be determined. This was a ſnare laid for King Charles, to ingage him to produce proofs of a crime whereof the whole parliament was no leſs guilty than the members accuſed, and thereby convince the public that he aimed at the parliament itſelf. But Charles avoided this ſnare, by droping the proſecution rather than be obliged to produce proofs which, after miſſing his aim, muſt have redounded to his prejudice. Breach of privilege was not the main article in queſtion, but the King's ſecret intention. By his late conduct, he had left room to preſume that a rupture between him and the parliament was not very remote, ſince he had deſtroyed that confidence whereon alone peace and a good harmony could be founded. In this light muſt his accuſing the ſix members be viewed, and not as a ſeparate fact relating only to the privileges of parliament.

It is therefore, in my opinion, very little to the purpoſe that ſome have undertaken to diſcuſs exactly this queſtion; whether the two houſes could legally refuſe ſending to priſon their members accuſed of high-treaſon? However I ſhall briefly ſpeak to this point, for my reader's better information.

Moſt certainly, the privileges of parliament extend not to crimes of high-treaſon, and in ſuch caſes the commons have no more right than the peers. But it is alſo a not diſputable maxim, that no member can be proceeded againſt without the conſent of his houſe. When a peer is accuſed, it belongs to the houſe of lords to examine, whether the proſecution ought to be admited, and, in caſe of conſent, whether the party accuſed is to be confined, or left free to anſwer the accuſation. Their lordſhips are determined to one or other, by the nature or circumſtances of the crime. It is the ſame with reſpect to members of the lower-houſe. In the preſent caſe, the commons thought there was no reaſon to impriſon their accuſed members, becauſe the accuſation was too general. On the contrary, Charles pretended that, on a bare accuſation, under color of its being for high-treaſon, he had power to apprehend the accuſed, without the conſent of their houſe, and to commit them to the Tower. One may readily ſee that King Charles carried this principle ſomewhat too far; that the privileges of parliament take not place in caſe of high-treaſon, ſince he extended it to a bare accuſation of treaſon: but a ſimple accuſation cannot deprive the houſes of parliament of their right to examine, whether there be reaſon to conſent to the proſecution, by direct proof, probable ſigns, or public evidence. Otherwiſe, the King might have pitched on not only five but a hundred members of the lower-houſe, and ſent them to priſon, on the bare accuſation of treaſon, which would render the privileges of parliament intirely uſeleſs. Nevertheleſs, this Prince acted as if his right was undeniable, tho' that was, at leaſt, the point in queſtion. I ſhall not undertake any farther illuſtration of this point, which has difficulties the ſolution whereof depends on a good knowledge of the Engliſh laws and cuſtoms. I ſhall only add, that King Charles did himſelf a very great injury by this unſeaſonable ſtep, and that his enemies received by it advantages which finally occaſioned his ruin.

The commons greatly miſtruſt Charles's ſincerity.

While the accuſed members affair was in hand, the commons continued to expreſs extreme diffidence of his Majeſty. This diſtruſt daily increaſed, 'till at length it produced a confirmed rupture.

Byron refuſes being examined by the commons.

January twelve, the commons ſent orders to ſir John Byron, lieutenant of the Tower, to come and

Clarendon. p. 248.

(1) By theſe acts it was inacted, that, "If any perſon whatſoever make ſuggeſtion to the King himſelf of any crime committed by another, the ſame perſon ought to be ſent with the ſuggeſtion before the chancellor, or keeper of the general-ſeal, the treaſurer or the great council, there to find ſurety to purſue his ſuggeſtion; which if he cannot prove, he is to be impriſoned 'till he hath ſatisfied the party accuſed of his damages and ſlander, and made fine and ranſom to the King." M. Rapin, by too much curtrailing this paragraph had rendered it obſcure.

anſwer

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anſwer to ſuch queſtions as ſhould be put to him concerning the arms and ammunition, ſent to Whitehall that day the King came to the houſe of commons. But he excuſed himſelf, as having, he ſaid, his Majeſty's expreſs warrant not to ſtir from the Tower.

The commons appoint themſelves a guard. p. 495. Nalſon, Vol. II. p. 833.

Charles had anſwered the petition of both houſes concerning a guard, that he would appoint a hundred or two of the city militia (ſuch as the lord-mayor ſhould be anſwerable for to him) under command of the earl of Lindſey. But the commons refuſed this offer, and ordered, that two companies of the trained-bands ſhould every day attend upon the houſe as a guard, commanded by ſerjeant-major Skippon.

Aſſembly of officers at Kingſton. Jan. 12. p. 845, 846, 862, &c. Ruſhworth, Vol. IV. p. 495. Clarendon, p. 301.

The parliament's diſtruſt of King Charles was daily inflamed by ſucceſſive accidents, which that Prince's enemies knew how to improve. While matters ſtood thus, the parliament received information, that lord Digby, colonel Lunsford, and other diſbanded officers were at Kingſton upon Thames, with about two hundred horſe. Whereupon it was ordered, by both houſes, that the ſheriffs, calling to their aſſiſtance the trained-bands of the ſeveral counties of England and Wales, ſhould ſuppreſs all unlawful aſſemblies gathered together to the diſturbance of the kingdom's peace and tranquillity. They feared the King intended to ſecure Portſmouth, and perhaps their fears were not groundleſs. However this be, they ſent orders to colonel Goring, governor of Portſmouth, requiring him not to deliver up the town, nor receive any forces into it, but by his Majeſty's authority ſignified by both houſes of parliament. At the ſame time, the lords ſent expreſs order to lord Digby, to give his attendance in the houſe: but he thought fit to withdraw out of the kingdom (1).

Lord Digby quits the kingdom.

There had now been information, that he was the perſon who adviſed the King to accuſe the ſix members of parliament: beſide, the commons were exaſperated againſt him, on account of his ſpeech againſt the earl of Strafford's bill of attainder, while he was member of that houſe; ſo that the leaſt pretenſe was ſufficient to draw on him their reſentment.

Ruſhworth, Vol. IV. p. 502, 503.

The commons made great noiſe about the Kingſton affair, to perſuade the people his Majeſty intended to ſecure Portſmouth: nay, they cauſed ſeveral witneſſes to be examined; but this affair was carried no farther. They were contented with ſending for admiral Pennington, who reported, that lord Digby had ſhewn him a warrant under the King's own hand, to convey him ſafely into France or Holland, and that he durſt not diſobey the order.

The commons ſend Hotham to ſecure Hull. Jan. 1. p. 496. Nalſon, Vol. II. p. 833. Clarendon, p. 301.

The parliament's apprehenſions concerning Portſmouth made them think of Hull, a place of great importance in Yorkſhire. The commons, inſtead of concealing, affected rather to diſcover their fears; wherefore they ſent their lordſhips a meſſage: that there was at Hull a magazine of arms for ſixteen thouſand men, and ammunition proportionable: that the town being weakly gariſoned, they deſired their concurrence in ordering, that ſome of that county's militia ſhall be put into Hull, under command of ſir John Hotham, member of the houſe of commons, with orders not to deliver up the place, or magazine, without the King's authority ſignified by both houſes. To this the lords readily conſenting, young Hotham, ſir John's ſon, was inſtantly diſpatched away to Hull to execute this order, 'till his father ſhould be ready to take on him its government.

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Nothing more clearly manifeſts the parliament's diſtruſt, than this order about Hull; ſince it could be only on the ſuppoſition of a moſt urgent neceſſity, that they could pretend to nominate governors for places; and it was alſo this neceſſity which they deſired to inſinuate to the people. However, the ſequel ſhewed, that the parliament had reaſon to take this precaution.

Bill for the parliament's adjournment to any other place. Ruſhworth, Vol IV. p. 496. Nalſon, Vol. II. p. 834.

Since the ſix members were accuſed, ſcarce a day had paſſed but the parliament expreſſed their ſuſpicions of his Majeſty, ſo that all things manifeſtly tended to a rupture. The better to perſuade people that both houſes were apprehenſive of ſome violence from the King, and not ſafe at Weſtminſter, a bill was paſſed to inable them to adjourn whitherſoever they judged proper.

A guard ſet about the Tower. Ruſhworth. Ibid. Nalſon, Vol. II. p. 844.

They likewiſe ordered the earl of Newport, maſter of the ordnance, and the lieutenant of the Tower, not to ſuffer any cannon or ammunition to be carried thence: and for the Tower's better ſecurity, the ſheriffs of London and Middleſex were injoined to ſet round it a ſufficient guard, both by land and water. Alſo that day, the commons cauſed to be ſeized certain ſaddles, &c. which were to be ſent to Kingſton.

Falſe information given to the houſe. p. 859, 862. Ruſhworth, Vol. IV. p. 497.

Likewiſe, mr. Bagſhaw of Windſor, member of the houſe of commons, informed them, that laſt night, as he was going to Windſor (where the King then was) he ſaw diverſe troops of horſe, and that there came thither a waggon loaded with ammunition, and another waggon ſo loaded was ſent thence to Portſmouth: adding, there were at Windſor four hundred horſe, with about forty officers; whereupon Skippon was ordered to detach ſome horſe towards Windſor, for intelligence: but, in all appearance, no very great diſcovery was made, ſince nothing more was ſaid of the matter.

The lords decline petitioning againſt Byron. January 15. Ibid.

After that, the commons requeſted their lordſhips to join with them in a petition to his Majeſty, for the removal of ſir John Byron from the lieutenancy of the Tower, and offered their reaſons: but the lords thought fit to decline it.

The peers prohibit Eſſex's and Holland's going to court. Nalſon, Vol. II. p. 836. Ruſhworth, Vol. IV. p. 497.

During this, their lordſhips being informed by the earl of Eſſex, that Charles had laid his commands on him and the earl of Holland, to attend him at Hampton-court, as lord-chamberlain and groom of the ſtole, they would not diſpenſe with their abſenſe; alleging, that their attendance in parliament, about the nation's high affairs, was truer ſervice to his Majeſty than any they could do him at court. Charles ſoon after removed both thoſe noblemen from their places (2).

Differences between both houſes about the Scotiſh ſuccors. p. 498.

Amidſt theſe differences between King and parliament, Ireland was left unſuccored. The commons would not pay ten thouſand men, who ſhould be levied by the King's commiſſions. They pretended, theſe troops ſhould be raiſed by way of preſſing, in order to chuſe ſuch for ſoldiers as ſhould be leaſt attached to the King, and that his Majeſty ſhould not be at all concerned in the levies. The bill for preſſing had been ſent up to the lords, who had not yet paſſed it, whereof the commons complained very loudly. At length the Scotiſh commiſſioners, ſeeing that the differences between Charles and his parliament retarded concluding the treaty for which they were ſent, bethought themſelves of offering their mediation to his Majeſty and both houſes, to procure a pacification. But Charles was offended at their offer, becauſe they had not firſt

The Scotiſh commiſſioners offer their mediation. Ibid. Nalſon, Vol. II. p. 874.

(1) And ſir Thomas Lunsford was commited to the Tower. Whitlock, p. 54.

(2) Lord Clarendon (Vol. I. p. 297.) ſays, that the earl of Eſſex reſolved to go, and was for that purpoſe making ready, when the earl of Holland came to him, and privately diſſuaded him; that if they went, they ſhould be both murdered at Hampton-court.

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privately communicated to him their intentions. The two houſes, contrariwiſe, thanked them for this mark of their affection.

The parliament accepts it. p. 501.

Mean while, the commitee for Iriſh affairs, finding that kingdom wanted a ſpeedy aſſiſtance, and that the treaty for the ten thouſand Scots was not likely to be concluded ſoon enough, made the Scotiſh commiſſioners a propoſal, that the Scots ſhould ſend into Ireland two thouſand five hundred men, then in a readineſs, 'till the treaty for the ten thouſand ſhould be ended; to which the commiſſioners of Scotland agreed. To that purpoſe, they propounded certain conditions, which were approved by both houſes. But Charles objected to one of the conditions, which was, that Carrick-Fergus, a ſea-port in the north of Ireland, ſhould be delivered to the Scots. He ſaid, it was too great a truſt for auxiliary forces: but ſeeing the parliament willing to confide in the Scots, he thought he ſhould not refuſe that confidence to his native ſubjects. It muſt be obſerved, that the King and commons expreſſed a like deſire to aſſiſt Ireland; but each will have it in their own way. Charles wiſhed to have a body of Engliſh ſent thither, and blamed the commons for not haſtening the levies. The commons, on their ſide, ſuſpected Charles's aim was to leave England unprovided of men, arms and ammunition, and therefore inſiſted on the Scot's treaty for ten thouſand men, and charged his Majeſty with being the ſole cauſe of all obſtacles to the concluſion of that treaty: nay, they plainly intimated that, tho' the King ſeemed to preſs for Ireland's being relieved, he had no real intention to contribute towards its relief. Neceſſity however finally obliged the King and both houſes to accept the two thouſand five hundred Scots, who were ſent into the north of Ireland, where they did good ſervice.

The Scots ſend forces into Ireland. Ibid. Nalſon, Vol. II. p. 869. Ruſhworth, Vol. IV. p. 502.

Different aims of King and parliament, with regard to Ireland.

Remark on the commons diſtruſt.

The commons ceaſed not to ſhew openly their diſtruſt of King Charles. This was abſolutely neceſſary to the execution of the deſigns of thoſe who had then the chief management of that houſe's affairs. But it follows not becauſe it was neceſſary to divulge this diffidence, that therefore it was imaginary. The leading men of that party did not indeed believe they had reaſon to confide in this Prince, and withal, it was their intereſt to ſhew the public the grounds of their diſtruſt. This they did in a ſolemn manner, by means of a ſpeech, delivered by mr. Pym, at a conference with the lords. This whole ſpeech merits being inſerted, ſince it ſhews by what ſteps the commons indeavored to compaſs their ends.

Pym's ſpeech to the lords. p. 503. Clarendon, p. 316.

My lords,

"I Am commanded by the knights, citizens and "burgeſſes, aſſembled for the commons in parliament, to preſent to your lordſhips diverſe petitions, which they have received, from ſeveral parts, concerning the ſtate of the kingdom: whereunto they are chiefly moved by that conſtant affection which they have always expreſſed, of maintaining a firm union and good correſpondence with your lordſhips; wherein they have ever found much advantage and contentment; but never held it more important and neceſſary than at this time, wherein the wiſdom and reſolution of parliament have as many great dangers and difficulties to paſs thro' as ever heretofore.

"We are united in the public truſt, which is derived from the commonwealth, in the common duty and obligation whereby God doth bind us to the diſcharge of that truſt; and the commons deſire to impart to your lordſhips, whatſoever information or intelligence, whatſoever incouragement or aſſiſtance they have received from thoſe ſeveral counties which they "repreſent, that ſo likewiſe we may be united in the ſame intentions and indeavors of improving all to the ſervice of his Majeſty, and the common good of the kingdom. Charles I An' 1641.

"The petitions which I am directed to communicate to your lordſhips, are four; from London, Middleſex, Eſſex, and Hertfordſhire. We have received many more, but it would take up too much time, and be too great a trouble to peruſe all; and in theſe four, you may perceive the effect and ſenſe of all: firſt, I am to deſire your lordſhips to hear them read, and then I ſhall purſue my inſtructions in propounding ſome obſervations out of them.

The petition of the lord-mayor and aldermen of London.

Sheweth,

"THAT the commitee of this honorable houſe, upon Saturday the 22d of this inſtant January, ſent a meſſage to the petitioners, for the loan of one hundred thouſand pounds, or of ſo much thereof as could conveniently be forthwith raiſed, for levying of forces to ſuppreſs the rebels in Ireland: to which meſſage ſomething was then anſwered, and a farther anſwer in writing promiſed. Ruſhworth, Vol. IV. p. 504, &c.

"In performance whereof, they humbly preſent the anſwer following, together with the reaſon thereof, deſiring that the ſame (being the beſt they are for the preſent able to give) may favorably be accepted.

As this anſwer is very long, and contains ſeveral particulars not abſolutely neceſſary, I ſhall inſert here only what is moſt material.

"That how ſenſible ſoever they were of the great miſeries of their brethren in Ireland, and of the imminent danger, not only of the total loſs of that kingdom, but of the ruin of this alſo, if that of Ireland ſhould be loſt; yet they are compeled to declare, 'That they have no power to raiſe any ſums by way of tax for any foreign uſe;' and that they have no means to do it, otherwiſe than by the immediate perſonal conſent of every lender, which they cannot hope to obtain, in regard of theſe obſtructions following:

"1. That immediately before the parliament, and ſince, diverſe great ſums, for the ſervice of the King and kingdom, have been already lent by the citizens of London, beſide fifty thouſand pounds for the ſupply of Ireland in particular; a great part whereof ſome of the lenders were obliged to borrow, and cannot to this day repay.

2. That ſuch part of thoſe monies as ſhould have been repaid out of the poll-money and ſubſidies, is not yet done.

"3. That the ſaid ſum of fifty thouſand pounds, lent for Ireland, was haſtened and ſpeedily paid, upon account of the urgent neceſſities of that kingdom; and yet no conſiderable forces are ſent thither to this day.

"4. The general with-holding of very great ſums of money from the petitioners, and many others, doth render diverſe perſons of good eſtate and credit hardly able to go on with trade, or to pay their debts, and maintain their charge.

"5. The refuſing to accept the offers of Scotland, to ſend ten thouſand men into Ireland, diſcourageth moſt men from lending any money, were they ever ſo able.

"6. The not paſſing the bill for preſſing ſoldiers put many men into fears, that there may rather be ſome deſign there to loſe Ireland, and to conſume this kingdom in the loſing Ireland, than to preſerve either the one or the other; ſince it cannot be conceived, that the rebels (being

"grown

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" growe ſo powerful) will be ſuppreſſed by volun-
" teers. (1)

" 7. The ſlow iſſuing of commiſſions to thoſe
" who, being in Ireland, or going thither, are wil-
" ling to enter the field againſt the rebels, diſables
" them from doing any effectual execution upon the
" enemy, unleſs in their own defenſe; and ſo all
" the monies which have been, or may be ſent thi-
" ther, are exhauſted to maintain our forces, to do
" little or nothing worthy of them, rather than im-
" ployed to chaſtiſe the rebels: by means whereof,
" thoſe rebels are ſo much imboldened, that they
" boaſt, they will extirpate the Britiſh nation there,
" and then make England the ſeat of war.

" 8. The not diſarming Papiſts here in England,
" after many diſcoveries of their treacheries and
" bloody deſigns; the great decays of fortifica-
" tions, block-houſes, and other ſea-forts; the not
" managing them, nor furniſhing them with ord-
" nance and ammunition; the not placing all of
" them in ſuch hands in whom the parliament may
" confide; and the not ſeting this kingdom in a
" poſture of defenſe, in times of ſo many fears
" and jealouſies of foreign invaſions, and inteſtine
" conſpiracies; the not removing the preſent lieu-
" tenant of the Tower, and puting ſuch a perſon
" into that place, as may be well approved of by
" the parliament, notwithſtanding the earneſt pe-
" titions exhibited to the houſe of commons for
" that purpoſe, which hath produced a forbear-
" ance to bring bullion into the Tower, in this
" time of ſcarcity of monies; all which cannot
" but overthrow trading more and more, and
" make monies yet more ſcarce in the city and
" kingdom.

" 9. The King's ſhips are not fited and imployed,
" as the preſent condition of this kingdom and Ire-
" land requires, but ſome of them for conveying
" away delinquents (2).

" 10. The not queſtioning thoſe many thouſands
" of unknown perſons, who are ſheltered in Covent-
" garden, and thereabouts, which do not imploy
" themſelves in any lawful calling, and, it is very
" probable, lie in a readineſs to adventure upon
" ſome deſperate attempt.

" 11. The miſunderſtanding between the King
" and the parliament; the not vindicating the pri-
" vileges of parliament; the not ſuppreſſing pro-
" tections; the not puniſhing delinquents; and the
" not executing all Prieſts and Jeſuits legally con-
" demned, while others, contrary to privilege of
" parliament, have been charged with treaſon.

" 12. By means of the premiſſes, there is ſuch
" decay of trading, and ſuch ſcarcity of money,
" as it is likely, in a very ſhort time, to caſt innu-
" merable multitudes of poor artificers into ſuch a
" depth of poverty and extremity, as may inforce
" them upon ſome dangerous and deſperate at-
" tempts.

" Theſe are the evils under which the petitioners
" do exceedingly labor and languiſh, which they
" humbly conceive to have ſprung from the im-
" ploying ill-affected perſons in places of truſt and
" honor in the ſtate, and near to the ſacred perſon
" of his Majeſty; and that theſe evils are ſtill con-
" tinued by means of the votes of biſhops and Po-
" piſh lords from the houſe of peers."

Ruſhworth, Vol. IV. p. 506.

The Eſſex petitioners thanked the commons for their extraordinary care; repreſenting withal, that they were ſtill apprehenſive of a " great ſtop of re-
" formation in matters of religion," and of the whole kingdom's being in apparent danger from Papiſts: nor could they expect any redreſs, except biſhops and Popiſh lords were removed from the houſe of peers.

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Ruſhworth, Vol. IV. p. 507.

Thoſe of the county of Hertford prayed, that the Papiſts might be diſarmed; the kingdom put into a poſture of defenſe; the forts and ſtrong places commited to ſuch hands as the parliament might confide in; the privileges of parliament repaired; indeavors uſed to take away the votes of Popiſh lords and biſhops; Ireland ſpeedily relieved; delinquents brought to farther puniſhment; preſſures and grievances in church and ſtate removed; and whatever ſhall be amiſs reformed.

Theſe petitions being read, mr. Pym thus proceeded.

My lords,

" IN theſe four petitions, you may hear the
" voice, or rather the cry of all England, and
" you cannot wonder if the urgency, the extremity,
" of the condition wherein we are do produce ſome
" earneſtneſs and vehemency of expreſſion more
" than ordinary; the agony, terrors and per-
" plexity in which the kingdom labors is univer-
" ſal, all parts are affected with it; and therefore
" in theſe you may obſerve the groans and miſer-
" able complaints of all. Diverſe reaſons may be
" given, why thoſe diſeaſes which are epidemical,
" are more dangerous than others: 1. The cauſe of
" ſuch is univerſal and ſupernatural; not from an
" evil conſtitution, or evil diet, or any other acci-
" dent; and ſuch cauſes work with more vigor
" and efficacy, than thoſe which are particular and
" inferior. 2. In ſuch diſeaſes there is a commu-
" nicative quality, whereby the malignity of them
" is multiplied and inforced. 3. They have a
" converting, transforming power, which turns
" other diſeaſes and evil affections of mens bodies
" into their own nature.

" 1. The common and epidemical diſeaſe,
" wherein this commonwealth now lies gaſping,
" hath a ſuperior and univerſal cauſe from the evil
" counſels and deſigns of thoſe who, under his Ma-
" jeſty, bear the ſway in government. 2. It hath
" a contagious and infectious quality, whereby it is
" diffuſed and diſperſed thro' all parts of the king-
" dom. 3. It is apt to take in the diſcontents,
" evil affections and deſigns of particular perſons,
" to increaſe and fortify itſelf.

" I ſhall take occaſion, from ſeveral branches of
" thoſe petitions which your lordſhips have heard,
" to obſerve:

" 1. The variety of dangers to which this king-
" dom is now ſubject.

" 2. The manifold diſtempers which are the
" cauſe of thoſe dangers.

" 3. The multiplicity of thoſe evil influences,
" which are the cauſes of thoſe diſtempers.

" The firſt danger is from enemies abroad: this
" may ſeem a cauſeleſs and impertinent obſervation
" at this time, ſeeing we are at peace with all na-
" tions about us; but, my lords, you may be
" pleaſed to conſider, that the ſafety of the king-
" dom ought not to depend upon the will and
" diſpoſition of our neighbors, but upon our own
" ſtrength and proviſion: betwixt ſtates, there are
" often ſudden changes from peace to war, accord-
" ing to occaſion and advantage; all the ſtates of
" Chriſtendom are now armed, and we have no rea-
" ſon to believe, but thoſe of greateſt power have an
" evil eye upon us in reſpect of our religion; and
" if their private differences ſhould be compoſed,
" how dangerouſly, how ſpeedily might thoſe great
" armies, and other preparations now ready, be
" applied to ſome enterpriſe and attempt againſt

(1) They would inſinuate by this, that an army raiſed in the uſual manner by the King's commiſſions, would be very unfit to reduce Ireland, becauſe the King did not wiſh the rebels to be ſubdued. Rapin.

(2) They mean lord Digby. Rapin.

" us?

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" us? And if there were no other cauſe, this were " ſufficient to make us ſtand upon our guard; but " there are diverſe more eſpecial ſymptoms of dan- " gers of this kind. We may perceive, by ſeveral " advertiſements from abroad, that they did fore- " ſee our dangers many months before they broke " out; they could foretel the time and manner of " them, which is a clear evidence, they held intel- " ligence with thoſe who were the contrivers and " workers of the preſent troubles. We have many " dangerous traitors and fugitives now in other " parts, who can diſcover the weakneſs and di- " ſtemper of the kingdom; who hold intelligence " with the ill-affected party here, and, by all cun- " ning and ſubtil practiſes, indeavor to incite and " provoke other Princes againſt us. Some of the " miniſters of our neighbor Princes may be juſtly " ſuſpected to have had a more immediate hand " and operation in the inſurrection and rebellion of " Ireland; many of the commanders and moſt of " the ſoldiers, levied for the ſervice of Spain, are " now joined with the rebels there; and thoſe Iriſh " friers who were imployed by the Spaniſh embaſ- " ſador for making thoſe levies, are known to be " the chief incendiaries of this rebellion, and are " ſtill very active in the proſecution and incourage- " ment of it. The rebels have a ready and ſpeedy " ſupply from our neighbors. Two convoys of " munition and arms we are certainly informed of; " one from Dunkirk, the other from Nantz in " Bretagne; and certainly thoſe who are ſo for- " ward to inable others to hurt us, will not forbear " to hurt us themſelves, as ſoon as they ſhall have " means and opportunity to do it.

" Another danger is from the Papiſts and ill- " affected party at home. The Papiſts here are " acted by the ſame principles with thoſe in Ire- " land, many of the moſt active of them have " lately been there; which argues an intercourſe " and communication of council. They have " ſtill ſtore of arms and munition at their diſ- " poſing, notwithſtanding all our indeavors to " diſarm them; they have a free reſort to " the city and the court; they want no opportu- " nity to conſult together; they have the ſame or " greater incouragement from above, and from " about, (1) than ever, in reſpect of the example " and ſucceſs of the rebels in Ireland, and the great " confuſions and diviſions which, by their cunning " and ſubtil practiſes, are raiſed and fomented " among ourſelves at home.

" A third danger is of tumults and inſurrections " of the meaner ſort of people, by reaſon of their " ill vent of cloth and other manufactures, whereby " great multitudes are ſet on work, who live for " the moſt part by their daily getings, and will, " in a very ſhort time, be brought to great extre- " mity, if not imployed. Nothing is more ſharp " and preſſing than neceſſity and want; what they " cannot buy they will take; and from them the " like neceſſity will quickly be derived to the far- " mers and huſbandmen; and ſo grow higher, " and involve all in one equality of miſery and " diſtreſs, if it be not prevented: and, at this " time, ſuch tumults will be dangerous, becauſe " the kingdom is full of diſbanded ſoldiers and " officers, who will be ready to head and to ani- " mate the multitude to commit violence with more " ſtrength and advantage; and if they once grow " into a body, it will be much more difficult to " reduce them into order again, becauſe neceſſity " and want, which are the cauſe of this diſturb- " ance, will ſtill increaſe, as the effects do increaſe.

" A fourth danger is from the rebels in Ireland, " not only in the reſpect of that kingdom, but in " reſpect of this. They have ſeized upon the body " of that kingdom already: they abound in men " of very able bodies; they increaſe in arms and " munition; they have great hopes of ſupplies " from abroad, of incouragement here, and are " ſure of good entertainment from the Popiſh " party, ſo that they begin to ſpeak already there " of tranſporting themſelves hither, and making " this kingdom the ſeat of the war. The diſtem- " per which hath yet produced theſe dangers is va- " rious and exceeding violent. Whenſoever nature " is hindered in her operations and faculties, di- " ſtempers will neceſſarily follow.

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" The obſtructions which have brought us into " this diſtemper are very many, ſo that we cannot " wonder at the ſtrength and malignity of it. " Some of the chiefeſt of theſe obſtructions I ſhall " indeavor to remember.

" 1. The obſtruction of reformation in matters " of religion. No grievances are ſharper than thoſe " which preſs upon the tender conſciences of men; " and there was never church or ſtate afflicted with " more grievances of this kind than we have been: " and tho' they are, by the wiſdom of this parlia- " ment, partly eaſed and diminiſhed, yet many ſtill " remain; and as long as the biſhops and corrupt " part of the clergy continue in their power, there " will be little hope of freedom, either from the " ſenſe of thoſe which continue, or the fear of thoſe " which are removed. And of this obſtruction, " my lords, I muſt clear the commons; we are no " part guilty of it: ſome good bills have paſſed " us, and others are in preparation, which might " have been paſſed before this, if we had not found " ſuch ill ſucceſs in the other. Whatſoever miſ- " chief this obſtruction ſhall produce, we are free " from it, we may have our part in the miſery, " we can have no part in the guilt or diſhonor.

" 2. Obſtruction in trade. It is the trade which " brings food and nouriſhment to the kingdom: it " is that which preſerves and increaſes the ſtock of " the whole, and diſtributes a convenient portion " of maintenance to every part of it; therefore " ſuch obſtruction as this muſt needs be dangerous; " the freedom of trade being ſo neceſſary, the be- " nefit ſo important, as that it gives life, ſtrength " and beauty to the whole body of the common- " wealth: but I muſt proteſt, the houſe of com- " mons have given no cauſe to this obſtruction; " we have eaſed trade of many burdens and heavy " taxes, which are taken off; we have freed it " from many hard reſtraints by patents and mono- " polies; we have been willing to part with our " own privileges to give incouragement; we have " ſought to put the merchants into ſecurity and " confidence in reſpect to the Tower of London, " that ſo they might be invited to bring their bul- " lion to the mint, as heretofore they have done; " and we are no way guilty of the troubles, the fears, " and publick dangers which make men withdraw " their ſtocks, and keep their money by them, to " be ready for ſuch ſudden exigents, as intheſe great " diſtractions we have too much cauſe to expect.

" 3. The obſtructions in the relief of Ireland. It " muſt needs be accounted a great ſhame and diſ- " honor to this kingdom, that our neighbors have " ſhewed themſelves more forward to ſupply the " rebels, than we have been to relieve our di- " ſtreſſed brethren and fellow ſubjects: but I muſt " declare, that we are altogether innocent of any " neglect herein. As ſoon as the firſt news of the " rebellion came over, we undertook the war, not " by way of ſupply and aid, as in former rebel- " lions the ſubjects uſed to do, but we undertook " the whole charge of it, and we ſuffered not

(1) That is to ſay, from the King, Queen, and miniſtry. Rapin.

twenty-

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" twenty-four hours to paſs before we agreed to a " great levy of money and men, to be imployed " againſt the rebels, even in a larger proportion " than the lords-juſtices and council there did deſire; " and from time to time we have done all for the " fartherance thereof, tho' in the midſt of many " diſtractions and diverſions; but the want of com- " miſſion for levying men, for iſſuing arms, and " diverſe other impediments have been the cauſes " of that obſtruction; and I wiſh we had not only " found impediments to ourſelves, but alſo in- " couragements to them. Many of the chief com- " manders, now in the head of the rebels, after " we had, with your lordſhips concurrence, ſhut " up the ports againſt Iriſh Papiſts, have been " ſuffered to paſs, by his Majeſty's immediate " warrant, much to the diſcouragement of the " lords-juſtices and the council there, and this " procured, as we believe, by ſome evil inſtru- " ment too near his regal perſon, without his Ma- " jeſty's knowledge and intentions.

" 4. The obſtruction in proſecution of delin- " quents: many we have already brought unto your " lordſhips; diverſe others we have been diſ- " couraged to tranſmit; ſuch difficult proceedings " have we met withal; ſuch terrors and diſcoun- " tenance have been caſt upon ourſelves and our " witneſſes, and thoſe who have ſhewed themſelves " their friends and patrons, have found it the moſt " ready way to preferment (1); yea his Majeſty's " own hand hath been obtained, his Majeſty's ſhips " been imployed for tranſporting diverſe of thoſe " who have fled from the juſtice of this par- " liament (2).

" 5. A general obſtruction and interruption of " the proceedings of parliament, by thoſe manifold " deſigns of violence (which thro' God's mercy we " have eſcaped) by the great and frequent breaches " of privilege, by the ſubtil indeavors to raiſe parties " in our houſe, and jealouſies betwixt the two " houſes.

" 6. The obſtruction in providing for the de- " fenſe of the kingdom, that we might be inabled " to reſiſt a foreign enemy, to ſuppreſs all civil in- " ſurrections; and what a preſſing neceſſity there " is of this, the exceeding great decays in the navy, " in the forts, in the power of ordering the militia " of the kingdom, and means of furniſhing them " with munition, are ſufficient evidences, known " to none better than to your lordſhips; and what " indeavor we have uſed to remove them (but " hitherto without the ſucceſs and concurrence " which we expect) and where the ſtop hath been, " and upon what good grounds, we may claim our " own innocency and faithfulneſs in this; we deſire " no other witneſſes but yourſelves.

" Laſtly, I come to the evil influences which " have cauſed this diſtemper, and I ſhall content " myſelf to mention ſome few of thoſe which are " moſt apparent and important.

" 1. In the firſt place, I ſhall remember the evil " counſels about the King, whereof we have often " complained. Diſeaſes of the brain are moſt " dangerous; becauſe from thence ſenſe and motion " are derived to the whole body. The malignity " of evil counſels will quickly be infuſed into all " parts of the ſtate. None can doubt but we have " exceedingly labored under moſt dangerous and " miſchievous counſels. This evil influence hath " been the cauſe of the preparation of war with " Scotland, of the procuring a rebellion in Ireland, " of corrupting religion, ſuppreſſing the liberty of " this kingdom, and of many fearful and horrid " attempts, to the ſubverting the very being of " parliaments, which was the only hopeful means " of oppoſing and preventing all the reſt; and " this doth appear to be a moſt predominant evil " of the time; whereat we need not wonder, when " we conſider how counſellors have been prefered " and prepared: and I appeal to your lordſhips " own conſciences, whether the giving, and the " countenancing of evil counſels have not been " almoſt the only way to farther advancement.

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" 2. The diſcouragement of good counſels. " Diverſe honeſt and approved counſellors have " been put from their places; others ſo diſcoun- " tenanced, as that the way of favor hath been ſhut " againſt them, and that of danger and deſtruction " only open to them.

" 3. The great power which a factious and in- " tereſted party hath in the parliament, by the con- " tinuance of the votes of biſhops and Popiſh lords " in your lordſhips houſe; and the taking in of " others, both out of the houſe of commons, and " otherwiſe, to increaſe their ſtrength.

" 4. The fomenting and cheriſhing a malignant " party throughout the whole kingdom.

" 5. The manifold jealouſies betwixt the King, " his parliament, and good ſubjects, whereby his " protection and favor have in a great meaſure been " with-held from them; their inclinations and re- " ſolution to ſerve and aſſiſt him, have been very " much hindered and interrupted. We have often " ſuffered under the miſinterpretation of good " actions, and falſe imputation of evil, which we " never intended: ſo that we may juſtly purge " ourſelves from all guilt of being authors of this " jealouſy and miſunderſtanding. We have been " and are ſtill ready to ſerve his Majeſty with our " lives and fortunes, with as much chearfulneſs and " earneſtneſs of affection as ever any ſubjects were; " and we doubt not but our proceedings will ſo " manifeſt this, that we ſhall be as clear in the " apprehenſion of the world, as we are in the " teſtimony of our own conſciences.

" I am now come to a concluſion, and I have " nothing to propound to your lordſhips, by way " of requeſt or deſire from the houſe of commons. " I doubt not but your judgments will tell you what " is to be done; your conſciences, your honors, " your intereſt will call upon you for the doing it; " the commons will be glad to have your help and " concurrence in ſaving the kingdom; but if they " ſhould fail of it, it ſhould not diſcourage them " in doing their duty. And whether the kingdom " be loſt or ſaved (as thro' God's bleſſing I hope " it will be) they ſhall be ſorry that the ſtory of " this preſent parliament, ſhould tell poſterity " that, in ſo great a danger and extremity, the " houſe of commons ſhould be inforced to ſave " the kingdom alone, and that the houſe of peers " ſhould have no part in the honor of its preſerva- " tion, you having ſuch great intereſt in the good " ſucceſs of thoſe indeavors, in reſpect of your great " eſtates, and high degrees of nobility.

" My lords, conſider what the preſent neceſſities " and dangers of the commonwealth require; what " the commons have reaſon to expect; to what in- " deavors and counſels the concurrent deſires of all " the people do invite you: ſo that applying your- " ſelves to the preſervation of the King and king- " dom, I may be bold to aſſure you, in the name " of all the commons of England, that you ſhall " be bravely ſeconded."

Remarks on this ſpeech.

This ſpeech I judged proper to give intire, becauſe the commons reſolution of diveſting Charles of great part of his prerogatives, which they termed ſaving the kingdom, therein manifeſtly appears. Next is here ſeen the plan they were forming, under color of applying a cure to the epidemical diſeaſe,

(1) Lord Digby is chiefly underſtood. Rapin.

(2) Jermyn and Digby. Rapin.

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the dangers, cauſes and evil influences whereof were by Pym methodically deſcribed. Tho' he did not explain the manner of cure, it was eaſy to infer from his diſcourſe, that it was neceſſary to prevent the dangers, remove the cauſes, and apply ſtrong antidotes againſt the evil influences which inflamed the malady.

The firſt remark I ſhall make on this ſpeech is, that it was a preparative to diſpoſe the people to ſee, without ſurpriſe, the violent remedies deſigned for the removal of a diſeaſe which was induſtriouſly repreſented as almoſt incurable. Were I not apprehenſive it would lead me too far, I could readily make appear, that all the commons ſubſequent proceedings were intimated in this long harangue.

I ſhall add another remark, no leſs important and requiſite: and that is; had the commons ſchemes been founded only upon idle notions and chimeras, they would never have met with ſo many adherents ready and eager to accompliſh them. Had the people of England been never oppreſſed, vain would have been the indeavors to perſuade them to think ſo. Had not King Charles attempted to eſtabliſh deſpotiſm, had not his miniſters, his counſellors, all perſons in public offices, helped to execute this deſign, how would it have been poſſible to convince the people of its reality? Had not the prelates and high-commiſſion abuſed their power; if, in order to be farther removed from the Preſbyterians, they had not introduced ceremonies and innovations, wherein there was but too much affectation of mimicking the Romiſh rituals, never could the people have been perſuaded there was a deſign to introduce Popery. Had the King always ſtrictly obſerved his word, how would it have been practicable to inſpire the people with ſo great a diſtruſt of him? By what band would the members of parliament have been united in the deſign of extenuating the regal power? How ſhould ſuch a notion have entered their minds? It may therefore be affirmed, that theſe projects were founded on very real and true facts, but which the Preſbyterians artfully improved, to the accompliſhment of their private ends: nevertheleſs, it muſt be owned, that moſt of theſe facts were agravated, miſinterpreted, and even inflamed with groundleſs inſinuations.

Nalſon, Vol. II. p. 888, &c.

I ſhall farther obſerve, that they who ſay theſe petitions, preſented to the houſe of commons, were all begged, ſeem to ſay it very juſtly, or at leaſt, with great probability. It is difficult to believe, that thoſe to whom theſe petitions were aſcribed could have uſed a language ſo agreeable to the aim and intentions of the commons, if they had not been drawn up by perſons fully informed of their deſigns. Indeed, in anſwer to this objection, it is alleged, that theſe petitions were not formed upon the views of the commons, but that the houſe framed their reſolutions upon theſe petitions, which informed them of the nation's deſire: but we do not find they ever framed their reſolutions upon other petitions directly contrary to theſe, which were alſo preſented them from time to time, and which agreed not with their principles. On the contrary, we ſee that, for the moſt part, theſe latter were rejected or not regarded by the houſe.

The commons thank mr. Pym. Jan. 25.

The commons were ſo pleaſed with mr. Pym's ſpeech, that mr. Speaker was ordered to give him thanks for it, and deſired him to print it, that it might be diſperſed among the people. But Charles took great offenſe at it, particularly, at what mr. Pym ſaid concerning paſſes granted for Ireland, "That ſince the ſtop upon the ports againſt all Iriſh "Papiſts, by both houſes, many of the chief com- "manders, now in the head of the rebels, have "been ſuffered to paſs, by his Majeſty's immediate "warrant." His Majeſty ſaid, it was a black calumny, and by a meſſage demanded, that the houſe ſhould make him a ſolemn reparation, and diſavow what Pym had aſſerted; but the commons, who were not then diſpoſed to oblige this Prince, anſwered; That what mr. Pym had ſaid was agreeable to the ſenſe of the houſe: that it was true, ſince the ſtop upon the ports by both houſes, ſeveral perſons, who were now commanders among the rebels, had paſſed into Ireland with his Majeſty's immediate warrant, ſome of whom they named. Charles replied, that theſe paſſes were obtained while he was in Scotland, and before he knew of the order of parliament, and inſiſted upon the vindication he had already required. The commons anſwered, by a declaration, maintaining what they had advanced, and adding, that his Majeſty's paſſes were not only for thoſe they had before named, but alſo "for ſuch a one and his company, for "ſuch a one and four other perſons." The King replied, theſe were only inferences drawn from the paſs-ports, which could not ſerve for foundation to Pym's aſſertion in his ſpeech. He inſiſted again upon reparation: but the commons thought not proper to return any anſwer.

Charles complains of certain expreſſions in Pym's ſpeech. Feb. 7. Ruſhworth, Vol. IV. p. 511.

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The houſe ſtands by what Pym had ſaid. Ib. p. 331. Ruſhworth, Vol. IV. p. p. 522, &c.

But this diſpute between King Charles and his parliament was of little importance, in compariſon of another, which alſo then occurred, about the militia and command of the forts. But for the better underſtanding this matter, which is one of the principal affairs of this reign, it is abſolutely neceſſary to know what had paſſed about it already.

Difference between the King and parliament about the militia. Ruſhworth, Vol. IV. p. 516, &c. Clarendon, p. 304.

After King Charles's return from Scotland, it was eaſy for him to perceive that the commons intended to deprive him of great part of his authority. The remonſtrance of the ſtate of the kingdom, preſented him at a time when, without ſuch a deſign, it ſeemed very needleſs, was as the ſignal of the war preparing againſt him. Whatever had been ſince done, tended to the ſame end, i. e. to diſcredit his government, and to impute to him ſundry deſigns, under the name of his counſellors, the Papiſts, and of a diſaffected party. It is not ſurpriſing that, finding himſelf in this ill ſituation, he thought betimes of providing againſt the attacks to which he was likely to be ſoon expoſed. But who can affirm that, if he had ſucceeded in puting himſelf in a condition to reſiſt, he would have remained upon the defenſive? However this be, the precautions he would have taken againſt his enemies ſerved but to render their accuſations more plauſible.

In January 1641-2, when the affair of the members accuſed and breach of privileges was warmly debating, Charles, not knowing how it might end, formed the deſign of ſecuring Hull. This place was very conſiderable, as well by its ſituation, as a large magazine of arms and ammunition (1), which could procure a great advantage to that party who ſhould have it in his power, in caſe of a rupture. To this end, the earl of Newcaſtle, by his Majeſty's order, repaired to Hull under a counterfeit name, to conſult with ſome of the King's friends, and among others with captain Legg, how to oblige the mayor to deliver to him the town and magazine, or to obtain it by force, if the mayor would not give his conſent. This taking vent, their lordſhips ordered Newcaſtle to attend the ſervice of the houſe, which he did, after receiving his Majeſty's pleaſure, without being aſked at his return, whence he came.

p. 304. Ruſhworth, Vol. IV. p. 564.

(1) Upon the diſbanding the late army in the north, all the artillery, arms, and ammunition, provided for that ſervice, had been, by the King's command, ſent to Hull, where it ſtill remained. Clarendon, Vol. I. p. 304.

But

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But ſome days after, the commons, as I have obſerved, moved that ſir John Hotham might be ſent to Hull, to which the lords agreed the more readily, as they were not ignorant upon what deſign the earl of Newcaſtle had been diſpatched thither. Orders to take the command of Hull were therefore given to Hotham, by both houſes, without his Majeſty's being therewith acquainted.

January 11. Nalſon, Vol. II. p. 833.

Soon after, the militia affair being now commenced, Charles again formed the deſign of ſecuring Hull and Portſmouth. To that purpoſe, colonel Goring, governor of Portſmouth, whom this Prince had ſecretly gained, was to receive the Queen into Portſmouth, after which, he had orders to depart for Hull and take the command of that place. Probably, there was ſome courſe taken for its ſurrender to him. This deſign was diſcovered, tho' it was communicated to only three perſons, and the King thought not proper to purſue it, for fear of a diſappointment.

Ruſhworth, Vol. IV. p. 496. Clarendon, p. 326.

If hereto are ſubjoined the ſuſpicions entertained by the parliament, that the late aſſembly at Kingſton was in order to ſurpriſe Portſmouth, and the Queen's intended journey thither had the ſame motive: that the lieutenancy of the Tower given to Lunsford might be in purſuance of the King's deſign to ſecure at once the three ſtrongeſt places in the kingdom, it will not be ſurpriſing to ſee the parliament henceforwards full of fears and jealouſies. For tho' the commons had given King Charles but too much reaſon to take precautions for his defenſe, theſe very precautions, had they ſucceeded, would have been no leſs prejudicial to the public than if they had been without a plauſible foundation. So, as his Majeſty had reaſon to fear that the parliament intended to deprive him of his authority, the parliament had no leſs cauſe to ſuſpect that Prince was privately laboring their ſubjection. In this diſpoſition, neither the one nor the other took any ſtep which was not ſuſpected to cover ſome ill deſign. Conſequently every thing tended to a rupture. The ſole concern of both parties was to gain the public to their intereſt. The parliament ſtrenuouſly indeavored it by rendering the King odious, and cheriſhing thoſe fears and ſuſpicions already infuſed into the people: their aim was to convince the nation of the neceſſity of extraordinary proceedings, in a caſe ſo uncommon. The King, on his part, ſedulouſly repreſented, that the parliament did nothing but violate the laws, and ſubvert the government's conſtitution, under color of maintaining them. Thus much it was neceſſary to premiſe, before I entered on the militia affair, to facilitate a reader's comprehending the motives of this Prince's and the parliament's conduct and procedure.

Eight days after young Hotham's ſeting out for Hull (whither his father, ſir John, alſo arrived within a few weeks) Charles ſent to both houſes this propoſal:

Charles's meſſage to both houſes. January 20. Ruſhworth, Vol. IV. p. 516. Clarendon, p. 309.

"That they will, with all ſpeed, fall into a "ſerious conſideration of all thoſe particulars which "they ſhould hold neceſſary, as well for the up"holding and maintaining his Majeſty's juſt and "regal authority and for ſetling his revenue, as "for the preſent and future eſtabliſhment of their "privileges, the free and quiet injoyment of their "eſtates and fortunes, the liberties of their perſons, "the ſecurity of the true religion now profeſſed in "the church of England, and the ſetling of cere"monies in ſuch a manner as may take away all "juſt offenſe; which, when they ſhall have digeſted "and compoſed one intire body, that ſo his Ma"jeſty and themſelves may be able to make the "more clear judgment of them, it ſhall then appear, "by what his Majeſty ſhall do, how far he hath "been from intending, or deſigning any of thoſe "things, which the too great fears and jealouſies "of ſome perſons ſeem to apprehend, and how "ready he will be to exceed the greateſt examples "of the moſt indulgent Princes in their acts of "grace and favor to their people."

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His views in this meſſage.

It manifeſtly appears that Charles had three views in making this propoſition. The firſt, to find the houſes imployment, and procure himſelf time to prepare. The ſecond was, to know at once the utmoſt extent of his enemies deſigns, which could not but be advantageous to him and injurious to them, with regard to the public. His third view was, to ſhew his ſubjects how willing he was to conſent to whatever ſhould be capable of procuring a perfect reconciliation between him and his parliament. As to his ſaying, "How ready he "ſhould be, &c." it was only a general promiſe, liable to numberleſs reſtrictions and explications, and which properly laid him not under any obligation.

The commons perfectly well perceived the ſnare Charles laid for them: but they perplexed him no leſs by their anſwer to his propoſition. They, in a petition, gave him to underſtand; "That they re"turned to his Majeſty their moſt humble thanks, "reſolving to take this meſſage into ſpeedy and "ſerious conſideration; and to inable them, with "ſecurity, to diſcharge their duties therein, they "deſired the peers to join with them, in humbly "beſeeching his ſacred Majeſty, to raiſe up unto "them a ſure ground of ſafety and confidence, by "puting the Tower and other principal forts of the "kingdom, and the whole militia thereof, into "the hands of ſuch perſons as the parliament might "confide in, and as ſhould be recommended unto "his Majeſty by both houſes of parliament (1)."

Anſwer of the commons. Ruſhworth, Vol. IV. p. 517. Nalſon, Vol. II. p. 860, 880, &c. Clarendon, p. 312.

By this anſwer, the commons made a preliminary of the moſt important point, to be ſetled between his Majeſty and the parliament, and which being granted would have put it in the parliament's power to do whatever they pleaſed. They moreover inſinuated to the people, that the parliament's diſtruſt of their Sovereign muſt have been grounded on ſtrong preſumptions, ſince there was no way to labor a reconciliation, and ſettle the nation's right ſo long as the King ſhould be maſter of the forts and militia.

Their views.

Concerning the Tower of London, Charles replied; "That having prefered a perſon of a "known fortune, and unqueſtionable reputation to "that truſt, he did not expect he ſhould be preſſed "to remove him, without any particular charge "againſt him: that notwithſtanding, if upon due "examination any particular ſhould be preſented "to his Majeſty, whereby it might appear, that "he was miſtaken in his opinion of Byron, and "that he was unfit for the truſt commited to him, "he would make no ſcruple of diſcharging him; "but otherwiſe, he was obliged, in juſtice to him"ſelf, to preſerve his own work, leſt his favor "and good opinion might prove a diſadvantage "and misfortune to his ſervants, without any other "accuſation.

The King's anſwer. Jan. 28. Ruſhworth, Vol. IV. p. 517. Annals, p. 908. Clarendon, 313.

"For the forts and caſtles of the kingdom; he "was reſolved they ſhould always be in ſuch hands "(and only ſuch) as the parliament might ſafely "confide in: but the nomination of any perſons to "thoſe places (being ſo principal and inſeparable a

(1) The petition goes on, "Wherein the peers having refuſed to join with them, they notwithſtanding no way diſcouraged, "but confiding in his Majeſty's goodneſs, humbly beſeech him, that the Tower of London, &c." Ruſhworth, Vol. IV. p. 517. ——Our author ought to have taken notice of their lordſhips diſſent.

"flower

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" flower of his crown, veſted in him, and derived " unto him from his anceſtors, by the fundamental " laws of the kingdom) he would reſerve to him- " ſelf: and in beſtowing them, he ſhould not be " induced to expreſs that favor ſo ſoon to any perſon, " as to thoſe whoſe good demeanor ſhould be " eminent in, or to his parliament; and if he ſhould " at any time confer ſuch a truſt upon an unde- " ſerving perſon, he would always be ready to " leave him to the wiſdom and juſtice of his par- " liament.

" As for the militia of the kingdom which, by " the law, was ſubject to no command but of his " Majeſty, and of authority lawfully derived from " him, when any particular courſe for ordering the " ſame ſhould be conſidered and digeſted by his " parliament, and propoſed to him, he would re- " turn ſuch anſwer as ſhould be agreeable to his " honor, and the ſafety of his people, being re- " ſolved only to deny thoſe things, the granting " whereof would alter the fundamental laws."

Remark thereon.

Such a general anſwer was not ſufficient to ſatisfy the commons: nay, it rather ſeemed very plainly to intimate that his Majeſty would not concede to what was intended to be aſked. However he removed ſir John Byron from the Tower, and gave the lieutenancy thereof to ſir John Conyers, recommended to him by the commons: but this was a favor he readily granted, as it prejudiced not his rights. Nevertheleſs, ſome few days after, the following petition was preſented him by both houſes.

To the King's moſt excellent Majeſty; the humble petition of the lords and commons aſſembled in parliament.

Moſt gracious Sovereign,

Petition of both houſes to his Majeſty. Feb. 2. Clarendon, p. 328. Ruſhworth, Vol. IV. p. 518.

" THE preſent evils and calamities wherewith " your kingdoms are moſt miſerably in- " tangled; the imminent dangers which threaten " your royal perſon, and all your people, have " cauſed us, your moſt faithful and obedient ſub- " jects, the lords and commons in this preſent par- " liament, with thankfulneſs to entertain, and with " all earneſtneſs of affection and indeavors to purſue " the gracious propoſition and direction which, not " long ſince, we have received from your Majeſty. " And we have thereupon taken into our moſt " ſerious conſideration the ways and means of ſe- " curing the ſafety of your royal perſon; preſerving " the honor and authority of your crown; re- " moving all jealouſies betwixt your Majeſty and " your people; ſuppreſſing the rebellion in Ireland; " preventing the fears and dangers of this kingdom, " and the miſchievous deſigns of thoſe who are " enemies to the peace of it. And that we may, " with more comfort and ſecurity, accompliſh our " duties herein, we moſt humbly beſeech your " Majeſty, that you will be pleaſed forthwith to " put the Tower of London, and all other forts, " and the whole militia of the kingdom, into the " hands of ſuch perſons as ſhall be recommended to " your Majeſty by both houſes of parliament*: " which, they aſſure themſelves, will be a hopeful " entrance into thoſe courſes, which (thro' God's " bleſſing) ſhall be effectual for the removing all " diffidence and miſapprehenſion betwixt your Ma- " jeſty and your people, and for eſtabliſhing and " inlarging the honor, greatneſs and power of your " Majeſty and royal poſterity, and for reſtoring " and confirming the peace and happineſs of your " loyal ſubjects in all your dominions. And to " this our moſt neceſſary petition, we, in all " humility, expect your Majeſty's ſpeedy and gra- " cious anſwer, the great diſtractions and diſtempers " of the kingdom not admiting any delay."

* This was before ſir John Conyers was made lieutenant.

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The parliament conſtantly ſuppoſed the kingdom to be in extreme danger, and the Papiſts and diſaffected party, or rather the King himſelf, to have ill deſigns; tho' after all, their ſuppoſition was founded merely on conjectures, of which Charles had given ſome occaſion, by attempting to ſecure Hull, as the houſe had been well informed. His Majeſty's anſwer to this petition ran thus; viz.

" His Majeſty having well conſidered of this " petition, and being deſirous to expreſs how " willing he is to apply a remedy, not only to your " dangers, but even to your doubts and fears, he " therefore returns this anſwer; That when he " ſhall know the extent of power which is intended " to be eſtabliſhed in thoſe perſons whom you de- " ſire to be commanders of the militia, in the ſeveral " counties, and likewiſe to what time it ſhall be " limited that no power ſhall be executed by his " Majeſty alone, without the advice of parliament, " then he will declare, that (for the ſecuring you " from all dangers or jealouſies, if any) his Majeſty " will be content to put in all the places, both of " forts and militia in the ſeveral counties, ſuch " perſons as both the houſes of parliament ſhall " either approve or recommend unto him, ſo that " you declare before unto his Majeſty the names of " the perſons whom you approve or recommend, " unleſs ſuch perſons ſhall be named, againſt whom " he ſhall have juſt and unqueſtionable exception.

p. 519. Clarendon, p. 328.

Obſervations on this anſwer.

Charles hereby ſeemed to grant intirely the deſire of both houſes, and yet the ſequel ſhewed it was neither his thought nor intention. For the better underſtanding this anſwer, it will be neceſſary to know how this Prince ſtood diſpoſed. His deſign was to withdraw to York and levy troops in thoſe parts, in order to ſeize Hull, with its magazine: ſo that, to all appearance, from that time he thought of war, whether defenſive or offenſive; and therefore he had determined to ſend the Queen to Holland, under color of conducting thither Princeſs Mary, her daughter, who had eſpouſed the Prince of Orange, and of going to Spa: but withal, he had put into her hands the crown-jewels, which were afterwards diſpoſed of to purchaſe arms and ammunition (1). When the parliament preſented him this petition, he was on the point of ſending away his Queen, w[illegible] done, he intended to retire to York. It was [illegible] therefore his intereſt abſolutely to reject the parliament's requeſt, at ſuch a juncture, for fear of accelerating a ſtorm which might have obſtructed the execution of his two deſigns, and eſpecially that relating to Hull. For this reaſon, he returned the parliament that ſeemingly ſatisfactory anſwer, but which however was not an abſolute conſent, becauſe of ſome additional reſtrictions, whence he deſigned afterwards to draw a pretenſe to render ineffectual his ingagement. Nevertheleſs, the terms of this ingagement were ſo well choſen, that tho' of themſelves they ſignified not Charles's having reſerved to himſelf a power to recede from his word, yet might ſuch a ſenſe be fixed on them by inference. So, in King Charles's intention, this anſwer was ſolely deſigned to gain time. A few days after, he gave the lieutenancy of the Tower to ſir John Conyers, the better to perſuade both houſes he intended to give them ſatisfaction.

Annals, p. 909. Whitlock, p. 54, 55. Ludlow. Clarendon, p. 327.

The parliament preſents Charles a form of ordinance for the militia.

The parliament doubted not Charles's being reſolved to put the militia into the hands of ſuch as

(1) Lord Clarendon (Vol. I. p. 327.) ſays ſhe was reduced to ſo great wants, that ſhe was compeled to coin, or ſell her chamber-plate, for the ſupply of her moſt neceſſary occaſions.

they

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they ſhould recommend: and therefore they ordered the draught of an ordinance for regulating the militia to be prepared, with the names of the commanders in each county, on a ſeparate paper, and preſented it to his Majeſty, with a petition deſiring his conſent.

Rushworth, Vol. IV. p. 519.

The King's anſwer. p. 521.

Charles replied; the Queen and Princeſs being on their departure for Holland, he had not time to conſider of ſo important an affair, but would ſend an anſwer at his return. He was then on the road, accompanying her Majeſty to Dover.

Mean while the parliament, believing they had reaſon to ſuſpect his Majeſty only ſought to amuſe them, and fearing he had formed ſome private deſign, which he intended to execute before the regulation of the militia, addreſſed him with this other petition:

May it pleaſe your moſt excellent Majeſty;

Petition of both houſes to the King. Feb. 22. Ibid. Clarendon, p. 339.

"YOUR humble and loyal ſubjects, the lords and commons, have with a great deal of grief received your Majeſty's anſwer to their juſt and neceſſary petition, concerning the militia of this kingdom; which your Majeſty, by a gracious meſſage formerly ſent unto them, was pleaſed to promiſe ſhould be put into ſuch hands as your parliament ſhould approve of, or recommend unto you: the extent of their power, and the time of their continuance being likewiſe declared. That being done, and the perſons by both houſes nominated, your Majeſty, nevertheleſs, refers your reſolution herein to a longer and very uncertain time, which (the preſent dangers and diſtractions ſo great and preſſing) is as unſatisfactory and deſtructive as an abſolute denial.

"Therefore we once again beſeech your Majeſty, to take our deſire into your royal thoughts, and to give us ſuch anſwer as may raiſe in us a confidence, that we ſhall not be expoſed to the practiſes of thoſe who thirſt after the ruin of this kingdom, and the kindling of that combuſtion in England, which they have in ſo great a meaſure effected in Ireland; from whence (as we are daily informed) they intended and indeavored to invade us, with the aſſiſtance of the Papiſts here among us.

"Nothing can prevent theſe evils, nor inable us to ſuppreſs the rebellion in Ireland, and ſecure ourſelves, but the inſtant granting of that humble petition, which we hope your Majeſty will not deny to thoſe who muſt, in the diſcharge of their duties both to your Majeſty and the commonwealth, repreſent unto your Majeſty what they find ſo abſolutely neceſſary for the preſervation of both, which the laws both of God and man injoin them to ſee put in execution, as ſeveral counties by their daily petitions have deſired of us, and in ſome places begun already to do it of themſelves."

Remark.

The parliament wiſhed to have his Majeſty's conſent to this regulation of the militia. This would have been advantageous to them, on all accounts: but however, in the caſe they ſuppoſed the kingdom to be, they did not think the King's conſent was ſo abſolutely neceſſary, that this regulation could not be ſetled and executed without his concurrence. Wherefore to ſhew him it would be in vain to make oppoſition, they had ſo ordered matters, that in ſome places the people had, of their own accord, divided themſelves into companies, choſen officers and, in ſhort, had begun to regulate the militia, without waiting for the royal order. There is no probability that the people would have ventured on taking ſuch a ſtep had they not been ſecure of the parliament's approbation.

King Charles, finding himſelf thus preſſed, ſought other evaſions to amuſe the parliament, yet without openly declaring that his intention was to deny the deſire of both houſes. Here follows his anſwer to the laſt petition.

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Charles's anſwer. Feb. 28. Rushworth, Vol. IV. p. 521. Clarendon, P. 341.

"His Majeſty having, with his beſt care and underſtanding, peruſed and conſidered that which was ſent him from both houſes, for the ordering of the militia, preſented unto him to be made an ordinance of parliament, by the giving of his royal aſſent; as he can by no means do it, for the reaſons hereafter mentioned, ſo he doth not conceive himſelf obliged, by any promiſe made in his anſwer, of the ſecond of this month, to the petition of both houſes, to yield the ſame.

"His Majeſty finds great cauſe to except againſt the preface or introduction to that order, which confeſſeth a moſt dangerous and deſperate deſign upon the houſe of commons, of late ſuppoſed to be an effect of the bloody counſels of Papiſts and other ill-affected perſons, by which many may underſtand (looking upon other printed papers to that purpoſe) his coming in perſon to the houſe of commons, on the fourth of January, which begat ſo unhappy a miſunderſtanding between him and his people; and for that, tho' he believes it, upon the information ſince given, to be an apparent breach of their privilege, and hath offered to repair the ſame for the future, by any act which ſhall be deſired of his Majeſty, yet he muſt declare, and require to be believed, that he had no other deſign upon that houſe, or any member of it, than to require (as he did) the perſons of thoſe five gentlemen his Majeſty had the day before accuſed of high-treaſon; and to declare, that he meaned to proceed againſt them legally and ſpeedily, upon which he believes that houſe would have delivered them up; and his Majeſty calls the Almighty God to witneſs, that he was ſo far from any intention or thought of force or violence, altho' that houſe had not delivered them according to his demand, or in any caſe whatſoever, that he gave thoſe his ſervants, and others, who waited on his Majeſty, expreſs charge and command, that they ſhould give no offenſe to any man; nay, if they received any provocation or injury, that they ſhould bear it without return; and his Majeſty neither ſaw or knew that any perſon of his train had any other weapons, but his penſioners and guards thoſe with which they uſually attend his Majeſty, and the other gentlemen ſwords. And therefore his Majeſty doubts not, but his parliament will be regardful of his honor herein, that he ſhall not undergo any imputation, by the raſh or indiſcreet expreſſions of any young men then in his train, or by any deſperate words uttered by others, who might mingle with them without his conſent or approbation.

"For the perſons nominated to be lieutenants of the ſeveral counties of England and Wales, his Majeſty is contented to allow that recommendation; only concerning the city of London, and ſuch corporations as, by ancient charters, have granted unto them the power of the militia, his Majeſty doth not conceive that it can ſtand with juſtice, or polity, to alter their government in that particular.

"And his Majeſty is willing forthwith to grant every of them (that of London, and thoſe other corporations excepted) ſuch commiſſions, as he hath done during this parliament, to ſome lord-lieutenants by your advice; but if that power be not thought enough, but that more ſhall be thought fit to be granted to thoſe perſons named, than by the law is in the crown itſelf; his Majeſty holds it reaſonable, that the ſame be by law firſt veſted in him, with power to transfer it to thoſe

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" perſons, which he will willingly do; and what-
" ever that power ſhall be, to avoid all future
" doubts and queſtions, his Majeſty deſires, it
" may be digeſted into an act of parliament rather
" than an ordinance; ſo that all his loving ſub-
" jects may thereby particularly know, both what
" they are to ſuffer, and what they are not to ſuffer,
" for their neglect, that there be not the leaſt lati-
" tude for his good ſubjects to ſuffer under any
" arbitrary power whatever.

" As to the time deſired for the continuance of
" the powers to be granted, his Majeſty giveth
" this anſwer; that he cannot conſent to diveſt
" himſelf of the juſt power which God and the
" laws of this kingdom have placed in him, for the
" defenſe of his people, and to put it into the hands
" of any other, for any indefinite time. And,
" ſince the ground of this requeſt from his parlia-
" ment, was to ſecure their preſent fears and jea-
" louſies, that they might with ſafety apply them-
" ſelves to the matter of his meſſage of the twentieth
" of January, his Majeſty hopeth, that his grace
" to them, ſince that time, in yielding to ſo many
" of their deſires, and in agreeing to the perſons
" now recommended to him by his parliament,
" and the power before expreſſed to be placed in
" them, will wholly diſpel thoſe fears and jealouſies;
" and aſſureth them that, as his Majeſty hath now
" applied this unuſual remedy to their doubts, ſo
" (if there ſhall be cauſe) he will continue the ſame,
" to ſuch time as ſhall be agreeable to the ſame
" care he now expreſſeth toward them.

" And in this anſwer, his Majeſty is ſo far from
" receding from any thing he promiſed, or intended
" to grant in his anſwer to the former petition,
" that his Majeſty hath hereby conſented to all
" was then aſked of him, by that petition concern-
" ing the militia of the kingdom (except that of
" London, and thoſe other corporations) which
" was to put the ſame into the hands of ſuch
" perſons as ſhould be recommended unto him by
" both houſes of parliament: and his Majeſty
" doubteth not, but the parliament, upon well
" weighing the particulars of this his anſwer, will
" find the ſame more ſatisfactory to their ends,
" and the peace and welfare of all his good ſub-
" jects, than the way propoſed by this intended
" ordinance, to which, for theſe reaſons, his Ma-
" jeſty cannot conſent.

" And whereas his Majeſty obſerveth, by the
" petition of both houſes, preſented to him by the
" earl of Portland, ſir Thomas Heal, and ſir
" William Savile, that in ſome places certain
" perſons begin already to intermeddle of them-
" ſelves with the militia, his Majeſty expecteth
" that his parliament ſhould examine the particulars
" thereof, it being a matter of high concernment
" and very great conſequence.

" And his Majeſty requireth that, if it ſhall
" appear to his parliament, that any perſons what-
" ſoever have preſumed to command the militia
" without lawful authority, they may be proceeded
" againſt according to law."

In this anſwer were diverſe particulars which could not but diſguſt the parliament. 1. The exception of London, and ſuch other corporations as, by Charles, had the power of the militia, which was taking away with one hand what he ſeemed to give with the other, ſince very few towns of any note were without ſuch charters: beſide, it appeared not that either London or any other corporation deſired to be maintained in this privilege; Charles ſuppoſed it without conſulting them. 2. In complaining, there was no fixed time for the continuance of the powers of the lieutenants, he offered none himſelf: ſo it was a point to be debated which might long amuſe. 3. As to his promiſing to prolong the time, if there ſhould be cauſe, it was properly nothing, ſince it is certain his general promiſes were not relied on, eſpecially when attended with ſuch reſtrictions. 4. His Majeſty mentioned not the government of the forts, tho' a moſt important article. 5. He abſolutely rejected the ordinance, and in perſuading the parliament to change it into an act, he would have indirectly obliged them to acknowledge they had no power to make it, which was intirely contrary to the pretenſions of both houſes. 6. In ſuppreſſing the ordinance and converting it into an act, the bill muſt have been drawn his own way, otherwiſe, he tacitely reſerved to himſelf the power of rejecting it, a power which 'till now had been indiſputable. It was therefore very eaſy to perceive that, by all theſe reſtrictions, Charles ſought only to gain time, and put off the parliament with words only. Accordingly both houſes, having taken his anſwer into conſideration, voted that it was not ſatisfactory, and preſented him a third petition at Theobalds, where he then was.

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Moſt gracious Sovereign,

Petition of both houſes to the King. March 1. Ruſhworth, Vol. IV. p. 523. Clarendon, P. 343.

" YOUR Majeſty's moſt loyal and obedient
" ſubjects, the lords and commons in parlia-
" ment, do find their juſt apprehenſions of ſorrow
" and fear, in reſpect of the public dangers and
" miſeries like to fall upon your Majeſty and the
" kingdom, to be much increaſed, upon the re-
" ceipt of your unexpected denial of their moſt
" humble and neceſſary petition, concerning the
" militia of the kingdom; eſpecially grieving,
" that wicked and miſchievous counſellors ſhould
" ſtill have that power with your Majeſty as, in
" this time of imminent and approaching ruin,
" rather to incline your reſolutions to that which
" is apt to farther the accompliſhment of the de-
" ſires of the moſt malignant enemies of God's
" true religion, and the peace and ſafety of your-
" ſelf and your kingdom, than to the dutiful and
" faithful counſel of your parliament. Wherefore
" they are inforced in all humility to proteſt that,
" if your Majeſty ſhall perſiſt in that denial, the
" dangers and diſtempers of the kingdom are ſuch
" as will indure no longer delay; but unleſs you
" ſhall be graciouſly pleaſed to aſſure them by
" theſe meſſengers, that you will ſpeedily apply
" your royal aſſent to the ſatisfaction of their for-
" mer deſires, they ſhall be inforced, for the ſafety
" of your Majeſty and your kingdom, to diſ-
" poſe of the militia by the authority of both
" houſes, in ſuch manner as hath been propounded
" to your Majeſty, and they reſolve to do it ac-
" cordingly.

" They likewiſe moſt humbly beſeech your Ma-
" jeſty to believe, that the dangerous and deſperate
" deſign upon the houſe of commons, mentioned in
" their preamble, was not inſerted with any in-
" tention to caſt the leaſt aſperſion upon your Ma-
" jeſty, but herein they reflected upon that malig-
" nant party, of whoſe bloody and malicious
" practiſes they have had ſo often experience, and
" from which they can never be ſecure, unleſs
" your Majeſty will be pleaſed to put from you
" thoſe wicked and unfaithful counſellors, who in-
" terpoſe their own corrupt and malicious deſigns
" betwixt your Majeſty's goodneſs and wiſdom,
" and the proſperity and contentment of yourſelf
" and of your people: and that, for the diſpatch
" of the great affairs of the Kingdom, the ſafety
" of your perſon, the protection and comfort of
" your ſubjects, you will be pleaſed to continue
" your abode near to London, and the parliament,
" and not to withdraw yourſelf to any the re-
" moter parts: which if your Majeſty ſhould do,

" muſt

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"must needs be a cauſe of great danger and "diſtraction (1).

"That your Majeſty will likewiſe be graciouſly "pleaſed to continue the Prince his Highneſs in "theſe parts at St. James's, or any other of your "houſes near London (2), whereby the deſigns "which the enemies of the religion and peace of "this kingdom may have upon his perſon, and "the jealouſies and fears of your people, may be "prevented. And they beſeech your Majeſty to "be informed by them that, by the laws of the "kingdom, the power of raiſing, ordering and "diſpoſing of the militia, within any city, town, "or other place, cannot be granted to any cor-"poration by charter, or otherwiſe, without the "authority and conſent of parliament; and that "thoſe parts of the kingdom which have put "themſeves in a poſture of defenſe againſt the "common danger, have therein done nothing but "according to the declaration and direction of "both houſes, and what is juſtifiable by the laws "of the kingdom.

"All which, their moſt humble counſel and "deſires, they pray your Majeſty to accept, as "the effect of that duty and allegiance which they "owe unto you, and which will not ſuffer them "to admit of any thoughts, intentions, or in-"deavors, but ſuch as are neceſſary and advan-"tageous for your Majeſty's greatneſs and honor, "and the ſafety and proſperity of the kingdom, "according to that truſt and power which the "laws have repoſed in them."

Before I give his Majeſty's anſwer, it will not be improper to make ſome remarks on this petition. As my deſign is, in this ſecond part of Charles I's reign, to give my readers a true idea of the differences between that Prince and his parliament, that they may with more readineſs comprehend the real grounds of the inſuing civil wars, it will not, I hope, be taken amiſs that, by remarks on the papers on both ſides, I point out certain particulars which might poſſibly have eſcaped general obſervation.

Remarks on this petition.

Firſt, the imminent danger, the approaching ruin ſo much talked of by the parliament, was not ſo evident as they pretended. But they conſtantly ſuppoſed, there was a Popiſh and malignant party, who had formed a deſign to ruin the kingdom and the Proteſtant religion, and that the King's evil counſellors adviſed him to whatever could be advantageous to that party. I do not aſſert this ſuppoſition to have been abſolutely groundleſs: but it may be ſaid at leaſt to be grounded upon bare conjectures; beſide, theſe were only generals, under which the parliament concealed the real cauſe of their apprehenſions. They were in dread that the King, by ſecret practiſes, would ſecure the forts and magazines, as it was well known he intended it, and raiſe an army; nay, it could not be doubted that, conſidering his preſent ſtate, he would have done it, had it been in his power. It will hereafter appear that he had thought of it before the time I am ſpeaking of: but when this petition was preſented him, he was only ſuſpected to have ſome great deſign in hand. He was therefore to be prevented by diſpoſing of the militia, by the authority of both houſes, in order to be ready to cruſh thoſe who ſhould declare for him, or to hinder them from declaring. But all this was colored with the pretenſe of puting the kingdom in a poſture of defenſe againſt the malignants machinations. For this reaſon, the pretended deſign of this malignant party was always expreſſed in general terms, without mention of any particulars, and great care was taken to refer to it all the King's actions, and all the events which could have any relation thereto. But it muſt be remembered, as I have often ſaid, that the parliament's intention was to diveſt the King of the greateſt part of his authority, and that Charles's deſign was to ſcreen himſelf from the impending misfortunes, and in ſo doing, he would have put himſelf alſo in a ſtate of attacking, had he been ſuffered to do it. This is properly the key to ſuch papers as were publiſhed on both ſides, concerning the militia, tho' both King and parliament indeavored to varniſh their reſpective proceedings with pretenſes capable of dazzling the people.

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I ſhall next remark that the parliament, in this petition, took no notice of the reaſons alleged by King Charles in his former anſwer. They were contented with always ſuppoſing the deſign of ſubverting religion and the laws, and with refering to that deſign the removal of the Prince of Wales, and the King's abſenſe from his parliament, to inſinuate, that Charles's reſtrictions to his promiſe were intended only to gain time, in order to favor the malignants.

Laſtly, the parliament's fears that his Majeſty's abſenſe concealed ſome hidden deſign, were not groundleſs, as I ſaid, and as will appear in the ſequel.

All this manifeſts that both King and parliament had but too much cauſe for their mutual diſtruſt. If the parliament, under color of imminent danger to the kingdom, deemed it incumbent on them to require the militia's being put into ſuch hands as they could confide in, King Charles had no leſs reaſon to indeavor hindering both houſes from uſurping a power which muſt ſerve to oppreſs him.

To the parliament's laſt petition his Majeſty returned this anſwer.

Charles's anſwer. March 2. Ruſhworth, Vol. IV. p. 524. Clarendon, p. 344.

"I am ſo much amazed at this meſſage, that I "know not what to anſwer. You ſpeak of "jealouſies and fears: lay your hands to your hearts, "and aſk yourſelves, whether I may not likewiſe "be diſturbed with fears and jealouſies: and if ſo, "I aſſure you this meſſage hath nothing leſſened "them.

"For the militia, I thought ſo much of it before "I ſent that anſwer, and am ſo much aſſured "that the anſwer is agreeable to what, in juſtice or "reaſon, you can aſk, or I in honor grant, that I "ſhall not alter it in any point.

"For my reſidence near you, I wiſh it might "be ſo ſafe and honorable that I had no cauſe to "abſent myſelf from Whitehall; aſk yourſelves "whether I have not.

"For my ſon, I ſhall take that care of him "which ſhall juſtify me to God as a father, and "to my dominions as a King.

"To conclude, I aſſure you upon my honor, "that I have no thought but of peace and juſtice "to my people, which I ſhall by all fair means "ſeek to preſerve and maintain, relying upon the "goodneſs and providence of God, for the pre-"ſervation of myſelf and rights."

Remark on this anſwer.

1. It muſt upon this anſwer be obſerved, that

(1) Before the King left London, ſir Richard Gurney lord-mayor, and ſome of the principal citizens, waited on him, and ingaged, if he would ſtay, to guard him with ten thouſand men, if occaſion were; and told him, if he went, he would leave the city open for the members to do as they pleaſed, and that they were ſure to be firſt undone; the King told them, he was reſolved. Coke, p. 341.

(2) The King, upon his coming to Greenwich, had ſent to William Seymour, marquis of Hertford (lately made governor to the Prince, in the room of the earl of Newcaſtle) to bring the Prince to him; at which the parliament, it ſeems, took exception. Clarendon, Vol. I. p. 332, 340.

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the reaſon Charles alleged to juſtify his abſenſe from Whitehall, viz. the riotous aſſemblies of the London populace, was not unplauſible; but it was withal of very little force to prove the neceſſity of his reſiding at York. However, he artfully confounded, under one and the ſame reaſon, his removal to York, and his abſenſe from London. We ſhall inſtantly be appriſed of his real motive for retiring to York.

2. Very poſſibly, Charles wiſhed for peace, provided his prerogatives were untouched. But the parliament were of opinion that, in order to a laſting peace, the regal power was to be abridged.

It was therefore reſolved by the houſe of commons:

Votes of the commons. Clarendon, p. 343. Ruſhworth, Vol. IV. p. 524.

" 1. That this anſwer of his Majeſty is a denial " to the deſires of both houſes of parliament, con- " cerning the militia.

" 2. That thoſe who adviſed his Majeſty to " give this anſwer, are enemies to the ſtate, and " miſchievous projectors againſt the defenſe of the " kingdom.

" 3. That this denial is of that dangerous con- " ſequence, that, if his Majeſty ſhall perſiſt in it, it " will hazard the peace and ſafety of all his king- " doms, unleſs ſome ſpeedy remedy be applied, by " the wiſdom and authority of both houſes of par- " liament.

" 4. That ſuch parts of this kingdom as have " put themſelves into a poſture of defenſe againſt " the common danger, have done nothing but what " is juſtifiable, and is approved by the houſe.

" 5. That if his Majeſty ſhall remove into any re- " mote parts from his parliament, it will be a great " hazard to the kingdom, and highly prejudicial " to the proceedings of the parliament.

" 6. That this houſe holds it neceſſary, his " Majeſty may be deſired, that the Prince may " come to St. James's, or to ſome other convenient " place, near or about London, and there to con- " tinue.

" 7. That the lords be deſired to join with this " houſe in humbly requeſting his Majeſty, that he " will be pleaſed to reſide near his parliament, that " both houſes may have a convenience of acceſs unto " him, upon all occaſions.

" 8. That the lords be moved to join with this " houſe in ſome fit courſe of examination, to find " who were the perſons who gave his Majeſty this " advice, that they may be removed from his Ma- " jeſty, and brought to condign puniſhment.

" 9. That no charter can be granted by the " King, to create a power in any corporation over " the militia of that place, without conſent of par- " liament.

" 10. That the lords ſhall be moved to join with " this houſe in theſe votes.

" 11. That the lords ſhall be deſired to appoint " a ſelect commitee, who may join with a com- " mitee of a proportionable number of this houſe, " to conſider and prepare what is fit to be done " upon theſe votes, or upon any thing elſe which " may ariſe on this anſwer of his Majeſty concern- " ing the militia, and concerning the Prince.

The ſame day it was reſolved in the houſe of commons;

" That the kingdom be forthwith put into a " poſture of defenſe, by authority of both houſes, " in ſuch a way as is already agreed upon by both " houſes of parliament."

In purſuance of this reſolution, both houſes publiſhed the following ordinance for ſetling the militia:

" Whereas there hath been of late a moſt dan- " gerous and deſperate deſign upon the houſe of " commons, which we have juſt cauſe to believe to " be an effect of the bloody counſels of Papiſts, " and other ill-affected perſons, who have raiſed a " rebellion in the kingdom of Ireland; and, by " reaſon of many diſcoveries, we cannot but fear " they will proceed not only to ſtir up the like re- " bellion and inſurrections in this kingdom of Eng- " land, but alſo to back them with forces from " abroad.

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" For the ſafety therefore of his Majeſty's per- " ſon, the parliament and kingdom, in this time " of imminent danger; it is ordained, by the lords " and commons now in parliament aſſembled, " That Henry, earl of Holland, ſhall be lieute- " nant of the county of Berks, Oliver earl of Bo- " lingbroke ſhall be lieutenant of the county of " Bedford, &c. and the ſaid lord-lieutenants ſhall " ſeverally and reſpectively have power to aſſemble " and call together all and ſingular his Majeſty's " ſubjects, within the ſaid ſeveral and reſpective " counties and places, as well within liberties as " without, who are meet and fit for the wars, and " them to train and exerciſe, and put in readineſs; " and them, after their abilities and faculties, well " and ſufficiently, from time to time, to cauſe to " be arrayed and weaponed, and to take the muſter " of them in places fit for that purpoſe: and that " they ſhall ſeverally and reſpectively have power, " within the ſeveral and reſpective counties and " places aforeſaid, to nominate and appoint ſuch " perſons of quality as to them ſhall ſeem meet, to " be their deputy-lieutenants, to be approved of by " both houſes of parliament. And be it farther " ordained, that ſir John Gayre, ſir Jacob Garret, " knights, ſhall have ſuch power and authority " within the city of London, as any of the lieute- " nants before-named are authoriſed to have, by " this ordinance, within the ſaid ſeveral and reſ- " pective counties, the nomination and appoint- " ment of deputy-lieutenants only excepted. And " it is farther ordained, That ſuch perſons as ſhall " not obey in any of the premiſes, ſhall anſwer their " neglect and contempt to the lords and commons " in a parliamentary way, and not otherwiſe, nor " elſewhere, and that every the powers, granted " as aforeſaid, ſhall continue until it be otherwiſe " ordered or declared by both houſes of parliament, " and no longer."

What this ordinance hints about forces from abroad, was no other than chimera, framed purely to amuſe the people, and make them believe Charles deſigned to have the kingdom invaded by foreigners: for tho', very probably, the Pope and cardinal Richlieu countenanced the Iriſh rebellion, yet could it not be aſſerted they had formed a deſign to invade England in this Prince's favor.

March the ninth, King Charles being at Newmarket, both houſes preſented him the following declaration, which ſerved for reply to his anſwer.

Declaration of both houſes, preſented to the King at New-market, March 9, 1641-2.

May it pleaſe your Majeſty,

" ALtho' the expreſſions in your Majeſty's meſ- " ſage, of the ſecond of this inſtant March, " do give juſt cauſe of ſorrow to us your faithful " ſubjects, the lords and commons in parliament, " yet it is not without ſome mixture of confidence " and hope, conſidering they proceeded from the " miſ-apprehenſion of our actions and intentions, " which, having no ground of truth or reality, " may, by your Majeſty's juſtice and wiſdom, be " removed, when your Majeſty ſhall be fully in- " formed, that thoſe fears and jealouſies of ours, " which your Majeſty thinks to be cauſeleſs and " without any juſt ground, do neceſſarily and clear- " ly ariſe from thoſe dangers and diſtempers, into " which the miſchievous and evil councils about " you have brought this kingdom; and that thoſe

" other

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" other fears and jealouſies, by which your favor, " your royal preſenſe and confidence have been " withdrawn from your parliament, have no foun- " dation or ſubſiſtance in any action, intention, or " miſcarriage of ours, but are merely grounded " upon the falſhood and malice of thoſe who, for " the ſupporting and fomenting their own wicked " deſigns againſt the religion and peace of the " kingdom, do ſeek to deprive your Majeſty of " the ſtrength and affection of your people, them " of your grace and protection, and thereby to " ſubject both your royal perſon and the whole " kingdom to ruin and deſtruction.

" To ſatisfy your Majeſty's judgment and con- " ſcience in both theſe points, we deſire to make a " clear and free declaration of the cauſes of our " fears and jealouſies, which we offer to your Ma- " jeſty in theſe particulars:

" 1. That the deſign of altering religion in this, " and in your other kingdoms, hath been potently " carried on by thoſe in greateſt authority about " you, for diverſe years together: the Queen's " agent at Rome, and the Pope's agent or nuncio " here, are not only evidences of this deſign, but " have been great actors in it.

" 2. That the war with Scotland was procured " to make way for this intent, and chiefly invited " and fomented by the Papiſts, and others Popiſhly " affected, whereof we have many evidences, eſpe- " cially their free and general contribution to it.

" 3. That the rebellion in Ireland was framed " and contrived here in England, and that the " Engliſh Papiſts ſhould have riſen about the ſame " time, we have ſeveral teſtimonies and advertiſe- " ments from Ireland; and that it is a common " ſpeech among the rebels, wherewith concur " other evidences and obſervations of the ſuſpicious " meetings and conſultations, the tumultuary and " ſeditious carriage of thoſe of that religion, in " diverſe parts of this kingdom, about the time of " the Iriſh rebellion's breaking out; the depoſition " of O Conelly; the information of mr. Cole, " miniſter; the letter of Triſtram Whitecombe; " the depoſition of Thomas Grant, and many " others, which we may produce, do all agree in " this: the public declaration of the lords, gentle- " men, and others of the Pale, that they would " join with the rebels, whom they call the Iriſh " army, or any other, to recover unto his Majeſty " his royal prerogative, wreſted from him by the " Puritan faction in the houſes of parliament in " England, and to maintain the ſame againſt all " others, as alſo to maintain epiſcopal juriſdiction, " and the lawfulneſs thereof: theſe two being quar- " rels upon which his Majeſty's late army in the " north ſhould be inſenſed againſt us.

" The great cauſe we have to doubt, that the " late deſign, ſtiled the Queen's pious intention, " was for the alteration of religion in this king- " dom; for ſucceſs whereof the Pope's nuncio, " count Roſetti, injoined faſting and praying to be " obſerved every week by the Engliſh Papiſts, " which appeared to us by one of the original " letters, directed by him to a prieſt in Lanca- " ſhire.

" The boldneſs of the Iriſh rebels in affirming, " they do nothing but by authority from the King; " that they call themſelves the Queen's army; " that the prey or booty which they take from the " Engliſh they mark with the Queen's mark; that " their purpoſe was to come to England after they " had done in Ireland, and ſundry other things of " this kind, proved by O Conelly, and diverſe " others, eſpecially in the fore-mentioned letters " from Triſtram Whitecombe, mayor of Kingſale, " to his brother Benjamin Whitecombe, wherein " there is this paſſage, " that many other ſtrange " ſpeeches they utter, about religion and our court " of England, which he dares not commit to " paper.'

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" The manifold attempts to provoke your Ma- " jeſty's late army, and the army of the Scots, " and to raiſe a faction in the city of London, " and other parts of this kingdom; that thoſe " who have been actors in thoſe buſineſſes have " had their dependance, their countenance and in- " couragement from the court; witneſs the treaſon " whereof mr. Jermin and others ſtand accuſed, " who was tranſported beyond ſea, by warrant un- " der your Majeſty's hand, after your Majeſty had " given aſſurance to your parliament, that your " Majeſty had laid a ſtrict command upon all your " ſervants, that none of them ſhould depart from " court; and that dangerous petition delivered to " captain Legg by your Majeſty's own hand, ac- " companied with a direction ſigned with C. R.

" The falſe and ſcandalous accuſation againſt " lord Kimbolton, and the five members of the " houſe of commons, tendered to the parliament " by your Majeſty's own command, indeavored to " be juſtified in the city by your own preſenſe and " perſuaſion, and to be put in execution upon their " perſons by your Majeſty's demand of them in " the houſe of commons, in ſo terrible and violent " a manner, as far exceeded all former breaches of " privileges of parliament acted by your Majeſty, " or any of your predeceſſors; and whatſoever " your intentions were, diverſe bloody and deſpe- " rate perſons, who attended your Majeſty, diſco- " vered their affections and reſolutions to have maſ- " ſacred and deſtroyed the members of that houſe, " if the abſenſe of thoſe perſons accuſed had not, " by God's providence, ſtoped the giving of that " word which they expected, for the ſeting them " upon that barbarous and bloody act; the liſting " of ſo many officers and ſoldiers, and others, put- " ing them into pay, and under command of co- " lonels; feaſting and careſſing them in an unuſual " manner at Whitehall, thereby maintaining them " in the violent aſſaults and other injuries which " they offered to diverſe of your ſubjects coming " that way in a lawful and peaceable manner; the " carrying them out of town, after which they " were told by lord Digby, that the King removed " on purpoſe that they might not be trampled in " the dirt; and keeping them ſo long in pay; in- " deavoring to ingage the gentlemen of the inns " of court in the ſame courſe; the ploting and " deſigning of a perpetual guard about your Ma- " jeſty; the laboring to infuſe into your Majeſty's " ſubjects evil opinions of the parliament thro' the " whole kingdom, and other ſymptoms of a diſpo- " ſition of raiſing arms, and dividing your people " by a civil war; in which combuſtion Ireland " muſt needs be loſt, and this kingdom miſerably " waſted and conſumed, if not wholly ruined and " deſtroyed.

" That, after a vote had paſſed in the houſe of " commons, declaring, that lord Digby had ap- " peared in a warlike manner at Kingſton upon " Thames, to the terror and fright of your Ma- " jeſty's good ſubjects, and diſturbance of the pub- " lic peace of the kingdom; and that therefore the " lords ſhould be moved to require his attendance, " he ſhould nevertheleſs be of that credit with your " Majeſty, as to be ſent away by your own " warrant to ſir John Pennington, to land him be- " yond the ſea, from whence he vented his own " traiterous conceptions, that your Majeſty ſhould " declare yourſelf, and retire to a place of ſtrength " in this kingdom, as if your Majeſty could not be " ſafe among your people; and withal took that " tranſcendent boldneſs to write to the Queen, offer- " ing to entertain correſpondence with her Majeſty

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" by cyphers, intimating ſome ſervice which he " might do in thoſe parts, for which he deſired " your Majeſty's inſtructions, whereby in pro- " bability he intended the procuring of ſome fo- " reign force to ſtrengthen your Majeſty in that " condition into which he would have brought " you; which falſe and malicious counſel and ad- " vice, we have great cauſe to doubt, made too " deep impreſſion in your Majeſty, conſidering the " courſe you are pleaſed to take of abſenting your " ſelf from your parliament, and carrying the Prince " with you, which ſeems to expreſs a purpoſe in " your Majeſty to keep yourſelf in a readineſs for " the acting of it.

" The manifold advertiſements which we have " had from Rome, Venice, Paris, and other parts, " that they ſtill expect your Majeſty has ſome " great deſign in hand, for the altering religion " and breaking the neck of your parliament; that " you will find means to compaſs that deſign; that " the Pope's nuncio had ſollicited the Kings of " France and Spain, to ſend your Majeſty four " thouſand men each, to help maintain your roy- " alty againſt the parliament: and this foreign " force, as it is the moſt pernicious and malignant " deſign of all the reſt, ſo we hope it is, and ſhall " always be fartheſt from your Majeſty's thoughts, " becauſe no man can believe you will give up your " people and kingdom to be ſpoiled by ſtrangers, " if you did not likewiſe intend to change both " your own profeſſion in religion, and the public " profeſſion of the kingdom, that ſo you might " ſtill be more aſſured of thoſe foreign ſtates of the " Popiſh religion for your future ſupport and de- " fenſe.

" Theſe are ſome of the grounds of our fears " and jealouſies, which make us ſo earneſtly to im- " plore your royal authority and protection for our " defenſe and ſecurity, in all the ways of humility " and ſubmiſſion, which being denied by your Ma- " jeſty, ſeduced by evil counſel, we do, with ſor- " row for the great and unavoidable miſery and " danger which thereby is like to fall upon your " own perſon, and your kingdoms, apply ourſelves " to the uſe of that power for the ſecurity and de- " fenſe of both which, by the fundamental laws " and conſtitutions of this kingdom, reſides in us; " yet ſtill reſolving to keep ourſelves within the " bounds of faithfulneſs and allegiance to your ſa- " cred perſon, and your crown; ſo as to the ſecond " ſort of jealouſies and fears of us expreſſed by " your Majeſty, we ſhall give a ſhorter, but as " true and as faithful an anſwer.

" Whereas your Majeſty is pleaſed to ſay, that " for your reſidence near the parliament, you wiſh " it may be ſo ſafe and honorable that you had no " cauſe to abſent yourſelf from Whitehall; this we " take as the greateſt breach of privilege of parlia- " ment can be offered, as the heavieſt miſery to " yourſelf, and imputation upon us can be ima- " gined, and the moſt miſchievous effects of evil " counſels: it roots up the ſtrongeſt foundation of " the ſafety and honor which your crown affords; " it ſeems, as much as may be, to caſt upon the " parliament ſuch a charge as is inconſiſtent with " the nature of that great council, being the body " whereof your Majeſty is the head; it ſtrikes at " the very being both of King and parliament, " depriving your Majeſty, in your own apprehen- " ſions, of their fidelity, and them of your pro- " tection, which are the mutual bands and ſupports " of government and ſubjection.

" We have, according to your Majeſty's deſire, " laid our hands upon our hearts; we have aſked " ourſelves in the ſtricteſt examination of our con- " ſciences; we have ſearched our affections, our " thoughts; conſidered our actions; and we find " none can give your Majeſty any juſt occaſion to " abſent yourſelf from Whitehall and the parlia- " ment; but that you may with more honor and " ſafety continue there, than in any other place.

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" Your Majeſty lays a general tax upon us. If " you will be graciouſly pleaſed to let us know the " particulars, we ſhall give a clear and ſatisfactory " anſwer: but what hope can we have of ever " giving your Majeſty ſatisfaction, when thoſe " particulars which you have been made to believe " were true, yet being produced and made known " to us, appeared to be falſe? and your Majeſty, " notwithſtanding, will neither puniſh nor produce " the authors, but go on to contract new jealouſies " and fears upon general and uncertain grounds, " affording us no means or poſſibility of particular " anſwer, to the clearing ourſelves: for proof " whereof, we beſeech your Majeſty to conſider " theſe inſtances:

" The ſpeeches alleged to be ſpoken in a meeting " of diverſe members of both houſes at Kenſington, " concerning a purpoſe of reſtraining the Queen " and Prince, which after it was denied and diſ- " avowed, yet your Majeſty refuſed to name the " authors, tho' humbly deſired by both houſes.

" The report of articles framed againſt the " Queen's Majeſty, given out by ſome of near rela- " tion of the court; but when it was publicly and " conſtantly diſclaimed, the credit ſeemed to be " withdrawn from it; but the authors being kept " ſafe will always be ready for exploits of the ſame " kind, wherewith your Majeſty and the Queen " will be often troubled, if this courſe be taken to " cheriſh and ſecure them in ſuch wicked and ma- " licious ſlanders.

" The heavy charge and accuſation of lord Kim- " bolton, and the five members of the houſe of " commons, who refuſed no trial or examination " which might ſtand with the privilege of parlia- " ment; yet no authors, no witneſſes produced, " againſt whom they may have reparation for the " great injury and infamy caſt upon them; not- " withſtanding three ſeveral petitions of both houſes, " and the authority of two acts of parliament, " vouched in the laſt of thoſe petitions.

" We beſeech your Majeſty to conſider in what " ſtate you are; how eaſy and fair a way you have " to happineſs, honor, greatneſs, plenty and ſe- " curity, if you will join with the parliament, and " your faithful ſubjects, in defenſe of the religion " and public good of the kingdom. This is all " we expect from you, and for this we ſhall return " to you our lives, fortunes and uttermoſt indeavors " to ſupport your Majeſty, your juſt ſovereignty and " power over us; but it is not words which can " ſecure us in theſe our humble deſires: we cannot " but too well and ſorrowfully remember, what " gracious meſſages we had from you this ſummer, " when with your privity the bringing up the " army was in agitation; we cannot but with the " like affections recal to our minds how, not two " days before you gave directions for the above- " mentioned accuſation, and your own coming to " the commons houſe, that houſe received from " your Majeſty a gracious meſſage, that you would " always have a care of their privileges, as of your " own prerogative; of the ſafety of their perſons, " as of your own children. That which we ex- " pect, which will give us aſſurance that you have " no thought but of peace and juſtice to your " people, muſt be ſome real effect of your good- " neſs to them, in granting thoſe things which the " preſent neceſſity of the kingdom doth inforce us " to deſire: and, in the firſt place, that your Ma- " jeſty will be graciouſly pleaſed to put from you " thoſe wicked and miſchievous counſellors, who " have cauſed all theſe dangers and diſtractions,

" and

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" and to continue your own reſidence, and the " Prince's, near London and the parliament, which " we hope will be a happy begining of content- " ment and confidence betwixt your Majeſty and " your people, and be followed with many ſuc- " ceeding bleſſings of honor and greatneſs to your " Majeſty, and of ſecurity and proſperity to them.

" The lords and commons have commanded us " to preſent unto your Majeſty this farther addition " to their former declaration.

" That your Majeſty's return, and continuance " near the parliament, is a matter in their appre- " henſion of ſo great neceſſity and importance, " toward the preſervation of your royal perſon and " your kingdoms, that they cannot think they " have diſcharged their duties, in the ſingle ex- " preſſion of their deſire, unleſs they add ſome far- " ther reaſons to back it with.

" 1. Your Majeſty's abſenſe will cauſe men to " believe, that it is out of deſign to diſcourage the " undertakers, and hinder the other proviſions for " raiſing money for defenſe of Ireland.

" 2. It will very much hearten the rebels there, " and diſaffected perſons in this kingdom, as being " an evidence and effect of the jealouſies and " diviſions betwixt your Majeſty and your people.

" 3. That it will much weaken and withdraw " the affection of the ſubjects from your Majeſty, " without which a Prince is deprived of his chiefeſt " ſtrength and luſter, and left naked to the greateſt " dangers and miſeries can be imagined.

" 4. That it will invite and incourage the ene- " mies of our religion, and the ſtates in foreign " parts, to the attempting and acting their evil " deſigns and intentions towards us.

" 5. That it cauſeth a great interruption in the " proceedings of parliament.

" Theſe conſiderations threaten ſo great danger " to your Majeſty's perſon, and to all your domi- " nions, that, as your Majeſty's great council, " they hold it neceſſary to repreſent to you this " their faithful advice, that ſo, whatſoever fol- " loweth, they may be excuſed before God and " man."

It is needleſs to make any particular remarks on this declaration. The following anſwers and replies will beſt explain the nature of the quarrel between King Charles and his parliament, and the arguments of both. We muſt only obſerve in general that, according to the cuſtom of contending parties, each inſiſted largely upon points which were favorable, and lightly touched on ſuch as were diſadvantageous, or even quite paſſed them over, in their anſwers and replies.

Thus much is certain that, in the then ſituation of affairs, both King and parliament had but too much reaſon for miſtruſt, and that each labored to procure ſuch advantages as might inable them to attack or defend. As for the declarations, meſſages, anſwers, replies, theſe were only for the people, it being the intereſt of each to gain and amuſe them: but herein the parliament had a great advantage, by reaſon of the peoples prejudice againſt their Sovereign, to which he oppoſed only general promiſes, whereof he could give no aſſurance. This was extremely advantageous to the parliament, who pretended that, in order to confide in ſuch promiſes, it was neceſſary, his Majeſty ſhould begin with diveſting himſelf of what inabled him to break them. Hence becomes obvious the perplexing intricacy of this affair.

When the commitees of both houſes preſented to Charles the above declaration, and after its being read over in his preſenſe, he returned this general anſwer, extempore.

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The King's anſwer given extempore. March 9. Clarendon, p. 352. Ruſhworth, Vol. IV. p. 532.

" I Am confident that you expect not I ſhould " give you a ſpeedy anſwer to this ſtrange and " unexpected declaration; and I am ſorry (in the " diſtraction of this kingdom) you ſhould think " this way of addreſs to be more convenient than " that propoſed by my meſſage, of the twentieth " of January laſt, to both houſes.

" As concerning the grounds of your fears and " jealouſies, I will take time to anſwer particu- " larly, and doubt not but I ſhall do it to the ſatiſ- " faction of all the world. God in his good time " will, I hope, diſcover the ſecrets and bottoms " of all plots and treaſons; and then I ſhall ſtand " right in the eyes of my people: in the mean " time I muſt tell you, that I rather expected a " vindication for the imputation laid on me in " mr. Pym's ſpeech, than that any more general " rumors and diſcourſes ſhould get credit with " you.

" For my fears and doubts, I did not think " they ſhould have been thought ſo groundleſs or " trivial, while ſo many ſeditious pamphlets and " ſermons are looked upon, and ſo great tumults " are remembered, unpuniſhed, uninquired into: " I ſtill confeſs my fears, and call God to witneſs, " that they are greater for the true Proteſtant pro- " feſſion (1), my people and laws, than for my " own rights or ſafety; tho' I muſt tell you, I " conceive that none of theſe are free from danger.

" What would you have? Have I violated your " laws? Have I denied to paſs any bill for the " eaſe and ſecurity of my ſubjects? I do not aſk " you, what you have done for me.

" Have any of my people been tranſported with " fears and apprehenſions? I have offered as free " and general pardon, as yourſelves can deviſe. " All this conſidered, there is a judgment from " Heaven upon this nation, if theſe diſtractions " continue.

" God ſo deal with me and mine, as all my " thoughts and intentions are upright, for the " maintenance of the true Proteſtant profeſſion, " and for the obſervation and preſervation of the " laws of this land; and I hope God will bleſs and " aſſiſt thoſe laws for my preſervation.

" As for the additional declaration, you are to " expect an anſwer to it, when you ſhall receive " the anſwer to the declaration itſelf."

Next day, his Majeſty gave the commitee, in writing, that general anſwer which he had delivered verbally the day before.

He gives the deputies this anſwer in writing. P. 533.

After that, the earl of Pembroke, one of the commitee, aſking him, whether he would grant the militia, as was deſired by the parliament, for a time? " No (replied he) by God, not for an " hour (2)." This did him a vaſt prejudice. His principal concern was to ſatisfy the people, that his word might be relied on, and yet he manifeſted he had no intention to keep his promiſe made the parliament, " to grant the militia, when he ſhould know " for how long a term," ſince he refuſed granting it even for one hour.

His raſh reply to the earl of Pembroke. Ibid. Clarendon, 352.

If the parliament had thitherto repoſed but little confidence in King Charles's promiſes, this helped not to increaſe it. Contrariwiſe, the harſh and diſreſpectful treatment of that Prince by both houſes, in their declaration, highly irritated him, and rendered a rupture unavoidable. As to myſelf, I really believe, that the parliament's hard expreſſions to his Majeſty, in their declaration, were purpoſely in-

(1) Meaning the church of England, in oppoſition to Preſbyterianiſm. Rapin.

(2) Adding, " You have aſked that of me, in this, was never aſked of any King, and with which I will not truſt my wife aad children. Ruſhworth, Vol. IV. p. 533.

ſerted

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ſerted by the direction of ſome of his leading opponents, to widen the breach, and make a reconciliation impracticable. For, it may be preſumed, if Charles had then granted the militia for two or three months, both houſes would ſcarcely have known what uſe they ſhould put it to. They would not have had any pretenſe to imploy it againſt him, ſince he would have clearly demonſtrated it was not his fault their fears were not removed: but it is certain, he had to deal with heads abler than his own and thoſe of his council; beſide, he was then full of his deſign to ſeize Hull, which doubtleſs hindered him from ſeriouſly attending to what was moſt for his advantage.

Charles acquaints the houſe with his deſign to reſide at York. Clarendon, p. 353. Ruſhworth, Vol. IV. p. 533.

March fifteen, his Majeſty, being at Huntington, ſent a meſſage to both houſes, to inform them, that he intended to reſide at York for ſome time: he withal recommended to them the affairs of Ireland. As to the militia, he told them, "That, "he had always been ſo tender of the privileges of "parliament, that he had been ready and forward to retract any act of his own, which he "had been informed had trenched upon their "privileges; ſo he expected an equal tenderneſs in "them of his known and unqueſtionable privileges; "among which, he was aſſured it is a fundamental "one, 'that his ſubjects cannot be obliged to obey "any act, order, or injunction, to which his Majeſty hath not given his conſent:' that therefore, "he expected and required obedience from all his "ſubjects, to the laws eſtabliſhed, being reſolved "to keep the laws himſelf, and to require obedience to them from all his ſubjects."

Next day, the commons paſſed the following votes, which were approved by their lordſhips, viz.

Votes of the houſe of commons. March 16. p. 534.

"That the houſe ſhould inſiſt upon their former "votes concerning the militia.

"That the King's abſenſe, ſo far remote from "his parliament, was not only an obſtruction, but "might be a deſtruction to the affairs of Ireland.

"That when the lords and commons in parliament, which is the ſupream court of judicature "in the kingdom, ſhall declare what the law of "the land is, to have this not wholly queſtioned "and controverted, but contradicted, and a command, that it ſhould not be obeyed, is a high "breach of the privilege of parliament. (1)

Remark (1) The commons here uſed the equivocal word Parliament improperly (a). It is true, the parliament, which conſiſts of the two houſes, has a right to declare what is law; to make new and repeal old laws, becauſe the authority of both houſes, with the royal aſſent, is deemed the authority of the whole kingdom: but before now, the two houſes alone had never injoyed this right; nay, in ſtrictneſs, the two houſes cannot be called the parliament, becauſe the parliament is a body compoſed of three members †, and not two only.

† King, lords, and commons.

"That a commitee ſhall be appointed by the "houſe to join with a commitee of lords, to inquire where this meſſage was framed.

"That thoſe perſons who did adviſe his Majeſty "to abſent himſelf from the parliament, are enemies to the peace of this kingdom, and juſtly "ſuſpected to be favorers of the rebellion in Ireland, as are alſo thoſe who adviſed his Majeſty "to this meſſage.

It was alſo then unanimouſly reſolved upon the queſtion, by the peers in parliament,

Votes of the lords. Ibid. Clarendon, P. 354.

"That the ordinance of the lords and commons "in parliament, for the ſafety and defenſe of the "kingdom of England and dominions of Wales, "is not any way againſt the oath of allegiance.

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"That the ſeveral commiſſions, granted under "the great-ſeal to the lieutenants of the ſeveral "counties, are illegal and void.

"That whoſoever ſhall execute any power over "the militia of this kingdom and dominion of "Wales, by color of any commiſſion of lieutenancy, without conſent of both houſes of parliament, ſhall be accounted a diſturber of the "peace of this kingdom.

Moreover, both houſes voted, with one common conſent, "That the kingdom had been of late, and "ſtill is in ſo evident and imminent danger, both "from enemies abroad, and a Popiſh party at "home, that there is a moſt urgent and inevitable "neceſſity of puting his Majeſty's ſubjects into a "poſture of defenſe, for the ſafeguard both of his "Majeſty and his people.

"That the lords and commons, fully apprehending this danger, and being ſenſible of their "own duty to provide a ſuitable prevention, have "in ſeveral petitions addreſſed themſelves to his "Majeſty, for the ordering and diſpoſing of the "militia of the kingdom, in ſuch a way as was "agreed upon by the wiſdom of both houſes to "be moſt effectual and proper for the preſent "exigents of the kingdom; yet could not obtain "it, but his Majeſty did ſeveral times refuſe to "give his royal aſſent thereunto.

"That, in this caſe of extreme danger and of "his Majeſty's refuſal, the ordinance agreed on "by both houſes for the militia, doth oblige the "people, and ought to be obeyed by the fundamental laws of this kingdom.

"That ſuch perſons as ſhall be nominated deputy-lieutenants, and approved of by both houſes, "ſhall receive the commands of both houſes to "take upon them to execute their offices."

Theſe reſolutions were very precipitately taken, the houſes had not yet received Charles's anſwer to their declaration of the ninth of March. But as, by his laſt meſſage, he had ſufficiently manifeſted he intended not to depart from his right concerning the militia, they thought it needleſs to wait for a more particular notification. Some time after, his Majeſty ſent them this anſwer, in form of declaration.

The King's declaration to both houſes of parliament, in anſwer to that preſented him at Newmarket, March 9, 1641-2. (b)

"THO' the declaration lately preſented to us, "at Newmarket, from both our houſes of "parliament, be of ſo ſtrange a nature, in re- "ſpect of what we expected (after ſo many acts of "grace and favor to our people) and ſome expreſſions in it ſo different from the uſual language "to Princes, that we might well take a very long "time to conſider it; yet the clearneſs and uprightneſs of our conſcience to God, and love to "our ſubjects, have ſupplied us with a ſpeedy anſwer, and our unalterable affection to our people "prevailed with us to ſuppreſs that paſſion, which "might well enough become us upon ſuch an invitation. Ruſhworth, Vol. IV. p. 531. Clarendon, p. 361.

"We have reconſidered our anſwer, of the firſt "of this month, at Theobalds, which is urged to "have given juſt cauſe of ſorrow to our ſubjects. "Whoſoever looks over that meſſage (which was "in effect to tell us that, if we would not join with

(a) Ruſhworth (ubi ſupra) begins the preceding paragraph as I do; but our author only ſays, "When the parliament, &c."

(b) This declaration is without date; it was ſent from York, a few days after the King's coming thither. Clarendon, Vol. I. p. 361.

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" them in an act we conceived prejudicial and " dangerous to us and the whole kingdom, they " would make a law without us, and impose it " upon our people) will not think that a sudden an- " swer can be excepted to.

" We have little incouragement to replies of " this nature, when we are told, of how little " value our words are like to be with you; tho' " they come accompanied with all the actions of " love and justice (where there is room for actions " to accompany them) yet we cannot but disavow " the having any such evil council and counsellors, " to our knowledge, as are mentioned; and if " any such be discovered, we will leave them to " the censure and judgment of our parliament. " In the mean time, we could wish, that our own " immediate actions, which we avow, and our " honor might not be so roughly censured and " wounded, under that common stile of evil coun- " sellors.

" For our faithful and zealous affection for the " true Protestant profession, and our resolution to " concur with our parliament in any possible course " for the propagation of it, and the suppression of " Popery, we can say no more than we have " already expressed in our declaration to all our " loving subjects, published in Ireland by the ad- " vice of our privy-council, in which we indea- " vored to make as lively a confession of ourself " in this point as we were able, being most assured, " that the constant practise of our life hath been " answerable thereunto; and therefore we did " rather expect a testimony and acknowledgment " of such our zeal and piety, than those expressions " we met with in this declaration, of any design " of altering religion in this kingdom; and we " do (out of the innocence of our soul) wish, that " the judgments of heaven may be manifested upon " those who have, or had any such design. (1)

Remark (1) This article of his Majesty's an- swer seems very weak. For the parliament having, in their declaration, specified the reasons why they believed there was a settled design to alter religion in England, and his Majesty incouraged the authors, Charles only answers in generals.

" As for the Scotish troubles, we had well " thought, that those unhappy differences had " been wraped up in perpetual silence, by the act " of oblivion, which, being solemnly passed in the " parliaments of both kingdoms, stops our mouth " from any other reply, than to shew our great " dislike for reviving the memory thereof. (2)

Rem. (2) It is very obvious that Charles avoids entering into particulars upon this head, tho' being attacked by the parliament he might have vindicated himself, without infringing the peace between both kingdoms, or the act of oblivion.

" If the rebellion in Ireland (so odious to all " Christians) seems to have been framed and main- " tained in England, or to have any countenance " from hence, we conjure both our houses of par- " liament, and all our loving subjects whatsoever, " to use all possible means to discover and find such " out, that we may join in the most exemplary " vengeance upon them can be imagined; but we " must think ourselves highly and causelessly in- " jured in our reputation, if any declaration, action " or expression of the Irish rebels, any letters from " count Rosetti to the Papists for fasting and " praying, or from Tristram Whitecombe, of " strange speeches uttered in Ireland, shall beget " any jealousy, or misapprehension in our subjects, " of our justice, piety and affection; it being " evident to all understandings, that those mis- " chievous and wicked rebels are not so capable " of great advantage, as by having their false dis- " courses so far believed as to raise fears and " jealousies, to the distraction of this kingdom, " the only way to their security: and we cannot " express a deeper sense of the suffering of our " poor Protestant subjects in that kingdom, than " we have done in our often messages to both houses, " by which we have offered, and are still ready to " venture our royal person for their redemption; " well knowing that, as we are (in our own interest) " more concerned in them, so we are to make a " strict account to Almighty God for any neglect " of our duty, or their preservation. (3)

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Rem. (3) Here his Majesty goes on clearing himself from the suspicions conceived of him, with regard to Ireland, by generals and his own testi- mony: but these proofs, taken from his word and his other outward demonstrations, were not sufficient to satisfy all people. The parliament did not accuse him of being wanting in expressions of zeal for re- ducing Ireland, but of really neglecting it.

" For the manifold attempts to provoke our late " army, and the army of the Scots, and to raise " the faction in the city of London, and other " parts of the kingdom; if it be said, as relating " to us, we cannot without great indignation suffer " ourselves to be reproached, to have intended the " least force or threatening to our parliament, as " the being privy to the bringing up the army " would imply; whereas, we call God to witness, " we never had any such thought, or knew of any " such resolution concerning our late army. (4)

Rem. (4) We have seen, in the account of that conspiracy, what were the several projects of the conspirators, and that indeed they came to no re- solution, particularly as to bringing up the army to London. Charles certainly knew all the circum- stances of that plot; but as nothing was resolved, he artfully here confines himself to the denying that he was privy to any resolution; which is very true, there being no resolution taken. However, he knew of the design in general to gain the army, of which he mentions not a syllable.

" For the petition shewed to us by captain Legg, " we well remember the same, and the occasion of " that conference. Captain Legg being lately " come out of the north, and repairing to us at " Whitehall, we asked him of the state of our " army, and (after some relation made of it) he " told us, that the commanders and officers of the " army had a mind to petition the parliament, as " others of our people had done, and shewed us " the copy of a petition, which we read; and, " finding it to be very humble, desiring the parlia- " ment might receive no interruption in the refor- " mation of the church and state to the model of " Queen Elizabeth's days, we told him, we saw " no harm in it; whereupon he replied, that he " believed all the officers in the army would like " it, only he thought sir Jacob Ashly would be " unwilling to sign it, out of fear that it might " displease us. We then read the petition over " again, and then observing that, neither in matter " nor form, we conceived it could possibly give just " cause of offense, we delivered it to him again, " biding him give it to sir Jacob Ashly, for whose " satisfaction we had written C. R. upon it, to " testify our approbation: and we wish that the " petition might be seen and published, and then " we believe it will appear no dangerous one, not " a just ground for the least jealousies or misappre- " hension. (5)

Rem. (5) If we compare what King Charles says here of the contents of this petition, with that in- serted by lord Clarendon in his history, we shall find Clarendon's petition cannot be that which his said Majesty signed with C. R. This Prince's asseveration must be taken, to believe that this

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petition had nothing in it prejudicial to the parliament: for hitherto it has never appeared.

" For mr. Jermin, it is well known that he was " gone from Whitehall, before we received the " deſires of both houſes for the reſtraint of our " ſervants, neither returned he thither, or paſſed " over by any warrant granted by us after that " time. (6)

Rem. (6) It is certain, Jermin went beyond ſea by Charles's warrant. Poſſibly, his Majeſty had granted the warrant before he received the parliament's petition: but the parliament pretended the warrant was antedated.

" For the breach of privilege in the accuſation " of lord Kimbolton, and the five members of the " houſe of commons, we thought we had given ſo " ample ſatisfaction in our ſeveral meſſages to that " purpoſe, that it ſhould be no more preſſed againſt " us; being confident, if the breach of privilege " had been greater than was ever before offered, " our acknowledgment and retraction have been " greater than ever King hath given, beſide the " not examining how many of our privileges have " been invaded in defenſe and vindication of the " other; and therefore we hoped our true and " earneſt proteſtation, in our anſwer to your order " concerning the militia, would ſo far have ſatisfied " you of our intentions then, that you would no " more have entertained any imagination of any " other deſign than we there expreſſed. (7)

Rem. (7) His Majeſty was greatly miſtaken, in imagining bare proteſtations were capable of ſatisfying the parliament of the ſincerity of his intentions: nay, the very declaration he was anſwering might have convinced him of the contrary, ſince it was there ſaid in plain terms, his word was not to be relied on.

" But why the liſting of ſo many officers, and " entertaining them at Whitehall, ſhould be miſ- " conſtrued, we much marvel; when it is noto- " rioufly known, the tumults at Weſtminſter were " ſo great, and their demeanors ſo ſcandalous and " ſeditious, that we had good cauſe to ſuppoſe our " own perſon, and thoſe of our wife and children, " to be in apparent danger, and therefore we had " great reaſon to appoint a guard about us, and to " accept the dutiful tender of the ſervices of any of " our loving ſubjects; which was all we did to " the gentlemen of the inns of court.

" For lord Digby, we aſſure you in the word " of a King, that he had not our warrant to paſs " the ſeas, and had left our court before we ever " heard of the vote of the houſe of commons, or " had any cauſe to imagine, that his abſenſe would " have been excepted againſt.

" What your advertiſements are from Rome, " Venice, Paris, and other parts, or what the " Pope's nuncio ſollicits the Kings of France or " Spain to do, or from what perſons ſuch infor- " mations come to you, or how the credit and re- " putation of ſuch perſons have been ſifted and " examined, we know not; but are confident, no " ſober honeſt man in our kingdoms can believe, " that we are ſo deſperate, or ſo ſenſeleſs to enter- " tain ſuch deſigns, as would not only bury this " our kingdom in ſudden diſtraction and ruin, but " our own name and poſterity in perpetual ſcorn " and infamy; and therefore we could have wiſhed " that, in matters of ſo high and tender a nature " (wherewith the minds of our good ſubjects muſt " needs be ſtartled) all the expreſſions were ſo " plain and eaſy, that nothing might ſtick with " them with reflection upon us, ſince you thought " fit to publiſh it all.

" And having now dealed thus plainly and freely " with you, by way of anſwer to the particular " grounds of your fears, we hope (upon a due " conſideration, and weighing both together) you " will not find the grounds to be of that moment " to beget, or longer to continue a miſunderſtand- " ing betwixt us, or force you to apply yourſelves " to the uſe of any other power than what the law " hath given you, the which we always intend " ſhall be the meaſure of our own power, and " expect it ſhall be the rule of our ſubjects obe- " dience.

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" Concerning our fears and jealouſies; as we had " no intention of accuſing you, ſo are we ſure no " words ſpoken by us (on the ſudden) at Theobalds, " will bear that interpretation. We ſaid, for our " reſidence near you, we wiſh it might be ſafe and " honorable, that we had no cauſe to abſent ourſelf " from Whitehall; and how this can be a breach " of privilege of parliament we cannot underſtand. " We explained our meaning in our anſwer at " Newmarket, at the preſentation of this declara- " tion, concerning the printed ſeditious pamphlets " and ſermons, and the great tumults at Weſt- " minſter; and we muſt appeal to you and all the " world, whether we might not juſtly ſuppoſe our- " ſelf in danger of either: and if we were now at " Whitehall, what ſecurity have we, that the like " ſhall not be again, eſpecially if any delinquents " of that nature have been apprehended by the " miniſters of juſtice, and been reſcued by the " people, and ſo as yet eſcape unpuniſhed? If you " have not been informed of the ſeditious words " uſed in, and the circumſtances of thoſe tumults, " and will appoint ſome way for the examination " of them, we will require ſome of our learned " council to attend with ſuch evidence as may ſatisfy " you; and, 'till that be done, or ſome other courſe " be taken for our ſecurity, you cannot (with " reaſon) wonder that we intend not to be where " we moſt deſire to be.

" And can there yet want evidence of our " hearty and importunate deſire to join with our par- " liament, and all our faithful ſubjects, in defenſe of " the religion and public good of the kingdom? " Have we given you no other earneſt but words, " to ſecure you of theſe deſires? The very remon- " ſtrance of the houſe of commons (publiſhed in " November laſt) of the ſtate of the kingdom, " allows us a more real teſtimony of our good " affections, than words. That remonſtrance " valued our acts of grace and juſtice (8) at ſo " high a rate, that it declared the kingdom to be " then a gainer, tho' it charged itſelf, by bills of " ſubſidies and poll-money, with the levy of " ſix hundred thouſand pounds, beſide the con- " tracting of a debt to our Scotiſh ſubjects of two " hundred and twenty thouſand pounds. (9)

Rem. (8) Charles had hitherto ſpoken of his aſſent to the acts of this parliament, but as acts of grace. He began in this paper to add, of juſtice.

Rem. (9) In reality, the nation had been great gainers by theſe acts of grace and juſtice. But his Majeſty could not repreſent as a convincing proof of love for his people, his conſent that the illegal taxes, of his own impoſing, ſhould be aboliſhed, and the monopolies, authoriſed by himſelf, ſuppreſſed; eſpecially as it was not intirely in his power to refuſe aſſenting.

" Are the bills for the triennial parliament; " relinquiſhing our title of impoſing upon mer- " chandiſe, and power of preſſing ſoldiers; for " the taking away the ſtar-chamber, and high- " commiſſion courts; for the regulating of the " council-table, but words? Are the bills for the " foreſts, the ſtannary-courts, the clerk of the " market, and the taking away the votes of the " biſhops out of the lords houſe, but words? " Laſtly, what greater earneſt of our truſt and " reliance

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" reliance on our parliament could or can we give, " than the paſſing a bill for the continuance of this " preſent parliament? The length of which we " hope will never alter the nature of parliaments, " and the conſtitution of this kingdom, or invite " our ſubjects ſo much to abuſe our confidence, as " to eſteem any thing fit for this parliament to do, " which was not, if it were in our power to diſ- " ſolve it to-morrow. And after all theſe, and " many other acts of grace on our part (that we " might be ſure of a perfect reconciliation betwixt " us and all our ſubjects) we have offered, and are " ſtill ready to grant, a free and general pardon, " as ample as yourſelves ſhall think fit. Now if " theſe be not real expreſſions of the affection of " our ſoul, for the public good of our kingdom, " we muſt confeſs, that we want ſkill to manifeſt " them (10)

Rem. (10) A ſort of ſophiſtry runs quite thro' this article, conſiſting in the ſuppoſition that Charles had conſented to all theſe acts purely thro' love and affection for his people, which few perſons believed. Beſide, all theſe acts having been made only to ſuppreſs the abuſes introduced by this Prince himſelf, there was not ſeemingly any occaſion for thus expatiating on the matter.

" To conclude (altho' we think our anſwer al- " ready full to that point) concerning our return " to London; we are willing to declare, that we " look upon it as a matter of ſo great weight, as " with reference to the affairs of this kingdom, " and our own inclinations and deſires, that if all " we can ſay or do can raiſe a mutual confidence " (the only way with God's bleſſing to make us all " happy) and, by your incouragement, the laws " of the land, and the government of the city of " London, may recover ſome life for our ſecurity, " we will overtake your deſires, and be as ſoon " with you as you can wiſh; and in the mean time " we will be ſure that neither the buſineſs of Ire- " land, or any other advantage for this kingdom " ſhall ſuffer thro' our default, or by our abſenſe; " we being ſo far from repenting the acts of our " juſtice and grace, which we have already per- " formed to our people, that we ſhall with the " ſame alacrity be ſtill ready to add ſuch new ones, " as may beſt advance the peace, honor, and proſ- " perity of this nation."

Before the parliament received this anſwer, they ſent the King another petition, in reply to his ſudden anſwer to the declaration delivered at New-Market. Tho' theſe anſwers and replies be long and abound with repetitions, yet I think it neceſſary to inſert them at large, that the reader may be able to paſs impartial judgment upon this quarrel: for in affairs of this nature, and eſpecially in this which has given birth to two parties ſtill ſubſiſting in England, there is great danger of being miſled, if the ſincerity and prejudices of the hiſtorians, who are all of one or other party, be relied on. It will be therefore better to leave the reader at liberty to judge upon the parties own papers. Here follows the parliament's petition.

May it pleaſe your Majeſty,

An' 1642. Reply of both houſes to the King's anſwer given to their declaration. March 26. Ruſhworth, Vol. IV. p. 538. Clarendon. p. 367.

" YOUR Majeſty's loyal ſubjects, the lords " and commons in parliament, cannot " conceive, that the declaration, which your " Majeſty received from us at New-market, was " ſuch as did deſerve that cenſure your Majeſty " was pleaſed to lay upon us in that ſpeech, which " your Majeſty made to our commitees there, and " ſent in writing to both houſes; our addreſs there- " in being accompanied with plaineſs, humility " and faithfulneſs, we thought more proper for " removing the diſtraction of the kingdom, than " if we had then proceeded according to your Ma- " jeſty's meſſage of the 20th of January, by which your Majeſty was pleaſed to deſire, that " we would declare, what we intended to do for " your Majeſty, and what we expected to be done " for ourſelves: in both which we have been " very much hindered by your Majeſty's denial " to ſecure us, and the whole kingdom, by diſ- " poſing the militia, as we had diverſe times moſt " humbly petitioned; and yet we have not been " altogether negligent of either, having lately " made good proceedings, in preparing a book of " rates, to be paſſed in a bill of tonage and poun- " dage; and likewiſe the moſt material heads of " thoſe humble deſires, which we intended to " make to your Majeſty, for the good and con- " tentment of your Majeſty, and your people; but " none of theſe could be perfected before the king- " dom be put into ſafety, by ſettling the militia: " and until your Majeſty ſhall be pleaſed to con- " cur with your parliament in theſe neceſſary " things, we hold it impoſſible for you to give the " world, or your people ſuch ſatisfaction, con- " cerning the fears and jealouſies which we have " expreſſed, as we hope your Majeſty hath al- " ready received, touching that exception which " you were pleaſed to make to mr. Pym's ſpeech.

" As for your Majeſty's fears and doubts, the " ground whereof is from ſeditious pamphlets and " ſermons, we ſhall be as careful to indeavor the " removal, as ſoon as we ſhall underſtand what " pamphlets and ſermons are by your Majeſty in- " tended, as we have been to prevent all dange- " rous tumults. And if any extraordinary con- " courſe of people out of the city of Weſtminſter, " had the face and ſhew of tumult and danger, in " your Majeſty's apprehenſion, it will appear to " be cauſed by your Majeſty's denial of ſuch a " guard to your parliament as they might have " cauſe to confide in; and by taking into White- " hall, ſuch a guard for yourſelf, as gave juſt " cauſe of jealouſy to the parliament, and of ter- " ror and offenſe to your people. We ſeek no- " thing but your Majeſty's honor, and the peace " and proſperity of your kingdoms; and we are " heartily ſorry we have ſuch plentiful matter of " anſwer to that queſtion, Whether you had violat- " ed our laws?

" We beſeech your Majeſty to remember, that " the government of this kingdom, as it was in a " great part managed by your miniſters, before the " begining of this parliament, conſiſted of many con- " tinued and multiplied acts of violation of the " laws; the wounds whereof were ſcarcely healed, " when the extremity of all thoſe violations was " far exceeded, by the late ſtrange and unheard-of " breach of our Laws, in the accuſation of lord " Kimbolton, and five members of the commons " houſe, and in the proceedings thereupon, for " which we have received no full ſatisfaction,

" To your Majeſty's next queſtion, Whether " you had denied any bill for the eaſe and ſecurity " of your ſubjects? We wiſh we could ſtop in the " midſt of our anſwer, that with much thankful- " neſs we acknowledge, that your Majeſty hath " paſſed many good bills, full of contentment and " advantage to your people; but truth and neceſſi- " ty inforce us to add this, that, even in or a- " bout the time of paſſing thoſe bills, ſome deſign " or other hath been on foot; which if it had taken " effect, would not only have deprived us of the " fruit of thoſe bills, but have reduced us to a worſe " condition of confuſion, than that wherein the " parliament found us.

" And if your Majeſty had aſked us the third " queſtion, intimated in that ſpeech, What we had " done for yourſelf? Our anſwer would have been " much more eaſy; that we had payed two armies,

" where-

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" wherewith the kingdom was burdened laſt year; " and have undergone the charge of the war in " Ireland, at this time when, thro' the many o- " ther exceſſive charges and preſſures, your ſub- " jects have been exhauſted, and the ſtock of the " kingdom very much diminiſhed; which great " miſchiefs, and the charges thereupon inſuing, " have been occaſioned by the evil counſels ſo pow- " erful with your Majeſty, which have, and will, " coſt this kingdom more than two millions, all " which, in juſtice, ought to have been borne by " your Majeſty.

" As for that free and general pardon your Ma- " jeſty has been pleaſed to offer, it can be no ſe- " curity to our fears and jealouſies, for which your " Majeſty ſeems to propound it, becauſe they ariſe " not from any guilt of our own actions, but from " the evil deſigns and attempts of others.

" To this our humble anſwer to that ſpeech, we " deſire to add an information, which we lately " received from the deputy-governor of the mer- " chant-adventurers at Rotterdam, in Holland, that " an unknown perſon, appertaining to lord Digby, " did lately ſollicit one James Henley, a mariner, " to go to Elſenore, and to take charge of a ſhip " in the fleet of the King of Denmark, there pre- " pared, which he ſhould conduct to Hull; in " which fleet likewiſe, he ſaid, a great army was " to be tranſported: and altho' we are not apt to " give credit to informations of this nature, yet we " cannot altogether think it fit to be neglected, but " that it may juſtly add ſomewhat to the weight " of our fears and jealouſies, conſidering with " what circumſtances it is accompanied, with lord " Digby's preceding expreſſions in his letter to her " Majeſty and ſir Lewis Dives, and your Majeſty's " ſucceeding courſe of withdrawing yourſelf north- " wards from your parliament, in a manner very ſuit- " able and correſpondent to that evil counſel, which " we doubt will make much deeper impreſſion in " the generality of your people; and therefore, we " moſt humbly adviſe and beſeech your Majeſty, " for the procuring and ſetling the confidence of " your parliament, and all your ſubjects, and for " other important reaſons concerning the recovery " of Ireland, and ſecuring this kingdom, which " have been formerly preſented to your Majeſty; " you will be graciouſly pleaſed (with all conve- " nient ſpeed) to return to theſe parts, and to cloſe " with the counſel and deſire of your parliament, " where you ſhall find their dutiful affections and " indeavors ready to attend your Majeſty with " ſuch entertainment, as ſhall not only give your " Majeſty juſt cauſe of ſecurity in their faithfulneſs, " but other manifold evidences of their earneſt " intentions and indeavors to advance your Ma- " jeſty's ſervice, honor and contentment, and to " eſtabliſh it upon the ſure foundation of the peace " and proſperity of all your kingdoms."

This petition was preſented to his Majeſty at York, the twenty ſixth of March. He had already ſent his anſwer to the declaration of both houſes, and therefore mentions it in his anſwer to this laſt petition.

King Charles's anſwer *.

* It bears no date. Ruſhworth, Vol. IV. p. 539.

" IF you would have had the patience to have " expected our anſwer to your laſt declaration " (which, conſidering the nature of it, hath not " been long in coming) we believe you would have " ſaved your ſelves the labor of ſaying much of " this meſſage; and we could wiſh, that our " privileges in all parts were ſo ſtated, that this " way of correſpondence might be preſerved with " that freedom which hath been uſed of old; for " we muſt tell you, that if you may aſk any " thing of us by meſſage or petition, and in what " language (how unuſual ſoever) you think fit, " and we muſt neither deny the thing you aſk, " nor give a reaſon why we cannot grant it, with- " out being taxed with breaking your privileges, " or being counſeled by thoſe who are enemies of " the peace of the kingdom, and favorers of the " Iriſh rebellion (for we have ſeen your printed " votes, upon our meſſage from Huntington) you " will reduce all our anſwers hereafter into a very " little room. In plain Engliſh, it is to take away " the freedom of our vote, which were we but a " ſubject were high injuſtice; but being your " King, we leave all the world to judge what it " is. (1)

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Remark (1) The parliament ſuppoſed imminent danger, which obliged them to act after a manner unuſual, and King Charles ſuppoſed the government to be in its uſual and natural ſtate. This miſ-underſtanding continually returns in the papers of both ſides.

" Is this the way to compoſe all miſ-under- " ſtandings? We thought we ſhewed you one, " by our meſſage of the twentieth of January: if " you have a better, or a readier, we ſhall willingly " hearken to it, for hitherto you have ſhewed us " none. But why the refuſal to conſent to your " orders (which you call a denial of the militia) " ſhould be any interruption to it, we cannot un- " derſtand; for the militia (which we always " thought neceſſary to be ſetled) we never denied " the thing (as we told you in our anſwer of " the twenty eighth of January, to the petition of " the houſe of commons) for we accepted the per- " ſon (except for corporations) we only denied " the way: you aſk it by way of ordinance, and " with ſuch a preface, as we can neither with ju- " ſtice to our honor, or innocence, conſent to. You " exclude us from any power in the diſpoſition, or " execution of it together with you, and for a " time utterly unlimited. We tell you, we would " have the thing done; allow the perſons with " that exception; deſire a bill, the only good old " way of impoſing on our ſubjects; we are ex- " tremely unſatisfied what an ordinance is; but " well ſatisfied that, without our conſent it is no- " thing, not binding; and it is evident, by the " long time imployed in this argument, the ne- " ceſſity and danger were not ſo imminent, but a " bill might have well been prepared; which, " if it ſhall yet be done, with that due regard to us, " and care of our people, in the limitation of the " power and other circumſtances, we ſhall recede " from nothing we formerly expreſſed in that an- " ſwer to your order; otherwiſe, we muſt declare " to all the world, that we are not ſatisfied with, " or ſhall ever allow our ſubjects to be bound by " your printed votes, of the fifteenth or ſixteenth of " this month, or that, under pretenſe of declaring " what the law of the land is, you ſhall without " us make a new law, which is plainly the caſe of " the militia; and what is this, but to introduce " an arbitrary way of government? (2)

Rem. (2) It is no wonder this Prince and the parliament could not agree upon any one point, ſince they reaſoned upon different principles. His Majeſty ſuppoſed, that this ordering the militia, deſired by both houſes, ought to be done after the uſual manner; whereas the parliament pretended, that the danger the kingdom was in, and whereof his Majeſty was the cauſe, gave them a right to demand ſome extraordinary regulation, wherein the King ſhould not be concerned. Contrariwiſe, it is manifeſt, the reſtrictions propoſed by King Charles, in this article, left him at liberty to diſpute eternally, and to refuſe the bill which ſhould be preſented him, except it was abſolutely ineffectual for the parliament's purpoſes.

Concerning

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" Concerning Pym's ſpeech, you will have found, " by what lord Compton, and mr. Bainton " brought from us, in anſwer to that meſſage " they brought us, that as yet we reſt nothing " ſatisfied in that particular.

" As for the ſeditious pamphlets and ſermons, " we are both ſorry and aſhamed in ſo great variety, " and in which our rights, honors and authority " are ſo inſolently ſlighted and vilified, and in " which the dignity and freedom of parliament is " ſo much invaded and violated, it ſhould be " aſked of us to name any; the mentioning the " Proteſtation Proteſted, the Apprentices Pro- " teſtation, To your Tents, O Iſrael! or any " other, would be too great an excuſe for the reſt. " If you think them not worth your inquiry, we " have done: but we think it moſt ſtrange to be " told, that our denial of a guard (which we yet " never denied, but granted in another manner, " and under a command at that time moſt ac- " cuſtomed in the kingdom) or the denial of any " thing elſe (which is in our power legally to deny) " which in our underſtanding (of which God hath " ſurely given us ſome uſe) is not fit to be granted, " ſhould be any excuſe for ſo dangerous a con- " courſe of people; which, not only in our appre- " henſion, but (we believe) in the interpretation of " the law itſelf, hath been always held moſt tumul- " tuous and ſeditious. And we moſt wonder what, " and from whence come the inſtructions and in- " formations which thoſe people have, who can ſo " eaſily think themſelves obliged by the proteſta- " tion, to aſſemble in ſuch a manner, for the de- " fenſe of privileges, which cannot be ſo clearly " known to any of them, and ſo negligently paſs " over the conſideration and defenſe of our rights, " ſo beneficial and neceſſary for themſelves, and " ſcarce unknown to any of them, which by their " oaths of allegiance and ſupremacy (and even by " the ſame proteſtation) they are at leaſt equally " obliged to defend. And what interruptions ſuch " kind of aſſemblies may be to the freedom of " future parliaments (if not ſeaſonably diſcoun- " tenanced and ſuppreſſed) we muſt adviſe you to " conſider, as likewiſe whether both our powers " may not by ſuch means be uſurped, by hands " not truſted by the conſtitution of this kingdom. " For our guard, we refer you to our anſwer to " that declaration.

" By that queſtion of violating your laws, by " which we indeavored to expreſs our care and " reſolution to obſerve them; we did not expect " you would have been invited to have looked " back ſo many years, for which you have had ſo " ample reparation: neither looked we to be re- " proached with the actions of our miniſters (then " againſt the laws) while we expreſs ſo great a " zeal for the preſent defenſe of them; it being " our reſolution, upon obſervation of the miſchief " which then grew by arbitrary power (tho' made " plauſible to us by the ſuggeſtions of neceſſity and " imminent danger; and take you heed you fall " not into the ſame error upon the ſame ſuggeſtions) " hereafter to keep the rule ourſelf, and to our " power require the ſame from all others (3): but " above all, we muſt be moſt ſenſible of what " you caſt upon us, for requital of thoſe good bills " you cannot deny. We have denied any ſuch " deſign, and as God Almighty muſt judge " in that point between us, who knows our upright " intentions at the paſſing thoſe laws; ſo, in the " mean time, we defy the devil to prove, that " there was any deſign (with our knowledge or " privity) in or about the time of paſſing thoſe bills, " which, had it taken effect, could have deprived " our ſubjects of the fruit of them: and therefore " we demanded full reparation in this point, that " we may be cleared in the ſight of all the world, " and chiefly in the eyes of our loving ſubjects, " from ſo notorious and falſe an imputation as " this is.

REM. (3) Thoſe who undertake juſtifying King Charles's government, during the firſt fifteen years of his reign, do more than ever he pretended to do himſelf, as appears by this clauſe of his anſwer.

" We are far from denying what you have done; " for we acknowledge the charge our people have " ſuſtained in keeping the two armies, and in " relieving Ireland, of the which we are ſo ſenſible " that, in regard of thoſe great burdens our " people have undergone, we have and do patiently " ſuffer thoſe extreme perſonal wants, as our pre- " deceſſors have been ſeldom put to, rather than " we would preſs upon them; which we hope (in " time) will be conſidered on your parts. (4)

REM. (4) His Majeſty gloried in having ſuffered patiently, ſince this parliament, perſonal wants, which it had not been in his power to remedy or prevent.

" In our offer of a general pardon, our intent " was to compoſe and ſecure the general condition " of our ſubjects, conceiving that, in theſe times of " great diſtractions, the good laws of the land " have not been enough obſerved: but it is a " ſtrange world, when Princes proffered favors " are accounted reproaches. Yet if you like not " this our offer, we have done.

" Concerning any diſcourſe of foreign forces, " tho' we have given you a full anſwer in ours to " your laſt declaration, yet we muſt tell you, we " have neither ſo ill an opinion of our own merit, " or the affections of our good ſubjects, as to think " ourſelf in need of any foreign force to preſerve " us from oppreſſion (and we ſhall not need for " any other purpoſe) but are confident (thro' God's " providence) not to want the good wiſhes and " aſſiſtance of the whole kingdom, being reſolved " to build upon that ſure foundation, the law of " the land. We take it very ill, that any general " diſcourſes between an unknown perſon and a " mariner, or inferences upon letters, ſhould be " able to prevail in matters ſo improbable in them- " ſelves, and ſcandalous to us; for which we can- " not but likewiſe aſk reparation, not only for " the vindicating our own honor, but alſo thereby " to ſetle the minds of our ſubjects, whoſe fears " and jealouſies would ſoon vaniſh, were they not " fed and maintained by ſuch falſe and malicious " rumors as theſe.

" For our return to our parliament, we have " given you a full anſwer in ours to your declara- " tion, and you ought to look on us as not gone, " but driven (we ſay not by you, yet) from you. " And if it be not ſo eaſy for you to make our " reſidence in London ſo ſafe as we could deſire, " we are, and will be contented, that our parlia- " ment be adjourned to ſuch a place, where we may " be fitly and ſafely with you: for altho' we are " not pleaſed to be at this diſtance, yet ye are not " to expect our preſenſe, until ye ſhall both ſecure " us concerning our juſt apprehenſions of tumul- " tuary inſolencies, and likewiſe give us ſatisfaction " for thoſe inſupportable and inſolent ſcandals " which are raiſed upon us. (5)

REM. (5) Charles took care not to return to London, at a time when he was going to attempt ſecuring Hull. The terms he required for his re- turn were ſo undeterminate, that they would have furniſhed matter for a tedious diſpute.

" To conclude, as we have or ſhall not refuſe " any way agreeable to juſtice or honor, which " ſhall be offered to us for the begeting a right " underſtanding between us; ſo we are reſolved, " that no ſtraits or neceſſities (to which we may

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" be driven) ſhall ever compel us to do that which " the reaſon and underſtanding God hath given " us, and our honor and intereſt with which God " hath truſted us, for the good of our poſterity " and kingdom, ſhall render unpleaſant and grie- " vous unto us.

" And we aſſure you that (how meanly ſoever " you are pleaſed to value the diſcharge of our " public duty) we are ſo conſcious to ourſelf of " having done our part ſince this parliament, that, " in whatſoever condition we now ſtand, we are " confident of the continued protection of Almighty " God, and the conſtant gratitude, obedience and " affection of our people, and we ſhall truſt God " with all."

Theſe papers ſufficed not to induce either King or parliament to alter their meaſures. The parliament was reſolved to diveſt King Charles of having the militia at his diſpoſal, and his ſaid Majeſty was as fully determined not to give up that point.

Both houſes name the earl of Warwick to command the fleet. March 28. Ruſhworth, Vol. IV. p. 543. Clarendon, p. 375.

On this anſwer, both houſes ſent Charles a meſſage, directing the lord-keeper to incloſe it in a letter to the ſecretary attending his Majeſty at York, to inform him, that the lord admiral's indiſpoſition diſabling him from perſonally commanding the fleet, they had recommended to his lordſhip the earl of Warwick, to ſupply his place: but underſtanding ſince, that his Majeſty had appointed ſir John Pennington for that charge, they intreated him not to prefer this latter to the earl of Warwick.

He is received againſt the King's will. March 31.

King Charles was highly inſenſed at this meſſage, which was not by way of petition or declaration, and ſent the lord-keeper word, that his reſolution was not to alter the perſon whom he had appointed. But he was not maſter: for, by the connivance of the earl of Northumberland, lord admiral, the earl of Warwick was acknowledged commander of the fleet; contrary to his Majeſty's will and without his conſent.

Papers touching the militia. Ruſhworth. Ibid.

Alſo about this time was diſperſed a paper, wherein the author examined, " How laws are to " be underſtood, and obedience yielded? A queſtion " neceſſary for the preſent ſtate of things touching " the militia. His Majeſty (ſays he) is intruſted " by law with the militia; but it is for the good " and preſervation of the people, and not againſt " them: ſo that when there is a well-grounded " ſuſpicion that the King intends to imploy the " militia againſt his people, he is not to be obeyed; " for it is not likely that the intent of the law is, " to inveſt the King with a power to be uſed " againſt his ſubjects." Such is the ſum of this writer's reaſoning, which was properly that of both houſes. Charles, having peruſed this paper, ſent the peers a meſſage, requiring them to find out the author of ſo pernicious a doctrine, and chaſtiſe him anſwerably to his demerits: yet did he not make any particular objections againſt the writer's principles and arguments.

April 22. P. 543.

P. 567.

While the militia affair was in agitation, Charles came to the gates of Hull with ſome troops; but ſir John Hotham denied him admitance, as will be ſeen preſently. It is eaſy to judge, this procedure of the King's ſerved not to remove the parliament's fears and ſuſpicions, and the rather as having paſſed a bill for ſetling the militia, as his Majeſty deſired, this bill had been rejected. The affair of Hull happening very ſoon after, the parliament thought no farther ceremony was to be uſed, imagining the King ſought only to amuſe and make them loſe time. However Charles, five or ſix days after his diſappointment at Hull, ſent a meſſage to the parliament, dated April twenty-eight, containing his reaſons for not conſenting to the militia bill, which had been preſented him. This meſſage ran thus: viz.

Charles rejects the militia bill.

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His meſſage to both houſes. April 28. Ruſhworth, Vol. IV. p. 554. Clarendon, p. 394.

" WE have, with great deliberation and " patience, weighed and conſidered (it con- " cerning us much to weigh the conſequences of " every law before we paſs it) your bill lately ſent " to us, for the ſetling of the militia; and tho' it " hath not been uſual to give any reaſons for our " refuſal to paſs any bill (it being abſolutely in our " power to paſs or not paſs any act ſent unto us " by you, if we conceive it prejudicial to ourſelf, " or inconvenient for our ſubjects, for whom we " are truſted, and muſt one day give an account) " yet in this buſineſs of the militia which, being " miſunderſtood among our good ſubjects, hath " been uſed as an argument, as if we were not " vigilant enough for the public ſafety: and leſt " we ſhould be thought leſs conſtant in our reſo- " lutions, and this bill to be the ſame we ſent unto " you; we have thought fit to give you and all " the world particular ſatisfaction, why we muſt " not, ought not, cannot paſs this bill, being the " firſt public bill, to our remembrance, we have " refuſed this parliament; and therefore we muſt " complain that, having expreſſed ourſelf ſo clearly " and particularly to you in this point, you ſhould " preſs any thing upon us which you could not " but foreſee that we muſt refuſe, except we de- " parted from thoſe reſolutions, grounded upon ſo " much reaſon, which we had ſo earneſtly before " acquainted you with, and againſt which you " have not given one argument to ſatisfy our " judgment.

" We are pleaſed that you have declined the " unwarrantable courſe of your ordinance (to the " which we are confident our good ſubjects would " never have yielded conſent) and choſen this only " right way of impoſing on our people, which we " would have allowed, but for the reaſons hereafter " mentioned.

" We refuſed to conſent to your ordinance, as " for other things, ſo for that the power was put " into the perſons nominated therein, by direction " of both houſes of parliament, excluding us from " any power in the diſpoſition or execution of it " together with you. We then adviſed you, for " many reaſons, that a bill ſhould be prepared, " and after, in our anſwer, of the twenty-ſixth of " March laſt, to the petition of both houſes, we " told you, if ſuch a bill ſhould be prepared with " that due regard to us, and care of our people, " in the limitation of the power and other cir- " cumſtances, we ſhould recede from nothing we " formerly expreſſed. (1)

Remark (1) Whether King Charles was right or wrong concerning the militia affair, it is certain his deſign at firſt was only to amuſe the parliament; and this is what he ſtrives to conceal in this article.

" What paſſed (enough to have diſcouraged us " from being farther ſollicitous in that argument) " after our full and gracious anſwers, we are con- " tent to forget. When we reſolved on our journey " into Ireland (ſo that by reaſon of our abſenſe " there might be no want of ſetling that power) " beſide complying with your fears, we ſent, to- " gether with a meſſage of that our purpoſe, a bill " for the ſetling that power for a year, hoping in " that time to return to you; and being ſure that " in much leſs time you might do the buſineſs for " which you ſeemed at firſt to deſire this, which " was, that you might ſecurely conſider our miſ- " ſage of the twentieth of January laſt. By that " bill, we conſented to thoſe names which were " propoſed in your ordinance, and in the limitation " of the power, provided that ourſelf ſhould not " be able to execute any thing but by your advice; " and when we ſhould be out of the kingdom, the " ſole execution to be in you; with many other

" things

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" things of ſo arbitrary and uncircumſcribed a " power, that we ſhould not have conſented to, " but with reference to the abſenſe of our own " perſon out of the kingdom, and thought it the " more ſufferable, in reſpect the time was but for " a year. Whether this be the bill you have now " ſent us to paſs, let all the world judge. (2)

REM. (2) Lord Clarendon frankly acknowledges Charles's offer of paſſing over to Ireland was all a ſtratagem. Since therefore that Prince had no deſign of going thither, it follows, that the bill he had ſent to both houſes, and which he pretended he ſhould not have conſented to but with reference to his abſenſe, was no other than a mere amuſement. We ſee here, that the general limitations he had annexed to his former ingagement, were not without deſign. He knew how to particulariſe them in the bill he ſent the parliament, and was very ſenſible it would not be received with all theſe reſtrictions. Thus his aim, in this clauſe, was only to color the pretenſe he had uſed in his original promiſe with reſpect to the militia.

" You have, by this bill now tendered to us " (without taking notice of us) put the power of " the whole kingdom, the life and liberty of the " ſubjects, of all degrees and qualities, into the " hands of particular men, for two years. Can you " imagine we will truſt ſuch an abſolute power in " the hands of particular perſons, which we refuſe " to commit to both houſes of parliament? Nay, " is not the power itſelf too abſolute, too unlimited " to be commited to any private hands? Hath not " ſir John Hotham's high inſolence ſhewed us what " we may expect from an exorbitant legal power, " when he, by a power not warranted by law, dares " venture upon a treaſonable diſobedience (3)? " But we would willingly know (and indeed ſuch " an account in ordinary civility we might have " expected) why we are, by this act, abſolutely " excluded from any power or authority in the " execution of this militia. Sure your fears and " jealouſies are not of ſuch a nature as are capable " of no other remedy, than by leaving us no " power in a point of the greateſt importance, in " which God and the law have truſted us ſolely, " and which we are contented to ſhare with you by " our bill, by puting it, and a greater, into the " hands of particular ſubjects? What would all " Chriſtian Princes think of us, after we had paſſed " ſuch a bill? How would they value our ſove- " reignty? And yet, ſure our reputation with foreign " Princes is ſome ground of your ſecurity: nay, " we are confident, by that time you have " thoroughly conſidered the poſſible conſequence of " the bill upon yourſelves, and the reſt of our " good ſubjects, you and they will give us thanks " for not conſenting to it, finding their condition " (had it paſſed) not to have been ſo pleaſing unto " them. We hope this animadverſion will be no " breach of your privileges, in this throng of " buſineſs and diſtemper of affections; it is poſſible " that ſecond thoughts may preſent ſomething to " your conſideration, which eſcaped you before.

REM. (3) It was but five or ſix days ſince ſir John Hotham denied him entrance into Hull (a).

" We paſſed this parliament, at your intreaty, " a bill concerning the captives of Algiers, and " waved many objections of our own to the con- " trary, upon information, that the buſineſs had " been many months conſidered by you. Whether " it prove ſuitable to your intentions, or whether " you have not by ſome private order ſuſpended " that act of parliament, upon view of the " miſtakings, you beſt know; as likewiſe, what " other great alterations you have made in other " bills paſſed this ſeſſion. We cannot paſs over " the puting their names out of this bill, whom " before you recommended to us in your ordinance, " it ſeems, not thinking fit to truſt thoſe who " would obey no guide but the law of the land " (we imagine you would not wiſh we ſhould, in " our eſtimation of others, follow that your rule) " and the leaving out, by ſpecial proviſion, the " preſent lord-mayor of London, as a perſon in " your diſfavor; whereas we muſt tell you, his " demeanor hath been ſuch, that the city and the " whole kingdom are beholding to him for his ex- " ample. (4)

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REM. (4) It was ſir Richard Gurney who was then lord-mayor of London, and intirely devoted to his Majeſty.

" To conclude, we do not find ourſelf poſſeſſed " with ſuch an exceſs of power, that it is fit to " transfer, or conſent it ſhould be in other perſons, " as is directed by the bill; and therefore we ſhall " rely upon that royal right and juriſdiction which " God and the law have given us, for the ſup- " preſſion of rebellion, and reſiſting foreign in- " vaſion, which have preſerved this kingdom in " the time of all our anceſtors, and which, we " doubt not, but we ſhall be able to execute; and, " not mere for our own honor and right, than for " the liberty and ſafety of our people, we cannot " conſent to paſs this bill.

Declaration of the lords and commons, concerning his Majeſty's laſt meſſage about the militia.

" THE lords and commons, holding it neceſ- " ſary, for the peace and ſafety of this king- " dom, to ſetle the militia thereof, did, for that " purpoſe, prepare an ordinance of parliament, " and with all humility did preſent the ſame to his " Majeſty, for his royal aſſent; who, notwith- " ſtanding the faithful advice of his parliament, " and the ſeveral reaſons offered by them of the " neceſſity thereof, for the ſecuring of his Ma- " jeſty's perſon, and the peace and ſafety of his " people, did refuſe to give his conſent; and there- " upon they were neceſſitated, in diſcharge of the " truſt repoſed in them, as the repreſentative body " of the kingdom, to make an ordinance, by au- " thority of both houſes, to ſetle the militia, war- " ranted thereunto by the fundamental laws of the " land: (1)

Rushworth, Vol. IV. p. 545. May 5. Clarendon, p. 406.

REMARK (1) This fundamental law was no other than the law of nature, which allows every man to provide for his own defenſe when he ſees himſelf expoſed to danger, and ſuch was the caſe the parliament ſuppoſed themſelves in: for, otherwiſe, there was no poſitive law which gave the two houſes of parliament ſuch a power.

" His Majeſty, taking notice thereof, did by ſe- " veral meſſages invite them to ſetle the ſame by " act of parliament; affirming, in his Majeſty's " meſſage ſent in anſwer to the petition of both " houſes, preſented to his Majeſty at York, March " twenty-ſix, that he always thought it neceſſary the " ſame ſhould be ſetled, and that he never denied " the thing, only denied the way; and for the " matter of it, took exceptions only to the preface, " as a thing not ſtanding with his honor to conſent " to, and that himſelf was excluded in the execu- " tion, and for a time unlimited. Whereupon the " lords and commons, being deſirous to give his " Majeſty all ſatisfaction that might be, even to " the leaſt tittle of form and circumſtance; and " when his Majeſty was pleaſed to offer them a bill " ready drawn, did, for no other cauſe than to

(a) Lord Clarendon places this meſſage before the King's going to Hull. See Vol. I. p. 396.

" manifeſt

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" manifeſt their hearty affection to comply with his " Majeſty's deſires, and obtain his conſent, enter- " tain the ſame, in the mean time no way de- " clining their ordinance, and to expreſs their " earneſt zeal to correſpond with his Majeſty's " deſire (in all things which might conſiſt with " the peace and ſafety of the kingdom, and " the truſt repoſed in them) did paſs that bill, " and therein omited the preamble inſerted before " the ordinance, limited the time to leſs than two " years, and confined the authority of the lieute- " nants to theſe three particulars, namely, rebel- " lion, inſurrection and foreign invaſion, and re- " turned the ſame to his Majeſty for his royal aſ- " ſent. But all theſe expreſſions of affection and " loyalty, all theſe deſires and earneſt indeavors to " comply with his Majeſty, have (to their great " grief and ſorrow) produced no better affect than " an abſolute denial, even of that which his Ma- " jeſty by his former meſſages, as we conceive, " had promiſed; the advice of evil and wicked " councils receiving ſtill more credit with him than " that of his great council of parliament, in a mat- " ter of ſo high importance that the ſafety of his " kingdom, and the peace of his people depend " upon it. (2)

Rem. (2) If Charles, on his part, ſuppoſed the government to be in its natural ſtate, and that conſequently he ought to injoy all his prerogatives, the parliament made here a ſuppoſition which was not liable to fewer objections: viz. That, in the preſent juncture, his Majeſty ought to conſider them as his great council, and be guided by their directions.

" But now what muſt be the exceptions to this " bill? Not any ſure which were to the ordinance: " for a care was taken to give ſatisfaction in all " theſe particulars. Then the exception was, be- " cauſe that the diſpoſing and execution thereof " was refered to both houſes of parliament, and his " Majeſty excluded; and now that, by the bill, " the power and execution is aſcertained, and re- " duced to particulars, and the law of the realm " made the rule thereof, his Majeſty will not truſt " the perſons. The power is too great, too unli- " mited to truſt them with. (3)

Rem. (3) The parliament here pretends to ſhew, that they had regarded the King's complaints, and yet his Majeſty had refuſed to paſs the bill. They own that one of his complaints againſt the ordinance was, his being wholly excluded from having any thing to do in ſetling the militia. To demonſtrate therefore that Charles had reaſon to be ſatisfied with the bill, it ſhould have been ſaid, " And now that, by the bill, he is joined in the " execution with the two houſes." But inſtead of this, they ſay, " And now that the execution is " aſcertained, and the law of the realm made the " rule." It is eaſy to perceive that this is the direct contrary to his Majeſty's complaint.

" But what is that power? Is it any other, but " in expreſs terms to ſuppreſs rebellion, inſur- " rection and foreign invaſion? And who are " thoſe perſons? Are they not ſuch as were nomi- " nated by the great council of the kingdom, and " aſſented to by his Majeſty? And is it too great " a power to truſt thoſe perſons with the ſuppreſ- " ſion of rebellion, inſurrection and foreign in- " vaſion? Surely the moſt wicked of them who " adviſed his Majeſty to this anſwer cannot ſug- " geſt, but that it is neceſſary for the ſafety of his " Majeſty's royal perſon, and the peace of the " kingdom, ſuch a power ſhould be put in ſome " hands, and there is no pretenſe of exception to " the perſons: his Majeſty, for the ſpace of above " fifteen years together, thought not a power far " exceeding this to be too great to intruſt particular " perſons with, to whoſe will the lives and liberties " of his people by martial laws were made ſubject; " for ſuch was the power given to lord-lieutenants " and deputy-lieutenants, in every county of this " kingdom, and that without the conſent of his " people, or authority of law: but now, in caſe " of extreme neceſſity, upon advice of both houſes " of parliament for no longer ſpace than two years, " a leſſer power, and that for the ſafety of the " King and people, is thought too great to truſt " particular perſons with, tho' named by both " houſes of parliament, and approved of by his " Majeſty himſelf. And ſurely, if there be a ne- " ceſſity to ſetle the militia (which his Majeſty " was pleaſed to confeſs) the perſons cannot be " truſted with leſs power than this, to have it at all " effectual: and the precedents of former ages, " when there happened a neceſſity to raiſe ſuch a " power, never ſtraitened that power to a narrow " compaſs; witneſs the commiſſions of array in " ſeveral Kings reigns, and often iſſued out by the " conſent and authority of parliament. The lords " and commons therefore, intruſted with the ſafety " of the kingdom, and peace of the people (which " they call God to witneſs is their only aim) find- " ing themſelves denied theſe their ſo neceſſary " and juſt demands, and that they can never be " diſcharged before God and man, if they ſhould " ſuffer the ſafety of the kingdom, and peace of the " people, to be expoſed to the malice of the ma- " lignant party at home, or the fury of enemies a- " broad; and knowing no other way to incounter " the imminent and approaching danger, but by " puting the people into a fit poſture of defenſe, " do reſolve to put their ſaid ordinance in preſent " execution, and do require all perſons in authority, " by virtue of the ſaid ordinance, forthwith to " put the ſame in execution, and all others to " obey it, according to the fundamental laws of the " kingdom in ſuch caſes, as they tender the up- " holding of the true proteſtant religion, the ſafety " of his Majeſty's perſon, and his royal poſterity, " the peace of the kingdom, and the being of this " common-wealth.

Charles I An' 1642.

His Majeſty's anſwer to the parliament's declaration *.

" WE very well underſtand how much it " is below the high and royal dignity " (wherein God hath placed us) to take notice, " much more to trouble ourſelf with anſwering " thoſe many ſcandalous, ſeditious pamphltes, and " printed papers, which are ſcattered with ſuch " great licenſe throughout the kingdom (notwith- " ſtanding our earneſt deſire ſo often, in vain, preſ- " ſed for a reformation) tho' we find it evident, that " the minds of many of our weak ſubjects have " been, and ſtill are poiſoned by thoſe means, " and that ſo general a terror hath poſſeſſed the " minds and hearts of all men, that while the preſſes " ſwarm (and every day produceth new tracts " againſt the eſtabliſhed government of the church " and ſtate) moſt men want the courage, or the con- " ſcience to write, or the opportunity and incou- " ragement to publiſh ſuch compoſed, ſober ani- " madverſions as might either preſerve the minds " of our good ſubjects from ſuch infection, or re- " ſtore and recover them when they are ſo infected; " but we are contented to let ourſelf fall to any of- " fice which may undeceive our people, and to " take more pains this way, by our own pen, than " ever King hath done, when we find any thing " which ſeems to carry the authority or reputation of " either or both houſes of parliament, and will not " have the ſame refuted, or diſputed by common " and vulgar pens, 'till we are thoroughly inform- " ed, whether thoſe acts have in truth that coun- " tenance

* Without date. Ruſhworth, Vol. IV. p. 547. Clarendon, p. 408.

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" tenance and warrant they pretend; which re-
" gard of ours we doubt not but, in time, will re-
" cover that due reverence (the abſenſe whereof we
" have too much reaſon to complain of) to our
" perſon, and our meſſages, which in all ages hath
" been paid (and no doubt is due) to the crown of
" England.

" We have therefore taken notice of a printed
" paper, intitled, A Declaration of both Houſes of
" of Parliament, in anſwer to our laſt meſſage con-
" cerning the militia, publiſhed by command; the
" which we are unwilling to believe (both for the
" matter of it, the expreſſions in it, and the man-
" ner of publiſhing it) can reſult from the con-
" ſent of both houſes; neither do we know by
" what lawful command ſuch uncomely, irreverent
" mention of us, can be publiſhed to the world.
" And tho' declarations of this kind have of late
" (with too much boldneſs) broken in upon us, and
" the whole kingdom, when one or both houſes
" have thought fit to communicate their counſels
" and reſolutions to the people; yet we are unwil-
" ling to believe, that ſuch a declaration as this
" ſhould be publiſhed in anſwer to our meſſage,
" without vouchſafing at leaſt to ſend it to us as
" their anſwer: their buſineſs, for which they
" are met by our writ and authority, being to
" counſel us, for the good of our people, not to
" write againſt us to our people, and no conſent
" of ours for their long continuing together ina-
" bling them to do any thing, but what they were
" firſt ſummoned by our writ to do: at leaſt we
" will believe, tho' miſ-underſtanding and jealouſy
" (the juſtice of God will overtake the fomenters
" of that jealouſy, and the promoters and contri-
" vers of that miſ-underſtanding) might produce
" (to ſay no worſe) thoſe very untoward expreſ-
" ons, that if thoſe houſes had contrived that de-
" claration, as an anſwer to our meſſage, they
" would have vouchſafed ſome anſwer to the
" queſtion propoſed in ours; which we profeſ-
" ſed did, and muſt evidently prevail over our
" underſtanding; and, in their wiſdom and gra-
" vity, they would have been ſure to have ſtated
" the matters of fact, as (at leaſt to ordinary un-
" derſtandings) might be unqueſtionable; neither of
" which is done by that declaration.

" We deſire to know, why we were, by that
" act, abſolutely excluded from any power or au-
" thority in the execution of the militia; and we
" muſt appeal to all the world, whether ſuch an
" attempt be not a greater and juſter ground for
" fear and jealouſy in us, than any one which is a-
" vowed for thoſe deſtructive fears and jealouſies,
" which are ſo publicly owned, almoſt to the ruin
" of the kingdom. But we have been told, That
" we muſt not be jealous of our great council of
" both houſes of parliament: we are not, no more
" than they are of us, their King; and as hitherto
" they have not avowed any jealouſy of, or diſaf-
" fection to our perſon, imputed all to our evil
" counſellors, to a malignant party, who are not
" of their minds; ſo we do (and we do it from our
" ſoul) profeſs no jealouſy of our parliament, but
" ſome turbulent, ſeditious and ambitious natures,
" which (being not ſo clearly diſcerned) may have
" an influence even upon the actions of both houſes.
" And if this declaration hath paſſed by ſuch con-
" ſent (which we are not willing to believe) it is
" not impoſſible but that the apprehenſion of ſuch
" tumults, which have driven us from the city of
" of London, for the ſafety of our perſon, may
" make ſuch an impreſſion in other men (not able
" to remove from the danger) to make their con-
" ſent, or not own a diſſent in matters not agree-
" able to their conſcience or underſtanding.

" We mentioned, in that our anſwer, our diſ-
" like of the puting their names out of the bill,
" whom before they recommended to us, in their
" pretended ordinance; and the leaving out,
" by ſpecial proviſion, the preſent lord-mayor of
" London; to all which the declaration affords no
" anſwer to that our meſſage, and therefore we can-
" not ſuppoſe it was intended for an anſwer to that
" our meſſage; which whoſoever looks upon, will
" find to be in no degree anſwered by that decla-
" ration.

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" But it informs all our ſubjects, after the mention
" with what humility the ordinance was prepared
" and preſented to us (a matter very evident in the
" petitions and meſſages concerning it) and our re-
" fuſal to give our conſent, notwithſtanding the ſeve-
" ral reaſons offered of the neceſſity thereof, for the
" ſecuring of our perſon, and the peace and ſafety
" of our people (whether any ſuch reaſons were
" given, the weight of them, and whether they
" were not clearly and candidly anſwered by us,
" the world will eaſily judge) and that they were at
" laſt neceſſitated to make an ordinance, by autho-
" rity of both houſes, to ſetle the milita, warranted
" thereunto by the fundamental laws of the land:
" but, if that declaration had indeed intended to
" have anſwered us, it would have told our good
" ſubjects what thoſe fundamental laws of the land
" are, and where to be found; and would at leaſt
" have mentioned one ordinance, from the firſt be-
" gining of parliaments to this preſent parliament,
" which indeavored to impoſe any thing upon the
" ſubjects without the King's conſent; for of ſuch,
" all the inquiry we can make could never pro-
" duce us one inſtance. (1)

REMARK (1) Both King and parliament equally abuſed the term, " fundamental law." The parliament gave the name of fundamental law to the truſt placed in them by the people, which obliged the two houſes to take care of the public ſafety, when the kingdom was in danger, which was not properly a law. The King, on his ſide, would not own for fundamental, any but poſitive expreſs, and particular laws upon the caſe in queſtion, and required ſuch to be produced. It is eaſy for unbiaſſed perſons to ſolve this difficulty. If it is ſuppoſed, with the parliament, that King Charles intended to eſtabliſh arbitrary government, it is certain the parliament had a right to oppoſe it, by virtue of the truſt given them by the people, and as the repreſentative body of the nation; and in ſuch caſe it might be ſaid, they were ſupported by a fundamental law, or ſomething equivalent. But if, with this Prince, it is ſuppoſed, that the government was in its ordinary and natural ſtate, and there was no reaſon to ſuſpect him, it is certain, the parliament had no right to meddle with the militia, without his Majeſty's conſent. The whole conſiſts therefore in the truth or falſehood of theſe two ſuppoſitions.

" And if there be ſuch a ſecret of the law, which
" hath lain hid from the begining of the world to
" this time, and now is diſcovered, to take away
" the juſt, legal power of the King, we wiſh
" there be not ſome other ſecret (to be diſcovered
" when they pleaſe) for the ruin and deſtruction
" of the liberty of the ſubject: for, no doubt, if
" the votes of both houſes have any ſuch autho-
" rity to make a new law, it hath the ſame autho-
" rity to repeal the old, and then what will be-
" come of the long eſtabliſhed rights and liberties
" of the King and ſubject, and particularly of
" Magna Charta, will be eaſily diſcerned by the
" moſt ordinary underſtanding. (2)

REM. (2) Never were the peoples liberties in more danger of being deſtroyed than in the reign of Charles I, notwithſtanding Magna Charta, and the national laws. So, whatever his ſaid Majeſty alleged againſt the parliament, was no leſs ſtrong

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against himself. Beside, his reasoning could subsist but in virtue of the supposition mentioned in the preceding article, which was very far from being proved.

" It is true, we did (out of the tenderness of the " constitution of the kingdom, and care of the " law which we are bound to defend, and being " most assured of the unjustifiableness of the pre- " tended ordinance) invite and desire both our " houses of parliament to setle whatsoever should " be fit, of that nature, by act of parliament. " But were we therefore obliged to pass whatso- " ever should be brought to us of that kind? We " did say, in our answer to the petition of both " houses, presented to us, at York, the twenty sixth " of March last (and we have said the same in " other messages before) that we always thought " it necessary, the business of the militia should " be setled, and that we never denied the thing, " only denied the way; and we say the same still, " since the many disputes and votes upon lord- " lieutenants and their commissions (which were " begun by us or our father) had so discountenanced " that authority, which, for many years together, " was happily looked upon with reverence and " obedience for the people. We did, and do " think it very necessary, that some wholsome " law be provided for that business; but we " declared, in our answer to the pretended ordi- " nance, we expected that necessary power should " be first invested in us, before we consented to " transfer it to other men (3): neither could it " ever be imagined we could consent, that a " greater power should be in the hands of a " subject, than we were thought worthy to be " trusted with ourself. And if it shall not be " thought fit to make a new act or declaration in " this point, we doubt not but we shall be able " to grant such commissions, which shall very le- " gally inable those we trust, to do all offices " for the peace and quiet of the kingdom, if any " disturbance shall happen.

Rem. (3) There was no occasion to invest the King with power to suppress rebellions and insurrections, and repel invasions, in order to his transfering that power to others, since he was of course invested with it. But King Charles indeavors to color his denial, by representing that power as exorbitant.

" But that declaration saith, we were pleased to " offer them a bill ready drawn; and that they " (to express their earnest zeal to correspond " with our desire) did pass that bill; yet all that " expression of affection and loyalty, all that " earnest desire of theirs to comply with us, pro- " duced no better effect than an absolute denial, " even of what by our former messages (as that " declaration conceives) we had promised; and " so proceeds under the pretense of mentioning " evil and wicked councils, to censure and re- " proach us, in a dialect which, we are confi- " dent, our good subjects will read with much " indignation on our behalf. But sure, if that decla- " ration had passed the examination of both houses " of parliament, they would never have affirmed, " that the bill we refused to pass was the same " we sent to them, or have thought that our " message, wherein the difference and contra- " riety between the two bills is so particularly " set down, would be answered with the bare " avering them to be one and the same bill; no " more would they have declared (when our ex- " ceptions to the ordinance and the bill are so no- " toriously known to all our people) that, care be- " ing taken to give satisfaction in all the particu- " lars we had excepted against in the ordinance, " we had found new exceptions to the bill: and " yet this very declaration confesses, that our ex- " ception to the ordinance was that, in the dis- " posing and execution thereof, we were exclud- " ed; and was not this an express reason in our " answer for refusal of the bill, which this decla- " ration will needs confute? But the power was " no other than to suppress rebellion, insurrection " and foreign invasion; and the persons trusted, no " other than such as were nominated by the great " council of the kingdom, and assented to by us; " and that declaration asks, if that be too great a " power to trust these persons with? Indeed, while " so great liberty is used in voting and declaring " men to be enemies to the commonwealth (an " English phrase we scarcely understand) and in " censuring men for their service and attendance " upon our person, and in our lawful commands, " great heed must be taken into what hands we " commit such a power to suppress insurrection " and rebellion; and if insurrection and rebellion " have found other definitions than what the law " hath given them, we must be sure that no law- " ful power shall justify those definitions; and if " there be learning found out to make sir John " Hotham's taking arms against us, and keeping " our town and fort from us, no treason and re- " bellion, we know not whether a new discovery " may not find it rebellion in us to defend our- " selves from such arms, and so indeavor to reco- " ver what is so taken from us; (4) and therefore " it concerns us ('till the known law of the land " be allowed to be judge between us) to take heed " into what hands we commit such power.

Rem. (4) His Majesty always reasoned upon the supposition, that the government was in its natural state, and that there was no cause to suspect him; a supposition which was not granted.

" Beside, can it be thought that, because we are " willing to trust certain persons, we are obliged " to trust them in whatsoever they are willing " to be trusted? We say, no private hands are fit " for such a trust; neither have we departed from " any thing (in the least degree) we offered, or " promised before; tho' we might, with as much " reason, have withdrawn our trust from some " persons we before had excepted, as they did " from others whom they recommended. For the " power which we are charged to have commited " to particular persons, for the space of fifteen " years, by our commissions of lieutenancy, it is " notoriously known, that it was not a power " created by us, but continued very many years, " and in the most happy times this kingdom hath " injoyed; even those of our renowned predecessors " Queen Elizabeth, and our father of happy me- " mory, (5) and whatever authority was granted " by those commissions, which were kept in old " forms, the same was determined at our plea- " sure, and we know not, that they produced any " of those calamities, which might give our good " subjects cause to be so weary of them, as to run " the hazard of so much mischief, as that bill we " refused might possibly have produced.

Rem. (5) The example of King James I, is no good evidence. I very much question if, in times of peace, Queen Elizabeth ever made her subjects liable to be tried by martial law.

" For the precedents of former ages in the com- " missions of array, we doubt not but, when any " such are issued out, that the King's consent was " always obtained, and the commissions deter- " minable at his pleasure, and then what the extent " of power was will be nothing applicable to this " case of the ordinance.

" But whether that declaration hath refuted our " reasons for our refusal to pass the bill, or no, it " hath resolved and required all persons in authority " thereby to put the ordinance in present execution,

" and

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" and all others to obey it, according to the fundamental laws of the land. But we, whom " God hath truſted to maintain and defend thoſe " fundamental laws (which, we hope, he will bleſs " to ſecure us) do declare, that there is no legal " power in either or both houſes, upon any pretenſe whatſoever, without our conſent, to command any part of the militia of this kingdom; " nor hath the like ever been commanded by either " or both houſes, ſince the firſt foundation of the " laws of the land; and that the execution of, or " the obedience to that pretended ordinance is " againſt the fundamental laws of the land, againſt " the liberty of the ſubject, and the right of parliaments, and a high crime in any who ſhall " henceforth execute the ſame. And we do therefore charge and command all our loving ſubjects, " of what degree or quality ſoever, upon their " allegiance, and as they tender the peace of this " kingdom, from henceforth not to muſter, levy, " array, ſummon, or warn any of our trained-" bands, to riſe, muſter, or march, by virtue, or " under color of that pretended ordinance. And " to this declaration and command of ours we expect and require full ſubmiſſion and obedience " from all our loving ſubjects, upon their allegiance, " as they will anſwer the contrary at their perils; " and as they tender the upholding of the true Proteſtant religion, the ſafety of our perſon, our " royal poſterity, and the peace and being of this " kingdom."

Having given moſt of the papers, publiſhed on both ſides, concerning the militia, I ſhall, for the reader's better information, indeavor ſomewhat more fully to illuſtrate the ground of the rupture between King Charles and his parliament, which, in my brief remarks on ſundry paſſages of theſe papers, could not be done but very ſuccinctly.

State of the queſtion between King and parliament.

The parliament denied not that, in the ordinary courſe of government, the right of ſetling the militia, and appointing thoſe who were to command it under him, was ſolely in his Majeſty (1): but they affirmed that, in the preſent extraordinary caſe, it was incumbent on them to take care the kingdom periſhed not by the King's fault. The caſe they ſuppoſed was this: King Charles, for the ſpace of fifteen years, had labored to eſtabliſh abſolute power, and had actually eſtabliſhed it on diverſe occaſions. He had pretended, that he might govern without parliaments, and accordingly had not in twelve ſucceſſive years called any; during which interval, he had violated ſundry laws, and ruled deſpotically. Being, by the neceſſity of his affairs, conſtrained to call this preſent parliament, he had ſeemed to acknowledge the injuſtice of his former conduct, by giving his conſent to the good acts made for the redreſs of paſſed, and the prevention of future grievances: but at the very time he expreſſed ſuch extraordinary condeſcenſion for his ſubjects, and outward repentance for his faults, he ceaſed not deviſing means to render himſelf abſolute as before. The parliament from this procedure infered, that his condeſcenſion was mere external appearance; that, the firſt opportunity, he would revoke the acts he had conſented to, and which he conſtantly affected to term acts of grace, tho' they were really acts of juſtice: conſequently, it was neceſſary to put it out of his power to recede from what he had done, if he ſhould be ſo diſpoſed. The ſole method to prevent ſuch a deſign, was to put the realm's militia into ſafe hands, ſuch as ſhould not depend on the King, and hinder his having any power over the militia, leſt this power, either in him alone, or jointly with the two houſes, might inable him to break all the meaſures which ſhould be taken to obſtruct the execution of his deſigns. Charles I An' 1642.

It is evident the parliament did right or wrong, according as their ſuppoſition was true or falſe. Admit, for a moment, that their ſuppoſition was well-grounded, and that King Charles had really a deſign to render himſelf abſolute; ought the parliament, thro' pure regard for the ancient laws, to leave the Sovereign a power which inabled him to alter the government's conſtitution, and ſubvert once more thoſe very laws, wherein the ſubjects ſafety intirely conſiſted? Is it not obvious that, in ſuch a caſe, it was neceſſary to violate theſe laws, in order to eſtabliſh them more firmly? When therefore his ſaid Majeſty objected to the parliament ſuch laws as gave the Kings of England certain prerogatives, he manifeſtly ſuppoſed the government to be in its natural ſtate; but this parliament ſuppoſed the contrary. Conſequently, Charles's arguments could not make any impreſſion, becauſe they were not applicable to the caſe ſuppoſed by the parliament. Unfortunately, this Prince was forced to uſe againſt his parliament the very reaſons before alleged by the parliament and people againſt him, when he uſurped a deſpotic power. He complained, that the parliament founded their right on a pretended neceſſity which was never proved, and himſelf had formerly made uſe of a neceſſity ſtill more imaginary, to impoſe arbitrary taxes without conſent of parliament, contrary to the national laws.

But if, contrariwiſe, we ſuppoſe the parliament's ſuſpicion to be chimerical, and that King Charles never gave any room for them, at leaſt ſince the begining of this parliament, and that his profeſſions of governing according to law were ſincere, it is certain his arguments from the laws, cuſtoms and royal prerogatives were invincible; becauſe, in that caſe, there would not have been any the leaſt juſt pretenſe to diveſt him of his rights. The whole queſtion therefore was reduced to this ſingle point; Whether the King was ſincere, and his word to be relied on? But, unhappily for him, a fifteen years experience had convinced moſt of his ſubjects, that he would have eſtabliſhed a deſpotic government; the motives of his condeſcenſion, in the acts paſſed this parliament, were dubious, and his proteſtations, with regard to the future, uncertain. Thus the parliament had a great advantage over him, becauſe they had what was paſſed for warrant of their ſuſpicions, which was but too certain; whereas he could only offer the future, which had not a like certainty.

It was time for the declarations, anſwers and replies, concerning the militia, to end, ſince there was nothing new to be ſaid on that ſubject. Beſide, the parliament's ordinance was now executing in all places, where the people were willing to obey it. At length, May twenty-ſeven, Charles iſſued a proclamation, forbiding to execute the ordinance of the parliament, on pain to offenders of being declared diſturbers of the public peace (2). The parliament on their part, publiſhed a declaration, inhibiting

Proclamation againſt the ordinance. Ruſhworth, Vol. IV. p. 550.

Declaration of both houſes againſt it. Ib. p. 551.

(1) The commons were divided in their opinions about this point: ſome affirming, " That the power of the militia was " ſolely in the King, and ought to be left to him, and that the parliament never did, nor ought, to meddle with the ſame." And others, " That the King had not this power in him, but that it was ſolely in the parliament; and that if the King " refuſed to order the ſame according to the advice of the parliament, that then they, by the law, might do it without him." Whitelock, p. 55.

(2) Charles grounded this proclamation on a ſtatute, made in the ſeventh of Edward I, whereby it was inacted, " That " to the King it belongeth, by his royal ſeigniory, ſtreightly to defend wearing of armor, and all other force, againſt the " peace, at all times, when it ſhall pleaſe him, and to puniſh them who ſhall do contrary." See Ruſhworth, Vol. IV. p. 550.

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inhibiting all perſons to obey the King's proclamation, as being contrary to law. As this procedure might ſeem ſtrange, both houſes grounded their inhibition upon reaſons whereof I ſhall only relate the ſubſtance, ſince they may be readily conceived, as flowing from the above-ſpecified principles. They urged:

"That the queſtion is not, Whether it belongs "to the King or no, to reſtrain levying the militia? "but, if the King ſhall refuſe to diſcharge that "duty and truſt, Whether there be not a power "in the two houſes to provide for the ſafety of "the parliament, and peace of the kingdom? "That tho' the law affirms that power to be in "the King, it does not exclude thoſe in whom the "law hath placed a power for that purpoſe, as in "the courts of juſtice; yet can it not be reſtrained "by his Majeſty's command, by his great ſeal, "or otherwiſe; much leſs can the power of par-"liament be concluded by his Majeſty's com-"mand.

"That tho' the King is the fountain of juſtice "and protection, yet the acts of juſtice and pro-"tection are not exerciſed in his own perſon, but "by his courts and his miniſters; who muſt do "their duty therein, tho' the King, in his own "perſon, ſhould forbid them; and therefore, if "judgments ſhould be given by them againſt the "King's will, and perſonal command, yet are "they the King's judgments. Thus alſo, the "high court of parliament declares the King's "pleaſure in thoſe things which are requiſite there-"unto, and what they do herein hath the ſtamp "of royal authority, altho' his Majeſty do in his "own perſon oppoſe or interrupt the ſame: for "the King's ſupreme and royal pleaſure is ex-"erciſed and declared in this high court of law "and council, after a more eminent and obligatory "manner, than it can be by any perſonal act or "reſolution of his own.

"That, by the conſtitution and policy of this "kingdom, the King by his proclamation cannot "declare the law, contrary to the judgment and "reſolution of any of the inferior courts of juſtice, "much leſs againſt the high court of parliament; "for if it were admited that the King, by his pro-"clamation, may declare a law, thereby his pro-"clamations will in effect become laws, which "would turn to the ſubverting of the law of the "land, and the rights and liberties of the ſub-"jects."

Defect in the two houſes reaſoning.

Theſe are the main arguments alleged by the parliament, to ſhew that the King's proclamation was illegal. But there was a very manifeſt defect in this reaſoning. They repreſented the two houſes as alone compoſing the parliament, whereas it is certain, parliaments are compoſed of the King and both houſes, joined together and making but one body. What the parliament ſaid is therefore ſtrictly true, if the word parliament be underſtood in the ſenſe I mentioned, as a body conſiſting of King and two houſes. For, the King cannot, by his ſole will, ſubvert what has been ordained by the parliament, becauſe himſelf making a part, and the nobleſt part of the parliament, he would contradict himſelf, in forbiding a thing he had already ordained. But if, by parliament, the two houſes alone be underſtood, excluſive of the King, it cannot be ſaid that their declarations are the King's, or that they are more ſolemn and obligatory than the King's private will: for if they were, the government's conſtitution would be utterly ſubverted. This is ſo true, that, by retorting the argument alleged by both houſes againſt the King, it might, by that very reaſon, be demonſtrated, that they have power to make laws without the King's concurrence, which would be full as true as their ſaying, that the King's proclamations would be ſo many laws. It is therefore certain that, by the arguments they alleged againſt King Charles's proclamation, they furniſh invincible reaſons againſt their own ordinance: nevertheleſs, upon this ſophiſtry it was that they grounded all the authority they aſſumed to themſelves afterwards. They therefore greatly prejudiced themſelves by relying on ſuch weak arguments. Their right ſolely conſiſted in the ſuppoſition, that his Majeſty would have altered the government's conſtitution, which they had a lawful power to oppoſe by extraordinary methods, ſince the national laws, inſtead of affording them effectual remedies, did rather countenance Charles's deſigns. That Prince, on his part, founded his right upon the contrary ſuppoſition, i. e. that there was no danger from him; but that the parliament had undertaken to ſubvert the conſtitution of church and ſtate. Such was then the melancholy ſituation of England.

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I have related without interruption the militia buſineſs, which laſted however ſeveral months, that I might not be obliged to break the thread of my narrative; this affair being of the utmoſt importance, ſince it was the moſt immediate cauſe of the civil war which quickly inſued: but it was not the ſole tranſaction of this juncture. Wherefore, it will be requiſite we return to the time when I began to ſpeak of the militia, to take a view of other paſſages, no leſs material, and whereof ſome were not leſs conducive to the rupture.

Bills for excluding the biſhops and preſſing ſoldiers, paſſed.

Charles, having in February paſſed the two acts, ſo earneſtly deſired by the commons, viz. for the excluſion of the biſhops, and for preſſing of ſoldiers, ſent the following meſſage to both houſes:

The King's meſſage to both houſes, Feb. 14. 1641-2. Ruſhworth, Vol. IV. p. 553.

"That his having paſſed theſe two bills, being "of ſo great importance, and ſo earneſtly deſired "by both houſes, will ſerve to aſſure his parlia-"ment, that he deſires nothing more than the "ſatisfaction of his kingdom; yet, that he may "farther manifeſt to both houſes how impatient "he is, 'till he find out a full remedy to compoſe "the preſent diſtempers, he is pleaſed to ſignify:

"That he will by proclamation require, that all "ſtatutes made concerning recuſants be, with all "care, diligence and ſeverity, put in execution.

"That his Majeſty is reſolved, that the ſeven "condemned prieſts ſhall be immediately baniſhed, "if his parliament ſhall conſent thereunto. And "he will give preſent order, that a proclamation "iſſue, to require all Romiſh prieſts, within twenty "days, to depart the kingdom; and if any ſhall "be apprehended after that time, his Majeſty "aſſures both houſes, on the word of a King, that "he will grant no pardon to any ſuch, without "conſent of his parliament.

"And becauſe great and different troubles are "obſerved to ariſe, concerning the government and "liturgy of the church, his Majeſty declares, that "he will refer the whole conſideration to his par-"liament: but deſires not to be preſſed to any "ſingle act on his part, 'till the whole be ſo "digeſted and ſetled, by both houſes, that his "Majeſty may clearly ſee what is fit to be left, "as well as what is fit to be taken away.

"For Ireland, he will not refuſe to venture his "own perſon in that war, if his parliament ſhall "think it convenient for the reduction of that "kingdom.

"That he will moſt readily concur in any reſo-"lution their wiſdoms ſhall find out, which may "conduce to promote the trade of the kingdom."

The two houſes contented themſelves with thanking his Majeſty for paſſing the two bills, without returning any anſwer upon the other points.

The Queen being miſinformed, that there was a deſign to accuſe her of high treaſon, the parliament had

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had notice of it, and ſent to vindicate themſelves from this aſperſion. Her Majeſty anſwered, it was true, there was ſuch a report, but that ſhe gave little credit to it.

Letters from lord Digby intercepted. Ruſhworth, Vol. IV. p. 554. Clarendon, p. 337. Whitelock, p. 54.

Some letters of lord Digby, directed to the Queen, to ſir Lewis Dives his brother-in-law, and to ſecretary Nicholas (1) being intercepted, the parliament had them opened. It was found, that lord Digby, who was then at Middleburg in Zealand, counſeled his Majeſty to betake himſelf to a place of ſafety, and deſired the Queen to ſend him a cypher, that he might hold a correſpondence with her: there were alſo in the letters ſome ſharp expreſſions againſt the parliament. The two houſes ſent copies of theſe letters to their Majeſties, aſſuring them, that they were far from reflecting any thing upon the Queen, only they beſought her not to correſpond with lord Digby. Some days after, it was reſolved by the commons, that lord Digby ſhould be accuſed of high-treaſon.

He is accuſed of high treaſon.

Meſſage to his Majeſty concerning the Prince. Feb. 24, 1641-2.

February the twenty-fourth, a meſſage was ſent from both houſes to his Majeſty, to acquaint him with the reaſons why they deſired, that the Prince of Wales ſhould reſide at Hampton-court. The chief was, that the Prince's removal might be a cauſe to promote jealouſies and fears in the minds of his ſubjects: for the parliament miſſed no opportunity to let the people ſee there was occaſion to be alarmed. Charles in his anſwer intimated to them, that he did not think himſelf accountable for his conduct with regard to the Prince his ſon; and concluded with ſaying, "He could not imagine from what grounds theſe fears and jealouſies proceeded; but if any information had been given to that purpoſe, he deſired the ſame might be examined to the bottom; and then hoped their fears would be hereafter continued only with reference to his rights and honor."

The King's anſwer. Ruſhworth, Vol. IV. p. 556.

Propoſals about Ireland. p. 557. Clarendon, p. 355, 356.

About the ſame time, propoſals were made the parliament, for the ſpeedy raiſing money for the reduction of Ireland. Theſe propoſals were, That, to ſuch perſons as ſhould be willing to advance money for that ſervice, ſhould be alloted, according to a certain proportion, the rebels lands which ſhould be confiſcated. This was approved by both houſes, and an act paſſed accordingly; whereto his Majeſty gave the royal aſſent (2).

The Queen goes to Holland.

The Queen departed for Holland about the end of February.

Charles iſſues a proclamation againſt Papiſts. Ruſhworth, Vol. IV. p. 558.

March ſixteen, Charles, being at Stanford in his way to York, iſſued a proclamation for ſtrictly executing the laws againſt Papiſts. This proclamation was very needleſs, and ſerved only to ſhew that hitherto theſe laws had been ill executed. But thereby this Prince was deſirous to repel the imputation of his protecting and countenancing the Catholics, ſo much inſiſted on by his adverſaries among the people, as if this protection was a proof of his deſign to introduce Popery (3).

He informs the parliament of his deſign to paſs into Ireland. April 8. p. 560. Clarendon, p. 385.

Charles, as I obſerved, would fain have ſecured Hull, with the magazine there; but his deſign was yet a ſecret, and means were deviſing to put it in practiſe. To this end, very ſeemingly, he ſent the parliament a meſſage to acquaint them, that he had firmly reſolved on paſſing over to Ireland, to head the Engliſh troops: that therefore he intended to raiſe, by his commiſſions, in the counties near Weſt-Cheſter, a guard for his own perſon (when he ſhould be in Ireland) conſiſting of two thouſand foot, and two hundred horſe †; the charge of paying whereof he deſired them to take upon them. It was eaſy to foreſee that this propoſition would not then be accepted; for it was at the very juncture when the militia affair was moſt warmly debating: but his Majeſty hoped to reap ſome advantage, either from the approbation, or the denial. If the parliament conſented to it, Charles found he ſhould be able to imploy his pretended guard of two thouſand two hundred men, to render himſelf maſter of Hull: at leaſt, one can ſcarcely help thinking he had ſuch a deſign, conſidering what paſſed very ſuddenly after. If his propoſition was rejected, he flattered himſelf, that at leaſt he ſhould thereby convince the people of his ſincere deſire to reduce Ireland, and diſpel the rumors ſpread on that head, which would afford him occaſion to caſt the whole blame on the parliament. Accordingly, ſuch was the ſole uſe he afterwards made of this offer, which was but a ſtratagem, as lord Clarendon, in his hiſtory, acknowledges. But whether both houſes conſidered this propoſition of his Majeſty's as a ſnare, or as a real and ſincere offer, they thought not fit to give their conſent. Indeed, as matters then ſtood, it was no way proper to ſet this Prince at the head of an army in Ireland, and ſtill leſs, that he ſhould raiſe in England a guard of two thouſand two hundred men, when they were laboring with all their power to take from him all command of the militia, upon the foundation of the jealouſies conceived of him: for tho' hitherto they had been contented to accuſe only his counſellors, and a malignant party, of forming conſpiracies againſt the ſtate, it was nevertheleſs no other than a mere artifice to accuſe him himſelf. So, as they neither could nor would approve Charles's propoſition, they preſented him a petition, alleging:

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† To be armed from his magazine of Hull.

p. 393.

Both houſes petition the King. Ruſhworth, Vol. IV. p. 561. Clarendon, p. 387.

"That, having duly conſidered his Majeſty's meſſage, concerning his purpoſe of going into Ireland, to proſecute the war, which he was pleaſed to propound to them, not as a matter wherein he deſired the advice of the parliament, but as already firmly reſolved on, and forthwith to be put in execution, by granting out commiſſions for the levying of two thouſand foot and two hundred horſe, for a guard for his perſon; they could not but wonder, that a buſineſs of ſo great importance, and wherein they had a ſpecial intereſt, by thoſe great ſums which they had diſburſed, and for which they ſtood ingaged, ſhould be concluded and undertaken without their advice. And therefore they held it their duty to declare, that his going into Ireland would very much indanger the ſafety of his royal perſon and kingdoms, for the following reaſons.

"1. Becauſe his royal perſon would be ſubject not only to the caſualty of war, but to the ſecret practiſes and conſpiracies of the Papiſts.

"2. It would exceedingly incourage the rebels, who did generally profeſs and declare, that his Majeſty countenanced their proceedings, and that this inſurrection was undertaken by the warrant of his commiſſion.

(1) They were all incloſed in a cover to ſecretary Nicholas. Ruſhworth, Vol. IV. p. 554.

(2) It was propoſed, that two millions and a half of thoſe acres might be aſſigned, and divided among the adventurers, after this proportion; viz. For each adventure of 200 l. 1000 acres in Ulſter; of 300 l. 1000 acres in Conaught; of 450 l. 1000 acres in Munſter; of 600 l. 1000 acres in Leinſter. All according to the Engliſh meaſure, conſiſting of meadow, arable, and paſture, the bogs, woods and barren mountains being caſt in over and above, to be holden in free and common ſoccage of the King, with the conſtant rent of one penny each acre in Ulſter, one penny half penny in Conaught, two pence farthing in Munſter, three pence in Leinſter. Id. p. 556.

(3) The King, upon his coming to York, iſſued out a proclamation for the payment of tonage and poundage, tho' the act, whereby they were granted, was expired. Id. p. 559, 688.

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" 3. It would much increaſe the charge of the " war, and hinder the advance of money for ſup- " porting it; many of the adventurers, who had " already ſubſcribed, upon hearing his Majeſty's " intention, declaring their reſolution not to pay " in their money; and others, who were willing " to have ſubſcribed, now profeſſing the contrary.

" 4. His abſenſe would very much interrupt " the good proceedings of parliament.

" 5. It would exceedingly increaſe, and render " more probable, the jealouſies and fears of his " people, of ſome force intended by evil counſels " near his Majeſty, in oppoſition of the par- " liament.

" 6. It would bereave the parliament of that " advantage, whereby they were induced to under- " take that war, upon his Majeſty's promiſe, that " it ſhould be managed by their advice; which " could not be done, if his Majeſty, contrary to " their counſels, ſhould undertake to order and " govern it in his own perſon.

" Upon which reaſons both houſes declared, " that they could not conſent to any levies of " ſoldiers to be made by his Majeſty for his in- " tended expedition into Ireland, or to the pay- " ment of any army or ſoldiers there, but ſuch " as ſhould be imployed and governed according " to their advice and direction: that if any ſuch " levies ſhould be made, by any commiſſion of " his Majeſty (not agreed to by both houſes of " parliament) they ſhould be forced to interpret " the ſame to be raiſed to the terror of the people, " and diſturbance of the public peace, and hold " themſelves bound, by the laws of the kingdom, " to apply the authority of parliament to ſuppreſs " the ſame. And they farther declared, that if " his Majeſty ſhould, by ill counſel, be perſuaded " to go contrary to this advice of his parliament, " they ſhould not in that caſe hold themſelves " bound to ſubmit to any commiſſioners which " his Majeſty ſhould chuſe; but did reſolve to " preſerve and govern the kingdom by the counſel " and advice of parliament, for his Majeſty and " his poſterity, according to their allegiance and " the laws of the land (1)."

Ruſhworth, Vol. IV. p. 561.

To this petition Charles returned a long anſwer, and confuted all the parliament's reaſons, which indeed, conſidered in themſelves, were very weak. But if it is obſerved, that it was only ſix days ſince this Prince would have ſeized Hull, when the parliament preſented him their petition, it will not be thought ſtrange that they rejected his offer. Wherefore they loſt no time in replication, and the buſineſs reſted there, without any farther mention of Charles's pretended expedition into Ireland: only he made of it this advantage, he could ſay, he had offered to go in perſon, and indeavor the reduction of Ireland, but that his offer was rejected.

Extreme diſtruſt betwixt the King and parliament.

Hitherto we have ſeen how the breach between King and parliament widened daily. The diſtruſt was ſo great on both ſides, that it was ſcarcely poſſible they ſhould come to any tolerable accommodation. His Majeſty had no room for doubt there was a deſign to deprive him of great part of his authority; and the parliament, perceiving him not ignorant of this deſign, could not well queſtion he would privately take all poſſible meaſures to prevent the execution thereof: but this was not all. The parliament had alſo reaſon to apprehend that Charles would not confine himſelf to the defenſive, but, under color of ſtanding upon his guard, would put himſelf in a condition to attack. Before his accuſing the members of parliament, while the reſolution of depriving him of his power was not abſolutely taken, and many members were yet wavering, it would not perhaps have been impoſſible to find expedients for a pacification: but, by this fatal procedure, and his coming to the houſe of commons, he gave ſuch advantage to his enemies, who knew but too well how to improve it, that it was no longer practicable for him to recover the confidence of thoſe who 'till then had preſerved for him ſome favorable ſentiments. Beſide this, the deſign of diveſting him of his authority was a ſecret among ſome of the leaders of the party, who were laboring to accompliſh it gradually, without daring to be too open, ſo that it was not eaſy to be perfectly ſure they had really ſuch a deſign. But it was not ſo eaſy to deceive King Charles, who was chiefly concerned. He ſaw, that his authority was undermining by degrees, and readily perceived where this mine would finally terminate, if ſuffered to proceed. In this perplexity, he found it incumbent on him to take precautions, in order to oppoſe his adverſaries. But, on the other hand, he was ſenſible he ſhould ſully his cauſe if he fell upon the parliament itſelf, ſeduced by theſe able leaders, and thereby ſet the whole nation againſt him. This conſideration did, very ſeemingly, induce him to attack in particular lord Kimbolton, with five of the moſt powerful commoners, imagining they would be ſent to the Tower upon his accuſation, and then the parliament, as being no longer directed by theſe men, would be better diſpoſed to favor his purpoſes. He was not only deceived in his conjecture, but alſo injured himſelf irretrievably, in that the precaution he would have taken, to ſecure himſelf from the ſecret practiſes of certain particular perſons, paſſed for a ſetled deſign upon the whole parliament. He thereby confirmed the ſuſpicions which were infuſing into the people, that he was laboring to render himſelf abſolute, as he had formerly been; and thence naturally followed a neceſſity of diſabling him to execute this deſign.

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Then it was that this reſolution, taken firſt by ſome few, was approved by the majority, and indeavored to be effectually executed, by begining with the important affair of the militia: for, depriving this Prince of all power to command the militia, and lodging this power in the hands of perſons devoted to the parliament, was properly diſarming him intirely. King Charles's condition growing much worſe, he eaſily perceived that, as his enemies managed, there was not for him any medium between abſolute bondage, or rendering himſelf maſter. He was unwilling to be a ſlave, and it was difficult to become maſter, in his circumſtances, and eſpecially having to deal with very able and vigilant adverſaries. Very probably, in a belief of the impoſſibility to free himſelf from his preſent danger but by a war, he concluded on ſending his Queen into Holland to buy arms and ammunition; on withdrawing himſelf to York, and attempting to ſecure Hull, tho' he colored his deſigns with other pretenſes. He found this parliament reckoned among the pretended malignants, not only ſuch as openly appeared for him, but alſo thoſe who were for obſerving any moderation, and that many ſuffered themſelves to be drawn into the ſame combination thro' fear, and becauſe they could not be ſecure of protection, in caſe they declared againſt the two houſes. He was therefore of opinion, it behoved him chiefly to indeavor making himſelf able to protect thoſe who dared to eſpouſe his cauſe openly. But moreover, as the parliament never ceaſed infuſing ſuſpicions into the people, it was abſolutely requiſite he ſhould try to efface theſe

(1) Whitlock (p. 57.) obſerves, that this petition was looked upon by many as very ſtrange and high.

impreſſions

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impreſſions to him ſo detrimental. Hence, in all the papers he put forth relating to the militia, flowed thoſe reiterated expreſſions of his affection for his people, and his attachment to the laws. His aim was to convince the public, that the parliament acted directly contrary to law, in uſurping an authority which belonged not to them. As that was the very individual whereby King Charles had given his people occaſion to be prejudiced againſt him, he hoped the parliament's uſurpations would produce a like effect: but herein he was greatly miſtaken. The public was perſuaded that his ſaid Majeſty, without any provocation, had invaded the ſubjects privileges, during the firſt fifteen years of his reign; whereas, if the parliament had any how incroached upon their Sovereign's rights, it was in maintenance of the nation's liberties, and for revival of the laws.

Tho' it was not eaſy to prove, by unqueſtionable evidence, that King Charles had projected ſeizing, at once, the Tower of London, Portſmouth and Hull, yet was there ſo ſignal a probability of his having ſuch a project, that it would have been very imprudent in the parliament not to think of ſecuring thoſe places, in the then ſituation of affairs. Sir John Byron, lieutenant of the Tower, was a man devoted to his Majeſty. The earl of Newcaſtle had been ſent to Hull, under a borrowed name, and information was given, that he would have perſuaded the mayor to deliver him up that plaee. As for Portſmouth, the journey her Majeſty was to take thither on ſome pretenſe, and that aſſembling of officers at Kingſton, were more than ſufficient to breed ſtrong ſuſpicions on that account. Finally lord Clarendon frankly owns the King's deſigns upon Portſmouth and Hull, tho' he mentions not the Tower. Had theſe deſigns ſucceeded, Charles would have been maſter of the three chief fortreſſes in England, with the magazines of the Tower and Hull, and thereby inabled to cruſh his parliament. Theſe projects failing, as I have ſaid, his Majeſty indeavored, as beſt he could, to ſtifle them, and make them paſs for imaginary; but the two houſes had thereof quite other ſentiments. Accordingly, the commons never reſted 'till the lieutenancy of the Tower was given to one in whom they could confide, and Hotham diſpatched away to Hull. As for Portſmouth, the parliament, not miſtruſting Goring the governor, becauſe he was the perſon who diſcovered the plot to ſeduce the army, were contented with ſending him ſuch orders as they judged ſufficient for its preſervation. Thenceforwards, there was no farther mention of Portſmouth; for Charles found means to gain colonel Goring, who promiſed to declare for him at a convenient time, and performed his promiſe.

Rushworth, Vol IV. p. 564.

p. 569, &c.

Notwithſtanding Charles's bad ſucceſs in his ſecret undertaking, he perſiſted in his deſign of forcibly freeing himſelf from the ſervile condition to which it was intended to reduce him, perceiving it would be impoſſible for him to ſucceed by any other method. To this end, doubtleſs, he ſent his Queen to Holland, and having but little money, put into her hands the crown-jewels, which were imployed in buying arms and ammunition. Had her Majeſty's voyage been only to conduct over Princeſs Mary to the Prince her conſort, and to drink the Spa-waters, there would have been no occaſion to give her wherewithal to purchaſe arms and ammunition. Very ſeemingly therefore, King Charles from this time thought of war, whether offenſive, or defenſive only, cannot be aſcertained: but his attempt upon Hull, where was a magazine of arms for ſixteen thouſand men, is a ſtill clearer evidence. He himſelf had cauſed theſe arms to be brought to Hull when he had reſolved to commence war with Scotland.

Annals, Whitlock, Ludlow.

Rushworth, Vol. IV. p. 564.

When the parliament diſpatched ſir John Hotham down to Hull, his Majeſty complained not of it; whether he was apprehenſive of being reproached with attempting to ſeize that place, or to amuſe the parliament, and prevent their taking greater precautions. Mean while, both houſes, finding the King at a diſtance from London, and fearing for Hull, on account of the magazine there, petitioned him, to order the magazine to be removed to the Tower of London. Charles replied; "He rather expected that both houſes would have "given him an account, why a governor and "gariſon had been placed in Hull, without his "knowledge, than to be moved to conſent for "the removal to the Tower of a magazine, which "were his own proper goods, upon ſuch general "reaſons as gave no ſatisfaction to his judgment: "that in ſhort, he would not agree to the re"moval of theſe arms, 'till he knew for what "ſervice they were intended: and if any attempt "ſhould be made in this matter, without his ap"probation, he ſhould eſteem it as the greateſt "violation of his right." Not long after, ſome Yorkſhire gentlemen petitioned his Majeſty, that the magazine might not be removed, by reaſon they conceived the kingdom, and particularly the north to be in danger. Seemingly, this petition was begged, ſince affairs were not yet in ſuch a ſituation, that private perſons ſhould preſume to addreſs the King with a petition directly contrary to that of the parliament, had they not been thereto incouraged. It is certain, Charles intended to ſeize Hull, with its magazine. He was deſirous to have a place, which would inable him to protect his partiſans, and depended upon this magazine, to arm them, when requiſite. This was the cauſe of his refuſing to remove thoſe arms to the Tower, tho' he alleged other reaſons. The parliament likewiſe, on their part, urged for ſuch removal reaſons which were not the real ones. At length, finding his Majeſty would not conſent to it, they ordered good part of that magazine's being conveyed up to the Tower, without farther ſolliciting his approbation.

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Charles's deſign upon Hull. p. 565.

Both houſes petition him to remove the magazine at Hull, to the Tower.

The King's anſwer. Ibid. Clarendon, p. 382. 396. &c.

Petition of ſome private gentlemen againſt removing the magazine. Ibid. Rushworth, Vol. IV. p. 566.

Part of it ſent to the Tower. Clarendon, p. 385, 396.

Both King and parliament uſed all poſſible indeavors to make the people believe that in their whole procedure, they had no other motive than their good, and the kingdom's advantage. From theſe proteſtations it is the hiſtorians take their ſtrongeſt arguments to demonſtrate the innocence and ſincerity of the party, whoſe cauſe they undertake to ſupport: but every unbiaſſed reader muſt peruſe the maniſeſtoes, and all papers of that kind, with great caution, for fear of being drawn into error. Moſt aſſuredly, King Charles did really aim at poſſeſſing himſelf of Hull, that he might not be at the parliament's mercy: but it is not ſo certain, that herein his view was only to maintain the government's conſtitution, that the laws might be punctually executed. Contrariwiſe, the parliament had ſent Hotham to Hull, to prevent his Majeſty's ſeizing that town: but who can affirm, that their real aim was to hinder the malignant party from making uſe of it, to eſtabliſh arbitrary power, and inſlave the kingdom?

Charles's deſign took vent the twenty-third of April, when the militia affair was agitated with great heat on both ſides. The day before, he had ſent to Hull the duke of York his ſecond ſon, with the young Elector Palatine his nephew, under color of ſeeing the place; and very poſſibly thoſe two Princes were not meanly attended. Hotham and the mayor received them with all the reſpect due to their rank. Their Highneſſes were entertained the firſt day by the mayor, and invited to dine with the governor on the morrow, being St. George's-day. But the entertainment was diſturbed

Charles appears before Hull. p. 397. Rushworth, Vol. IV. p. 567.

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* Sir Lewis Dives.

ſturbed by a certain officer, * who came a little before dinner, and told the governor, that his Majeſty intended to dine with him, being then within four miles of the town, with a train of above three hundred horſe. Hotham, ſurpriſed at this meſſage, conſulted with ſome of his friends, and it was reſolved among them, that a meſſenger ſhould be diſpatched to the King, humbly to beſeech him to forbear coming, ſince he could not, without betraying the truſt commited to him, ſet open the gates to ſo great a guard as that wherewith he came attended. The Meſſenger, returning with a doubtful anſwer, and certifying of the King's advance to the town, Hotham drew up the bridge, ſhut the gates, and commanded the ſoldiers to ſtand to their arms round the walls. His Majeſty being come to Beverley-gate, called for the governor, who, appearing on the walls, he commanded to open the gate. Hotham replied; "He "was intruſted by the parliament for the ſecuring "of the town, for his Majeſty's honor and the "kingdom's uſe, which he intended by God's "help to do; proffering, however, that if his "Majeſty would be pleaſed to come in, with "twelve more, he ſhould be welcome, otherwiſe "he could not, without betraying his truſt to the "ſtate, admit entrance to ſo great a guard (1)." But Charles, refuſing to enter on theſe terms, repeated ſeveral times his command to open the gate, and ſtill received the ſame anſwer. Soon after, the duke of York and the Prince Elector went out of the town (2), and came to his Majeſty, who was pleaſed to give the governor one hour more, to conſider what he did. But Hotham perſiſting in his reſolution, the King offered at laſt to enter with thirty horſe only (3), which was refuſed. Finally, about five in the evening, Charles, returning to the gate, commanded Hotham once more to open it, and upon his refuſal, cauſed him to be proclaimed traitor, by two heralds he had brought with him. He then retired to Beverley, where he paſſed that night. Next morning, he ſent a herald to Hotham, to ſummon him once again to open the gates of Hull, with promiſe of pardon for what was paſſed, but could not prevail; ſo that he was obliged to return to York.

Reflection on this event. p. 396.

On reflecting that Charles had formed a deſign to ſecure Hull, from the time he reſolved on retiring to York, as lord Clarendon expreſly owns, one would imagine, that at leaſt he had contrived proper means to accompliſh this undertaking, the ſucceſs whereof was ſo very important. But one is at a loſs what to think, when this attempt is ſeen to be ſo ill managed, that it was neither plauſible nor likely. His Majeſty was not ignorant, that Hotham was member of the houſe of commons, and that this houſe had ſelected him for the government of Hull, as a perſon in whom they could confide; that Hotham knew he was to keep that place againſt the King, howſoever his commiſſion might be worded. Nevertheleſs, this Prince imagines, that this man will be awed by his preſenſe alone, and not dare to deny him entrance with three hundred horſe, beſide the two Princes numerous retinue already admited: that he will ſuffer himſelf to be deprived of his government, upon the bare ſcruple of diſobeying his King; he whom, very poſſibly, the commons had picked out as one of the leaſt ſcrupulous. In reality, I cannot conceive how Charles could be adviſed to declare himſelf ſo openly, in attempting to ſeize Hull, and indeed, from this time, all confidence intirely vaniſhed. It ſignified nothing to color this proceeding, and to ſay, he had no other deſign than to viſit the place, and examine the magazine, to know what might be taken for the ſervice of Ireland, and for arming ſuch Scots as were to ſerve in that country. This was not capable of deceiving the parliament, who ſaw but too plainly what was this Prince's deſign, and of what conſequence the execution would have been. There were no fewer papers, meſſages, anſwers and replies about this affair, than about the militia. Ruſhworth, Vol. IV. p. 567, 599.

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Charles was exceſſively vexed at this diſappointment, and ſeeing no other way to palliate his procedure, he reſolved expreſly to deny his having ever intended to ſeize Hull. By this ſuppoſition, his meaning was to repreſent ſir John Hotham's action as a manifeſt treaſon, and accordingly demanded authentic reparation from the parliament. He cited laws and ſtatutes which placed in the King the care of defending the realm, and the command of all its forts and magazines. But he conſtantly ſuppoſed the kingdom to be in a ſtate of tranquillity, as it was when theſe laws were made, which was not at all the preſent caſe. He pretended, the forts and magazines were his own proper goods; and particularly that of Hull, being purchaſed with his own money, could not be withheld from him, without rendering his condition worſe than that of his meaneſt ſubject. The King demands juſtice upon Hotham. April 24. p. 567, 569. Clarendon, p. 398, &c.

But the parliament admited not theſe ſuppoſitions. They pretended, that the forts and magazines were commited to the King, as a truſt to be imployed for the peoples preſervation, and not for their deſtruction, and that his Majeſty's claim to a property of the forts and magazines was groundleſs. It is no wonder that, upon ſuch different principles, the papers ſhould abound on both ſides, without producing any great effects. King Charles had however this advantage, that the parliament could not manifeſtly prove their aſſertions againſt him, and that the authority aſſumed by both houſes was founded only on bare ſuſpicions of his ſiniſter deſigns, which would have rendered it plauſible had they been aſcertained: but they did not think proper to wait for demonſtrations, to be aſcertained of this Prince's ſecret intentions. It was enough to have reaſons to ſuſpect him, which to them appeared ſufficiently ſtrong to oblige them to take precautions, which might come too late, in caſe more convincing proofs were expected. Ruſhworth, Vol. IV. p. 570, 578, &c.

This is the ſubſtance of all the papers publiſhed on both ſides, concerning Hull. As I have already inſerted many relating to the militia, I think it convenient to ſave my readers the trouble of peruſing thoſe publiſhed on the preſent affair, and which run upon the ſame principles and ſuppoſitions ſo often mentioned.

He attempts to get Hull by intelligence. May. p. 599, 600.

The parliament openly ſupported ſir John Hotham; ſo that, after many meſſages, declarations, anſwers and replies, Charles had no way left to poſſeſs himſelf of Hull, but by ſurpriſe or force. Of theſe ways the latter was not very practicable, becauſe he could depend but on a very ſmall number of troops, and had no artillery, arms, or ammunition. True, he expected ſome from Holland, but the time was very uncertain; and therefore he attempted to gain Hull by correſpondence. In the execution of this deſign, he made

(1) This is Ruſhworth's account; See Vol. IV. p. 567, 573, but lord Clarendon, and Whitelock ſay nothing of this offer of Hotham's, but only that he ſaid, he would not admit him, tho' with twenty horſe only. Indeed it does not ſeem likely, that the King would have ſtood for eight horſe, ſince he offered to come in but with twenty. Clarendon, Vol. I. p. 397. Whitelock, p. 57.

(2) But they were not ſuffered to go 'till after ſome conſultation. Ruſhworth, Vol. IV. p. 568.

(3) Clarendon and Whitelock ſay twenty.

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use of mr. Beckwith, a gentleman of Beverley, whose son-in-law was a military officer in Hull. But this officer discovered the plot to the governor, who was so civil as to send his Majesty word, he might save himself the trouble of carrying on the contrivance, and at the same time dispatched a courier to the parliament. Beckwith retiring to the King at York, the parliament sent a messenger to seize and bring him to London: but the messenger was not suffered to execute his orders.

Both King and parliament prepare for war and strive to gain the people. Rushworth, Vol. IV. p. 613, &c.

Thenceforwards, both King and parliament prepared for war, it being very easy to foresee, they should be at length forced to it. But as both stood in need of the people to bear the expense, so each used all possible indeavors to gain them, by demonstrating the injustice of the contrary party, and by striving to convince them, that only their good was intended. The parliament pretended, that the malignants, by whom his Majesty suffered himself to be guided, had formed a design to inslave the nation, wherein they could not succeed, but by inflaming the misunderstanding between King and parliament, in order to ingage them in a civil war, which they hoped would prove successful to their royal patron. This was the parliament's supposition, whence they infered, that therefore it was necessary to prevent, by wholesome measures, the execution of this design, and to put themselves in a posture of defense, in case his Majesty continued to be directed by these malignants.

Charles, on his side, pretended that the parliament, in feigning to have only in view the kingdom's advantage, really designed to alter the constitution of church and state: that they intended to abolish the regal power, or render the King but a shadow, while both houses should be possessed of the government. He infered from this supposition, that he ought to expose himself to the greatest hazards, rather than receive law from his subjects; his conscience, and the care of the realm with which God hath intrusted him, not permiting him to suffer the alterations projected to be made in church and state. Whatever secret motives both might have, the reasons they alleged were very plausible, and those who sought only justice were not a little imbarassed which side to espouse. But the parliament seemed to have a great advantage over his Majesty, in that their party was incomparably more numerous, and the forts and militia in their possession, with plenty of arms and ammunition, while the King was wholly unprovided. Nevertheless, Charles was not without hopes. He had, as has been observed, privately gained colonel Goring, governor of Portsmouth. The Queen was now busy in Holland in procuring artillery, arms, ammunition, and gaining several officers of the English troops in the Dutch service. Most of the gentry of Yorkshire, the largest county in England, were for him, and he did not question but, by their means, he should ingage the whole county to declare in his favor. With this assistance, he hoped to circumvent his adversaries, and raise a sufficient number of forces to reduce Hull before the parliament should be able to make opposition. He expected likewise that, when he was master of Hull and Portsmouth, and had received arms from Holland, many, who were still restrained by the fear of wanting protection, would openly side with him. Moreover, he gave private notice to all his friends, that it was time they should repair to York, and ordered letters to be sent, in his name, to such members as adhered to him, to absent themselves from the parliament, and retire to York, or to other places where they could be serviceable to him.

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All these measures could not be taken so privately but the parliament had some information, and therefore Charles strove to give them some color, to hinder his designs from being discovered. After his disappointment at Hull, he summoned all the Yorkshire tenants in chief, to appear at York, the twelfth of May.

Charles summons all the gentry of Yorkshire. p. 615.

Some short time after, both houses sent a commitee to York, under pretense of bringing the King a message about Hull and the militia, but in reality to be spies upon his actions. This message was the more disagreeable to him, as after having given his answer, and dismissed the commitee, they told him, they had orders to remain at York. Tho' it was easy for him to see with what view the parliament had sent this commitee, he thought not proper to use any violence to drive them from that city.

A commitee sent to York. Ibid. Clarendon, p. 403, 405.

The twelfth of May, the gentry of that county being come to York, his Majesty made a speech to them, wherein he protested, "That the injoyment of quiet was the chief cause of his coming among them in the north, and not to make that part of the kingdom a seat of war, as malice would make them believe." He added, "that both houses of parliament did, by their messengers, brave him even in York; and that, as his magazine of Hull was going, directly against his will, to be taken from him, and the militia to be put in execution against law and his consent; and lastly, as sir John Hotham's treason was countenanced, none could blame him for apprehending danger. Therefore he was resolved to have a guard, in which he desired their concurrence and assistance."

Charles's proposal to the Yorkshire gentry. Rushworth, Vol. IV. p. 615. Clarendon, p. 417.

The Yorkshire gentry being variously disposed, it was not possible for those to whom the King made his speech to agree in the same answer: nay, it is said, some violence was used by the court, to exclude from the debate such as were known to be the King's opposites, and that these were forced to assemble elsewhere. For this reason, Charles received four different answers to his proposition, two whereof were favorable, and the other two supplicated him to give ear to his parliament's advice. The guard was however raised, and the command thereof given to the Prince of Wales. (1)

He receives four different answers. Rushworth, Vol. IV. p. 616, 617.

Charles would likewise have removed the courts of justice from Westminster to York, and even sent a proclamation to lord-keeper Littleton for that purpose, with orders to publish it: but the parliament having thereof notice, forbad him to execute the order.

The parliament hinders his removing the courts of justice to York.

Serjeant-major-general Skippon being a very able and expert officer, and his Majesty, knowing the parliament designed to imploy him, ordered his attending him at York. But the parliament injoined him the contrary, which injunction Skippon obeyed. This Charles had doubtless foreseen; but he was glad to shew that the parliament desired a breach, since they so arrogantly contradicted his orders.

He sends for Skippon; whom the parliament will not suffer to go thither. May 17. p. 622, 623, 690.

As matters stood between King and parliament, a war seemed utterly inevitable, and, very probably, it was determined on both sides. The sole concern was to amuse the public with reasons good or bad, and to labor fixing the fault on the opposite party. Mean while, King Charles's two answers, of March the ninth and the twentieth, not being replied to, the parliament apprehended their silence would produce a no good effect in peoples minds. They therefore took occasion, in answering these two messages, to publish a manifesto, under the name of remonstrance or declaration. As this

May 19.

(1) This guard consisted of a troop of horse, and a regiment of foot of about six hundred men, taken from the militia. Clarendon, Vol. I. p. 417.

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manifeſto, and his Majeſty's anſwer, are very proper to bring the reader acquainted with the reaſons of both parties, or at leaſt with ſuch as they alleged to ſupport their cauſe, and vindicate their conduct, I judge it requiſite to inſert theſe two papers intire, leſt abridging them ſhould injure either.

The declaration, or remonſtrance, of the lords and commons in parliament aſſembled, May 19th, 1642.

Ruſhworth, Vol. IV. p. 691.

" THE infinite mercy and providence of the " Almighty God have been abundantly " manifeſted ſince the begining of this parliament, " in great variety of protections and bleſſings, " whereby he hath not only delivered us from many " wicked plots and deſigns, which, if they had " taken effect, would have brought ruin and de- " ſtruction upon this kingdom; but out of thoſe " attempts have produced diverſe evident and re- " markable advantages to the fartherance of thoſe " ſervices, which we have been deſirous to perform " to our ſovereign Lord the King, and to this " church and ſtate, in providing for the public " peace and proſperity of his Majeſty, and all his " realms, which, in the preſenſe of the ſame all- " ſeeing Deity, we proteſt to have been, and ſtill " to be, the only end of all our counſels and indea- " vors, wherein we have reſolved to continue " freed and inlarged from all private aims, perſonal " reſpects, or paſſions whatſoever. (1)

REMARK (1). It may be preſumed there were, in both houſes, many members who acted with ſincerity, and believed, they really ſerved the public in whatever they did againſt the King. But it is not eaſy to conceive, how both houſes, conſiſting of ſo many members who were ignorant of each others inward ſentiments, could call God to witneſs, that they acted only by juſt motives, free from paſſion and private views.

" In which reſolution we are nothing diſcouraged, " altho' the heads of the malignant party, diſap- " pointed of that prey, the religion and liberty of " this kingdom, which they were ready to ſeize " upon and devour before the begining of this " parliament, have ſtill perſiſted, by new practiſes, " both of force and ſubtilty, to recover the ſame " again; for which purpoſe they have made ſeveral " attempts for the bringing up the army; they " afterwards projected the falſe accuſation of lord " Kimbolton and the five members of the houſe " of commons, which being in itſelf of an odious " nature, they yet ſo far prevailed with his Majeſty, " as to procure him to take it upon himſelf; but " when the unchangeable duty and faithfulneſs of " the parliament could not be wrought upon by " ſuch a fact as that, to withdraw any part of their " reverence and obedience from his Majeſty, they " have, with much art and induſtry, adviſed his " Majeſty to ſuffer diverſe unjuſt ſcandals and im- " putations upon the parliament to be publiſhed " in his name, whereby they might make it odious " to the people, and by their help to deſtroy that " which hitherto hath been the only means of their " own preſervation.

" For this purpoſe, they have drawn his Majeſty " into the northern parts, far from the parliament, " that ſo falſe rumors might have time to get " credit, and the juſt defenſes of the parliament " find a more tedious, difficult and diſadvantageous " acceſs, after thoſe falſe imputations and ſlanders " had been firſt rooted in the apprehenſion of his " Majeſty, and his ſubjects; which the more " ſpeedily to effect, they have cauſed a preſs to be " tranſported to York, from whence ſeveral papers " and writings of that kind are conveyed to all " parts of the kingdom, without the authority of " the great ſeal, in an unuſual and illegal manner, " without the advice of his Majeſty's privy council; " from the greater and better part whereof having " withdrawn himſelf, as well as from his great " council of parliament, he is thereby expoſed to " the wicked and unfaithful counſels of ſuch as " have made the wiſdom and juſtice of the parlia- " ment dangerous to themſelves; and this danger " they labor to prevent by hiding their own guilt " under the name and ſhadow of the King, infuſing " into him their own fears, and, as much as in them " lies, aſperſing his royal perſon and honor with " their own infamy, from both which it hath " always been as much the care, as it is the duty of " the parliament to preſerve his Majeſty, and fix " the guilt of all evil actions and counſels upon " thoſe who have been the authors of them.

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" Among diverſe writings of this kind, we, the " lords and commons in parliament, have taken " into our conſideration two printed papers; the " firſt containing a declaration, which they received " from his Majeſty, in anſwer of that which was " preſented to his Majeſty from both houſes of par- " liament, at Newmarket, the ninth of March " 1641. The other, his Majeſty's anſwer to the " petition of both houſes, preſented to his Majeſty, " at York, the twenty-ſixth of March 1642, both " which are filled with harſh cenſures, and cauſe- " leſs charges upon the parliament; concerning " which, we hold it neceſſary to give ſatisfaction " to the kingdom, ſeeing we find it very difficult " to ſatisfy his Majeſty, whom, to our great grief, " we have found to be ſo ingaged to, and poſſeſſed " by thoſe miſ-apprehenſions, which evil coun- " ſellors have wrought in him, that our moſt " humble and faithful remonſtrances have rather " irritated and imbittered, than any thing allayed " or mitigated the ſharp expreſſions which his " Majeſty hath been pleaſed to make in anſwer to " them; for the manifeſtation whereof, and of our " own innocency, we deſire that all his Majeſty's " loving ſubjects may take notice of theſe parti- " culars.

" We know no occaſion given by us which " might move his Majeſty to tell us, that, in our " declaration preſented at Newmarket, there were " ſome expreſſions different from the uſual language " to Princes.

" Neither did we tell his Majeſty, either in " words or in effect, that if he did not join with " us in an act, which his Majeſty conceived might " prove prejudicial and dangerous to himſelf and " the whole kingdom, we would make a law with- " out him, and impoſe it upon the people. That " which we deſired was, that, in regard of the " imminent danger of the kingdom, the militia, " for the ſecurity of his Majeſty and his people, " might be put under the command of ſuch noble " and faithful perſons as they had all cauſe to con- " fide in: and ſuch was the neceſſity of this pre- " ſervation, that we declare, that, if his Majeſty " ſhould refuſe to join with us therein, the two " houſes of parliament, being the ſupreme court " and higheſt council of the kingdom, were in- " abled, by their own authority, to provide for the " repulſing of ſuch imminent and evident danger, " not by any new law of their own making, as " hath been untruly ſuggeſted to his Majeſty, but " by the moſt ancient law of this kingdom, even " that which is fundamental and eſſential to the " conſtitution and ſubſiſtence of it.

" Altho' we never deſired to incourage his Ma- " jeſty to ſuch replies, as might produce any con- " teſtation betwixt him and his parliament, of " which we never found better effect than loſs of " time, and hindrance of the public affairs; yet " we have been far from telling him, of how little " value his words would be with us, much leſs

when

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" when they are accompanied with actions of love " and juſtice. His Majeſty hath more reaſon to find " fault with thoſe wicked counſellors, who have ſo " often bereaved him of the honor, and his peo- " ple of the fruit, of many gracious ſpeeches which " he made to them, ſuch as thoſe in the end of " the laſt parliament; ' That, in the word of a " King, and as he was a gentleman, he would re- " dreſs the grievances of his people, as well out " of parliament as in it.' Were the ſearching " the ſtudies and chambers, yea the pockets of " ſome, both of the nobility and commons, the " very next day; the commitment of mr. Bellaſis, " ſir John Hotham, and mr. Crew; the con- " tinued oppreſſions by ſhip-money, coat and con- " duct-money; with manifold impriſonments, and " other vexations thereupon, and other inſuing vio- " lations of the laws and liberties of the king- " dom (all which were the effects of evil counſel, " and abundantly declared in our general remon- " ſtrance of the ſtate of the kingdom) actions of " love and juſtice, ſuitable to ſuch words as thoſe?

" As gracious was his Majeſty's ſpeech in the " begining of this parliament! ' That he was re- " ſolved to put himſelf freely and clearly upon " the love and affection of his Engliſh ſubjects.' " Whether his cauſeleſs complaints and jealouſy; " the unjuſt imputations ſo often caſt upon his par- " liament; his denial of their neceſſary defenſe by " the ordinance of the militia; his dangerous ab- " ſenting himſelf from his great council, like to " produce ſuch a miſchievous diviſion in the king- " dom, have not been more ſuitable to other mens " evil counſels, than to his own words, will eaſily " appear to any indifferent judgment.

" Neither have his latter ſpeeches been better " uſed and preſerved by theſe evil and wicked " counſellors. Could any words be fuller of love " and juſtice, than thoſe in his anſwer to the meſ- " ſage ſent the houſe of commons, the thirty-firſt " of December, 1641? ' We do ingage unto you " ſolemnly, on the word of King, that the ſecu- " rity of all, and every one of you from violence " is, and ever ſhall be as much our care, as the " preſervation of us and our children.' And could " any actions be fuller of injuſtice and violence " than that of the attorney-general, in falſly ac- " cuſing the ſix members of parliament, and the " other proceedings thereupon, within three or " four days after that meſſage? For the full view " whereof, let the declaration made of thoſe pro- " ceedings be peruſed, and by thoſe inſtances " (we could add many more) let all the world " judge, who deſerves to be taxed with diſvaluing " his Majeſty's words; they who have, as much as " in them lies, ſtained and ſullied them with ſuch " foul counſels; or the parliament, who have " ever manifeſted, with joy and delight, their " humble thankfulneſs for thoſe gracious words " and actions of love and juſtice which have been " conformable thereunto.

" The King is pleaſed to diſavow the having " any ſuch evil council or counſellors, as are " mentioned in our declaration, to his knowledge; " and we hold it our duty humbly to avow there " are ſuch; or elſe we muſt ſay, that all the ill " things done of late in his Majeſty's name, have " been done by himſelf, wherein we ſhould neither " follow the direction of the law, nor the affection " of our own hearts, which is, as much as may " be, to clear his Majeſty from all imputation of " miſ-government, and to lay the fault upon his " miniſters; the falſe accuſing of ſix members of " parliament; the juſtifying of maſter attorney in " that falſe accuſation; the violent coming to the " houſe of commons; the denial of the mi- " litia; the ſharp meſſages to both houſes, contrary " to the cuſtom of former Kings; the long and " remote abſenſe of his Majeſty from parliament; " the heavy and wrongful taxes upon both houſes; " the cheriſhing and countenancing a diſcontented " party in the kingdom againſt them. Theſe cer- " tainly are the fruits of very ill counſel, apt to " put the kingdom into a combuſtion, to hinder " the ſupplies of Ireland, and to countenance " the proceedings and pretenſions of the rebels " there; and the authors of thoſe evil counſels, " we conceive, muſt needs be known to his Ma- " jeſty. And we hope our laboring with his Ma- " jeſty to have theſe diſcovered and brought to a " juſt cenſure, will not ſo much wound his honor " in the opinion of his good ſubjects, as his la- " boring to preſerve and conceal them.

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" And whereas his Majeſty ſaith, he could wiſh " that his own immediate actions, which he avows " on his own honor, might not be ſo roughly cen- " ſured under that common ſtile of evil counſel- " lors. We could alſo heartily wiſh, that we had " not cauſe to make that ſtile ſo common: but " how often and undutiful ſoever theſe wicked " counſellors fix their diſhonor upon the King, by " making his Majeſty the author of thoſe evil " actions which are the effects of their own evil " counſels, we his Majeſty's loyal and dutiful ſub- " jects can uſe no other ſtile, according to that " maxim in the law, ' The King can do no " wrong;' but if any ill be commited in matter " of ſtate, the council; if in matter of juſtice, the " judges muſt anſwer for it.

" We lay no charge upon his Majeſty, which " ſhould put him upon that apology, concerning " his faithful, zealous affection of the Proteſtant " profeſſion: neither doth his Majeſty indeavor to " clear thoſe in greateſt authority about him, by " whom (we ſay) that deſign hath been potently " carried on for diverſe years; and we rather " wiſh, that the mercies of heaven, than the judg- " ments, may be manifeſted upon them; but " that ſuch have been, there are ſo plentiful and " frequent evidences, that we believe there is none, " either Proteſtant or Papiſt, who hath had any " reaſonable view of the paſſages of latter times " but, either in fear or hope, did expect a ſudden " iſſue of this deſign.

" We have no way tranſgreſſed againſt the act of " oblivion, by remembering the intended war " againſt Scotland, as a branch of that deſign to " alter religion, by thoſe wicked counſels, from " which God did then deliver us, which we ought " never to forget.

" That the rebellion in Ireland was framed and " cheriſhed by the Popiſh and malignant party in " England, is not only affirmed by the rebels, " but may be cleared by many other proofs: the " ſame rebellious principles of pretended religion, " the ſame politic ends, are apparent in both, " and their malicious deſigns and practiſes are " maſked and diſguiſed with the ſame falſe color " of their earneſt zeal to vindicate his Majeſty's " prerogative from the ſuppoſed oppreſſion of the " parliament. How much theſe treacherous pre- " tenſes have been countenanced by ſome evil " counſel about his Majeſty, may appear in this, " that the proclamation, whereby they were de- " clared traitors, was ſo long with-held as to the " ſecond of January, tho' the rebellion brake forth " in October before, and then no more but forty " copies appointed to be printed, with a ſpecial " command from his Majeſty not to exceed that " number; and that none of them ſhould be pub- " liſhed, 'till his Majeſty's pleaſure was farther " ſignified, as by the warrant appears, a true copy " whereof is hereunto added, ſo that a few only " could take notice of it; which was made more

" obſervable

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" obſervable by the late contrary proceedings " againſt the Scots, who were in a very quick and " ſharp manner proclaimed, and thoſe proclama- " tions forthwith diſperſed, with as much diligence " as might be, thro' all the kingdom, and or- " dered to be read in all churches, accompanied " with public prayers and execrations.

" Another evidence of favor and countenance " to the rebels, in ſome power about his Majeſty, " is this, that they have put forth, in his name, a " cauſeleſs complaint againſt the parliament, which " ſpeaketh the ſame language of the parliament " which the rebels do, whereby to raiſe a belief " in mens minds, that his Majeſty's affections are " alienated, as well as his perſon is removed from " that great council; all which doth exceedingly " retard the ſupplies of Ireland, and more ad- " vance the proceedings of the rebels, than any " jealouſly or miſapprehenſion, begotten in his " ſubjects, by the declaration of the rebels, in- " junctions of Roſetti, or information of Triſtram " Whitecombe; ſo that, conſidering the preſent " ſtate and temper of both kingdoms, his royal " preſenſe is far more neceſſary here than it can " be in Ireland, for redemption or protection of " his ſubjects there.

" And whether there be any cauſe of his Majeſty's " great indignation, for being reproached to have " intended force or threatening to the parliament, " we deſire them to conſider, who ſhall read our " declaration, in which there is no word tending " to any ſuch reproach; and certainly we have " been more tender of his Majeſty's honor, in this " point, than he, whoſoever he was, who did write " this declaration, where, in his Majeſty's name, " he doth call God to witneſs, he never had any " ſuch thought, or knew of any ſuch reſolution of " bringing up the army; which truly will ſeem " ſtrange to thoſe who ſhall read the depoſition of " mr. Goring, the information of mr. Percy, and " diverſe other examinations of mr. Wilmot, " mr. Pollard, and others; the other examinations of " captain Legg, ſir Jacob Aſhley, ſir John Conyers; " and conſider the condition and nature of the " petition, which was ſent unto ſir Jacob Aſhley, " under the approbation of C. R. which his Ma- " jeſty doth now acknowledge to be his own " hand; and being full of ſcandal to the parlia- " ment, might have proved dangerous to the " whole kingdom, if the army ſhould have in- " terpoſed betwixt the King and them, as was " deſired.

" We do not affirm, that his Majeſty's warrant " was granted for the paſſage of mr. Jermin, af- " ter the deſire of both houſes for reſtraint of his " ſervants, but only that he did paſs over, after " that reſtraint, by virtue of ſuch a warrant. We " know the warrant bears date the day before our " deſire; yet it ſeems ſtrange to thoſe who know " how great reſpect and power mr. Jermin had " in court, that he ſhould begin his journey in " ſuch haſte, and in apparel ſo unfit for travel, as " a black ſatten ſuit, and white boots, if his going " away was deſigned the day before.

" The accuſation of lord Kimbolton, and the " five members of the houſe of commons, is called " a breach of privilege; and truly ſo it was, and " a very high one, far above any ſatisfaction hath " been yet given. How can it be ſaid to be largely " ſatisfied, ſo long as his Majeſty labored to pre- " ſerve maſter attorney from puniſhment, who " was the viſible actor in it; ſo long as his Ma- " jeſty hath not only juſtified him, but by his let- " ters declared, that it was his duty to accuſe " them, and that he would have puniſhed him if " he had not done it; ſo long as thoſe members " have not the means of clearing their innocency, " and the authors of that malicious charge undiſ- " covered, tho' both houſes of parliament have " ſeveral times petitioned his Majeſty to diſcover " them, and that not only upon grounds of com- " mon juſtice, but by act of parliament, his Ma- " jeſty is bound to do it; ſo long as the King " refuſes to paſs a bill for their diſcharge, alleging, " that the narrative in that bill is againſt his ho- " nor, whereby he ſeems ſtill to avow the matter " of that falſe and ſcandalous accuſation, tho' he " deſerts the proſecution, offering to paſs a bill " for their acquital; yet with intimation, that " they muſt deſert the avowing their own inno- " cency, which would more wound them in honor, " than ſecure them in law.

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" And in vindication of this great privilege of " parliament, we do not know that we have in- " vaded any privilege belonging to his Majeſty, " as is alleged in this declaration.

" But we look not upon this only in the notion " of a breach of privilege, which might be, tho' " the accuſation were true or falſe, but under the " notion of a heinous crime in the attorney, and " all other ſubjects who had a hand in it; a crime " againſt the law of nature, againſt the rules of " juſtice, that innocent men ſhould be charged with " ſo great an offenſe as treaſon, in the face of the " higheſt judicatory of the kingdom, whereby their " lives and eſtates, their blood and honor are indan- " gered, without witneſs, without evidence, without " all poſſibility of reparation in a legal courſe, yet " a crime of ſuch a nature that his Majeſty's com- " mand can no more warrant, than it can any " other acts of injuſtice. It is true, that thoſe " things which are evil in their own nature, ſuch " as falſe teſtimony, or falſe accuſation, cannot be " the ſubject of any command, or induce any ob- " ligation of obedience upon any man, by any " authority whatſoever; therefore the attorney, in " this caſe, was bound to refuſe to execute ſuch a " command, unleſs he had ſome ſuch evidence, " or teſtimony, as might have warranted him " againſt the parties, and be liable to make ſatiſ- " faction if it ſhould prove falſe; and it is ſuffici- " ently known to every man, and adjudged in " parliament, that the King can be neither the " relator, informer, or witneſs. If it reſts as it " is, without farther ſatisfaction, no future parlia- " ment can be ſafe, but that the members may be " taken and deſtroyed at pleaſure; yea the very " principles of government and juſtice will be in " danger to be diſſolved.

" We do not conceive that numbers do make an " aſſembly unlawful; but when either the end or " manner of their carriage ſhall be unlawful. Di- " verſe juſt occaſions might draw the citizens to " Weſtminſter, where many public and private " petitions, and other cauſes, were depending in " parliament; and why that ſhould be found " more faulty in the citizens, than the reſort of " great numbers every day in the term to the or- " dinary courts of juſtice, we know not. That " thoſe citizens were notoriouſly provoked and " aſſaulted at Weſtminſter, by colonel Lunsford, " captain Hyde, with diverſe others, and by ſome " of the ſervants of the archbiſhop of York, is " ſufficiently proved; and that afterward they " were more violently wounded, and moſt barba- " rouſly mangled with ſwords, by the officers and " ſoldiers near Whitehall, many of them being " without weapons, and giving no cauſe of di- " ſtaſte, as is likewiſe proved by ſeveral teſtimo- " monies; but of any ſcandalous or ſeditious miſ- " demeanors of theirs, which might give his Ma- " jeſty good cauſe to ſuppoſe his own perſon, or " thoſe of his royal conſort, or children, to be " in apparent danger, we have had no proof ever

" offered

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" offered to either houſe; and if there had been " any complaint of that kind, it is no doubt the " houſes would have been as forward to join in an " order for the ſuppreſſing ſuch tumults, as they " were not long before upon another occaſion, " when they made an order to that purpoſe. " Whereas thoſe officers and ſoldiers, who com- " mited that violence upon ſo many of the citi- " zens at Whitehall, were cheriſhed and foſtered " in his Majeſty's houſe. And when, not long af- " ter, the common-council of London preſented " a petition to his Majeſty, for reparation of thoſe " injuries; his Majeſty's anſwer was (without " hearing the proof of the complaints) that if any " citizens were wounded or ill treated, his Ma- " jeſty was confidently aſſured, that it happened " by their own evil and corrupt demeanors.

" We hope it cannot be thought contrary to the " duty and wiſdom of a parliament, if many " concurring, and frequently reiterated and " renewed advertiſements from Rome, Venice, " Paris, and other parts, if the ſollicitations of " the Pope's nuncio, and our own diſcontented " fugitives, do make us jealous and watchful for " the ſafety of the ſtate. And we have been " very careful to make our expreſſions thereof ſo " eaſy and ſo plain to the capacity and underſtand- " ing of the people, that nothing might juſtly ſtick " with them, with reflection upon the perſon of " his Majeſty; wherein we appeal to the judg- " ment of any indifferent perſon, who ſhall read " and peruſe our own words. We muſt maintain " the ground of our fears to be of that moment, " that we cannot diſcharge the truſt and duty " which lie upon us, unleſs we do apply ourſelves " to the uſe of thoſe means which the law hath " inabled us in caſes of this nature, for the ne- " ceſſary defenſe of the kingdom; and as his Ma- " jeſty doth graciouſly declare, the law ſhall be " the meaſure of his power; ſo do we moſt hear- " tily profeſs, that we ſhall always make it the " rule of our obedience.

Prudent omiſſions in the King's anſwer.

" The next point of our declaration was, with " much caution, artificially paſſed over by him " who drew his Majeſty's anſwer, it being indeed " the foundation of all our miſery, and his Ma- " jeſty's trouble, that he is pleaſed to hear general " taxes upon his parliament, without any parti- " cular perſons upon miſ-information; and altho' " thoſe informations have been clearly proved " to be falſe, yet he would never bring the ac- " cuſers to queſtion, which lays an impoſſibility " upon honeſt men of clearing themſelves, and " incouragement unto falſe and unworthy perſons " to trouble people with untrue and groundleſs " informations. Three particulars were mentioned " in our declaration, which the penner of that an- " ſwer had good cauſe to omit; the words ſup- " poſed to be ſpoken at Kenſington; the pretended " articles againſt the Queen; and the groundleſs " accuſation of the ſix member of parliament: " there being nothing to be ſaid in defenſe or de- " nial of any of them.

" Concerning his Majeſty's deſire to join with " his parliament, and with his faithful ſubjects, in " defenſe of religion, and public good of the " kingdom; we doubt not but he will do it fully, " when evil counſellors ſhall be removed from " about him; and until that be, as we have " ſhewed before of words, ſo muſt we alſo ſay " of laws, that they cannot ſecure us; witneſs the " petition of right, which was followed with ſuch " an innundation of illegal taxes, that we had juſt " cauſe to think, that the payment of eight hun- " dred and twenty thouſand pounds was an eaſy " burden to the common-wealth, in exchange of " them; and we cannot but juſtly think that, if " there be a continuance of ſuch ill counſellors, " and favor to them, they will, by ſome wicked " device or other, make the bill for the triennial " parliament, and thoſe other excellent laws men- " tioned in his Majeſty's declaration, of leſs value " than words.

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" That excellent bill for the continuance of this " parliament was ſo neceſſary that, without it, we " could not have raiſed ſo great ſums of money for " the ſervice of his Majeſty and the commonwealth " as we have done, and without which the ruin " and deſtruction of the kingdom muſt needs have " followed. And we are reſolved, the gracious " favor of his Majeſty expreſſed in that bill, " and the advantage and ſecurity which thereby " we have from being diſſolved, ſhall not in- " courage us to do any thing, which otherwiſe had " not been fit to have been done: and we are " ready to make it good, before all the world, " that altho' his Majeſty hath paſſed many bills " very advantageous for the ſubject, yet in none " of them have we bereaved his Majeſty of any " juſt, neceſſary, or profitable prerogative of the " crown. We ſo earneſtly deſire his Majeſty's re- " turn to London, for that upon it, we conceive, " depend the very ſafety and being of both his " kingdoms: and therefore we muſt proteſt that, " as for the time paſſed, neither the government " of London, nor any laws of the land, have loſt " their life and force for his ſecurity; ſo for the " future, we ſhall be ready to do or ſay any thing " may ſtand with the honor of a parliament, which " may raiſe a mutual confidence betwixt his Ma- " jeſty and us, as we do wiſh, and as the affairs " of the kingdom do require.

" Thus far the anſwer to that which is called " His Majeſty's Declaration,' hath led us. Now " we come to that which is intitled, ' His Ma- " jeſty's Anſwer to the Petition of both Houſes, " preſented to him at York, the twenty-ſixth of " March 1642:' in the begining whereof his " Majeſty wiſheth, that our privileges on all parts " were ſo ſtated, that this way of correſpondency " might be preſerved, with that freedom which " hath been uſed of old. We know nothing in- " troduced by us which gives any impediment " hereunto; neither have we affirmed our privi- " leges to be broken, when his Majeſty denies us " any thing, or gives us a reaſon why he cannot " grant it, or that thoſe who adviſed ſuch denial " were enemies to the peace of the kingdom, and " favorers of the Iriſh rebellion, in which aſper- " ſion, that is turned into a general aſſertion which, " in our votes, is applied to a particular caſe; " wherefore we muſt maintain our votes, that thoſe " who adviſed his Majeſty to contradict that " which both houſes, in the queſtion concerning " the militia, had declared to be law, and com- " mand it ſhould not be obeyed, is a high breach " of privilege; and that thoſe who adviſed his " Majeſty to abſent himſelf from his parliament " are enemies to the peace of the kingdom, and " juſtly to be ſuſpected to be favorers of the " rebellion in Ireland. The reaſons of both are " evident, becauſe in the firſt there is as great a " derogation from the truſt and authority of par- " liament; and in the ſecond, as much advantage " to the proceedings and hopes of the rebels as " may be: and we hold it a very cauſeleſs impu- " tation upon the parliament, that we have herein " any way impeached, much leſs taken away, the " freedom of his Majeſty's vote, which doth not " import a liberty for his Majeſty to deny any " thing, how neceſſary ſoever for the preſerva- " tion of the kingdom, much leſs a licenſe to evil " counſellors

Charles I An' 1442.

" counſellors to adviſe any thing, tho' never ſo " deſtructive to his Majeſty and his people. (2).

Rem. (2) I am not of opinion that it was ever decided, to what Acts the King may, or may not, deny his aſſent: ſo there ariſes an inexhauſtible fountain of diſputes, when the King and parliament do not agree.

" By the meſſage of the twentieth of January, " his Majeſty did propound to both houſes of par- " liament, that they would with all ſpeed fall into " a ſerious conſideration of all thoſe particulars, " which they thought neceſſary, as well for the " holding and maintaining his Majeſty's juſt and " regal authority, and for the ſetling his revenue, " as for the preſent and future eſtabliſhing our pri- " vileges, the free and quiet injoying our eſtates, " the liberties of our perſons, the ſecurity of the " true religion profeſſed in the Church of Eng- " land, and the ſetling of ceremonies in ſuch a " manner as may take away all juſt offenſe, and " digeſt it into one intire body.

" To that point of upholding and maintaining " his royal authority, we ſay, nothing hath been " done to the prejudice of it, which ſhould require " any new proviſion. To the other of ſetling the " revenue, the parliament hath no way abridged " or diſordered his juſt revenue; but it is true, " that much waſte and confuſion of his Majeſty's " eſtate hath been made by thoſe evil and unfaith- " ful miniſters, whom he hath imployed in the " managing of it, whereby his own ordinary ex- " penſes would have been diſappointed, and the " ſafety of the kingdom more indangered, if the " parliament had not in ſome meaſure provided for " his houſhold, and for ſome of the forts, more " than they were bound to do; and they are ſtill " willing to ſetle ſuch a revenue upon his Majeſty, " as may make him live royally, plentifully and " ſafely; but they cannot in wiſdom and fidelity " to the common-wealth do this, 'till he ſhall " chuſe ſuch conſellors and officers as may order " and diſpoſe it to the public good, and not apply " it to the ruin and deſtruction of his people, as " heretofore it hath been. But this and the other " matters concerning ourſelves, being works of " great importance, and full of intricacy, will " require ſo long a time of deliberation, that the " kingdom might be ruined before we ſhould " effect them. Wherefore we thought it neceſſary, " firſt to be ſuitors to his Majeſty, ſo to order the " militia, that, the kingdom being ſecured, we " might with more eaſe and ſafety apply ourſelves " to debate of that meſſage wherein we have been " interrupted by his Majeſty's denial of the ordi- " nance concerning the ſame, becauſe it would " have been in vain for us to labor in other things, " and in the mean time to leave ourſelves naked " to the malice of ſo many enemies, both at home " and abroad; yet we have not been altogether " negligent of thoſe things which his Majeſty is " pleaſed to propound in that meſſage. We have " agreed upon a book of rates in a larger pro- " portion than hath been granted to any of his " Majeſty's predeceſſors, which is a conſiderable " ſupport of his Majeſty's public charge; and " have likewiſe prepared diverſe propoſitions and " bills for preſervation of our religion and liberties, " which we intended ſhortly to preſent to his Ma- " jeſty, and to do whatſoever is fit for us, to make " up this unpleaſant breach betwixt his Majeſty and " his parliament.

" Whereas diverſe exceptions are here taken con- " cerning the militia; firſt, that his Majeſty never " denyed the thing, but accepted the perſons (except " for corporations) only that he denied the way. " To which we anſwer, that this exception takes " off London, and all other great towns and cities, " which make a great part of the kingdom; and " for the way of ordinance it is ancient, more " ſpeedy, more eaſily alterable, and, in all theſe " and other reſpects, more proper and more appli- " cable to the preſent occaſion than a bill, which " his Majeſty calls the only good old way of im- " poſing upon the ſubjects. It ſhould ſeem that " neither his Majeſty's royal predeceſſors, nor our " anceſtors have heretofore been of that opinion; " 37 Ed. 3. we find this record, 'The chancellor " made declaration of the challenge of the parlia- " ment; the King deſires to know the griefs of " his ſubjects, and to redreſs enormities. The laſt " day of the parliament, the King demanded of " the whole eſtates, whether they would have ſuch " things as they agreed on, by way of ordinance, " or ſtatute? Who anſwered, by way of ordinance; " for that they might amend the ſame at their " pleaſure; and ſo it was.'

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" But his Majeſty objects farther, that there is " ſomewhat in the preface, to which he could not " conſent with juſtice to his honor and innocence, " and that thereby he is excluded from any power " in the diſpoſing of it. Theſe objections may " ſeem ſomewhat, but indeed will appear nothing, " when it ſhall be conſidered, that nothing in the " preamble lays any charge upon his Majeſty, or " in the body of the ordinance, which excludes his " royal authority in the diſpoſing or execution of it: " but only it is provided, that it ſhould be ſignified " by both houſes of parliament, as that channel " thro' which it will be beſt derived, and moſt " certainly to thoſe ends for which it is intended; " and let all the world judge, whether we have not " reaſon to inſiſt upon it, that the ſtrength of the " kingdom ſhould rather be ordered according to " the direction or advice of the great council of " the land, equally intruſted by the King, and by " the kingdom, than the ſafety of the King, par- " liament and kingdom ſhould be left at the de- " votion of a few unknown counſellors, many of " them not intruſted at all by the King in any " public way, not at all confided in by the " kingdom.

" We wiſh the danger was not imminent, or " not ſtill continuing; but cannot conceive, that " the long time imployed in this debate is evidence " ſufficient that there was no ſuch neceſſity or " danger, but a bill might eaſily have been pre- " pared: for when many cauſes do concur to the " danger of a ſtate, the interruption of any one " may hinder the execution of the reſt, and yet " the deſign be ſtill kept on foot for better oppor- " tunities. Who knows whether the ill ſucceſs of " the rebels in Ireland had not hindered the in- " ſurrection of the Papiſts here? Whether the " preſervation of the ſix members of parliament " falſely accuſed, hath not prevented that plot of " breaking the neck of the parliament, of which " we were informed from France, not long before " they were accuſed? Yet, ſince his Majeſty hath " been pleaſed to expreſs his pleaſure rather for a " bill than an ordinance, and that he ſent in one " for that purpoſe, we readily entertained it, and, " with ſome ſmall and neceſſary alterations, ſpeedily " paſſed the ſame: but, contrary to the cuſtom of " parliament, and our expectations grounded upon " his Majeſty's own invitation of us that way, and " the other reaſons manifeſted in our declaration " concerning the militia, of the fifth of May, " inſtead of his royal aſſent, we met with an abſo- " lute refuſal.

" If the matter of theſe our votes, of the fifteenth " and ſixteenth of March, be according to law, " we hope his Majeſty will allow the ſubjects to be " bound by them, becauſe he hath ſaid, he will " make the law the rule of his power; and if the

" queſtion

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" queſtion be, Whether that be law which the " lords and commons have once declared to us ſo, " who ſhall be the judge? Not his Majeſty; for " the King judgeth not of matters of law, but by " courts: and his courts, thro' ſiting by his au- " thority, expect not his aſſent in matters of law: " nor any other courts, for they cannot judge in " that caſe, becauſe they are inferior, no appeal " lying to them from parliament, the judgment " whereof is, in the eye of the law, the King's " judgment in his higheſt court; tho' the King in " his perſon be neither preſent, nor aſſenting there- " unto. (3)

Rem. (3) I elſewhere obſerved the defect of this reaſoning, which is a mere fallacy, grounded upon the equivocal word, parliament. For, under color that, in a certain ſenſe, the two houſes alone are called the parliament, they here aſſume to themſelves the rights belonging ſolely to the parliament, compoſed of King, lords and commons.

" The votes at which his Majeſty takes excep- " tions, are theſe:

That the King's abſenſe ſo far remote from the parliament, is not only an obſtruction, but may be a deſtruction to the affairs of Ireland.

That when the lords and commons ſhall declare what the law of the land is, to have this not only queſtioned and controverted, but contradicted, and a command that it ſhould not be obeyed, is a high breach of the privilege of parliament.

That thoſe perſons who adviſed his Majeſty to abſent himſelf from the parliament, are enemies to the peace of the kingdom, and juſtly may be ſuſpected to be favorers of the rebellion in Ireland.

That the kingdom hath been of late, and ſtill is in ſo imminent danger, both from enemies abroad, and a Popiſh and diſcontented party at home, that there is an urgent and inevitable neceſſity of puting his Majeſty's ſubjects into a poſture of defenſe, for the ſafeguard both of his Majeſty and his people.

The lords and commons, fully apprehending this danger, and being ſenſible of their own duty to provide a ſuitable prevention, have in ſeveral petitions addreſſed themſelves to his Majeſty, for the ordering and diſpoſing of the militia of the kingdom, in ſuch a way as was agreed upon by the wiſdom of both houſes, to be moſt effectual and proper for the preſent exigents of the kingdom, yet could not obtain it; but his Majeſty did ſeveral times refuſe to give his royal aſſent thereunto.

That, in this caſe of extreme danger, and his Majeſty's refuſal, the ordinance of parliament, agreed upon by both houſes for the militia, doth oblige the people, and ought to be obeyed by the fundamental laws of this kingdom.

" By all which it doth appear there is no color " that, by this tax, we go about to introduce a " new law, much leſs to exerciſe arbitrary power, " but indeed to prevent it; for this law is as old " as the kingdom, that the kingdom muſt not be " without a means to preſerve itſelf; which that it " may be done without confuſion, this nation hath " intruſted certain hands with a power to provide, " in an orderly and regular way, for the good and " ſafety of the whole; which power, by the con- " ſtitution of this kingdom, is in his Majeſty and " in his parliament together: yet ſince the Prince, " being but one perſon, is more ſubject to accidents " of nature and chance, whereby the common- " wealth may be deprived of the fruit of that truſt " which was in part repoſed in him; in caſes of " ſuch neceſſity, that the kingdom may not be " inforced preſently to return to its firſt principles, " and every man left to do what is right in his own " eyes, without either guide or rule, the wiſdom " of this ſtate hath intruſted the houſes of par- " liament with a power to ſupply what ſhall be " wanting on the part of the Prince; as is evident " by the conſtant cuſtom and practiſe thereof in " caſes of nonage, natural diſability, and captivity; " and the like reaſon doth and muſt hold for the " exerciſe of the ſame power in ſuch caſes, where " the royal truſt cannot be, or is not diſcharged, " and the kingdom runs an evident and imminent " danger thereby; which danger having been de- " clared by the lords and commons in parliament, " there needs not the authority of any perſon or " court to affirm; nor is it in the power of any " perſon or court to revoke that judgment. (4)

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Rem. (4) All theſe reaſonings of both houſes are founded on the ſuppoſition of imminent danger. When they come to give proofs of the reality of this danger, they allege only ſuſpicions, whereof they explain the cauſe: after which, they affirm the danger to be real, becauſe they have declared it ſo, and becauſe there is no ſuperior authority to contradict their judgment. But this declaration does not make the danger real, if it be not ſo indeed. It is therefore eaſy to perceive, by their manner of proceeding, that they are imbaraſſed by this article.

" We know the King hath ways enough, in his " ordinary courts of juſtice, to puniſh ſuch ſedi- " tious pamphlets and ſermons, as are any way " prejudicial to his rights, honor and authority; " and if any of them have been ſo inſolently vio- " lated and vilified, his Majeſty's own council and " officers have been to blame, and not the parlia- " ment. We never did reſtrain any proceedings " of this kind in other courts, nor refuſe any fit " complaint to us. The Proteſtation Proteſted " was refered by the commons houſe to a commitee, " and the author being not produced, the printer " was commited to priſon, and the book voted " by that commitee to be burned; but ſir Edward " Deering, who was to make that report of the " votes of that commitee, neglected to make it. " The Apprentices Proteſtation was never com- " plained of; but the other ſeditious pamphlet, " To your Tents, O Iſrael, was once queſtioned, " and the full proſecution of it was not interrupted " by any fault of either houſe, whoſe forwardneſs " to do his Majeſty all right therein, may plainly " appear, in that a commitee of lords and com- " mons were purpoſely appointed to take ſuch in- " formation as the King's council ſhould preſent, " concerning ſeditious words, practiſes, or tumults, " pamphlets or ſermons, tending to the derogation " of his Majeſty's rights or prerogative; and his " council were injoyned by that commitee to in- " quire and preſent them; who ſeveral times met " thereupon, and received this anſwer and declara- " tion from the King's council, that they knew of " no ſuch thing, as yet.

" If his Majeſty had uſed the ſervice of ſuch a " one, in penning this anſwer, who underſtood the " laws and government of this kingdom, he would " not have thought it legally in his power to deny " his parliament a guard, when they ſtood in need " of it, ſince every ordinary court hath it; neither " would his Majeſty, if he had been well informed " of the laws, have refuſed ſuch a guard as they " deſired, it being in the power of inferior courts " to command their own guard; neither would he " have impoſed upon them ſuch a guard, under a " commander whom they could not confide in; " which is clearly againſt the privileges of parlia- " ment, and of which they found very dangerous " effects, and therefore deſired to have it diſ- " charged. But ſuch a guard, and ſo commanded, " as the houſes of parliament deſired, they could " never obtain of his Majeſty; and the placing of " a guard about them, contrary to their deſire, " was not to grant a guard to them, but in effect " to ſet one upon them. All which conſidered,

" we

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" we believe, in the judgments of any indifferent " perſons, it will not be thought ſtrange, if there " was a more than ordinary reſort of people at " Weſtminſter, of ſuch as came willingly, of their " own accord, to be witneſſes and helpers of the " ſafety of them whom all his Majeſty's good ſub- " jects are bound to defend from violence and " danger; or that ſuch a concourſe as this, they " carrying themſelves quietly and peaceably (as " they did) ought, in his Majeſty's apprehenſion, " or can, in the interpretation of the law, be held " tumultuary and ſeditious.

" When his Majeſty, in that queſtion of viola- " tion of the laws, had expreſſed the obſervation " of them indefinitely, without any limitation of " time, altho' we never ſaid or thought any thing " which might look like a reproach to his Majeſty, " yet we had reaſon to remember that it had been " otherwiſe, leſt we ſhould ſeem to deſert our " former complaints and proceedings thereupon, " as his Majeſty doth ſeem but little to like or " approve of them; for altho' he doth acknow- " ledge here that great miſchief which grew by " that arbitrary power then complained of, yet " ſuch are continually prefered and countenanced " as were friends and favorers, or related unto the " chief authors and actors of that arbitrary power, " and of thoſe falſe colors, ſuggeſtions of imminent " danger and neceſſity, whereby they did make " it plauſible unto his Majeſty. And, on the " other ſide, ſuch as did appear againſt them, " are daily diſcountenanced and diſgraced; which, " while it ſhall be ſo, we have no reaſon to judge " the diſeaſe to be yet killed and dead at root, " and therefore no reaſon to bury it in oblivion. " And while we behold the ſpawns of thoſe miſ- " chievous principles cheriſhed and foſtered in that " new generation of counſellors, friends and abet- " ters of the former, or at leaſt concurring with " them in their malignity againſt the proceedings " of this parliament, we cannot think ourſelves " ſecure from the like or a worſe danger.

" And here the penner of this anſwer beſtows " an admonition upon the parliament, biding us " take heed we fall not upon the ſame error, upon " the ſame ſuggeſtions. But he might have well " ſpared this, 'till he could have ſhewed wherein " we had exerciſed any power, otherwiſe than by " the rule of the law, or could have found a more " authentic or higher judge, in matters of law, " than the high court of parliament.

" It is declared, in his Majeſty's name, that he " is reſolved to keep the rule himſelf, and to his " power to require the ſame of all others. We " muſt needs acknowledge, that ſuch a reſolution " is like to bring much happineſs and bleſſing to " his Majeſty, and all his kingdom; yet with " humility we muſt confeſs, we have not the fruit " of it, in that caſe of lord Kimbolton, and the " other five members, accuſed contrary to law, " both common law and the ſtatute law, and yet " remain unſatisfied; which caſe was remembered " in our declaration, as a ſtrange and unheard of " violation of our laws. But the penner of this " anſwer thought fit to paſs it over, hoping that " many would read his Majeſty's anſwer (which " hath been ſo carefully diſperſed) who would not " read our declaration.

" Whereas, after our ample thanks and acknow- " ledgements of his Majeſty's favor in paſſing " many good bills, we ſaid, that truth and neceſſity " inforced us to add this, that, in or about the " time of paſſing thoſe bills, ſome deſign or other " hath been on foot, which, if it had taken effect, " would not only have deprived us of the fruit of " thoſe bills, but would have reduced us to a " worſe condition of confuſion, than that wherein " the parliament found us. It is now told us, " that the King muſt be moſt ſenſible of what we " caſt upon him, for requital of thoſe good bills; " whereas, out of our uſual tenderneſs of his Ma- " jeſty's honor, we did not mention him at all: " but ſo injurious are thoſe wicked counſellors to " the name and honor of their maſter and Sove- " reign, that, as much as they can, they lay their " own infamy and guilt upon his ſhoulders.

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" Here God alſo is called to witneſs his Majeſty's " upright intentions, at the paſſing of thoſe laws: " this we will not queſtion, neither did we give " any occaſion for ſuch a ſolemn aſſeveration as " this is. The devil is likewiſe defied to prove, " there was any deſign, with his Majeſty's know- " ledge or privity. This might well have been " ſpared, for we ſpake nothing of his Majeſty: " but ſince we are ſo far taxed as to have it affirmed, " that we laid a notorious and falſe imputation " upon his Majeſty, we thought it neceſſary, for " the juſt defenſe of our own innocency, to cauſe " the oaths and examinations, which had been " taken concerning the deſign, to be publiſhed in " a full narration, for ſatisfaction of all his Ma- " jeſty's ſubjects; out of which we ſhall now offer " ſome few particulars, whereby the world may " judge, whether we could have proceeded with " more tenderneſs towards his Majeſty than we " have done. Mr. Goring confeſſeth, that the " King firſt aſked him, Whether he was ingaged " in any cabal concerning the army? And com- " manded him to join with mr. Percy and mr. Jer- " min, and ſome others, whom they ſhould find " within at mr. Percy's chamber; where they took " the oath of ſecreſy, and then debated of a deſign " propounded by mr. Jermin, to ſecure the Tower, " and to conſider of bringing the army up to " London; and captain Legg confeſſed, he had " received the draught of a petition in the King's " preſenſe; and his Majeſty acknowledged it was " from his own hand: and whoſoever reads the " ſum of that petition, as it was proved by the " teſtimony of ſir Jacob Aſhly, ſir John Conyers, " and captain Legg, will eaſily perceive ſome " points in it apt to beget in them ſome diſcontent " againſt the parliament. And can any man be- " lieve, there was no deſign in the accuſation of " lord Kimbolton, and the reſt, in which his " Majeſty doth avow himſelf to be both a com- " mander and an actor? Theſe things being ſo, it " will eaſily appear to be as much againſt the " rule of prudence, that the penner of this anſwer " ſhould intangle his Majeſty in this unneceſſary " apology; as it is againſt the rules of juſtice, " that any reparation from us ſhould be either " yielded or demanded.

" It is profeſſed in his Majeſty's name, That " he is truly ſenſible of the burdens of his people, " which makes us hope, that he will take that " courſe which will be moſt effectual to eaſe " them of theſe burdens; that is, to join with his " parliament in preſerving the peace of the king- " dom; which by his abſenſe from them hath " been much indangered, and which, by hinder- " ing the voluntary adventures for the recovery " of Ireland, and diſabling the ſubjects to diſcharge " the great tax laid upon them, is like to make " the war much more heavy to the kingdom. " And for his Majeſty's wants, the parliament " hath been no cauſe of them. We have not di- " miniſhed his juſt revenue, but have much eaſed " his public charge, and ſomewhat his private: " and we ſhall be ready, in a parliamentary way, " to ſetle his revenue, in ſuch honorable proportion " as may be anſwerable to both, when he ſhall " put himſelf into ſuch a poſture of government, " that his ſubjects may be ſecure to injoy his

" juſt

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" juſt protection for their religion, laws and " liberties.

" We never refuſed his Majeſty's gracious offer " of a free and general pardon, only we ſaid, it " could be no ſecurity to our preſent fears and " jealouſies: and we gave a reaſon for it, that " thoſe fears did not ariſe out of any guilt of our " own actions, but out of the evil deſigns and at- " tempts of others; and we leave it to the world " to judge, whether we herein have deſerved ſo " heavy a tax and exclamation " (That it was a " ſtrange world, when Princes proffered favors are " counted reproaches;" ſuch are the words of his " Majeſty's anſwer) who do eſteem that offer as " an act of princely grace and bounty, which, " ſince this parliament began, we have humbly " deſired we might obtain, and do ſtill hold it " neceſſary and advantageous for the generality of " the ſubjects, upon whom the taxes and ſubſi- " dies lie heavieſt; but we ſee, upon every occa- " ſion, how unhappy we are in his Majeſty's miſ- " apprehenſions of our words and actions.

" We are fully of the King's mind, as it is " here declared, That he may reſt ſo ſecure of " the affections of his ſubjects, that he ſhould not " ſtand in need of foreign force to preſerve him " from oppreſſion, and are confident, that he ſhall " never want an abundant evidence of the good " wiſhes and aſſiſtance of his whole kingdom, " eſpecially if he ſhall be pleaſed to hold to that " gracious reſolution, of building upon that ſure " foundation, the law of the land: but why his " Majeſty ſhould take it ill, that we, having re- " ceived information ſo deeply concerning the ſafety " of the kingdom, ſhould think them fit to be con- " ſidered of, we cannot conceive; for altho' the " name of the perſon was unknown, yet that " which was more ſubſtantial to the probability of " the report was known, that is, that he was ſer- " vant to lord Digby, who, in his preſumptuous " letter to the Queen's Majeſty, and other letters " to ſir Lewis Dives, had intimated ſome wicked " propoſition, ſuitable to that information; but " that this ſhould require reparation, we hold it " as far from juſtice as it is from truth, that we " have mixed any malice with theſe rumors, " thereby to feed the fears and jealouſies of the " people.

" It is affirmed, his Majeſty is driven (but not " by us yet) from us: perchance hereafter, if there " be opportunity of gaining more credit, there will " not be wanting who will ſuggeſt unto his Ma- " jeſty, that it is done by us. And if his Maje- " ſty were driven from us, we hope it was not by " his own fears, but by the fears of lord Digby, " and his retinue of Cavaliers (5); and that no " fears of any tumultuary violence, but of their juſt " puniſhment for their manifold inſolence, and in- " tended violence againſt the parliament.

REM. (5). By lord Digby's Cavaliers, were underſtood the officers and gentlemen who aſſembled at Whitehall, to guard his Majeſty, at the head of whom was lord Digby. I believe not that, when this declaration was publiſhed, the term Cavaliers was commonly uſed to denote the Royaliſts. Poſſibly, this word, uſed here by the parliament, was the occaſion of ſtiling thoſe of the King's party, Cavaliers, as the parliament's partiſans were termed Round-heads. Theſe two denominations were afterwards changed into Tories and Whigs.

" And this is expreſſed by lord Digby himſelf, " when he told thoſe cavaliers, that the principal " cauſe of his Majeſty's going out of town, was " to ſave them from being trampled in the dirt; " but of his Majeſty's perſon there was no cauſe " of fear in the greateſt heat of his peoples indig- " nation, after the accuſation, and his Majeſty's " violent coming to the Houſe; there was no ſhew " of any evil intention againſt his regal perſon, " of which there can be no better evidence than " this, that he came next day without a guard into " the city, where he heard nothing but prayers " and petitions, no threatenings, nor irreverent " ſpeeches, which might give him any juſt occaſion " of fear, that we have heard of, or that his Ma- " jeſty expreſſed: for he ſtayed near a weak after " at Whitehall, in a ſecure and peacable condition; " whereby we are induced to believe, that there " is no difficulty or doubt at all, but his Maje- " ſty's reſidence near London may be as ſafe as in " any part of the kingdom. We are moſt aſſured " of the faithfulneſs of the city and ſuburbs; and " for ourſelves, we ſhall quicken the vigor of the " laws, the induſtry of the magiſtrates, the autho- " rity of the parliament, for the ſuppreſſing all " tumultuary inſolences whatſoever, and for the " vindicating of his honor from all inſupportable " and inſolent ſcandals, if any ſuch ſhall be found " to be raiſed upon him, as are mentioned in this " anſwer; and therefore we think it altogether " unneceſſary, and exceedingly inconvenient, to " adjourn the parliament to any other place.

" Where the deſire of a good underſtanding " betwixt the King and the parliament is, on both " parts, ſo earneſt, as is here profeſſed by his " Majeſty to be in him, and we have ſuffi- " ciently teſtified to be in ourſelves, it ſeems ſtrange " we ſhould be ſo long aſunder; it can be nothing " elſe but evil and malicious counſel, miſ-repre- " ſenting our carriage to him, and indiſpoſing his " favor to us: and, as it ſhall be far from us, to " take any advantage of his Majeſty's ſuppoſed " ſtraits, as to deſire, much leſs to compel him " to that which his honor or intereſt may render " unpleaſant and grievous to him; ſo we hope, " that his Majeſty will not make his own under- " ſtanding or reaſon the rule of his government, " but will ſuffer himſelf to be aſſiſted with a wiſe " and prudent council, who may deal faithfully be- " twixt him and his people; and that he will " remember, that his reſolutions do concern king- " doms, and therefore ought not to be moulded " by his own will (much leſs by that of any other " private perſon) which is not alike proportionable " to ſo great a truſt. And therefore we ſtill deſire " and hope, that his Majeſty will not be guided " by his own underſtanding, or think thoſe courſes, " ſtraits and neceſſities, to which he ſhall be ad- " viſed by the wiſdom of both houſes of parlia- " ment, which are the eyes in this politic body, " whereby his Majeſty is, by the conſtitution of " this kingdom, to diſcern the differences of thoſe " things which concern the public peace and ſafety " thereof.

" We have given his Majeſty no cauſe to ſay, " that we do meanly value the diſcharge of his " public duty. Whatſoever acts of grace or juſtice " have been done, they proceed from his Majeſty, " by the advice and counſel of his parliament, yet " we have, and ſhall always anſwer them with con- " ſtant gratitude, obedience and affection: and " altho' many things have been done ſince this " parliament, of another nature, yet we ſhall not " ceaſe to deſire the continued protection of Al- " mighty God upon his Majeſty; and moſt humbly " petition him, to caſt from him all thoſe evil and " contrary counſels, which have, in many parti- " culars formerly mentioned, much detracted from " the honor of his government, the happineſs of " his own eſtate, and proſperity of his people.

" And having paſſed ſo many dangers from " abroad, ſo many conſpiracies at home, and " brought on the public work ſo far, thro' the " greateſt difficulties which ever ſtood in oppo- ſition

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" ſition to a parliament, to ſuch a degree of ſuc-
" ceſs, that nothing ſeems to be left in our way
" able to hinder the full accompliſhment of our
" deſires and indeavors of the public good; un-
" leſs God, in his juſtice, do ſend ſuch a grievous
" curſe upon us, as to turn the ſtrength of the
" kingdom againſt itſelf, and to effect that by their
" own folly and credulity, which the power and
" ſubtilty of their and our enemies could not
" attain; that is, to divide the people from the
" parliament, and to make them ſerviceable to
" the ends and aims of thoſe who would deſtroy
" them. Therefore we deſire the kingdom to
" take notice of this laſt and moſt deſperate and
" miſchievous plot of the malignant party, which
" is acted and proſecuted in many parts of the
" kingdom, under plauſible notions of ſtiring them
" up to a care of preſerving the King's preroga-
" tive; maintaining the diſcipline of the church;
" upholding and continuing the reverence and ſo-
" lemnity of God's ſervice, and incouraging of
" learning. And upon theſe grounds, diverſe mu-
" tinous petitions have been framed in London,
" Kent, and other counties, and ſundry of his Ma-
" jeſty's ſubjects have been ſollicited to declare
" themſelves for the King againſt the parliament:
" and many falſe and foul aſperſions have been
" caſt upon our proceedings, as if we had been
" not only negligent, but averſe in theſe points:
" whereas we deſire nothing more, than to maintain
" the purity and power of religion, and to honor
" the King in all his juſt prerogatives; and for
" incouragement and advancement of piety and
" learning, we have very earneſtly indeavored,
" and ſtill do, to the utmoſt of our power, that
" all pariſhes may have learned, pious and ſuffi-
" cient preachers, and all ſuch preachers competent
" livings. (6)

REM. (6) King Charles complained, that the church of England was going to be deſtroyed, to make way for Preſbytery. The parliament dares not ſay the contrary, for fear of diſcouraging the Preſbyterians, nor own it, becauſe it was not yet time to diſcover themſelves ſo openly. They indeavor therefore to get off by general terms, which ſignify nothing; i. e. they have reſolved to ſtation in every pariſh pious miniſters, and provide for their ſubſiſtence.

" Many other bills and propoſitions are in pre-
" paration for the King's profit and honor, the
" peoples ſafety and proſperity: in the proceedings
" whereof we are much hindered by his Majeſty's
" abſenſe from the parliament, which is altogether
" contrary to the uſe of his predeceſſors, and the
" privileges of parliament; whereby our time is
" conſumed by a multitude of unneceſſary meſſa-
" ges, and our innocency wounded by cauſeleſs
" and ſharp invectives. Yet we doubt not, but
" we ſhall overcome all this at laſt, if the people
" ſuffer not themſelves to be deluded with falſe
" and ſpecious ſhews, and ſo drawn to betray
" us to their own undoing, who have ever been
" willing to hazard the undoing of ourſelves, that
" they might not be betrayed by our neglect of
" the truſt repoſed in us: but if it were poſſible
" they ſhould prevail herein, yet we would not
" fail, thro' God's grace, ſtill to perſiſt in our
" duties, and to look beyond our own lives, eſtates
" and advantages, as thoſe who think nothing
" worth the injoying, without the liberty, peace
" and ſafety of the kingdom; nor any thing
" too good to be hazarded in diſcharge of
" our conſciences for the obtaining it; and
" ſhall always repoſe ourſelves upon the protec-
" tion of Almighty God, which we are confi-
" dent ſhall never be wanting to us (while we
" ſeek his glory) as we have found it hitherto
" wonderfully going along with us in all our pro-
" ceedings."

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Charles ſoon anſwered this manifeſto. He had ſtrong reaſons to prevent betimes the impreſſions it might make upon the peoples minds. As a war was unavoidable, both King and parliament were equally concerned to gain the people, and for this theſe papers were intended. We have ſeen, in the parliament's manifeſto, the objections againſt his Majeſty reiterated; and in that Prince's, we ſhall ſee the ſame anſwers he had before given to each article. Theſe two papers therefore may be conſidered as a recapitulation of whatever had been alleged, pro and con, in the contraſt between King Charles and his parliament. Both flattered themſelves, that their reaſons were unanſwerable, and propoſed them with great confidence; nor was this wholly without foundation: for both ſides, reaſoning upon different principles, might be right, according to their reſpective ſuppoſitions.

His Majeſty's anſwer to a book, intitled, The Declaration, or Remonſtrance of the Lords and Commons, of the 19th of May, 1642.

" IF we could be weary of taking any pains for
" the ſatisfaction of our people, and to unde-
" ceive them of thoſe ſpecious, miſchievous infu-
" ſions which are daily inſtilled into them, to ſhake
" and corrupt their loyalty and affection to us and
" our government, after ſo full and ample decla-
" ration of ourſelf and intentions, and ſo fair and
" ſatisfactory anſwers to all ſuch matters as have
" been objected to us by a major part preſent of
" both houſes of parliament, we might well give
" over this labor of our pen, and ſit ſtill 'till it ſhall
" pleaſe God ſo to inlighten the affections and un-
" derſtandings of our good ſubjects, on our behalf
" (which we doubt not but that, in his good time,
" he will do) that they may ſee our ſufferings are
" their ſufferings. But ſince, inſtead of applying
" themſelves to the method propoſed by us, of
" making ſuch ſolid, particular propoſitions as
" might eſtabliſh a good underſtanding between
" us, or of following the advice of our council of
" Scotland (with whom they communicate their
" affairs) in forbearing all means which may make
" the breach wider, and wound deeper; they have
" choſen to purſue us with new reproaches, or
" rather to continue and improve the old, by add-
" ing and varying little circumſtances and language,
" in matters formerly urged by them, and fully
" anſwered by us. We prevailed with ourſelf,
" upon very mature and particular conſideration
" of it, to anſwer the late printed book, intitled,
" A Declaration or Remonſtrance of the Lords and
" Commons," which was ordered, the nineteenth of
" May laſt, to be printed and publiſhed, hoping
" then, that they would put us to no more of this
" trouble, but that ſhould have been the laſt of
" ſuch a nature they would have communicated
" to our people, and that they would not, as
" they have done ſince, thought fit to aſſault us
" with a newer declaration, indeed of a very new
" nature and learning, which muſt have another
" anſwer. (1)

Rushworth, Vol. IV. p. 704. Clarendon, p. 463.

REMARK (1) This was a freſh declaration, of the ſecond of June, whence it may be infered, that this anſwer of the King to the firſt was not publiſhed 'till after that time.

" And we doubt not, but that our good ſub-
" jects, in ſhort time, will be ſo well inſtructed
" in the differences and miſtakings between us,
" that they will plainly diſcern, without reſigning
" their reaſon and underſtanding to our preroga-
" tive, or the infallibility of a now major part of
" both houſes of parliament (infected by a few
" malignant ſpirits) where the fault is. (2)

REM.

Rem. (2) King Charles, in this paper, begins to repreſent the reſolutions of the parliament, not as being agreeable to the nation's ſentiments, but as coming only from a diſaffected party, prevalent in both houſes.

" Tho' we ſhall, with all humility and alacrity, " be always forward to acknowledge the infinite " mercy and providence of Almighty God, vouch- " ſafed ſo many ſeveral ways to ourſelf and " this nation, yet ſince God himſelf doth not " allow we ſhould fancy and create dangers to " ourſelf, that we might manifeſt and publiſh his " mercy in our deliverance, we muſt profeſs, we " do not know thoſe deliverances, mentioned in the " begining of that declaration, from ſo many " wicked plots and deſigns from the begining of " this parliament, which if they had taken effect, " would have brought ruin and deſtruction upon " this kingdom. We well know, the great labor " and ſkill hath been uſed to amaze and affright " our good ſubjects with fears and apprehenſions " of plots and conſpiracies; the ſeveral pamphlets " publiſhed, and letters ſcattered up and down full " of ſuch ridiculous, contemptible animadverſions " to that purpoſe, as (tho' they found, for what " end God knows, very unuſual countenance) no " ſober man would be moved with them. But we " muſt confeſs, we have never been able to inform " ourſelf of any ſuch pernicious, formed deſign " againſt the peace of this kingdom, ſince the " begining of this parliament, as is mentioned in " that declaration, or might be any warrant to " thoſe great fears both our houſes of parliament " ſeem to be tranſported with; but we have great " cauſe to believe, more miſchief and danger have " been raiſed and begoten, to the diſturbance of " this kingdom, than cured or prevented by thoſe " fears and jealouſies: and therefore, however the " rumor and diſcourſe of plots and conſpiracies " may have been neceſſary to the deſigns of par- " ticular men, they ſhall do well not to pay any " falſe devotions to Almighty God, who diſcerns " whether our dangers are real or pretended.

" For the bringing up the army to London, as " we have heretofore (by no other direction than " the teſtimony of a good conſcience) called God " to witneſs, we never had or knew any ſuch reſolu- " tion; ſo, upon the view of the depoſitions now " publiſhed with that declaration, it is not evident " to us, there was, ever ſuch a deſign, unleſs very " looſe diſcourſe or argument be inſtance enough " of a deſign. (3)

Rem. (3) His Majeſty ſeems to vindicate himſelf very weakly, upon this article. His whole anſwer lies in the ambiguity of the word deſign, which may ſignify either a bare project, or a ſetled and formed deſign. It is certain, there was a deſign, or project, to bring up the army to London, which King Charles knew of, and was propoſed by Jermyn; but no reſolution was taken thereon. This Prince denies his knowing of any ſuch reſolution, becauſe indeed there was not any: but he dares not deny, his having been informed of the deſign, or project of marching the army to London. Wherefore, after having ſpoken of the deſign in general, he immediately changes the word into that of reſolution. In ſuch kinds of ambiguities, King Charles the Firſt was very ſkilful.

" And it is apparent, that what was ſaid of it, " was near three months before the diſcovery to " both houſes of parliament: ſo that, if there " was any danger threatened that way, it vaniſhed " without any reſiſtance or prevention, by the wiſ- " dom, power, or authority of them. (4)

Rem. (4) The parliament inſiſted chiefly on Charles's intention, and indeavored to prove the fact, in order to make evident this intention: ſo it was not a proof of his ſaid Majeſty's not having any ill intention, that the deſign of ſeducing the army, and bringing it up to London was not purſued.

" It ſeems the intention of that declaration " (whatſoever other end it hath) is to anſwer a " declaration they received from us, in anſwer to " that which was preſented to us, at New-market, " the ninth of March laſt; and likewiſe to our " anſwer to the petition of both houſes, preſented " to us, at York, the twenty-ſixth of March laſt. " But before that declaration falls upon any parti- " culars of our ſaid declaration, or anſwer, it " complains, that the heads of the malignant " party have, with much art and induſtry, ad- " viſed us to ſuffer diverſe unjuſt ſcandals and im- " putations upon the parliament to be publiſhed in " our name, whereby they might make it odious " to the people, and by their help deſtroy it: but " not inſtancing in any one ſcandal or imputation " ſo publiſhed by us, we are ſtill to ſeek for the " heads of that malignant party. But our good " ſubjects will eaſily underſtand that, if we were " guilty of that aſperſion, we muſt not only be " active in raiſing the ſcandal, but paſſive in the " miſchief begoten by that ſcandal, we being an " eſſential part of the parliament. (5)

Rem. (5) This is only a ſubtilty grounded on the ambiguity of the word parliament. In the declaration which his Majeſty is anſwering, by the term parliament, is underſtood both houſes, without including the King; and here Charles means both houſes and the King jointly.

" And we hope the juſt defenſe of ourſelf and " and our authority, and the neceſſary vindication " of our innocence and juſtice from the imputa- " tion laid on us, by a major part then preſent, " by either or both houſes, ſhall no more be called " a ſcandal upon the parliament, than the opinion " of ſuch a part be reputed an act of parliament. " And we hope our good ſubjects will not be long " miſled by that common expreſſion, in all the " declarations, wherein they uſurp the word par- " liament, and apply it to countenance any reſo- " lution, or vote, ſome few have a mind to make, " by calling it. The reſolution of parliament, " which can never be without our conſent; neither " can the vote of either, or both houſes, make a " greater alteration in the laws of this kingdom " (ſo ſolemnly made by the advice of their prede- " ceſſors, with the concurrence of us and our an- " ceſtors) either by commanding or inhibiting any " thing (beſide the known rules of the law) than " our ſingle direction or mandate can do, to which " we do not aſcribe the authority. (6)

Rem. (6) This reaſon is invincible, ſuppoſing the government in its natural ſtate: but it could not make any impreſſion on thoſe who believed this Prince deſigned to eſtabliſh arbitrary power.

" But that declaration informs our people, that " the malignant party hath drawn us into the " northern parts, far from our parliament: it " might more truly and properly have ſaid, that " it hath driven, than drawn us hither. (7)

Rem. (7) The parliament, by malignant party, underſtood the King's party; and here Charles gives the ſame title to that of the parliament.

" For we confeſs our journey hither (for which " we have no other reaſon to be ſorry than with " reference to the cauſe of it) was only forced up- " on us by the true malignant party, which con- " trived and countenanced thoſe barbarous tumults, " and other ſeditious circumſtances, of which we " have ſo often complained, and hereafter ſhall " ſay more, and which indeed threatens ſo much " danger to our perſon, and laid ſo much ſcandal " upon the whole privilege and dignity of parlia-

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" ment, that we wonder it can be mentioned without bluſhes or indignation: but of that anon.
" But why the malignant party ſhould be charged
" with cauſing a preſs to be tranſported to York,
" we cannot imagine; neither have any papers or
" writings iſſued from thence, to our knowledge,
" but what have been extorted from us by ſuch
" provocations, as have not been before offered to
" a King: and, no doubt, it will appear a moſt
" trivial and fond exception, when all preſſes are
" open to vent whatſoever they think fit to ſay to
" the people (a thing unwarranted by former
" cuſtom) that we ſhould not make uſe of all
" lawful means to publiſh our juſt and neceſſary
" anſwers thereunto. As for the authority of the
" great ſeal (tho' we do not know that it hath been
" neceſſary to things of this nature) the ſame ſhall
" be more frequently uſed hereafter, as occaſion
" ſhall require (8); to which we make no doubt
" the greater and better part of our privy-council
" will concur, and whoſe advice we are reſolved
" to follow, as far as it ſhall be agreeable to the
" good and welfare of the kingdom.

REM. (8) The parliament's declaration was publiſhed the ninteenth of May, and three days after the lord-keeper Littleton went privately, from London, with the great ſeal to the King: ſo King Charles had it in his hands when he publiſhed his anſwer. For this reaſon, he ſays, the ſame ſhall be more frequently uſed hereafter.

" Before that declaration vouchſafes to inſiſt on
" any particulars, it is pleaſed to cenſure both our
" declaration and anſwer, to be filled with harſh
" cenſures, and cauſeleſs charges upon the parlia-
" ment (ſtill miſ-applying the word parliament
" to the vote of both houſes) concerning which
" they reſolve to give ſatisfaction to the kingdom,
" ſince they find it very difficult to ſatisfy us. If,
" as in the uſage of the word parliament, they
" have left us out of their thoughts; ſo, by the
" word kingdom, they intended to exclude all our
" people, who are out of their walls (for that is
" grown another phraſe of the time, the vote of
" the major part of both houſes, and ſometimes
" of one, is now called, 'The reſolution of the
" whole kingdom') we believe it may not be hard
" to give ſatisfaction to themſelves; otherwiſe we
" are confident (and our confidence proceeds from
" the uprightneſs of our own conſcience) they will
" never be able to ſever the affections of us and
" our kingdom, that what cannot be ſatisfaction to
" one ſhall be to the other: neither will the ſtile
" of 'humble and faithful,' and telling us,
" That they will make us a great and glorious
" King,' in their petitions and remonſtrances, ſo
" deceive our good ſubjects, that they will paſs
" over the reproaches, threats and menaces they
" are ſtuffed with, which ſure could not be more
" gently reprehended by us, than by ſaying, their
" expreſſions were different from the uſual language
" to Princes, which that declaration tells you we
" had no occaſion to ſay. But we believe, who-
" ſoever looks over that declaration, preſented to
" us at Newmarket, to which ours was an anſwer,
" will find the language throughout it to be ſo un-
" uſual, that, before this parliament, it could never
" be paralleled; while, under pretenſe of juſtifying
" their fears, they give ſo much countenance to
" the diſcourſe of the rebels of Ireland, as if they
" had a mind our good ſubjects ſhould give credit
" to it: otherwiſe, being warranted by the ſame
" evidence, which they have ſince publiſhed, they
" would have as well declared, that thoſe rebels
" publicly threaten the rooting out the name of
" the Engliſh, and that they will have a King of
" their own, and no longer be governed by us;
" as that they ſay, they do nothing but by
" our authority, and that they call themſelves
" The Queen's army.' And therefore we have
" great reaſon to complain of the abſenſe of juſtice
" and integrity in that declaration, beſide the un-
" fitneſs of other expreſſions. Neither did we
" miſtake the ſubſtance or logic of the meſſage to
" us, at Theobalds, concerning the militia, which
" was no other, and is ſtated to be no other (even
" by that declaration which reproved us) than a
" plain threat, 'That if we refuſed to join with
" them, they would make a law without us.' Nor
" hath the practiſe ſince that time been other,
" which will never be juſtified to the moſt ordinary
" (if not partial) underſtandings, by the mere aver-
" ing it to be according to the fundamental laws of
" this kingdom, without giving any direction,
" that the moſt cunning and learned men in the
" laws may be able to find thoſe foundations. (9)

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REM. (9) Here is a notorious ambiguity in the term, fundamental law. The parliament had clearly expreſſed what they underſtood by this fundamental law, viz. if the King failed in the diſcharge of his duty, the nation ought not however to be without defenſe, and in that caſe it belonged to the parliament to take care thereof. Inſtead therefore of aſking, where this law was, it ſeems that the King ſhould have ſhewn, either that, tho' he neglected his duty, it belonged not to the parliament to meddle with ſtate-government, or that he never had, nor did now neglect it: for, according to the parliament, tho' this law was not expreſſed in any particular ſtatute, it naturally flowed from the government's conſtitution. His Majeſty, by requiring this law to be produced, ſeems to inſinuate, that the parliament, in no caſe whatever, could interfere in ſtate-government, except authoriſed ſo to do by ſome expreſs law; and yet the parliament had alleged two caſes, viz. the captivity and nonage of a King, wherein they might have the management of the government; and they reckoned in this ſame claſs the Sovereign's negligence. To this King Charles ſhould have returned a reply.

" And we muſt appeal to all the world, whether
" they might not, with as much juſtice, and by
" as much law, have ſeized upon the eſtate of
" every member of both houſes, who diſſented
" from that pretended ordinance (which much the
" major part of the houſe of peers did two or three
" ſeveral times) as they have invaded that power
" of ours over the militia, becauſe we (upon reaſons
" they have not ſo much as pretended to anſwer)
" refuſe to conſent to that propoſition: (10)

REM. (10) The authority aſſumed by the parliament, was not an ordinary authority, nor pretended to be ſo. It was extraordinary for the preſent ſuppoſed caſe, that there was great danger from the King. As therefore they had not the ſame ſuſpicions of thoſe who had, at firſt, refuſed their conſent to the ordinance, they could not ſeize their eſtates upon the ſame foundation. Thus the conſequence Charles drew from the parliament's uſurpation ſeems not juſt or rational.

" And if no better effects, than loſs of time
" and hindrance of the public affairs, have been
" found by our anſwers and replies, let all good
" men judge, by whoſe default, and whoſe want of
" duty ſuch effects have been: for as our end
" (indeed only end) in thoſe anſwers and replies,
" hath been the ſetlement and compoſure of public
" affairs, ſo we are aſſured, and moſt men do be-
" lieve, that if that due regard and reverence had
" been given to our words, and that conſent and
" obedience to our counſels, which we did expect,
" there had been before this time a chearful calm
" upon the face of the whole kingdom, every
" man injoying his own, with all the peace and ſecu-
" rity can poſſibly be imagined; which ſurely thoſe

" men

" men do not desire, who (after all those acts of " justice and favor passed by us this parliament, " all those affronts and sufferings indured and un- " dergone by us) think fit still to reproach us with " ship-money, coat and conduct-money, and other " things so abundantly declared (as that declaration " itself confesses) in the general remonstrance of the " state of the kingdom, published in November " last, which we wonder to find now avowed to be " the remonstrance of both houses, and which we " are sure, was presented to us only by the house " of commons; and did never, and we are con- " fident in that time could never have passed the " house of peers; the concurrence and authority " of which was not then thought necessary. Shall " we believe those reproaches to be the voice of " the kingdom of England? That all our loving " subjects, eased, refreshed, strengthened and abun- " dantly satisfied with our acts of grace and favor " towards them, are willing to be involved in these " unthankful expressions? We must appeal to the " thanks and acknowledgments published in the " petitions of most of the counties of England; " to the testimony and thanks we have received " from both houses of parliament, how seasonable, " how agreeable this usage of us is to our merit, " or their former expressions.

" We have not the least swerved or departed " from our resolution, or words, in the begining " of this parliament. We said, we were resolved " to put ourself freely and clearly upon the love " and affection of our English subjects; and we " say so still, as far as concerns England. And " we call Almighty God to witness all our com- " plaints and jealousies, which have never been " causeless, not out of our houses of parliament " (but of some few schismatical, factious and am- " bitious spirits, and upon such grounds, as short " time, we fear, will justify to the world) our " denial of the militia, our absenting ourself from " London, have been the effects of an upright and " faithful affection to our English subjects, that we " may be able (thro' all the inconveniencies we are " compelled to wrestle with) at last, to preserve and " restore their religion, laws and liberties unto them.

" Since the proceedings against lord Kimbolton, " and the five members, is still looked upon, and " so often pressed as so great an advantage against " us, that no retraction made by us, nor no " actions since that time commited against us, and " the law of the land, under the pretense of vindi- " cation of privilege, can satisfy the contrivers of " that declaration, but that they would have our " good subjects believe, the accusation of those six " members must be a plot for breaking the neck of " the parliament (a strange arrogance, if any of " those members had the pening of that declara- " tion) and that it is so often urged against us, as " if, by that single casual mistake of ours (in form " only) we had forfeited all duty, credit and alle- " giance from our people; we must, without in- " deavoring to excuse that, which in truth was an " error (our going to the house of commons) give " our people a clear and full narration of the matter " of fact, assuring ourself, that our good subjects " will not find our carriage in that business such as " hath been reported.

" When we resolved, upon such grounds as, " when they shall be published, will satisfy the " world, that it was fit for our own safety and " honor, and the peace of the kingdom, to pro- " ceed against those persons (11); tho' we well " know there was no degree of privilege in that " case, yet (to shew our desire of correspondency " with the two houses of parliament) we chose, " rather than to apprehend their persons by the " ordinary ministers of justice (which, according " to the opinion and practise of former times, " we might have done) to command our attorney- " general to acquaint our house of peers with our " intention, and the general matter of our charge " (which was yet more particular than a mere ac- " cusation) and to proceed accordingly; and, at " the same time, sent a sworn servant, a serjeant " at arms, to our house of commons, to acquaint " them, that we did accuse, and intended to pro- " secute the five members of that house for high- " treason, and did require that their persons might " be secured in custody.

Rem. (11) I have already intimated the parliament to have been chiefly offended, that the articles of accusation, exhibited by the attorney-general, were leveled at the whole house of commons, and a great number of lords, as much as at the persons accused. Here King Charles maintains the matter of the accusation, since it was for the kingdom's peace, and passes over in silence the reasons, which he reserved for another time, and thereby his vindication cannot be full and perfect.

" This we did, not only to shew that we in- " tended not to violate or invade their privileges, " but to use more ceremony towards them than " we then conceived in justice might be required " of us; and expected at least such answer as might " inform us, if we were out of the way: but we " received none at all; only in the instant, without " offering any thing of their privileges to our " consideration, an order was made (and the same " night published in print) that if any person what- " soever should offer to arrest the person of any " member of that house, without first acquainting " that house therewith, and receiving farther orders " from that house, that it should be lawful for such " members, or any person to assist them, and to " stand upon his or their guard of defense, and to " make resistance, according to the protestation " taken to defend the privileges of parliament. " And this was the first time we heard the pro- " testation might be wrested to such a sense; or " that, in any case (tho' of the most undoubted and " unquestionable privilege) it might be lawful for " any person to resist, and use violence against a " public minister of justice, armed with lawful au- " thority, tho' we well knew, that even such a " minister might be punished for executing such " authority.

" Upon viewing this order, we must confess we " were somewhat amazed, having never seen or " heard of the like, tho' we had known members " of either house commited without so much for- " mality as we had used, and upon crimes of a " far inferior nature to those we had suggested; " and having no course proposed to us for our pro- " ceeding, we were upon the matter only told, " that against those persons we were not to pro- " ceed at all: that they were above our reach, or " the reach of the law. It was not then easy for " us to resolve what to do. (12)

Rem. (12) This is somewhat disguised. The King was not told, that these members were above the reach of the law: but only that, the parliament siting, its members could not be imprisoned without the consent of their house, and that it was expected the grounds of the accusation should be made known, in order to this consent.

" If we imployed our ministers of justice in the " usual way for their apprehension (who, without " doubt, would not have refused to execute our " lawful commands) we saw what resistance and " opposition was like to be made, which very pro- " bably might cost some blood. If we sat still, " and desisted upon this terror, we should at the " best have confessed our want of power, and the " weakness of the law. In this strait, we put on " a sudden

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" a ſudden reſolution to try, whether our own " preſenſe, and a clear diſcovery of our intentions " (which haply might not have been ſo well under- " ſtood) could remove thoſe doubts, and prevent " thoſe inconveniencies, which ſeemed to have " been threatened; and thereupon we reſolved to " go in perſon to our houſe of commons, which " we diſcovered not 'till the very minute of our " going; when we ſent out, that our ſervants, " and ſuch gentlemen as were then in our court, " ſhould attend us to Weſtminſter: but giving " them expreſs command (as we have expreſſed in " our anſwer to the ordinance) that no accidents " of provocation ſhould draw them to any ſuch " action as might imply a purpoſe of force in us; " and ourſelf (requiring thoſe of our train not to " come within the door) went into the houſe of " commons: the bare doing of which we did not " then conceive, would have been thought more a " breach of privilege, than if we had gone to the " houſe of peers, and ſent for them to come to us, " which is the uſual cuſtom. We uſed the beſt " expreſſions we could to aſſure them, how far we " were from any intention of violating their privi- " leges; that we intended to proceed legally and " ſpeedily againſt the perſons we had accuſed, and " deſired therefore, if they were in the houſe, that " they might be delivered to us; or, if abſent, " that ſuch courſe might be taken for their forth- " coming, as might ſatisfy our juſt demands: and " ſo we departed, having no other purpoſe of " force, if they had been in the houſe, than we " have before proteſted before God, in our anſwer " to the ordinance. You have an account of our " part of this ſtory fully, let our people judge " freely of it. What followed on their part (tho' " this declaration tells you, 'it could not with- " draw any part of their reverence and obedience " from us;' it may be any part of theirs it did " not) we ſhall have too much cauſe hereafter to " inform the world.

" There will be no end of the diſcourſe, and " upbraiding us with evil counſellors, if, upon our " conſtant denial of knowing any, they will not " vouchſafe to inform us of them; and, after eight " months amuſing the kingdom with the expecta- " tion of a diſcovery of a malignant party, and of " evil counſellors, they will not at laſt name any, " nor deſcribe them. Let the actions and lives of " men be examined, who have contrived, coun- " ſelled, actually conſented to grieve and burden " our people; and if ſuch be about us, or any " againſt whom any notorious, malicious crime can " be proved; if we ſhelter and protect any ſuch, " let our injuſtice be publiſhed to the world: but " 'till that be done, particularly and manifeſtly " (for we ſhall never conclude any man, upon a " bare general vote of the major part of either, or " both houſes, 'till it be evident that major part " be without paſſion or affection) we muſt look " upon the charge this declaration puts on us, of " cheriſhing and countenancing a diſcontented " party of the kingdom againſt them, as a hea- " vier and unjuſter tax upon our juſtice and honor, " than any we have, or can lay upon the framers " of that declaration. (13)

Remark (13) With ſuch reſtrictions, one may diſpute eternally: for who ſhould be judge, whether the major part of the houſe were without paſſion or prejudice?

" And now to countenance thoſe unhandſome " expreſſions, whereby uſually they have implied " our connivance at, or want of zeal againſt the " rebellion of Ireland (ſo odious to all good men) " they have found a new way of exprobration: " That the proclamation againſt thoſe bloody " traitors came not out 'till the begining of Janua- " ry, tho' that rebellion brake out in October; " and then, by ſpecial command from us, but forty " copies were appointed to be printed." It is well " known where we were at that time, when that " rebellion brake forth; in Scotland: that we im- " mediately from thence recommended the care of " that buſineſs to both houſes of parliament here, " after we had provided for all fiting ſupplies " from our kingdom of Scotland: that after our " return hither, we obſerved all thoſe forms for " that ſervice, which we were adviſed to by our " council of Ireland, or both houſes of parliament " here; and if no proclamations iſſued out ſooner " (of which for the preſent we are not certain, " but think that others before that time were iſſued " by our direction) it was, becauſe the lords juſtices " of that kingdom deſired them no ſooner, and " when they did, the number they deſired was but " twenty, which they adviſed might be ſigned by " us, which we, for expedition of the ſervice, " commanded to be printed (a circumſtance not " required by them) thereupon we ſigned more " then our juſtices deſired. All which was very " well known to ſome members, of one or both " houſes of parliament, who have the more to an- " ſwer, if they forbore to expreſs it at the paſ- " ſing of this declaration: and if they did expreſs " it, we have the greater reaſon to complain, that " ſo envious an aſperſion ſhould be caſt on us to " our people, when they know well how to anſwer " their own objections. (14)

Remark (14) This anſwer appears ſomewhat weak; for ſuppoſing forty copies would have been ſufficient for Ireland, why was not the proclamation publiſhed in England? King Charles makes no anſwer to what the parliament ſaid of the pro- clamation againſt the Scots.

" What that complaint is againſt the parliament, " put forth in our name, which is ſuch an evidence " and countenance to the rebels, and ſpeaks the " ſame language of the parliament which the rebels " do, we cannot underſtand. All our anſwers and " declarations have been, and are owned by us, " and have been atteſted under our own hand; if " any other had been publiſhed in our name, and " without our authority, it would be eaſy for both " houſes of parliament to diſcover and apprehend " the authors: and we wiſh, that whoſoever was " truſted with the drawing and pening of that de- " claration, had no more authority or cunning to " impoſe upon, or deceive the major part of thoſe " votes by which it paſſed, than any man hath to " prevail with us to publiſh, in our own name, " any thing but the ſenſe and reſolution of our " own heart; or, that the contriver of that decla- " ration could, with as good a conſcience, call " God to witneſs, that all his counſels and indea- " vors have been free from all private aims, per- " ſonal reſpects or paſſions whatſoever, as we have " done and do; that we never had or knew of " ſuch reſolutions of bringing up the army to Lon- " don. And ſince this new device is found out, " inſtead of anſwering our reaſons, or ſatisfying " our juſt demands, to blaſt our declarations and " anſwers, as if they were not our own (a bold, " ſenſeleſs imputation) we are ſure that every an- " ſwer and declaration, publiſhed by us, is much " more our own, than any one of thoſe bold, " threatening and reproachful petitions and remon- " ſtrances are the acts of either, or both houſes: " and if the penner of that declaration had been " careful of the truſt repoſed in him, he would " never have denied (and thereupon found fault " with our juſt indignation) in the text or margin, " that we had never been charged with the inten- " tion of any force, and that, in their whole de- " claration, there is no word tending to ſuch a " reproach;

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" reproach ; the contrary whereof is ſo evident,
" that we are in expreſs terms charged in that de-
" claration, that we ſent them gracious meſſages,
" when, with our privity, bringing up the army
" was in agitation. And even in this declaration
" they ſeek to make our people believe ſome ſuch
" thing to be proved in the depoſitions now pub-
" liſhed, wherein, we doubt not, they will as
" much fail, as they do in their cenſure of that
" petition ſhewed formerly to us by captain Legg,
" and ſubſcribed by us with C. R. which, not-
" withſtanding our full and particular narration of
" the ſubſtance of that petition, the circumſtances
" of our ſeeing and approving it, this declaration
" is pleaſed to ſay, was full of ſcandal to the par-
" liament, and might have proved dangerous to
" the whole kingdom. If they have this dangerous
" petition in their hands, we have no reaſon to
" believe any tenderneſs to us-ward hath kept them
" from communicating it : it they have it not,
" we ought to have been believed. But that all
" good people may compute their other pretended
" dangers by their clear underſtanding of this,
" the noiſe whereof hath not been inferior to any
" of the reſt, we have recovered a true copy of
" the very petition we ſigned with C. R. which
" ſhall in fit time be publiſhed ; and which we
" hope will open the eyes of our good people.(15)
" Concerning our warrant for mr. Jermin's paſſage,
" our anſwer was true and full : but for his black
" ſattin ſuit, and white boots, we can give no
" account.

Remark (15) This whole article of the anſwer ſeems very weak, ſince his Majeſty's defenſe conſiſts only of his own teſtimony. There could not be a properer occaſion to publiſh this petition, of which he ſaid he had a true copy : but, in defering its publication to a more convenient time, he gave room to ſuſpect there were ſome things in the petition which were not greatly to his favor.

" We complained in our declaration, and as
" often as we have occaſion to mention our return
" and reſidence near London we ſhall complain,
" of the barbarous and ſeditious tumults at Weſt-
" minſter and Whitehall, which indeed were ſo
" full of ſcandal to our government, and danger
" to our perſon, that we ſhall never think of our
" return thither, 'till we have juſtice for what is
" paſſed, and ſecurity for the time to come : and
" if there was ſo great a neceſſity, or deſire of our
" return, as is pretended, in all this time, upon
" ſo often preſſing our deſires, and upon cauſes
" ſo notorious, we ſhould at leaſt have procured
" ſome order for the future. But that declaration
" tells us, we are upon the matter miſtaken: the
" reſort of the citizens to Weſtminſter, was as
" lawful as the reſort of great numbers every day,
" in the term, to the ordinary courts of juſtice.
" They knew no tumults. Strange! Was the diſ-
" orderly appearance of ſo many thouſand people,
" with ſtaves and ſwords, crying thro' the ſtreets,
" Weſtminſter-hall, the paſſages between both
" houſes (inſomuch the members could hardly paſs
" to and fro) ' No biſhops! Down with the bi-
" ſhops!' no tumults ; What member is there,
" of either houſe, who ſaw not thoſe numbers,
" and heard not thoſe cries? And yet, lawful aſ-
" ſemblies! Were not ſeveral members of either
" houſe aſſaulted, threatened and ill-treated? And
" yet, no tumults! Why made the houſe of peers
" a declaration, and ſent it down to the houſe of
" commons, for the ſuppreſſing of tumults, if there
" were no tumults? And if there were any, why
" was not ſuch a declaration conſented to and pub-
" liſhed? When the attempts were ſo viſible, and
" the threats ſo loud to pull down the abbey at
" Weſtminſter, had we not cauſe to apprehend
" that ſuch people would continue their work to
" Whitehall? Yet, no tumults! What a ſtrange
" time are we in! That a few impudent, mali-
" cious (to give them no worſe term) men, ſhould
" caſt ſuch a ſtrange miſt of error before the eyes
" of both houſes of parliament, as that they either
" cannot, or will not ſee, how manifeſtly they
" injure themſelves by maintaining theſe viſible
" untruths? We ſay no more. By the help of
" God, and the law, we will have juſtice for
" thoſe tumults. (16)

Charles I An' 1642.

Remark (16) The parliament's declaration contained two points upon this article. Firſt ; That the concourſe of people at Weſtminſter was no tumult. Secondly ; That his Majeſty's perſon was in no danger, ſince on the morrow he went thro' the city without a guard, and moreover ſtayed ſeveral days at Whitehall in ſafety. King Charles here replies to the firſt of theſe, and leaves the other without reply. Only he draws a conſequence, that Whitehall was in danger, becauſe the people threatened to pull down Weſtminſter-abbey ; a circumſtance which does not any where appear in the accounts of theſe tumults.

" From excepting (how weightily let every man
" judge) to what we have ſaid, that declaration
" proceeds to cenſure us for what we have not ſaid,
" for the prudent omiſſions in our anſwer. We
" forbore to ſay any thing of the words ſpoken
" at Kenſington, or the articles againſt our deareſt
" conſort, and of the accuſation of the ſix mem-
" bers : of the laſt we had ſpoken often ; and we
" thought enough of the other two ; having never
" accuſed any (tho' God knows what truth there
" might be in either) we had no reaſon to give any
" particular anſwer.

" We do not reckon ourſelf bereaved of any
" part of our prerogative, which we are pleaſed
" freely, for a time, to part with by bill ; yet
" we muſt ſay, we expreſſed a great truſt in our
" two houſes of parliament, when we diveſted our-
" ſelf of the power of diſſolving this parliament,
" which was a juſt, neceſſary and proper preroga-
" tive : but we are glad to hear their reſolution,
" that it ſhall not incourage them to do any thing,
" which otherwiſe had not been fit to have been
" done ; if it do, it will be ſuch a breach of
" truſt God will require an account for at their
" hands.

" For the militia, we have ſaid ſo much in it
" heretofore, and the point is ſo well underſtood
" by all men, that we will waſte time no more
" in that diſpute. We never ſaid, there was no
" ſuch thing as an ordinance (tho' we know that
" they have been long diſuſed) but that there
" was never any ordinance, or can be, without
" the King's conſent : and that is true ; and the
" unneceſſary precedent cited in that declaration
" doth not offer to prove the contrary. But
" enough of that ; God and the law muſt deter-
" mine that buſineſs.

" Neither hath this declaration given us any
" ſatisfaction concerning the votes of the fifteenth
" and ſixteenth of March laſt, which we muſt de-
" clare, and appeal to all the world in the point, to
" be the greateſt violation of our privilege, the law
" of the land, the liberty of the ſubject, and the
" right of parliament, that can be imagined. One
" of theſe votes is (and there needs no other to de-
" ſtroy the King and people) ' That when the
" lords and commons (it is well the commons are
" admited to their part in judicature) ſhall declare
" what the law of the land is, the ſame muſt be aſ-
" ſented to, and obeyed ; that is the ſenſe in few
" words. Where is every man's property ; every
" man's liberty? If a major part of both houſes de-
" clare that the law is, that the younger brother

" ſhall

Charles I An' 1642.

" ſhall inherit, what is become of all the families " and eſtates in the kingdom? If they declare that, " by the fundamental law of the land, ſuch a raſh " action, ſuch an unadviſed word ought to be " puniſhed by perpetual impriſonment, is not the " liberty of the ſubject, 'durante bene placito,' " remedileſs? That declaration confeſſeth, They " pretend not to a power of making new laws; " that without us they cannot do that. They need " no ſuch power, if their declaration can ſuſpend " this ſtatute from being obeyed or executed, and " make this order, which is no ſtatute, to be obeyed " and executed. If they have power to declare lord " Digby, waiting on us to Hampton-court, and " thence viſiting ſome officers at Kingſton, with " a coach and ſix horſes, to be levying of war and " high-treaſon; and ſir John Hotham's defying us " to our face, keeping our town, fort and goods " againſt us by force of arms, to be an act of affec- " tion and loyalty, what needs a power of making " new laws? Or is there ſuch a thing as law left? " We deſire our good ſubjects to mark the reaſon " and conſequence of theſe votes, the progreſs they " have already made, and how infinite that progreſs " may be. Firſt, they vote the kingdom is in im- " minent danger (it is above three months ſince " they diſcerned it) from enemies abroad, and a " Popiſh and diſcontented party at home: this is " matter of fact; the law follows. This vote hath " given them authority, by law (the fundamental " laws of the kingdom) to order and diſpoſe of the " militia of the kingdom, and, with this power, " and to prevent that danger, to enter into our " towns, ſeize upon our magazine, and by force " keep both from us. Is not this our caſe? Firſt, " they vote we have an intention to levy war againſt " our parliament (a); that is matter of fact: then " they declare ſuch as ſhall aſſiſt us to be guilty " of high-treaſon; that is the law, and proved by " two ſtatutes themſelves know to be repealed: " no matter for that, they declare it. Upon this " ground they exerciſe the militia, and ſo actually " do that upon us, which they have voted we in- " tended to do upon them. Who doth not ſee the " confuſion which muſt follow upon ſuch a power " of declaring? If they ſhould now vote, that we " did not write this declaration, but that ſuch a " one did it, which is ſtill matter of fact; and then " declare, that for ſo doing he is an enemy to the " commonwealth; what is become of the law that " man was born to? And if all their zeal for the " defenſe of the law be but to defend that which " they declare to be law, their own votes, it will " not be in their power to ſatisfy any man of their " good intentions to the public peace, but ſuch as " are willing to relinquiſh their titles to 'Magna " Charta,' and hold their lives and fortunes by a " vote of a major part of both houſes. In a word, " we deny not but that they may have power to " declare, in a particular doubtful caſe, regularly " brought before them, what law is; but to make " a general declaration, whereby the known rule " of the law may be croſſed or altered, they have " no power, nor can exerciſe any, without bring- " ing the life and liberty of the ſubject to a lawleſs " and arbitrary ſubjection. (17).

Remark (17) It muſt have been a great mortification to King Charles, to be forced to ſhew, by ſuch good arguments, the miſchiefs which flow from arbitrary power. The ſame reaſons uſed by this Prince to demonſtrate, that arbitrary power was a natural conſequence of the parliament's maxims, ſerved to prove, that it was equally hazardous to leave, not every King of England, but himſelf in particular, inveſted with the authority allowed him by the laws, conſidering the uſe he had already made of that power.

Charles I An' 1642.

" We complained (and let the world judge of " the juſtice and neceſſity of that complaint) of " the multitude of ſeditious pamphlets and ſer- " mons; and that declaration tells us, they know " we have ways enough in our ordinary courts of " juſtice to puniſh thoſe: ſo we have to puniſh " tumults and riots, and yet they will not ſerve our " turn to keep our towns, our foreſts and parks " from violence (b). And, it may be, tho' thoſe " courts have ſtill the power to puniſh, they may " have loſt the ſkill to define what riots and " tumults are; otherwiſe a jury in Southwark, " legally impanneled to examine a riot there, would " not have been ſuperſeded, and the ſheriff in- " joined not to proceed, by virtue of an order of " the houſe of commons, which it ſeems at that " time had the ſole power of declaring. But it " is no wonder, that they who could not ſee the " tumults, do not conſider the pamphlets and ſer- " mons, tho' the author of the 'Proteſtation Pro- " teſted' be well known to be Burton (that infa- " mous diſturber of the peace of this church and " ſtate) and that he preached it at Weſtminſter, " in the hearing of diverſe members of the houſe " of commons. But of ſuch pamphlets, and ſedi- " tious preachers (diverſe whereof have been recom- " mended, if not impoſed upon ſeveral pariſhes, by " ſome members of both houſes, by what autho- " rity we know not) we ſhall hereafter take a " farther account. (18)

Rem. (18) Theſe ſermons contained, chiefly, the maxims which the parliament would have eſtabliſhed, or pretended to be agreeable to the laws; but which the King looked upon as ſeditious, and for that reaſon affirmed the parliament ought to puniſh the authors. This Burton was the ſame whoſe ears were cut off by the ſtar-chamber, and who was baniſhed to Guernſey, for publiſhing a treatiſe againſt the church of England. It ſeems here, that his Majeſty was diſpleaſed with the parliament's reverſing his ſentence.

" We confeſs, we have little ſkill in the laws, and " thoſe who have had moſt, we now find are " much to ſeek. Yet we cannot underſtand or " believe, that every ordinary court, or any court, " hath power to raiſe what guard they pleaſe, " and under what command they pleaſe; neither " can we imagine what dangerous effects they " found by the guard we appointed them, or in- " deed any the leaſt occaſion why they needed a " guard at all.

" But of all the imputations, ſo cauſeleſly and " unjuſtly laid upon us by that declaration, we " moſt wonder at that charge, ſo apparently and " evidently untrue; that ſuch are continually pre- " fered and countenanced by us, who are friends, " or favorers, or related unto the chief authors and " actors of that arbitrary power, heretofore pra- " ctiſed or complained of: and, on the other ſide, " that ſuch as did appear againſt it, are daily diſcoun- " tenanced and diſgraced. We would know one " perſon who contributed to the ills of thoſe times, " or had dependance upon thoſe who did, whom " we do, or lately have countenanced or pre- " fered: nay, we are confident (and we may look " for no other at their hands) as they have been " always moſt eminent aſſertors of the public li-

(a) Theſe votes paſſed in the interval between publication of the parliament's declaration, and that of his Majeſty's anſwer. Rapin.

(b) This alludes to a diſturbance which happened in the park and foreſt of Windſor. Rapin.

" berties

CHARLES I An' 1442.

" berties, ſo, if they found us inclined to any " thing not agreeable to honor and juſtice, they " would leave us to-morrow. Whether different " perſons have not and do not receive countenance " elſewhere, and upon what grounds, let all men " judge; and whether we have not been forward " enough to honor and prefer thoſe of the moſt " contrary opinion, how little comfort ſoever we " have had of thoſe preferments; in beſtowing of " which hereafter we ſhall be more guided by " mens actions than opinions. And therefore we " had good cauſe to beſtow that admonition (for " we aſſure you it was an admonition of our own) " upon both our houſes of parliament, to take " heed of inclining, under the ſpecious ſhews of " neceſſity and danger, to the exerciſe of ſuch ar- " bitrary power as they before complained of: the " advice will do no harm, and we ſhall be glad to " ſee it followed.

" And are all the ſpecious promiſes, and loud " profeſſions of making us a great and glorious " King; of ſetling a greater revenue upon us than " any of our anceſtors have injoyed, of making " us to be honored at home, and feared abroad, " reſolved into this; that they will be ready to " ſetle our revenue in an honorable proportion, " when we ſhall put ourſelf in ſuch a poſture of " government, that our ſubjects may be ſecure to " injoy our juſt protection for their religion, laws " and liberties? What poſture of government they " intend, we know not, nor can we imagine what " ſecurity our good ſubjects can deſire for their " religion, laws and liberties, which we have not " offered, or fully given. (19)

REM. (19) Unhappily, ſince the violation of the petition of right, neither his Majeſty's word, nor his promiſes, nor even acts of parliament, had been deemed a ſufficient ſecurity: at leaſt, plauſible reaſons were alleged not to confide in them. Nothing but the militia could ſatisfy the parliament, and that was what King Charles would not willingly concede.

" And is it ſuitable to the duty and dignity of " both houſes of parliament, to anſwer our parti- " cular, weighty expreſſions of the cauſes of our " remove from London (ſo generally known to " the kingdom) with a ſcoff, that they hope we " were driven from thence, not by our own fears, " but by the fears of lord Digby, and his retinue " of Cavaliers? Sure the penner of that declaration " inſerted that ungrave and inſolent expreſſion (as " he hath done diverſe others) without the conſent " or examination of both houſes, who would not " ſo lightly have departed from their former pro- " feſſions of duty to us.

" Whether the way to a good underſtanding, " between us and our people, hath been as zea- " louſly preſſed by them, as it hath been profeſſed " and deſired by us, will be eaſily diſcerned by thoſe " who obſerve, that we have left no public act un- " done on our part which, in the leaſt degree, might " be neceſſary to the peace, plenty and ſecurity of " our ſubjects, and that they have not diſpatched " one act which hath given the leaſt evidence of " their particular affection and kindneſs to us; " but, on the contrary, have diſcountenanced and " hindered the teſtimony other men would give to " us of their affections; witneſs, the ſtoping and " keeping back the bill of ſubſidies granted by " the clergy almoſt a year ſince; which, tho' " our perſonal wants are ſo notoriouſly known, " they will not to this time paſs: ſo they not only " forbear ſupplying us themſelves, but keep the " love and bounty of other men from us, and " afford no other anſwers to all our deſires, " all our reaſons (indeed not to be anſwered) than, " that we muſt not make our underſtanding, or " reaſon, the rule of our government, but ſuffer " ourſelf to be aſſiſted (which we never denied) " by our great council. We require no other " liberty to our will, than the meaneſt of them do " (we wiſh they would always uſe that liberty) " not to conſent to any thing evidently contrary " to our conſcience and underſtanding; and we " have and ſhall always give as much eſtimation " and regard to the advice and counſel of both our " houſes of parliament, as ever Prince hath done; " but we ſhall never (and we hope our people will " never) account the contrivance of a few factious, " ſeditious perſons, a malignant party who would " ſacrifice the common-wealth to their own fury " and ambition, the wiſdom of parliament: and " that the juſtifying and defending ſuch perſons (of " whom, and of their particular ſiniſter ways to " compaſs their own bad ends, we ſhall ſhortly " inform the world) is not the way to preſerve " parliaments, but is the oppoſing and prefering " the conſideration of a few unworthy perſons be- " fore their duty to their King, or their care of " the kingdom. They would have us remember, " that our reſolutions do concern kingdoms, and " therefore are not to be moulded by our own un- " derſtanding. We well remember it; but we " would have them remember that, when their " conſultations indeavor to leſſen the office and " dignity of a King, they meddle with that which " is not within their determination, and of which " we muſt give an account to God and our other " kingdoms, and muſt maintain with the ſacrifice " of our life.

CHARLES I An' 1642.

" Laſtly; that declaration tells you of a pre- " ſent deſperate and malicious plot the malignant " party is now acting, under the plauſible notions " of ſtiring men up to a care of preſerving the " King's prerogative; maintaining the diſcipline of " the church; upholding and continuing the reverence " and ſolemnity of God's ſervice, and incouraging " learning (indeed plauſible and honorable notions " to act any thing upon) and that upon theſe " grounds, diverſe mutinous petitions have been " framed in London, Kent and other places. " Upon what grounds would theſe men have peti- " tions framed? Have ſo many petitions (even " againſt the form and conſtitution of the king- " dom, and the laws eſtabliſhed) been joyfully " received and accepted? And ſhall petitions " framed upon theſe grounds be called mutinous? " Have multitudes of mean, unknown, inconſider- " able, contemptible perſons, about the city and " ſuburbs of London, had liberty to petition " againſt the government of the church; againſt " the book of common-prayer; againſt the free- " dom and privilege of parliament, and been " thanked for it? And ſhall it be called mutiny " in the graveſt and beſt citizens of London, in " the gentry and commonalty of Kent, to frame " petitions upon theſe grounds, and to deſire to " be governed by the known laws of the land, " not by orders or votes of either, or both houſes? " Can this be thought the wiſdom and juſtice of " both houſes of parliament? Is it not evidently " the work of a faction within or without both " houſes, who deceive the truſt repoſed in them, " and have now told us what mutiny is? To ſtir " up men to a care of preſerving our prerogative, " maintaining the diſcipline of the church, upholding " and continuing the reverence and ſolemnity of " God's ſervice, incouraging of learning, is mu- " tiny. Let heaven and earth, God and man, " judge between us and theſe men. And however " ſuch petitions are there called mutinous, and the " petitioners threatened, diſcountenanced, cenſured " and impriſoned. If they bring ſuch lawful " petitions to us, we will graciouſly receive them,

CHARLES I An' 1642.

" and defend them and their rights againſt what " power ſoever, with the uttermoſt hazard of our " being.

" We have been the longer (to our very great " pain) in this anſwer, that we might give the " world ſatisfaction, even in the moſt trivial " particulars which have been objected againſt us; " and that we may not be again reproached with " any more 'prudent omiſſions.' If we have been " compeled to ſharper language than we affect, let " it be conſidered, how vile, how inſufferable our " provocations have been: and except to repel " force be to aſſault, and to give punctual and ne- " ceſſary anſwers to rough and inſolent demands " be to make invectives, we are confident the " world will accuſe us of too much mildneſs, " and all our good ſubjects will think we are not " well dealed with, and will judge of us, and of " their own happineſs and ſecurity in us, by our " actions; which we deſire may no longer proſper, " or have a bleſſing from God upon them and us, " than they ſhall be directed to the glory of God, " in the maintenance of the true Proteſtant pro- " feſſion; to the preſervation of the property and " liberty of the ſubject; in the obſervation of the " laws, and to the maintenance of the rights and " freedom of parliament in the allowance and pro- " tection of all their juſt privileges."

Explication of the differences between King and parliament.

On peruſing all theſe papers, in this ſecond part of King Charles I's reign, one ſhould ſeemingly have a perfect knowledge of the differences between that Prince and his parliament, and the ſubject be exhauſted. Nevertheleſs, if a reader keeps to the papers publiſhed on both ſides, he will not have a very ſtrong idea of the cauſe of theſe differences. In order thereto, he muſt underſtand the motives which they took care not to diſcover in their manifeſtoes, publiſhed only with deſign to gain the public's approbation. The following recital will, in my opinion, ſerve to give a clear and manifeſt idea of theſe differences. I ſhall not ſay any thing but what has been intimated in ſeveral places; and yet, I am of opinion it will not be ſuperfluous briefly to recapitulate the whole, which may be of ſervice to ſhew the grounds and cauſes of the civil wars.

After what has been advanced, it muſt be laid down as a fact undeniable, that King Charles had formed a deſign to eſtabliſh in England a power unlimited. They who deny this, have only to ſeek in their imagination a more natural cauſe of the peoples diſcontent againſt his government: but it is certain, whatever their ſyſtem may be, they will not, without this, ever be able ſo to reconcile it with the events as to ſatisfy ſuch as are unprejudiced. The four preceding parliaments conſidered this Monarch's procedure, from the begining of his reign, as tending to eſtabliſh deſpotiſm. This was what they termed their grievances, the redreſs whereof they had frequently, tho' fruitleſly required.

King Charles I, inherited his father's irradicable averſion to the Puritans, or Preſbyterians. Like him, he was perſuaded, that their principles touching eccleſiaſtical diſcipline, were directly oppoſite to monarchy. Both went ſtill farther. They believed not only, that all the Puritans were antimonarchical, but likewiſe, that all thoſe who were averſe to arbitrary govenment were confirmed Puritans. This induced Charles I, to reſolve on ruining ſuch as were not ſubmiſſive enough to his will, by confounding them all under the name of Puritans. To that end, he admited into his council, and public offices, ſuch only as adhered to thoſe his maxims. Hence ſprang all the ſeverities exerciſed by the council, ſtar-chamber, high-commiſſion, judges, and the whole magiſtracy, on thoſe who, according to the court's notions, were infected with Puritaniſm, tho' many of theſe men were ſincerely attached to the church of England. Herein this Prince, contrary to his intention, did a very conſiderable ſervice to the true Preſbyterians, ſince he confounded their intereſts with thoſe of a great number of people, who would not, otherwiſe, have had any inclination to Preſbytery. The truth is, they were alike menaced with the ſame deſtruction: and therefore, in the elections for this laſt parliament, many of principles contrary to King and court, were returned. Among theſe the Preſbyterians were the moſt ardent, perceiving their ruin was determined, and would ſoon approach if Charles ſucceeded in his deſigns. Thus, the Preſbyterian party, which before made but a very inconſiderable figure in the kingdom, grew powerful, by the junction of that other ſort of Puritans, whom the court had pleaſed to confound with them.

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Contrariwiſe, archbiſhop Laud, with ſome other court-prelates, deviſed a method, which could not fail affording them occaſions to perſecute the Puritans. This was to injoin moſt rigorouſly the obſervance of certain practiſes, which moſt people regarded as indifferent: nay, they ſubjoined diverſe innovations, which offended not only the Preſbyterians, but alſo many of the church of England. This produced great murmurs: but people were not ſatisfied with complaining, they openly diſobeyed, and their diſobedience afforded a pretenſe to puniſhment. Hereby the biſhops, who were the chief authors of theſe innovations, rendered themſelves ſo odious, that many believed there was juſt reaſon to ſuſpect a deſign to reſtore the Romiſh creed, ſince the eſtabliſhment of theſe innovations was ſo ardently purſued, which ſeemed to tend only to draw the church of England nearer to that of Rome. If to this diſcontent be added that occaſioned by King Charles's adminiſtration, with regard to the peoples liberties and parliamentary privileges, it will not be difficult to conceive, that the nation in general was extremely diſſatisfied.

Tho' in this laſt parliament there were many Preſbyterians, for the above mentioned reaſon, they were not however ſtrong enough to form a party capable of oppoſing that of the church, had they at firſt diſcovered their intentions; ſo, it may be affirmed that, in general, the deſign of this parliament, when they met, was not to overthrow the church of England, and eſtabliſh Preſbytery in its room; tho' it can ſcarce be doubted this was the private aim of the Preſbyterians: but, as their number was too ſmall to oppoſe all the other members, they reſolved to join with that party which oppoſed the King for procuring a redreſs of grievances. Among thoſe grievances, ſome concerned religion, as thoſe innovations which offended the Church-men no leſs than the Preſbyterians themſelves. Upon this ſubject, theſe latter ſcrupled not declaiming ſtrenuouſly whenſoever occaſion offered, and repreſenting theſe grievances as being of very dangerous conſequence. This they could do without diſcovering themſelves too openly, becauſe, as I obſerved, moſt of the members of parliament were already prejudiced againſt the prelates innovations and their whole conduct. As King Charles was exceſſively zealous for the church of England, and of the number of thoſe who conſidered the innovations and ſome other trifles as neceſſary to the ſolemnity of the public worſhip, he oppoſed their ſuppreſſion as much as poſſible, not directly, but by means of the biſhops, Popiſh lords, and others of his party: wherefore the Preſbyterians indeavored to convince all the reſt of the contrary party, that as long as biſhops ſat in the houſe of lords, it would be in a manner impoſſible

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to attain a full redreſs of grievances. The houſe of commons perſiſted therefore in ſo ordering matters, that the biſhops votes ſhould be ſilenced, wherein they met with great obſtacles: but finally, by means of the tumults, they frightened them away, and induced them to preſent the proteſtation, which occaſioned the ordering twelve of them to the Tower. By this ſame means, the Popiſh lords were alſo conſtrained to abſent themſelves from the parliament. From that time the royal party became very feeble, and the Preſbyterians acquired freſh vigor.

Afterwards, the Preſbyterian faction, having gained ſo much ground, ſedulouſly applied themſelves to cheriſh the diſſenſion between King and parliament. They it was who got paſſed the remonſtrance of the kingdom's ſtate and condition, which was preſented to Charles at his return from Scotland, and was as the ſignal of this rupture. Unhappily, there was in the Preſbyterian party another claſs of men, who concealed themſelves, and were afterwards known by the name of Independents. This party, as they could not accompliſh their ſecret deſigns without diſorder and confuſion, affected a rigid Preſbyterianiſm, and ſtrove to carry matters to extremities, under color of maintaining Preſbytery, tho' in reality their intention was to deſtroy it, as well as the church of England.

Mean while his Majeſty, withdrawing to York, and perceiving a war unavoidable, ſent private notice to all whom he thought his friends in both houſes, to leave the parliament and repair to York, or elſewhere. Many obeyed, and by their retreat the Preſbyterian party became ſuperior in the two houſes. Before that time, when any thing was moved by the Preſbyterians, tending to the ſubverſion of the church of England, thoſe who had any regard for the church failed not oppoſing it, and of this number were all King Charles's friends; but, ſoon as theſe were retired, the Preſbyterian party, by their ſuperiority in both houſes, paſſed whatever they pleaſed: this is what Charles obſerved in ſeveral paſſages of his anſwer. Thus, the Preſbyterian faction prevailed in both houſes, and ſecretly intended to alter church-government; but the thing being impracticable, ſo long as Charles ſhould preſerve his powet, it is evident that, according to this project, it greatly imported the parliament, which was directed by the Preſbyterians, carefully to avoid whatever tended towards accommodation, which would have diſconcerted all their meaſures: but they took care not to diſcover too plainly their deſigns, it not being yet time, 'till they had put it out of this Prince's power to prevent the execution. So, notwithſtanding they rendered as plauſible as they were able their fears and jealouſies of his Majeſty, and tho' it ſhould be granted they had reaſon to fear and be jealous, there is however room for a preſumption, that the danger they repreſented as ſo very imminent, was not ſo real as they pretended. Their grand aim was to induce Charles to begin the rupture; and herein that Monarch ſeems not to have ſoon enough perceived the ſnare which was laid for him.

With regard to King Charles, it is not any way poſſible to know preciſely his ſecret motives and intentions, becauſe, ſince opening this parliament, it had not ever been in his power to ſhew them evidently, by any effects. It is true, he gave his aſſent to diverſe bills very advantageous to the people, and thereby ſeemed to expreſs ſome ſort of reluctance for his former conduct: but his ſituation, when he paſſed theſe acts, made it ſomewhat dubious, whether he ſincerely conſented to the redreſs of grievances, or whether it was only to accommodate himſelf to the times. He aſſured, that his future intention was to govern according to law, and called God to witneſs his ſincerity: but people would not rely on his aſſeverations. Thus much is certain, that whatever he ſaid, or did, in favor of the laws, was little conformable to the maxims he had followed for fifteen years. If any were perſuaded, that his promiſes and proteſtations were ſufficient for the nation's ſecurity, others were of opinion there was juſt cauſe to queſtion their ſincerity, becauſe they came at a time when he had no other refuge than the laws to ſupport himſelf, nor other means than his promiſe to obſerve them, to prevent a general defection of the whole nation. I ſhall not pretend to decide ſo difficult a quere, which is not within human reach, God alone knowing intirely what paſſes in the heart. I count it a temerity to aver King Charles not to have been ſincere in his promiſes: but I likewiſe believe his ſincerity may be doubted, ſince he had never opportunity to demonſtrate it by effects.

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Whatſoever was this Prince's private intention, he plainly perceived that of the prevailing party in this parliament, and ſaw that force alone could deliver him from his danger. His propoſals for agreement were rejected, and his promiſes to keep the laws thenceforwards conſidered as ſo many ſnares; and, unfortunately for him, he had given but too much cauſe for diſtruſt. He could not diſown it, with reſpect to what had paſſed before this parliament; and, even during this parliament, he had taken certain ſteps which his adverſaries well knew how to turn to their advantage. Such was the attempt to ſeduce the army, wherein very poſſibly he was concerned, tho' he could ſafely affirm, he knew of no reſolution to bring up the army to London. Such was the accuſation of the ſix members of parliament, which could not but create a ſuſpicion of ſome hidden deſign. His project to ſecure Hull; his withdrawing to York; the Queen's voyage into Holland, the motive whereof was at length diſcovered, were matters which helped not to cure the peoples ſuſpicions. So both houſes, firmly keeping to the occaſions of jealouſy, fear and diſtruſt which they had, or pretended to have of his Majeſty, made uſe of them to convince the people, there was no depending on his promiſes, except it was put out of his power to break them. This occaſioned the militia affair, on account of which King Charles was drawn into a ſtreight whence he could not extricate himſelf: for by granting the militia, he would himſelf have been ſubſervient to the execution of the parliament's deſigns; and, by refuſing it, he gave occaſion to ſay, he was willing to agree with both houſes, without giving them other ſecurity than his word, which, as they pretended, could not be relied on. It is likewiſe certain that he would not recede from any of his rights, neither would he offer other aſſurance than his bare word to ſatisfy the parliament.

After what has been advanced, it will not be hard to comprehend the riſe of this breach, and the difficulties of any accommodation. That concerning eccleſiaſtical government was one of the principal, tho' it may not be clearly explained in the manifeſtoes of both parties. Had Charles's own intereſts been ſolely in queſtion, perhaps he would have agreed to ſome conceſſions, at leaſt for a time. But he found, that one chief reaſon of his enemies deſiring to contract his power was, the more eaſily to accompliſh a change in church-diſcipline, which he thought himſelf bound in conſcience to oppoſe, to the utmoſt of his ability. He was ſo ſincerely and ſo firmly attached to the church of England, that he looked on any condeſcenſion which might tend to its deſtruction, as the moſt atrocious crime he could be guilty of, and perſiſted in this ſentiment even when his affairs were become quite deſperate. All his counſellors were of the ſame principles. They believed the epiſcopal government of the church

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church ſo abſolutely neceſſary, that, according to them, a church without prelates was no true church. On the other hand, the Preſbyterians were no leſs poſſeſſed with their notions, and, without diſtinguiſhing what is eſſential in religion from what is only external, they conſidered the uſages and practiſes of the church of England as a ſpecies of Popery. Beſide, they were ſo convinced of King Charles's hatred to them, that they could not believe themſelves ſafe ſo long as it was in his power to oppreſs them. Matters ſtanding thus, it is evident, that force alone was capable of obliging one or other party to ſubmit.

The earl of Briſtol in vain propoſes ſome accommodation, May 20. Ruſhworth, Vol. IV. p. 714.

A war being ſcarce avoidable, the earl of Briſtol, tho' he had no great reaſon to be ſatisfied with King Charles, made his laſt effort to procure ſome wholeſome accommodation, by a ſpeech in the houſe of peers. He repreſented, that the thing was not impoſſible, if ſincerely indeavored. After having enumerated all the miſchiefs of a civil war, and the calamities wherewith it is uſually attended, he moved to appoint a ſelect commitee of both houſes, truly to ſtate all the differences between his Majeſty and the parliament, with the moſt probable ways of reconciling them; what the King ought to do to ſatisfy his people, and what ſecurity he ſhould give. He added ſundry other particulars, which manifeſtly ſhewed, he inclined to the King's ſide; and becauſe withal he mentioned religion but very ſlightly, and in general terms, his arguments produced not any great effect.

That, or the next day, the commons voted:

Votes of the commons. p. 717. Clarendon, p. 418.

" 1. That it appeared, that the King, ſeduced " by wicked counſels, intended to make war " againſt the parliament, who, in all their conſultations and actions, had propoſed no other end " unto themſelves, but the care of his kingdoms, " and the performance of all duty and loyalty to " his perſon.

" 2. That whenſoever the King made war upon " the parliament, it would be a breach of the truſt " repoſed in him by his people, contrary to his " oath, and tending to the diſſolution of the government.

" 3. That whoſoever ſhould ſerve or aſſiſt him " in ſuch wars, would be traitors by the fundamental laws of the kingdom; and had been ſo " adjudged by two acts of parliament, and " ought to ſuffer as traitors: 11 Richard II. " 1 Henry IV." (1)

Charles has the great ſeal ſent him. Ib. p. 713. Clarendon, p. 442, &c.

May the twenty-ſecond, lord-keeper Littleton delivered the great ſeal to be carried to his Majeſty, and followed it himſelf next morning, before the parliament had thereof any notice.

The parliament petition him to diſband his forces. Ruſhworth, Vol. IV. p. 719.

The twenty-third, both houſes ſent the King a petition, deſiring him to diſband ſuch cavalry and infantry as he had levied, under color of a guard for his perſon. They told him, if he diſmiſſed not theſe forces, they ſhould be obliged to preſerve the kingdom's peace by the propereſt means. Charles returned a very ſharp anſwer to this petition, reproaching both houſes, that they had raiſed a guard for themſelves, and ordered the ſheriffs to oppoſe, with the power of the counties, ſuch as ſhould be drawn together by the King's command (2).

May 23. The King's anſwer. p. 720. Clarendon, p. 418.

A war, as I ſaid, was reſolved on both ſides; but each ſtill proceeded with ſome caution, in order to caſt the blame on the adverſe party: for in a civil war, it is chiefly the people who are wanted, becauſe in them lies the ſtrength of both factions. The earl of Briſtol, in his ſpeech to their lordſhips, May twenty, obſerved, that it was not impoſſible to propound and ſetle the differences between King and parliament; but that the great difficulty conſiſted in finding ſuch ſecurity, as might ſtand with his Majeſty's honor, and the peoples ſatisfaction. He chiefly inſiſted that, the King offering to give reaſonable ſecurity, they were not to reject his offer, and charge themſelves with the events of a war. As this offer, tho' made in general terms, appeared plauſible, the parliament apprehended it might make ſome impreſſion on the public; and therefore, they judged it neceſſary to ſhew that the King, by his general offer, did however offer only his word for ſecurity, which could not be a firm foundation of a good agreement. To this end, they ſent him, the ſecond of June, nineteen propoſitions, which they conſidered as proper to eſtabliſh a good peace, and ſtrict union between the Sovereign and his parliament. The propoſitions were theſe:

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Nineteen propoſitions ſent his Majeſty by the parliament. June 2. Ruſhworth, Vol. IV. p. 722. Clarendon, P. 493, &c.

" 1. That the lords, and others of your Ma- " jeſty's privy-council, and ſuch great officers and " miniſters of ſtate, either at home or beyond the " ſeas, may be put from your privy-council, and " from thoſe offices and imployments, excepting " ſuch as ſhall be approved of by both houſes of " parliament; and that the perſons put into the " places and imployments of thoſe who are removed, may be approved of by both houſes of " parliament; and that the privy-council ſhall " take an oath for the due execution of their places, " in ſuch forms as ſhall be agreed upon by both " houſes of parliament.

" 2. That the great affairs of this kingdom may " not be concluded or tranſacted by the advice of " private men, or by any unknown or unſworn " counſellors, but that ſuch matters as concern the " public, and are proper for the high court of parliament, which is your Majeſty's great and ſupreme council, may be debated, reſolved and " tranſacted only in parliament, and not elſewhere: " and ſuch as ſhall preſume to do any thing to " the contrary, ſhall be reſerved to the cenſure and " judgment of parliament. And ſuch other matters " of ſtate, as are proper for your Majeſty's privy-council, ſhall be debated and concluded by ſuch " of the nobility, and others, as ſhall from time " to time be choſen for that place, by approbation " of both houſes of parliament: and that no " public act concerning the affairs of the kingdom, " which are proper for your privy-council, may " be eſteemed of any validity, as proceeding from " the royal authority, unleſs it be done by the " advice and conſent of the major part of the " council, atteſted under their hands; and that " your council may be limited to a certain number, not exceeding five and twenty, nor under " fifteen. And if any counſellor's place happens " to be void in the interval of parliament, it ſhall " not be ſupplied without the aſſent of the major " part of the council; which choice ſhall be confirmed at the next ſiting of parliament, or elſe " to be void.

" 3. That the lord high-ſteward of England, " lord high-conſtable, lord-chancellor, or lord-keeper of the great-ſeal, lord-treaſurer, lord " privy-ſeal, earl-marſhal, lord-admiral, warden " of the Cinque-ports, chief governor of Ireland, " chancellor of the exchequer, maſter of the wards, " ſecretaries of ſtate, two chief juſtices and chief " baron, may always be choſen with the approbation of both houſes of parliament, and, in the " intervals of parliament, by aſſent of the major

(1) Theſe votes were paſſed before the King's anſwer to the parliament's manifeſto, and therefore are mentioned by him in that anſwer. Rapin.

(2) This order was dated May 17, and was repeated again May 28, together with orders to all high-ſheriffs, juſtices of peace, and other officers, within a hundred and fifty miles of York, to ſtay all arms and ammunition going to that city. Ruſhworth, Vol. IV. p. 721, 722.

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" part of the council, in ſuch manner as is before " expreſſed in the choice of counſellors.

" 4. That he or they, unto whom the go- " vernment and education of the King's chil- " dren ſhall be commited, ſhall be approved " of by both houſes of parliament; and, in " the intervals of parliament, by the aſſent of " the major part of the council, in ſuch manner " as is before expreſſed in the choice of counſellors; " and that all ſuch ſervants as are now about them, " againſt whom both houſes ſhall have any juſt " exceptions, ſhall be removed.

" 5. That no marriage ſhall be concluded, or " treated for any of the King's children, with any " foreign Prince, or other perſon whatſoever, " abroad or at home, without the conſent of par- " liament, under the penalty of a Præmunire upon " ſuch as ſhall conclude, or treat of any marriage " as aforeſaid; and that the ſaid penalty ſhall not " be pardoned, or diſpenſed with, but by the con- " ſent of both houſes of parliament.

" 6. That the laws in force againſt Jeſuits, " prieſts and Popiſh recuſants be ſtrictly put in " execution, without any toleration or diſpenſation " to the contrary; and that ſome more effectual " courſe may be inacted, by authority of parlia- " ment, to diſable them from making any diſtur- " bance in the ſtate, or eluding the law by truſts, " or otherwiſe.

" 7. That the votes of Popiſh lords in the houſe " of peers may be taken away, ſo long as they con- " tinue Papiſts; and that your Majeſty will conſent " to ſuch a bill as ſhall be drawn, for the education " of the children of Papiſts by Proteſtants, in the " Proteſtant religion.

" 8. That your Majeſty will be pleaſed to con- " ſent, that ſuch a reformation be made of the " church-government, and liturgy, as both houſes " of parliament ſhall adviſe; wherein they intend " to have conſultations with divines, as is expreſſed " in their declaration to that purpoſe; and that " your Majeſty will contribute your beſt aſſiſtance " to them, for the raiſing of a ſufficient mainte- " nance for preaching miniſters thro' the kingdom; " and that your Majeſty will be pleaſed to give " your conſent to laws for the taking away inno- " vations, ſuperſtition and pluralities, and againſt " ſcandalous miniſters.

" 9. That your Majeſty will be pleaſed to reſt " ſatisfied with that courſe which the lords and " commons have appointed for ordering the mi- " litia, until the ſame ſhall be farther ſetled by a " bill, and that your Majeſty will recal your " declarations and proclamations againſt the or- " dinance made by the lords and commons con- " cerning it.

" 10. That ſuch members, of either houſe of " parliament, as have, during the preſent parlia- " ment, been put out of any place or office, may " either be reſtored to that place and office, or " otherwiſe have ſatisfaction made for the ſame, " upon the petition of that houſe whereof he or they " are members.

" 11. That all privy-counſellors and judges may " take an oath, the form whereof to be agreed on " and ſetled by act of parliament, for maintaining " the petition of right, and of certain ſtatutes made " by the parliament, which ſhall be mentioned by " both houſes of parliament; and that inquiry of " all the breaches and violations of thoſe laws may " be given in charge, by the juſtices of the King's- " Bench every term, and by the judges of aſſize in " their circuits, and juſtices of the peace at the ſeſ- " ſions, to be preſented and puniſhed according " to law.

" 12. That all the judges, and all the officers " placed by approbation of both houſes of par- " liament, may hold their places, 'Quamdiu bene " ſe geſſerint.'

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" 13. That the juſtice of parliament may paſs " upon all delinquents, whether they be within the " kingdom, or fled out of it; and that all perſons " cited by either houſe of parliament may appear, " and abide the cenſure of parliament.

" 14. That the general pardon offered by " your Majeſty may be granted, with ſuch except- " tions as ſhall be adviſed by both houſes of par- " liament.

" 15 That the forts and caſtles of this king- " dom may be put under the command and cu- " ſtody of ſuch perſons as your Majeſty ſhall ap- " point, with the approbation of your parliament; " and in the intervals of parliament, with the ap- " probation of the major part of the council, in " ſuch manner as is before expreſſed in the choice " of counſellors.

" 16. That the extraordinary guards, and mi- " litary forces now attending your Majeſty, may " be removed and diſcharged; and that for the " future you will raiſe no ſuch guards or extraordi- " nary forces, but according to the law, in caſe " of actual rebellion or invaſion.

" 17. That your Majeſty will be pleaſed to " enter into a more ſtrict alliance with the ſtates " of the United Provinces, and other neighbor " Princes and ſtates of the Proteſtant religion, for " the defenſe and maintainance thereof againſt all " deſigns and attempts of the Pope and his adhe- " rents to ſubvert and ſuppreſs it, whereby your " Majeſty will obtain a great acceſs of ſtrength " and reputation, and your ſubjects be much in- " couraged and inabled, in a parliamentary way, " for your aid and aſſiſtance, in reſtoring your " royal ſiſter and her princely iſſue to thoſe digni- " ties and dominions which belong unto them, and " relieving the other Proteſtant Princes who have " ſuffered in the ſame cauſe.

" 18. That your Majeſty will be pleaſed, by " act of parliament, to clear lord Kimbolton, and " the five members of the houſe of commons, in " ſuch manner, that future parliaments may be " ſecured from the conſequence of that evil pre- " cedent.

" 19. That your Majeſty will graciouſly be " pleaſed to paſs a bill, for reſtraining peers made " hereafter from ſiting or voting in parliament, " unleſs they be admited thereunto with the conſent " of both houſes of parliament.

" And theſe our humble deſires being granted " by your Majeſty, we ſhall forthwith apply our- " ſelves to regulate your preſent revenue, in ſuch " ſort as may be for your beſt advantage; and " likewiſe to ſetle ſuch an ordinary and conſtant " increaſe of it, as ſhall be ſufficient to ſupport " your royal dignity in honor and plenty, beyond " the proportion of any former grants of the ſub- " jects of this kingdom to your Majeſty's royal " predeceſſors. We ſhall likewiſe put the town " of Hull into ſuch hands as your Majeſty ſhall " appoint, with the conſent and approbation of " parliament, and deliver up a juſt account of all " the magazine; and chearfully imploy the utter- " moſt of our power and indeavors in the real " expreſſion and performance of our moſt duti- " ful and loyal affections, to the preſerving and " maintaining the royal honor, greatneſs and " ſafety of your Majeſty and your poſterity."

To theſe propoſitions King Charles returned a long anſwer, and that with ſuch prolix periods, and ſo frequent parentheſes that it is no eaſy taſk to tranſlate it, without loſing ſomething of its force.

CHARLES I AN' 1642.

Rushworth, Vol. IV. p. 725. Clarendon, p. 498, &c.

The King's answer to the nineteen propositions.

"BEfore we shall give you our answer to your petition and propositions, we shall tell you, that we are now clearly satisfied, why the method which we traced out to you, by our message of the twentieth of January, and have since so often pressed upon you, as the proper way to compose the distractions of this kingdom, and render it truly happy, hath been hitherto declined, and is at length not thought fit to be looked upon. We now see plainly (and desire that you and all other our good subjects should do so too) that the cabalists of this business have, with great prudence, reserved themselves, until due preparations should be made for their design. If they had unseasonably vented such propositions, as the wisdom and modesty of your predecessors never thought fit to offer to any of our progenitors; nor we, in honor or regard to our regal authority (which God hath intrusted us with for the good of our people) could receive without just indignation (and such many of your present propositions are) their hopes would soon have been blasted, and those persons, to whom offices, honors, power and commands were designed, by such ill-timing of their business, would have failed of their expectation, not without a brand upon the attempt. Therefore, before any thing of this nature should appear, they have (certainly, with great wisdom in the conduct of it) thought fit to remove a troublesome rub in their way, the law; to this end (that they might undermine the very foundations of it) a new power hath been assumed to interpret and declare laws, without us, by extemporary votes, without any case judicially before either house (which is in effect the same thing as to make laws without us) orders and ordinances made only by both houses (tending to a pure arbitrary power) were pressed upon the people as laws, and their obedience required to them.

"Their next step was, to erect an upstart authority, without us (in whom, and only in whom the laws of this realm have placed that power) to command the militia, very considerable to this their design. In farther order to it, they have wrested from us our magazine and town of Hull, and abeted sir John Hotham in his bold-faced treason. They have prepared, and directed to the people unprecedented invectives against our government, thereby (as much as lay in their power) to weaken our just authority and due esteem among them; they have, as injuriously as presumptuously (tho' we conceive by this time, impudence itself is ashamed of it) attempted to cast upon us aspersions of an unheard-of nature, as if we had favored a rebellion in our own bowels. They have likewise broached a new doctrine, that we are obliged to pass all laws which shall be offered to us by both houses (howsoever our own judgment and conscience shall be unsatisfied with them) a point of policy as proper for their present business, as destructive to all our rights of parliament, and so, with strange shamelessness, will forget a clause in law still in force, made in the second year of King Henry V, wherein both houses of parliament do acknowledge, that it is of the King's regality to grant or deny such of their petitions as pleaseth himself. They have interpreted our necessary guard, legally assembled for the defense of us and our children's persons against a traitor in open rebellion against us (1), to be with intent to levy war against the parliament (the thought whereof our very soul abhoreth) thereby to render us odious to our people. CHARLES I AN' 1642.

"They have so awed our good subjects with pursevants, long chargeable attendances, heavy censures, and illegal imprisonments, that few of them durst offer to present their tenderness of our sufferings, their own just grievances, and their sense of those violations of the law (the birthright of every subject in this kingdom) tho' in an humble petition directed to both houses; and if any did, it was stifled in the birth, called sedition, and burned by the common hangman.

"They have restrained the attendance of our ordinary and necessary household servants (2), and seized upon those small sums of money, which our credit had provided to buy us bread, with injunctions that none should be suffered to be conveyed, or returned to us to York, or any of our peers or servants with us; so that, in effect, they have blocked us up in that county.

"They have filled the ears of the people with the noise of fears and jealousies (tho' taken up upon trust) tales of skippers, salt-fleets, and such like, by which alarms they might prepare them to receive such impressions as might best advance this design, when it should be ripe. And now it seems they think we are sufficiently prepared for these bitter pills. We are in a handsome posture to receive these humble desires (which probably are intended to make way for a superfetation of a yet lighter nature, if we had not made this discovery to you) for they do not tell us this is all. In them we must observe, that these contrivers, the better to advance their true ends, disguised as much as they could their intents with a mixture of some things really to be approved by every honest man, others specious and popular, and some which are already granted by us; all which are cunningly twisted and mixed with those other things of their main design of ambition and private interest, in hope that, at the first view, every eye may not so clearly discern them in their proper colors.

"We would not be understood, that we intend to fix this design upon both or either house of parliament. We utterly profess against it; being most confident of the loyalty, good affection and integrity of the intentions of that great body; and knowing well, that very many of both houses were absent, and many dissented from all those particulars we complain of: but we do believe, and accordingly profess to all the world, that the malignity of this design (as dangerous to the laws of this kingdom, the peace of the same, and the liberties of all our good subjects, as to ourself and our just prerogative) hath proceeded from the subtil informations, mischievous practises and evil counsels of ambitious, turbulent spirits, disaffected to God's true religion, and the unity of the professors thereof, our honor and safety, and the public peace and prosperity of our people, not without a strong influence upon the very actions of both houses. But how faulty soever others are, we shall, with God's assistance, indeavor to discharge our duty with uprightness of heart; and therefore, since these propositions come to us in the name of both houses of parliament, we shall take a more particular notice of every of them.

"If the first, second, third, fourth, fifth, nineth, tenth, fifteenth, sixteenth, nineteenth demands, had been writ and printed in a tongue unknown to us and our people, it might have been possible we and they might have charitably believed the propositions to be such, as might have been

(1) Sir John Hotham. Rapin.

(2) The earls of Essex and Holland. Rapin.

"in

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" in order to the ends pretended in the petition, " to wit, the eſtabliſhing of our honor and ſafety, " the welfare and ſecurity of our ſubjects and domi- " nions, and the removing thoſe jealouſies and " differences which are ſaid to have unhappily " fallen betwixt us and our people, and procuring " both us and them a conſtant courſe of honor, " peace and happineſs: but being read and under- " ſtood by all, we cannot but aſſure ourſelf, that " this profeſſion, joined to theſe propoſitions, will " rather appear a mockery and a ſcorn, the demands " being ſuch as tho' we were unworthy of the " truſt repoſed in us by the law, and of our deſcent " from ſo many great and famous anceſtors, if we " could be brought to abandon that power which " only can inable us to perform what we are ſworn " to, in protecting our people and the laws, and " ſo aſſume others into it, as to diveſt ourſelf of " it, altho' not only our preſent condition (which " it can hardly be) were more neceſſitous that it is, " and we were both vanquiſhed, and a priſoner, " and in a worſe condition than ever the moſt un- " fortunate of our predeceſſors have been reduced " to, by the moſt criminal of their ſubjects. And " tho' the bait laid to draw us to it, and to keep " our ſubjects from indignation at the mention of " it, the promiſes of a plentiful and unparalleled " revenue were reduced from generals, which ſig- " nify nothing, to clear and certain particulars; " ſince ſuch a bargain would have but too great " a reſemblance of that of Eſau's, if we ſhould " part with ſuch flowers of a crown, as are worth " all the reſt of the garland, and have been tranſ- " mited to us from ſo many anceſtors, and have " been found ſo uſeful and neceſſary for the well- " fare and ſecurity of our ſubjects, for any preſent " neceſſity, or for any low and ſordid conſiderations " of wealth and gain. And therefore, all men " knowing that thoſe accommodations are moſt " eaſily made, and moſt exactly obſerved, which " are grounded upon reaſonable and equal condi- " tions, we have great cauſe to believe, that the " contrivers of theſe had no intention of ſetling " any firm accommodation, but to increaſe thoſe " jealouſies, and widen that diviſion, which (not " by our fault) is now unhappily fallen between us " and both houſes.

" It is aſked, that all the lords and others of our " privy-council, and ſuch (we know not what you " mean by ſuch, but we have cauſe to think you " mean all) great officers and miniſters of ſtate, " either at home or beyond the ſeas (for care is " taken to leave out no perſon or place, that our " diſhonor may be ſure not to be bounded within " this kingdom, tho' no ſubtil inſinuations at ſuch " a diſtance can probably be believed to have been " the cauſe of our diſtractions and danger) ſhould " be put from our privy-council, and from thoſe " offices and imployments, unleſs they be approv- " ed by both houſes of parliament, how faithful " ſoever we have found them to us and the public " and how far ſoever they have been from offend- " ing againſt any law, the only rule they had, or " any others ought to have, to walk by. We " therefore, to this part of that demand, return " you this anſwer; that we are willing to grant, " that they ſhall take a larger oath than yourſelves " deſire, in your eleventh demand, for maintain- " ing, not of any part, but of the whole law. (1)

REMARK (1) This is ſaid, becauſe in the whole body of the law were contained thoſe laws which aſcribed to his Majeſty thoſe prerogatives they wanted to deprive him of.

" And we have and do aſſure you, that we will " be careful to make election of ſuch perſons in " thoſe places of truſt, as ſhall have given good " teſtimony of their abilities and integrities, and " againſt whom there can be no juſt cauſe of ex- " ception, whereon reaſonably to ground a diffi- " dence; that if we have or ſhall be miſtaken in " our election, we have and do aſſure you, that " there is no man ſo near to us, in place or af- " fection, whom we will not leave to the juſtice " of the law, if you ſhall bring a particular charge " and ſufficient proofs againſt him; and that we " have given you (the beſt pledge of the effects of " ſuch a promiſe on our part, and the beſt ſecurity " for the performance of their duty on theirs) a " triennial parliament, the apprehenſion of whoſe " juſtice will, in all probability, make them wary " how they provoke it, and us wary how we " charge ſuch as, by the diſcovery of their faults, " may, in any degree, ſeem to diſcredit our elec- " tion; but that, without any ſhadow of a fault " objected, only perhaps becauſe they follow their " conſciences, and preſerve the eſtabliſhed laws, " and agree not in ſuch votes, or aſſent not unto " ſuch bills, as ſome perſons, who have now too " great influence even upon both houſes, judge, or " ſeem to judge to be for the public good, and as " are agreeable to that new Utopia of religion and " government, into which they indeavor to tranſ- " form this kingdom (2).

" REMARK (2) This alludes to ſir Thomas " More's Utopia.

" For we remember what names, and for " what reaſons, you left out in the bill offer- " ed us concerning the militia, which you " had yourſelves recommended in the ordinance. " We will never conſent to the diſplacing of any " whom, for their former merits from, and affec- " tion to us and the public, we have intruſted; " ſince we conceive, that to do ſo would take " away both from the affection of our ſervants " the care of our ſervice, and the honor of our " juſtice; and we the more wonder it ſhould be " aſked by you of us, ſince it appears, by the " twelfth demand, that you yourſelves count it " reaſonable, after the preſent turn is ſerved, that " the judges and officers who are then placed " may hold their places 'Quamdiu ſe bene geſ- " ſerint;' and we are reſolved to be as careful of " thoſe we have choſen, as you are of thoſe you " would chuſe, and to remove none 'till they ap- " pear to us to have otherwiſe behaved them- " ſelves, or ſhall be evicted by legal proceedings " to have done ſo.

" But this demand, as unreaſonable as it is, is " but one link of a great chain, and but the firſt " round of that ladder by which our juſt, ancient, " regal power is indeavored to be fetched down " to the ground. For it appears plainly, that it " is not with the perſons now choſen, but with " our chuſing, that you are diſpleaſed; for you " demand, that the perſons put into the places " and imployments of thoſe who ſhall be removed, " may be approved by both houſes; which " is ſo far (as to ſome at firſt ſight it may ap- " pear) from being leſs than the power of nomi- " nation, that of two things (of which we will " never grant either) we would ſooner be content, " that you ſhould nominate and we approve, than " you approve and we nominate; the mere no- " mination being ſo far from being any thing, that " if we would do no more, we could never take " the pains to do that, when we ſhould only hazard " thoſe whom we eſteemed to the ſcorn of a refu- " ſal, if they happened not to be agreeable, not on- " ly to the judgment but to the paſſion, intereſt, or " humor of the preſent major part of either houſe.

" Not to ſpeak now of the great factions, " animoſities and diviſions which this power would " introduce in both houſes, between both houſes, " and in the ſeveral counties, for the choice of

" perſons

" perſons to be ſent to that place where that " power was, and between thoſe perſons who " were ſo choſen. Neither is this ſtrange po- " tion preſcribed to us only for once, for the cure " of a preſent preſſing, deſperate diſeaſe, but for " a diet to us and our poſterity: it is demanded, " that our counſellors, all chief officers both of " law and ſtate, commanders of forts and caſtles, " and all peers hereafter made (as to voting, with- " out which how little is the reſt?) be approved of " (that is choſen) by them, from time to time; " and rather than it ſhould ever be left to the " crown (to whom it doth and ſhall belong) if " any place fall void in the intermiſſion of parlia- " ment, the major part of the approved council is " to approve them; neither is it only demanded " that we ſhould quit the power and right our " predeceſſors have had, of appointing perſons in " theſe places, but for counſellors we are to be re- " ſtrained, as well in the number as in the perſons, " and a power muſt be annexed to theſe places, " which their predeceſſors had not; and indeed, " if this power was paſſed to them, it were not " fit we ſhould be truſted to chuſe thoſe who were " to be truſted as much as we.

" It is demanded, that ſuch matters as concern " the public, and are proper for the high court of " parliament (which is our great and ſupreme " council) may be debated, reſolved and tranſ- " acted only in parliament, and not elſewhere; " and ſuch as preſume to do any thing to the " contrary, ſhall be reſerved to the cenſure and " judgment of the parliament; and ſuch other " matters of ſtate, as are proper for our privy-coun- " cil, ſhall be debated and concluded, by ſuch of " our nobility (tho' indeed if, being made by us, " they may not vote without the conſent of both " houſes, we are rather to call them your nobility) " and others, as ſhall be from time to time choſen " for that place, by approbation of both houſes of " parliament; and that no public act concerning the " affairs of the kingdom, which are proper for " our privy-council, may be eſteemed of any vali- " dity, as proceeding from the royal authority, " unleſs it be done by the advice and conſent of the " major part of our council, atteſted under their " hands; which demands were of that nature, that " to grant them were, in effect, at once to depoſe " both ourſelf, and our poſterity.

" Theſe being paſſed, we may be waited on " bare-headed, we may have our hand kiſſed, the " ſtile of Majeſty continued to us, and the King's " authority, declared by both houſes of parliament, " may be ſtill the ſtile of your commands; we " may have ſwords and maces carried before us, " and pleaſe ourſelf with the ſight of a crown " and ſcepter; and yet even theſe twigs would not " long flouriſh, when the ſtock upon which they " grew were dead: but as to true and real power, " we ſhould remain but the outſide, but the " picture, but the ſign of a King. We were ever " willing that our parliament ſhould debate, re- " ſolve and tranſact ſuch matters as are proper " for them, as far as they are proper for them; and " we heartily wiſh, that they would be as careful " not to extend their debates and reſolutions be- " yond what is proper to them, that multitudes of " things puniſhable, and cauſes determinable by the " ordinary judicatures may not be entertained in " parliament, and ſo cauſe a long, chargeable and " fruitleſs attendance of our people, and (by de- " grees) draw to you, as well all the cauſes as all " the faults of Weſtminſter-hall, and divert your " proper buſineſs: that the courſe of law be no " ways diverted, much leſs diſturbed, as was actu- " ally done by the ſtop of the proceedings " againſt a riot in Southwark, by order of the " houſe of commons, in a time ſo riotous and tu- " multuous, as much increaſed the danger of popu- " lar inſolencies by ſuch a countenance to riots, " and diſcountenance of law: that you deſcend " not to the leiſure of recommending lecturers to " churches, nor aſcend to the legiſlative power, by " commanding (the law not having yet com- " manded it) that they whom you recommend be " received, altho' neither the parſon nor biſhop do " approve of them; and that the refuſers (accord- " ing to the courſe ſo much formerly complained " of to have been uſed at the council-table) be not " ſent for to attend to ſhew cauſe at leaſt, that " you would conſider conveniency, if not law, " and recommend none but who are well known " to you to be orthodox, learned and moderate, " or at leaſt ſuch as have taken orders, and are " not notorious depravers of the book of com- " mon-prayer; a care which appeareth by the " diſcourſes, ſermons and perſons of ſome recom- " mended by you not to have been hitherto taken; " and it highly concerneth both you in duty, " and the common-wealth in the conſequences, " that it ſhould have been taken: that neither one " eſtate tranſact what is proper for two, nor two " what is proper for three; and conſequently, that " (contrary to our declared will) our forts may not " be ſeized, our arms may not be removed, our " monies may not be ſtoped, our legal directions " may not be countermanded by you, nor we de- " ſired to countermand them ourſelf; nor ſuch en- " trances made upon a real war againſt us, upon " pretenſe of an imaginary war againſt you, and a " chimera of neceſſity. So far do you paſs be- " yond your limits, while you ſeem, by your de- " mand, to be ſtrangely ſtraitened within them; " at leaſt, we could have wiſhed, you would have " expreſſed what matters you meaned as fit to be " tranſacted in parliament, and what you meaned " by only in parliament.

" You have of late been perſuaded, by the " new doctrine of ſome few, to think that proper " for your debates, which hath not uſed to be at " all debated within thoſe walls, but been truſted " wholly with our predeceſſors and us; and to " tranſact thoſe things which, without the regal " authority, ſince there were Kings of this king- " dom, were never tranſacted. It therefore con- " cerneth us the more that you ſpeak out, and " that both we and our people may either know " the bottom of your demands, or know them to " be bottomleſs. What concerneth more the pub- " lic, and is more (indeed) proper for the high- " court of parliament than the making of laws, " which not only ought there to be tranſacted, but " can be tranſacted no where elſe? But then you " muſt admit us to be a part of the parliament: " you muſt not (as the ſenſe is of this part of the " demand, if it hath any) deny the freedom of " our anſwer, when we have as much right to " reject what we think unreaſonable, as you have " to propoſe what you think convenient or neceſ- " ſary; nor is it poſſible our anſwers, either to " bills or any other propoſitions, ſhould be wholly " free, if we may not uſe the liberty of every one " of you, and of every ſubject, to receive ad- " vice (without their danger who ſhall give it) " from any perſon, known or unknown, ſworn or " unſworn, in theſe matters, in which the manage " of our vote is truſted, by the law, to our own " judgment and conſcience; which how beſt to in- " form, is (and ever ſhall be) left likewiſe to us: " and moſt unreaſonable it were, that two eſtates " propoſing ſomething to the third, that third " ſhould be bound to take no advice, whether it " were fit to paſs, but from thoſe two who did " propoſe it. We ſhall ever, in theſe things which

" are

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" are truſted wholly to us by the law, not decline " to hearken to the advice of our great council, " and ſhall chuſe to hear willingly the free debates " of our privy-council (whenſoever we may be " ſuffered to have them for ſending for, and they " ſhall not be terrified from that freedom by votes, " and brands of malignants and enemies to the " ſtate, for adviſing what no law forbids to ad- " viſe) but we will retain our power of admiting " no more to any council than the nature of the " buſineſs requires, and of diſcourſing with whom we " pleaſe, of what we pleaſe, and informing our under- " ſtanding by debate with any perſons who may " be well able to inform and adviſe us in ſome " particulars, tho' their qualities, education, or " other abilities may not make them ſo fit to be " of our ſworn council; and not tie ourſelf up " to hear no more than twenty-five (and theſe " not choſen abſolutely by us) out of a kingdom " ſo repleniſhed with judicious and experienced " perſons of ſeveral kinds. And tho' we ſhall " (with the proportionable conſideration due to " them) always weigh the advices both of our " great and privy-council, yet we ſhall alſo look " upon their advices as advices, not as commands " or impoſitions; upon them as our counſellors, " not as our tutors and guardians; and upon our- " ſelf as their King, not as their pupil or ward: " for whatſoever of regality were, by the modeſty " of interpretation, left us, in the firſt part of the " ſecond demand, as to the parliament, is taken " from us in the ſecond part of the ſame, and " placed in this new-fangled kind of counſellors, " whoſe power is ſuch, and ſo expreſſed by it, that " in all public acts concerning the affairs of this " kingdom, which are proper for our privy-coun- " cil (for whoſe advice all public acts are ſome- " times proper, tho' never neceſſary) they are de- " ſired to be admited joint patentees with us in the " regality; and it is not plainly expreſſed, whether " they mean us ſo much as a ſingle vote in theſe " affairs; but it is plain, they mean us no more at " moſt than a ſingle vote in them, and no more " power than every one of the reſt of our privy- " counſellors only leave to us, out of their reſpect " and duty (and that only is left of our ancient " power) a choice, whether theſe who are thus to " be joined with (or rather ſet over) us, ſhall be " fifteen or twenty-five: and great care is taken, " that the oath which theſe men ſhall take, ſhall be " ſuch, in the framing the form of which (tho' " ſure we are not wholly unconcerned in it) we may " be wholly excluded, and that wholly reſerved to " be agreed upon by both houſes of parliament.

" And to ſhew that no more care is taken of " our ſafety, than of our power, after ſo great in- " dignities offered to us, and countenanced by thoſe " who were moſt obliged to reſent them: after our " town and fort kept from us (from which, if it " were no otherwiſe ours than the whole kingdom " is, we can no more legally be kept out, than out " of our whole kingdom, which ſure yourſelves " will not deny to be treaſon) our arms, our goods " ſent away, and our money ſtoped from us, our " guards (in which we have no other intention than " to hinder the end of theſe things from being pro- " portionable to their beginings) are not only " deſired to be diſmiſſed, before ſatisfaction for " the injury, puniſhment of the injurers, and care " taken for our future ſecurity from the like; but " it is likewiſe deſired (and for this, law is pre- " tended, and might as well have been for the reſt, " which yet, with ſome ingenuity, are it ſeems ac- " knowledged to be but deſires of grace) that we " ſhall not for the future raiſe any guards, or ex- " traordinary forces, but in caſe of actual rebellion " or invaſion; which if it had been law, and ſo " obſerved in the time of our predeceſſors, few of " thoſe victories, which have made theſe nations " famous in other parts, could have been legally " atchieved: nor could our bleſſed predeceſſor, " Queen Elizabeth, have ſo defended herſelf in " eighty-eight. And if no forces muſt be levied " 'till rebellions and invaſions (which will not ſtay " for the calling of parliaments, and their conſent " for raiſing of forces) be actual, they muſt un- " doubtedly (at leaſt moſt probably) be effectual " and prevalent.

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" And as neither care is taken for our rights, " honor nor ſafety, as a Prince, ſo our rights, as " a private perſon, are indeavored to be had from " us; it being aſked, that it may be unlawful and " and puniſhable not only to conclude, but even " to treat of any marriage with any perſon for our " own children, or to place governors about them, " without conſent of parliament; and in the inter- " miſſion of theſe, without the conſent of our good " lords of the council; that we may not only be " in a more deſpicable ſtate than any of our pre- " deceſſors, but in a meaner and viler condition " than the loweſt of our ſubjects, who value no " liberty they have more, than that of the free " education and marriage of their children, from " which we are aſked to debar ourſelf; and have the " more reaſon to take it ill that we are ſo, becauſe " of our choice of a governor for our ſon, and a " huſband for our daughter (in which the Prote- " ſtant religion was our principal conſideration) we " conceive we had reaſon to expect your preſent " thanks, and the increaſe of your future truſts.

" We ſuppoſe theſe demands, by this time, to ap- " pear ſuch as the demanders cannot be ſuppoſed " to have any ſuch real fear of us, as hath been " long pretended; they are too much in the ſtile " not only of equals, but of conquerors; and as " little to be intended for removing of jealouſies, " for which end they are ſaid to be aſked; and " that is not as merchants aſk at firſt, much more " than they will take, but as moſt neceſſary to " effect it (which if they be God help this poor " kingdom, and thoſe who are in the hands of ſuch " perſons, whoſe jealouſies nothing elſe will re- " move) which indeed is ſuch a way, as if, there " being differences and ſuits between two perſons, " whereof one would have from the other ſeveral " parcels of his ancient land, he ſhould propoſe to " him, by way of accommodation, that he would " quit to him all thoſe in queſtion, with the reſt " of his eſtate, as the moſt neceſſary and effectual " means to remove all thoſe ſuits and differences. " But we call God to witneſs that, as for our ſub- " jects ſake theſe rights are veſted in us, ſo for " their ſakes, as well as for our own, we are re- " ſolved not to quit them, nor to ſubvert (tho' " in a parliamentary way) the ancient, equal, " happy, well-poiſed, and never-enough com- " mended conſtitution of the government of this " kingdom; nor to make ourſelf, of a King of Eng- " land, a duke of Venice, and this, of a kingdom, " a republic.

" There being three kinds of government among " men, abſolute Monarchy, Ariſtocracy, and Demo- " cracy, and all theſe having their particular con- " veniencies and inconveniencies; the experience " and wiſdom of our anceſtors have ſo moulded " this, out of a mixture of theſe, as to give to " this kingdom (as far as human prudence can " provide) the conveniencies of all three, without " the inconveniencies of any one, as long as the " balance hangs even between the three eſtates, and " they run jointly on in their proper channel (beget- " ing verdure and fertilty in the meadows on both " ſides) and the overflowing of either, on either " ſide, raiſe no deluge or inundation. The ill of " abſolute

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" abſolute Monarchy, is tyranny; the ill of Ariſto-
" cracy, is faction and diviſion; the ills of Demo-
" cracy, are tumults, violence and licentiouſneſs.
" The good of Monarchy, is the uniting a nation
" under one head, to reſiſt invaſion from abroad,
" and inſurrection at home: the good of Ariſto-
" cracy, is the conjunction of counſel in the ableſt
" perſons of a ſtate, for the public benefit: the
" good of Democracy, is liberty, and the courage
" and induſtry which liberty begets.

" In this kingdom, the laws are jointly made
" by a King, by a houſe of peers, and by a houſe
" of commons, choſen by the people, all having free
" votes and particular privileges. The government,
" according to theſe laws, is truſted to the King;
" power of treaties, of war and peace, of making
" peers, of chuſing officers and counſellors for ſtate,
" judges for law, commanders for forts and caſtles;
" giving commiſſions for raiſing men; to make war
" abroad, or to prevent or provide againſt inva-
" ſions or inſurrections at home; benefit of con-
" fiſcations, power of pardoning, and ſome more
" of the like kind, are placed in the King. And this
" kind of regulated monarchy, having this power
" to preſerve that authority, without which it
" would be diſabled to preſerve the laws in their
" force, and the ſubjects in their liberties and pro-
" perties, is intended to draw to him ſuch a reſpect
" and relation from the great ones, as may hinder
" the ills of diviſion and faction; and ſuch a fear
" and reverence from the people, as may hinder
" tumults, violence and licenciouſneſs.

" Again; that the Prince may not make uſe
" of this high and perpetual power to the hurt of
" thoſe for whoſe good he hath it, and make uſe
" of the name of public neceſſity, for the gain of
" his private favorites and followers, to the detri-
" ment of his people, the houſe of commons (an
" excellent conſerver of liberty, but never intended
" for any ſhare in government, or the chuſing of
" them who ſhould govern) is ſolely intruſted
" with the firſt propoſitions, concerning the levies
" of monies (which are the ſinews as well of peace
" as of war) and the impeaching of thoſe who,
" for their own ends, tho' countenanced by any
" ſurreptitiouſly-gotten command of the King,
" have violated that law, which he is bound (when
" he knows it) to protect, and to the proſecution
" of which they were bound to adviſe him, at leaſt
" not to ſerve him in the contrary. And the lords
" being truſted with a judicatory power, are an ex-
" cellent ſcreen and bank between the Prince and
" people, to aſſiſt each againſt any incroachments
" of the other; and by juſt judgments to preſerve
" that law, which ought to be the rule of every
" one of the three. For the better inabling them
" in this, beyond the examples of any of our an-
" ceſtors, we were willingly contented to oblige
" ourſelf, both to call a parliament every three
" years, and not to diſſolve it in fifty days: and
" for the preſent exigent, the better to raiſe mo-
" ney, and to avoid the preſſure (no leſs grievous
" to us than them) our people muſt have ſuffered
" by a longer continuance of ſo vaſt a charge as
" two great armies, and for their greater certainty
" of having ſufficient time to remedy the incon-
" veniencies ariſen, during ſo long abſenſe of par-
" liaments, and for the puniſhment of the cauſers
" and miniſters of them; we yielded up our right
" of diſſolving this parliament; expecting an
" extraordinary moderation from it, in grati-
" tude for ſo unexampled a grace, and little
" looking that any malignant party ſhould be
" incouraged, or inabled to have perſuaded
" them firſt, to countenance the injuſtices and
" indignities, we have indured, and then, by a
" new way of ſatisfaction for what was taken
" from us, to demand of us at once to confirm
" what was ſo taken, and to give up almoſt all
" the reſt.

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" Since therefore the power, legally placed in
" both houſes, is more than ſufficient to prevent
" and reſtrain the power of tyranny; and with-
" out the power, which is now aſked from us,
" we ſhall not be able to diſcharge that truſt,
" which is the end of monarchy; ſince this would
" be a total ſubverſion of the fundamental laws,
" and that excellent conſtitution of this kingdom,
" which hath made this nation, ſo many years,
" both famous and happy to a great degree of
" envy; ſince, to the power of puniſhing (which
" is already in your hands according to law) if the
" power of prefering be added, we ſhall have no-
" thing left for us but to look on; ſince the in-
" croaching of one of theſe eſtates upon the power
" of the other, is unhappy in the effects both to
" them and all the reſt; ſince this power, of at
" moſt a joint government in us with our counſel-
" lors (or rather our guardians) will return us
" to the worſt kind of minority, and make us
" deſpicable both at home and abroad, and beget
" eternal factions and diſſenſions (as deſtructive to
" public happineſs as war) both in the choſen, and
" in the houſes which choſe them, and the people
" who choſe the chuſers; ſince ſo new a power
" will undoubtedly intoxicate perſons who were
" not born to it, and beget not only diviſions
" among them as equals, but in them contempt of
" us, as become an equal to them, and inſolence and
" injuſtice toward our people, and now ſo much
" their inferiors, which ſhall be the more grievous
" unto them, as ſuffering from thoſe who were
" ſo lately of a nearer degree to themſelves: and
" being to have redreſs only from thoſe who placed
" them; and fearing they may be inclined to pre-
" ſerve what they have made, both out of kind-
" neſs and policy, ſince all great changes are ex-
" tremely inconvenient, and almoſt infallibly be-
" get yet greater changes, which beget yet greater
" inconveniencies.

" Since as great a one in the church, muſt fol-
" low this of the kingdom; ſince the ſecond eſtate
" would in all probability follow the fate of the
" firſt, and, by ſome of the turbulent ſpirits, jea-
" louſies would ſoon be raiſed againſt them, and
" the like propoſitions for reconciliation of differ-
" ences would be then ſent to them, as they now
" have joined to ſend to us, 'till (all power being
" veſted in the houſe of commons, and their num-
" ber making them incapable of tranſacting affairs
" of ſtate with the neceſſary ſervice and expe-
" dition, thoſe being retruſted to ſome cloſe
" commitee) at laſt the common people (who in
" the mean time muſt be flattered, and to whom
" licenſe muſt be given in all their wild humors,
" how contrary ſoever to eſtabliſhed law, or their
" own real good) diſcover this 'Arcanum Im-
" perii.' That all this was done by them, but not
" for them; and grew weary of journey-work,
" and ſet up for themſelves; call parity and inde-
" pendence, liberty; devour that eſtate which had
" devoured the reſt; deſtroy all rights and proper-
" ties; all diſtinctions of families and merit; and
" by this means, this ſplendid and excellently-di-
" ſtinguiſhed form of government end in a dark
" equal chaos of confuſion, and the long line of
" our many noble anceſtors, in a Jack Cade, or
" a Wat Tyler. *

" For all theſe reaſons, to all theſe demands
" our anſwer is, 'Nolumus leges Angliæ mutari:'
" But this we promiſe, that we will be as careful
" of preſerving the laws, in what is ſuppoſed to
" concern wholly our ſubjects, as in what moſt
" concerns ourſelf: for indeed we profeſs to be-
" lieve,

* His Majeſty ſeems here to ſpeak with a true ſpirit of propheſy.

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" lieve, that the preſervation of every law concern-
" eth us; thoſe of obedience being not ſecure, when
" thoſe of protection are violated: and we being,
" moſt of any, injured in the leaſt violation of
" that by which we injoy the higheſt rights and
" greateſt benefits, and are therefore obliged to
" defend no leſs by our intereſt, than by our duty,
" and hope that no jealouſies to the contrary ſhall
" be any longer nouriſhed in any of our good peo-
" ple, by the ſubtil inſinuations, and ſecret prac-
" tiſes of men who, for private ends, are diſ-
" affected to our honor and ſafety, and the peace
" and proſperity of our people. And to ſhew you,
" that no juſt indignation at ſo reproachful offers
" ſhall make us refuſe to grant what is probable to
" conduce to the good of our good people, be-
" cauſe of the ill company it comes in, we will
" ſearch carefully in this heap of unreaſonable de-
" mands, for ſo much as we may (complying with
" our conſcience, and the duty of our truſt) aſſent
" unto, and ſhall accordingly agree to it.

" In purſuance of which ſearch, in the fourth
" propoſition, under a demand, which would take
" from us that truſt, which God, nature, and the
" laws of the land have placed in us, and of which
" none of you could indure to be deprived, we
" find ſomething to which we give this anſwer;
" that we have commited the principal places
" about our children to perſons of quality, inte-
" grity and piety, with ſpecial regard, that their
" tender years might be ſo ſeaſoned with the prin-
" ciples of the true Proteſtant religion, as (by the
" bleſſing of God upon this our care) this whole
" kingdom may in due time reap the fruits there-
" of: and, as we have been likewiſe very careful
" in the choice of ſervants about them, that none
" of them may be ſuch as, by ill principles, or
" by ill examples, to croſs our indeavors for their
" pious and virtuous education; ſo, if there ſhall
" be found (for all our care to prevent it) any per-
" ſon about our children, or about us (which is
" more than you aſk) againſt whom both houſes
" ſhall make appear to us any juſt exception, we
" ſhall not only remove them, but thank you for
" the information; only we ſhall expect that you
" ſhall be likewiſe careful, that there be no under-
" hand dealing by any, to ſeek faults to make
" room for others to ſucceed in their places.

" For the fifth demand, as we will not ſuffer
" any to ſhare with us in our power of treaties,
" which are moſt improper for parliaments, and
" leaſt of all in thoſe treaties in which we are
" neareſt concerned, not only as a King, but as a
" father, yet we do (ſuch is our deſire to give all
" reaſonable ſatisfaction) aſſure you, by the word
" of a King, that we ſhall never propoſe or en-
" tertain any treaty whatſoever, for the marriage
" of any of our children, without due regard to
" the true Proteſtant profeſſion, the good of our
" kingdom, and the honor of our family.

" For the ſixth demand, concerning the laws in
" force againſt Jeſuits, prieſts and Popiſh recuſants,
" we have by many of our meſſages to you, by
" our voluntary promiſes to you ſo ſolemnly made,
" never to pardon any Popiſh prieſt, by our ſtrict
" proclamations lately publiſhed in this point, and
" by the public examples which we have made in
" that caſe ſince our reſidence at York, and be-
" fore at London, ſufficiently expreſſed our zeal
" herein. Why do you then aſk that in which
" our own inclination hath prevented you? And
" if you can yet find any more effectual courſe
" to diſable them from diſturbing the ſtate, or
" eluding the law by truſt, or otherwiſe, we ſhall
" willingly give our conſent to it.

" For the ſeventh demand, concerning the votes
" of the Popiſh lords; we underſtand, that they in
" diſcretion have withdrawn themſelves from the
" ſervice of the houſe of peers (and had done ſo when
" uſe was publicly made of their names to aſperſe the
" votes of that houſe, which was then counted as
" malignant as thoſe who are called our unknown
" and unſworn counſellors are now) neither do we
" conceive, that ſuch a poſitive law againſt the votes
" of any whoſe blood gives them that right is ſo
" proper, in regard of the privilege of parliament,
" but are content that, ſo long as they ſhall not
" be conformable to the doctrine and diſcipline of
" the church of England, they ſhall not be ad-
" mited to ſit in the houſe of peers, but only to
" give their proxies to ſuch Proteſtant lords as they
" ſhall chuſe, who are to diſpoſe of them as they
" themſelves ſhall think fit, without any reference
" at all to the giver.

" As to the deſires for a bill for the education of
" Papiſts, by Proteſtants, in theProteſtant profeſ-
" ſion, many about us can witneſs with us, that
" we have often delivered our opinion, that ſuch
" a courſe (with God's bleſſing upon it) would be
" the moſt effectual for the rooting Popery out of
" this kingdom; we ſhall therefore thank you for
" it, and incourage you in it, and, when it comes
" unto us, do our duty: and we heartily wiſh,
" for the public good, that the time you have
" expended in making ordinances without us, had
" been imployed in preparing this and other good
" bills for us.

" For the eighth, touching the reformation to be
" made of the church-government and liturgy, we
" had hoped, that what we had formerly declared
" concerning the ſame had been ſo ſufficiently un-
" derſtood by you, and all good ſubjects, that we
" ſhould not need to have expreſſed ourſelf far-
" ther in it. We told you, in our anſwer to your
" petition preſented us at Hampton-court, the
" firſt of December, that for any illegal innovations
" which may have creeped in, we ſhould willingly
" concur in the removal of them; and if our par-
" liament ſhould adviſe us to call a national ſynod,
" which may duly examine ſuch ceremonies as
" give juſt cauſe of offenſe to any, we ſhould take
" it into conſideration, and apply ourſelf to give
" due ſatisfaction therein; that we were perſuaded
" in our conſcience, that no church could be found,
" upon the earth, which profeſſeth the true reli-
" gion with more purity of doctrine than the church
" of England doth, nor where the government and
" diſcipline are jointly more beautified, and free
" from ſuperſtition, than as they are here eſta-
" bliſhed by law: which (by the grace of God) we
" will with conſtancy maintain (while we live)
" in their purity and glory; not only againſt all
" invaſions of Popery, but alſo from the irreve-
" rence of thoſe many ſchiſmatics and ſeparatiſts
" wherewith, of late, this kingdom and our city
" of London abound, to the great diſhonor and
" hazard both of church and ſtate, for the ſup-
" preſſion of whom we required your timely and
" active aſſiſtance. We told you in our firſt decla-
" ration, printed by the advice of our privy-coun-
" cil, " That, for differences among ourſelves, for
" matters indifferent in their own nature concern-
" ing religion, we ſhould, in tenderneſs to any
" number of our loving ſubjects, very willingly
" comply with the advice of our parliament, that
" ſome law might be made for the exemption of
" tender conſciences from puniſhment, or proſecu-
" tion for ſuch ceremonies; and in ſuch caſes which,
" by the judgment of moſt men, are held to be mat-
" ters indifferent, and of ſome to be abſolutely un-
" lawful; provided that this caſe ſhould be attempt-
" ed and purſued with that modeſty, temper and
" ſubmiſſion that, in the mean time, the peace and
" quiet of the kingdom be not diſturbed; the de-

" cency

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" cency and comelineſs of God's ſervice diſcounte-
" nanced, nor the pious, ſober, devout actions of
" thoſe reverend perſons who were the firſt labo-
" rers in the bleſſed reformation, or of that time,
" be ſcandaliſed and defamed.' And we heartily
" wiſh, that others whom it concerned had been
" as ready as their duty bound them, tho' they
" had not received it from us, to have purſued this
" caution, as we were, and ſtill are willing and
" ready to make good every particular of that
" promiſe. Nor did we only appear willing to
" join in ſo good a work, when it ſhould be
" brought us, but preſſed and urged you to it by
" our meſſage, of the fourteenth of February, in
" theſe words: " And becauſe his Majeſty obſerves
" great and different troubles to ariſe in the hearts
" of the people, concerning the government and li-
" turgy of the church, his Majeſty is willing to de-
" clare, that he will refer the whole conſideration to
" the wiſdom of his parliament, which he deſires
" them to enter into ſpeedily, that the preſent diſtra-
" ctions about the ſame may be compoſed; but de-
" ſires not to be preſſed to any ſingle act on his part
" 'till the whole be ſo digeſted and ſetled, by
" both houſes, that his Majeſty may clearly ſee
" what is fit to be left, as well as what is fit to
" be taken away." Of which we the more hoped of
" a good ſucceſs, to the general ſatisfaction of our
" people, becauſe you ſeem in this propoſition
" to deſire but a reformation, and not, as is daily
" preached for as neceſſary, in thoſe many con-
" venticles, which have within theſe nineteen
" months begun to ſwarm, and which, tho' their
" leaders differ from you in this opinion, yet ap-
" pear to many as countenanced by you, by not
" being puniſhed by you (few elſe, by reaſon of
" the order of the houſe of commons, of the
" ninth of September, daring to do it) a deſtruc-
" tion of the preſent diſcipline and liturgy. And
" we ſhall moſt chearfully give our beſt aſſiſtance
" for raiſing a ſufficient maintenance for preaching
" miniſters, in ſuch courſe as ſhall be moſt for the
" incouragement and advancement of piety and
" learning.

" For the bills you mention, and the conſul-
" tation you intimate, knowing nothing of the
" particular matters of the one (tho' we like the
" titles well) nor of the manner of the other, but
" from an informer (to whom we give little credit,
" and we wiſh no man did more) common fame,
" we can ſay nothing 'till we ſee them.

" For the eleventh, we would not have the
" oath of all privy-counſellors and judges ſtraitened
" to particular ſtatutes of one or two particular
" parliaments, but extend to all ſtatutes of all
" parliaments, and the whole law of the land;
" and ſhall willingly conſent, that inquiry of all
" the breaches and violations of the law may be
" given in charge, by the juſtices of the King's-
" bench, every term, and by the judges of aſſize
" in their circuits, and juſtices of the peace at
" the ſeſſions, to be preſented and puniſhed
" according to law.

" For the ſeventeenth, we ſhall ever be moſt
" ready (and we are ſorry it ſhould be thought
" needful to move us in it) not only to join with
" any (particularly with the ſtates of the United
" Provinces, of which we have given a late proof
" in the match of our daughter) for the defenſe and
" maintenance of the Proteſtant religion againſt
" all deſigns and attempts of the Pope and his
" adherents; but ſingly (if need were) to oppoſe
" with our life and fortune all ſuch deſigns in all
" other nations, were they joined: and that for
" conſiderations of conſcience, far more than any
" temporal end of obtaining acceſs of ſtrength and
" reputation, or any natural end of reſtoring our
" royal ſiſter and her princely iſſue to their dig-
" nities and dominions, tho' theſe be likewiſe much
" conſidered by us.

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" For the eighteenth, it was not our fault that
" an act was not paſſed to clear lord Kimbolton,
" and the five members of the houſe of commons,
" but yours, who inſerted clauſes into both the
" preamble and act (perhaps perſuaded to it by
" ſome who wiſh not that you ſhould in any
" thing receive ſatisfaction from us) as, by paſſing
" the preamble, we muſt have wounded our honor
" againſt our conſcience, and, by another clauſe
" have admited a conſequence from which we
" could never have been ſecured, by declaring,
" that no member of either houſe, upon any
" accuſation of treaſon, could have his perſon
" ſeized without the conſent of that houſe of
" which he is a member; tho' the known law be,
" That privilege of parliament extends not to
" treaſon; and if it did, any member (the houſe
" being for a ſhort time adjourned, and ſo their
" conſent not being ſo had) how treaſonable ſoever
" his intentions were, how clearly ſoever known,
" and how ſuddenly ſoever to be executed, muſt
" have fair leave given him to go on and purſue
" them; no way, how legal ſoever, after the
" paſſing ſuch a clauſe, being left to prevent
" it. (3)

Remark (3) His Majeſty, in ſhewing the inconveniencies of this clauſe, lays down a caſe different from that of the ſix members accuſed. For he ſuppoſes, to demonſtrate theſe inconveniencies, that the treaſon is manifeſt, and juſt going to be executed: whereas the difference between him and his parliament conſiſted, in that the parliament deſired to ſee the proofs, before they conſented to the proſecution of their members. Beſide, this maxim, that the privileges of parliament extend not to treaſonable caſes, is very ambiguous: for it may ſignify, either that in caſe of real, manifeſt, or apparent treaſon, members of parliament have no more privilege than other ſubjects, or elſe that, by a bare accuſation of treaſon, true or falſe, a member may be commited to priſon like any other private perſon. Charles took it, and would have it taken, in this latter ſenſe, but the parliament would admit it only in the firſt. But that this Prince's underſtanding the paſſage was wrong, evidently appears, in that when, for inſtance, a peer is accuſed of treaſon, he is not ſent to the Tower, according to the uſual courſe of juſtice, as a private perſon would be, but by order of his houſe, which thinks proper to conſent to his proſecution. Without this conſent, the King cannot ſend him to the Tower by his own authority, and upon a bare accuſation. In fine, no fewer inconveniencies would attend his Majeſty's conſtruction of the words, ſince in that caſe the King, upon bare accuſations, true or falſe, might impriſon all the principal members of both houſes.

" To conclude, we conjure you, and all men,
" to reſt ſatisfied with the truth of our profeſ-
" ſions, and the reality of our intentions, not to aſk
" ſuch things as deny themſelves; that you declare
" againſt tumults, and puniſh the authors; that you
" allow us our propriety in our towns, arms and
" goods, and our ſhare in the legiſlative power,
" which would be counted in us not only breach
" of privilege, but tyranny and ſubverſion of par-
" liaments, to deny to you: and when you ſhall
" have given us ſatisfaction upon thoſe perſons
" who have taken away the one, and recalled thoſe
" declarations (particularly that of the twenty-ſixth
" of May) and thoſe in the point of the militia
" (our juſt rights, wherein we will no more part
" with than with our crown, leſt we inable others
" by them to take that from us) which would

" take

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" take away the other, and declined the beginings " of a war againſt us, under pretenſe of our in- " tention of making one againſt you; as we have " never oppoſed the firſt part of the thirteenth " demand, ſo we ſhall be ready to concur with " you in the latter.

" And being then confident, that the credit of " thoſe men who deſire a general combuſtion " will be ſo weakened with you, that they will " not be able to do this kingdom any more " harm, we ſhall be willing to grant our general " pardon, with ſuch exceptions as ſhall be thought " fit, and ſhall receive much more joy in the hope " of a full and conſtant happineſs of our people " in the true religion, and under the protection " of the law, by a bleſſed union between us and " our parliament (ſo much deſired by us) than " any ſuch increaſe of our revenue (how much " ſoever beyond former grants) as (when our ſub- " jects were wealthieſt) our parliament could have " ſetled upon us."

Remark on the preceding anſwer.

I ſhall make only a general remark on this his Majeſty's replication, and one which to me ſeems abſolutely neceſſary; viz. that all the begining, which includes two thirds, is intirely needleſs, ſince he treats not of the point in diſpute between him and the parliament. The queſtion was not to know, whether the laws aſcribed ſuch and ſuch power to the King; but to know, whether the King having abuſed this power, his promiſe that he would govern according to the law of England, was to be depended on thenceforwards. King Charles, throughout the preamble to his anſwer, ſuppoſes ignorance of what is due to a King of England, or a cauſeleſs denial thereof. With regard to the firſt point, he goes about to acquaint his people with the nature of the Engliſh conſtitution, which was quite needleſs, ſince none diſagreed with him in that reſpect. He keeps to the general poſition univerſally acknowledged, but ſays not a word to the particular queſtion, which was the ſole ſubject of diſpute. As to the ſecond point, he does not deny that he had abuſed his power, but makes no other anſwer to the conſequence drawn by the parliament from this abuſe, than that he promiſes better conduct for the future.

One may readily perceive, that neither the parliament's propoſitions, nor his Majeſty's anſwer, were proper to procure any accommodation: accordingly, it may be affirmed, that neither ſide thought of any ſuch matter. When the King publiſhed his anſwer, he had received ſome arms, ammunition and ordnance from Holland, and was moreover preparing to attack Hull. Tho' great part of that magazine was now removed to London, he hoped ſtill to find there arms, &c. ſufficient for his moſt urgent occaſions: beſide, this place, which was one of the ſtrongeſt in all England, could be of great ſervice to him, to keep the adjacent country in his intereſt.

The Preſbyterians motives in this rupture.

Contrariwiſe, the Preſbyterian party, who then prevailed in the parliament, had in a manner gained their point, I mean had brought matters to a rupture, which gave them room to hope, they ſhould ſoon have opportunity to accompliſh the reſt of their project. Indeed, this rupture between King and parliament being ſuppoſed, it was manifeſt, the realm was to be governed by parliament and King, ſeparately, and not jointly as before, i. e. they would each govern thoſe of their reſpective factions; in which caſe, the parliament would have no more occaſion for the conſent of his Majeſty, who would be looked on as a declared enemy, and conſequently, they might decree whatſoever they pleaſed, without oppoſition. This was preciſely the point to which the Preſbyterian party's whole procedure had tended, without however their diſcovering themſelves, any more than was neceſſary to ſupport the expectations of their adherents: for, 'till now, it highly concerned them to make the public, and ſuch members as were not of their ſide, believe they acted in conjunction with the other members, ſolely with a view of vindicating the common liberty againſt King Charles's incroachments.

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Double views of the Preſbyterians.

Certain it is, there was in this parliament, from its begining, a Preſbyterian party, whoſe aim was to alter church-government: but that this was the Preſbyterians ſole aim, as many aſſert, is what does not to me appear evident. Why might not theſe men, in ſtriving to erect their diſcipline on the church's ruin, have another end, I mean, the prevention of Charles and his party's incroachments upon the public liberty? Moſt aſſuredly, many of this very parliament's members were far enough from being Preſbyterians, and yet had the ſame end. Why might not likewiſe the Preſbyterians have it, jointly with that which was peculiar to them? Is it ſo uncommon to ſee people propoſing to themſelves two different ends in one and the ſame undertaking? In reality, I ſee not the improbability of ſuch a ſuppoſition. The Preſbyterian party therefore muſt be conſidered as acting with thoſe views; and this is ſo true, that undeniable proofs of it will appear in the ſequel of this reign. But their adverſaries have been pleaſed to aſcribe to them the firſt only, in order to charge them with inflaming the kingdom, for the ſake of eſtabliſhing Preſbytery in the church. I do not deny, that this motive greatly contributed towards it: but it does not follow, that the reaſons whereon the parliament refuſed to confide in this Prince were frivolous. The contrary may be rather infered; for if theſe reaſons had not been plauſible, the Preſbyterians would never have been able to execute their projects, and form ſo powerful a faction in a kingdom where, at the begining of this parliament, they made ſo inconſiderable a figure: but they politicly made uſe of the general diſcontent, which actually ſubſiſted, to bring matters to the point they deſired. They cannot be ſaid to have actually cauſed this univerſal diſcontent, tho' it is certain they helped to inflame it, becauſe it was neceſſary to their purpoſes.

Order of the houſe concerning the crown jewels made away. Ruſhworth, Vol. IV. p. 736. June 2. Charles receives arms from Holland. p. 601. Clarendon, p. 497, 520, 521.

The parliament having received advice from Holland, that the Queen had pawned or ſold ſome of the crown-jewels at Amſterdam, publiſhed, the ſecond of June, an order declaring, that whoſoever was concerned in the ſelling or pawning thoſe jewels, or in bringing the King any money by way of bill of exchange, or otherwiſe, ſhould be accounted an enemy to the ſtate. But her Majeſty had already diſpoſed of that money in purchaſing arms and ammunition, which ſhe had conveyed to the King, in a ſmall ſhip named the Providence, which, that very day the parliament publiſhed this order, ſafely arrived in Burlington bay, after having been hotly chaſed by part of the parliament's fleet, commanded by the earl of Warwick.

He injoins his partiſans to leave the parliament.

Not long before this, Charles, finding a war unavoidable, had ordered his friends, in both houſes, to abſent themſelves from the parliament. He hoped, by leſſening ſo conſiderably the number of members, to leſſen the parliament's credit: but this policy turned not to his advantage. It is true, both houſes were not a little diminiſhed, as to number: but withal, the King's party there became ſo weak, that they could no longer oppoſe the reſolutions taken againſt him. Tho' the two houſes regreted not their being rid of theſe ſpies, they however believed, it was neceſſary to take ſome meaſures, either to hinder a greater deſertion,

Precautions of the commons. Ruſhworth, Vol. IV. p. 736.

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or to convince the public, that it was not their fault if the parliament was not ſo numerous as before. The commons therefore injoined all the ſherifs in England to ſummon the repreſentatives, to attend the houſe by the ſixteenth of June, on forfeiture of a hundred pounds *, and on pain of undergoing ſuch farther puniſhment as the houſe ſhould judge proper.

* To be imployed in the Iriſh wars.

Severity of the peers againſt nine abſent lords. July 20. p. 737, 742. Clarendon, p. 503.

But the lords went ſtill farther; for they ordered nine of their members (1), gone to the King at York, to appear at their bar, the eighth of June, as delinquents. Theſe nine peers having ſent their excuſe by a letter, the commons inſtantly drew up a formal impeachment againſt them, and ſent it up to their lordſhips. The twenty-ſeventh of the ſame month, they pronounced ſentence againſt the nine lords, declaring, they ſhould not ſit or vote in the houſe during the preſent parliament, and ſhould ſtand commited to the Tower during the houſe's pleaſure.

The parliament takes up money upon loans. June 10. Ibid. Ruſhworth. Vol. IV. p. 743. T. May. Manley.

Theſe were little preludes to the war which was ſoon after to break out. But, on the tenth of June, both houſes gave a more manifeſt confirmation of their deſign; for, upon receiving advice that the King was actually giving out commiſſions to levy forces, they publiſhed propoſals for bringing in money or plate, for defenſe of the kingdom (2). This is what King Charles's friends will have to be conſidered as the firſt declaration of war on the parliament's ſide, and pretend thereby to demonſtrate, that both houſes were the aggreſſors. But it is certain, this Prince had long before taken meaſures to prepare for war, and the parliament had doubtleſs done the like, tho' perhaps more ſecretly than his Majeſty. Howſoever this be, after having ſeen what were the true grounds and cauſes of the war, it ſeems of little moment to know which of the two parties firſt diſcovered the meaſures taken, whether to attack or defend: for that is the utmoſt meaning of that grand queſtion, 'Which of the parties "began the war?"

Charles's letter to the mayor of London. June 14. Ruſhworth, Vol. IV. p. 746.

King Charles, having notice of what both houſes had done for the ſpeedy raiſing of money, wrote to the lord-mayor of London, commanding him to publiſh his letter, wherein he inhibited the citizens to lend the parliament any money. This letter occaſioned the two houſes publiſhing a declaration, the aim whereof was to ſhew the people, that the parliament was under abſolute neceſſity of preparing for their defenſe. They ſaid, his Majeſty having ſo often threatened them about Hull and the militia, they could not but conſider his preparations as a deſign to levy war againſt his parliament.

The parliament's declaration hereupon. June 21. Ibid.

The King's anſwer. p. 748.

The King made to this declaration a long anſwer, abounding with reproaches of the illegal proceedings of both houſes againſt him. He denied not his intending to have juſtice in the caſes of Hull and the militia, or loſing his life in requiring it; and affirmed, that this was no proof of a deſign to make war againſt the parliament, but only of his intention to defend himſelf againſt their attacks. The parliament, on their part, ſaid the ſame, and each indeavored to caſt all blame of the war on the oppoſite party. I do not think it neceſſary to inſert theſe laſt papers, there being nothing new in them. They contain the ſame reproaches, and the ſame vindications on both ſides, as were ſeen in the former declarations. I ſhall only obſerve, that even when the war was on the point of commencing, and there was no farther hope of any accommodation, King Charles thought it very ſtrange, that his prerogatives ſhould be violated, and the parliament raiſe forces without his approbation. He conſtantly uſed the ſame ſtile, even when hoſtilities were at the utmoſt height. In fine, the parliament, weary of theſe paper ſkirmiſhes, of which there was no end, and which conſumed much time, did by a printed order prohibit publiſhing, in the King's name, any declarations or papers, which ſhould be contrary to the parliament's ordinance. After that, there was no hope of peace, and accordingly all thoughts of it were laid aſide, by both parties.

Charles I An' 1442.

The parliament forbids publiſhing the King's papers. July 4. p. 751.

Charles, before he came to any open declaration, had a mind to execute two deſigns he had formed. The firſt was to get poſſeſſion of the fleet; the ſecond, to beſiege Hull. The project of the fleet was ſolely founded in the expectation that the captains would declare for him as ſoon as commanded. In this belief, he wrote to each captain in particular, requiring him, without delay, and without demanding the orders of his ſuperiors, to bring away his ſhip to Burlington bay, and yield no farther obedience to the earl of Warwick. He ſent withal a letter to the earl of Warwick, to diſcharge him from the command of the fleet. The letters to the captains were to be delivered, as indeed they were, before that directed to the earl of Warwick. His Majeſty, at the ſame time, diſpatched a meſſenger to London, to carry the earl of Northumberland a revocation, under the great-ſeal, of his commiſſion of admiral. The earl of Warwick, who was then aſhore, having notice of what paſſed in the fleet, went immediately aboard his ſhip, and ſummoned all the captains to attend him at a council of war. All obeyed, notwithſtanding the King's orders, except five, who united to make their defenſe, in caſe they ſhould be attacked: the reſt proteſted to their admiral, they would obey his commands. Immediately on his having ſecured theſe, he made them caſt anchor round the five others, in order to force their ſubmiſſion: but three thought fit to come in upon a ſummons. Two ſtill remained obſtinate; yet ſoon after ſuffered themſelves to be ſhamefully taken by unarmed boats, and were ſent to London. Thus was Charles diſappointed of his aim, for which, tho' of great importance, he undoubtedly had not taken very proper meaſures, as appeared by the event (3).

Charles's project to poſſeſs himſelf of the fleet; Clarendon, p. 522, &c. T. May.

Ruſhworth, Vol. IV. p. 752.

is fruſtrated.

After this fruitleſs attempt, his Majeſty believed it in vain to diſſemble any longer, and that he muſt now commence war. To that end, he ordered the earl of Newcaſtle to ſecure the town of Newcaſtle; which was performed, tho' with ſome difficulty, and then he cauſed alſo Tinmouth caſtle to be ſeized. At the ſame time, he ſent away a good number of nobility and gentry into their reſpective ſhires to levy forces, and, by a patent under the great ſeal, appointed the earl of

Charles prepares for war. Clarendon, p. 520, 322, 528.

(1) Spencer Compton, earl of Northampton; William Cavendiſh, earl of Devonſhire; Robert Cary, earl of Monmouth; Henry Cary, earl of Dover; Robert lord Rich; Charles Howard lord Andover; Charles lord Grey of Ruthen; Thomas lord Coventry; and Arthur lord Capel. Ruſhworth, Vol. IV. p. 737.

(2) At 8 per cent.——They pretended, That their deſign was only to maintain the Proteſtant religion, the King's authority and perſon in his royal dignity, the free courſe of juſtice, the laws of the land, the peace of the kingdom, and privileges of parliament. p. 745, 747.

(3) Sir John Pennington, it ſeems, having refuſed to undertake the buſineſs, each captain, as is ſaid above, had orders to bring away his ſhip; but Pennington altering his mind, the diſpatches were altered too, and the captains were commanded, in their letters, to follow Pennington's orders, who not coming time enough, the project came to nothing. Had the firſt letter gone, the five ſhips above-mentioned might have got off. Clarendon, Vol. I. p. 523, 524.

Hertford,

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Hertford, his lieutenant-general of the weſtern counties. He kept near his perſon the earl of Lindſey, to be general of his army under himſelf. Sir Jacob Aſhley was general of the infantry; and the poſt of general of the cavalry was reſerved for Prince Rupert, his Majeſty's nephew and the elector Palatine's brother, who was daily expected.

He marches to beſiege Hull. p. 528. Ruſhworth, Vol. IV. p. 601, 610.

Tho' King Charles had pretended to raiſe only a guard for his perſon, it however appeared that, very early in July, he had about three thouſand foot, and ſeven or eight hundred horſe, with which he determined on marching to Hull. He ſtayed ſome days at Beverley, and iſſued a proclamation ſignifying his intention to beſiege Hull, and the reaſons which induced him thereto; which reaſons having already been mentioned, it is needleſs to repeat them. Three days after, he ſent this proclamation to the parliament, with a meſſage, requiring that the town of Hull might be inſtantly delivered him.

The parliament's petition to Charles. July 15. p. 603.

Before the parliament received this meſſage, they had reſolved on petitioning his Majeſty, in a very humble manner, to forbear all preparations for war; to remove his forces from about Hull; to diſmiſs his troops; to ſend away his gariſons from Newcaſtle, Tinmouth, and other places; for which they likewiſe promiſed on their part, to diſcontinue all the preparations they had been forced to make for their defenſe.

His anſwer. p. 605. Clarendon, p. 530, 531.

Charles returned a long anſwer in writing to this petition, wherein he repeated great part of what he had ſaid in his declarations. He withal made certain propoſitions to both houſes, allowing them to the twenty-ſeventh of July for a full and poſitive anſwer.

He beſieges Hull in vain. p. 549. Ruſhworth, Vol. IV. p. 617.

The parliament having made a no very ſatisfactory anſwer to the propoſitions, Charles reſolved to commence the ſiege of Hull. But this enterpriſe was ſo unſucceſsful that, after having been ſome time before the town without making any progreſs, he was obliged to raiſe the ſiege, or rather blocade, and return to York. Lord Clarendon ſays, his Majeſty untertook the ſiege of Hull, upon the aſſurance given him by ſir John Hotham, that he would ſurrender the town at the firſt ſhot, but that it was not poſſible for Hotham to anſwer his promiſe (1).

Clarendon, p. 549

Goring, governor of Portſmouth, declares for the King. p. 550. Ruſhworth, Vol. IV. p. 683.

Charles had, as I obſerved, ſome months ſince gained colonel Goring, governor of Portſmouth, who, feigning to keep the place for the parliament, held it in reality for his Majeſty. He received from both parties money, to reinforce the gariſon and raiſe new works; the parliament not miſtruſting him, and Charles relying on his promiſe. At length, about the time Charles lay before Hull, Goring openly declared for him. This happened in the begining of Auguſt, only three weeks after the parliament had iſſued orders for levying an army, to be commanded by the earl of Eſſex. This army not being yet ready, both houſes, tho' aſtoniſhed at Goring's defection, were not however diſcouraged. As it was of the utmoſt importance to recover this place (the ſtrongeſt in all England) before Charles ſhould be able to relieve it, they haſtily diſpatched a commitee, whom they impowered to aſſemble the militia of the neighboring counties, to inveſt Portſmouth by land, while the earl of Warwick, by their order, blocked it up by ſea. Happily for the parliament, Goring, tho' he had received from them three thouſand pounds, and a like ſum from his Majeſty, had neglected to lay in the neceſſary proviſions for a ſiege, and particularly corn and ſalt, ſo that in the very begining of the blocade he perceived, he could not make a very long reſiſtance. This made him determine on capitulating. He ſurrendered the place to the commitee, only for liberty to return into Holland*.

He is blocked up;

and capitulates.

* And that his officers ſhould repair to his Majeſty.

During the blocade of Portſmouth, Charles, not doubting but Goring was in condition to defend that place, finally publiſhed a declaration which had long been prepared, wherein he enumerates all the complaints he had already made againſt both houſes. As the reader is ſufficiently informed, there is no occaſion to inſert here this new declaration: only it muſt be remarked, that the King declared both houſes guilty of high-treaſon, and forbid all his ſubjects to obey them. At the ſame time was likewiſe iſſued a proclamation, requiring all men who could bear arms, to repair to him, by the twenty-fifth of Auguſt, at Notingham, where he intended to ſet up his royal ſtandard, which all good ſubjects were obliged to attend. The ſeting up the royal ſtandard was the ancient manner of making known to the people the King's urgent occaſion for their aid, and the place to which they were to repair to aſſiſt him. King Charles could not forbear thinking, he was ſtill to be conſidered as other Kings, and to have the ſame reſpect and obedience paid him, as if he had never given his people any cauſe of complaint. He imagined, that the acts of grace he had paſſed in this parliament, and his promiſes of better conduct for the future, had effaced all the impreſſions made on his ſubjects by his former adminiſtration, and that, tho' there was a potent faction againſt him in the parliament, it was among the people quite otherwiſe. He therefore thought the erecting his ſtandard would make a ſtrong impreſſion on his people, and induce them to appear in arms at Notingham: but the prejudices were too deeply rooted in moſt of his ſubjects minds for a bare ceremony to remove them.

The King's manifeſto. Ruſhworth, Vol. IV. p. 766.

Proclamation to attend the royal ſtandard. p. 774. Clarendon, p. 559.

While the day appointed for erecting the ſtandard was expected, Charles indeavored to augment the number of his forces. He gave out freſh commiſſions, and ſent the earl of Hertford, and ſome others to manage his concerns, and raiſe troops, in the weſtern parts. For himſelf, he departed York ſome days before the twenty-fifth of Auguſt, and in his way he took Lincoln, whence he took the arms of the trained-bands for his troops, after which he came to Notingham, and next day reviewed his cavalry.

Charles iſſues new commiſſions. p. 556. Ruſhworth, Vol. IV. p. 685.

He takes Lincoln; and arrives at Notingham.

No ſooner was the review over, but he was informed that two regiments of foot were marching to Coventry, by the earl of Eſſex's orders. He thereupon haſted thither with his cavalry, ſeven or eight hundred ſtrong, in hopes of preventing the parliament's forces, and poſſeſſing himſelf of that city. Accordingly he arrived there a day before thoſe two regiments: but the mayor of that city, tho' without a gariſon, ſhut the gates againſt him, and fired upon his followers. He was very ſenſibly touched with this indignity; but as there was no remedy, he was forced to return to Notingham, leaving the command of his cavalry to commiſſary-general Wilmot.

Coventry gates ſhut againſt him. Aug. 20. Ibid. p. 785.

Next day his horſe, being upon a plain of five or

(1) Lord Digby coming privately to the King at York, from beyond ſea, and not finding matters as he expected, reſolved to go back to the Queen, and haſten the ſupply of arms, but was taken at ſea by the ſhips which were chaſing the Providence, and brought diſguiſed like a Frenchman into Hull, where diſcovering himſelf to ſir John Hotham, he prevailed with him (according to lord Clarendon Vol. I. p. 546.) to promiſe to ſurrender the town, if the King would come before it, and make but one ſhot. And this (he ſays) induced the King to march to Beverley, in order to beſiege Hull, before he had any thing in readineſs for ſuch an undertaking.

ſix

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Wilmot loſes a good opportunity of defeating a body of parliamentarians. Clarendon, P. 557.

ſix miles extent, where nothing incumbered them, had a clear view of a body of twelve hundred of the enemies foot, guarded only by one troop of horſe. Wilmot, it ſeemed, could not have wiſhed for a fairer opportunity to attack with advantage this body of infantry, who had nothing to ſecure them: but, for what reaſon it is not known, inſtead of attacking the enemies, he thought only of avoiding them, and even retreated with ſome precipitation. This was a bad omen to a war juſt commenced.

Finally, on the twenty-fifth of Auguſt, King Charles cauſed his ſtandard to be erected on a turret in Nottingham caſtle (1), having with him only ſome militia unarmed. His proclamation had produced ſo little effect, that few were come to attend the royal ſtandard: nay, it happened, that very day the ſtandard was erected, to grow ſo tempeſtuous, that it was blown down, and could not be fixed again in a day or two. This was looked on by many as a very inauſpicious omen.

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The King ſets up his ſtandard at Nottingham: Ibid. Ruſhworth, Vol. IV. P. 783. which is blown down.

(1) Ruſhorth (Vol. IV. p. 783.) ſays, it was erected in the open field, on the back-ſide of the caſtle wall.

END of the Twentieth Book.

BOOK XXI.

Containing the third and laſt Part of King CHARLES I's Reign.

Aug. 2. Charles's condition at Nottingham. Clarendon, Vol. II. p. 1, &c.

KING Charles had imagined, that the erecting his ſtandard would draw great numbers of people to Nottingham, preſſing to offer him their ſervice: but he was greatly diſappointed. He had with him only three hundred foot, and a few of the militia, amaſſed by the ſheriff * of that county. His cavalry conſiſted of no more than eight hundred, and his artillery was ſtill at York, whence it was difficult to bring it, many things being yet wanted to prepare and form it for marching, nor was there any infantry to guard it. Nevertheleſs, as he had given out many commiſſions, and ordered his forces ſhould repair to Nottingham, he expected them in that town, tho' not without danger, the parliament having at Coventry five thouſand foot, and fifteen hundred horſe. Thus was his Majeſty in a very melancholy ſituation before the war was well commenced. He had appointed Robert Bartu, earl of Lindſey, for general; but had yet no army. Their Highneſſes Rupert and Maurice, his nephews, the elector Palatine's brothers, being come to offer him their ſervice early in September, he made Prince Rupert general of his horſe, quartered at Leiceſter, whither repaired his ſaid Highneſs, and took on him the command.

* Sir John Digby.

T. May.

He is in great danger. Clarendon, Vol. II. p. 5.

Moſt certainly, his Majeſty was in extreme danger at Nottingham. This town was not in condition to make a long reſiſtance, and his forces being ſo very inconſiderable, ſhould the parliament's troops, which were within twenty miles of that place, have marched directly to him, he muſt have been forced to retire with diſhonor to York, except he would have hazarded his being made priſoner. All thoſe about him ſaw the danger, it being ſo evident; but it was not eaſy to avoid it, without quiting Nottingham, which muſt have been to him very prejudicial. For this reaſon, it was moved in council, to ſend a meſſage to both houſes, with ſome overture to incline them to a treaty. The intent of this propoſition, was doubtleſs to give this Monarch intimation, that his affairs were in ſuch a poſture, that peace alone could free him from his imbarraſs, and the danger to which he lay expoſed: but the mover of this advice could ſcarcely imagine, that a bare offer of peace was ſufficient to procure it, after what had paſſed before the rupture. Very likely therefore, his deſign was that, in propoſing a peace, ſomething more ſhould be offered, than what had been offered already. Charles readily took the hint, and was thereat ſo offended, that he broke up the council, to prevent its being further urged.

His council adviſe him to propoſe a peace.

He refuſes, Ibid.

However, next day the ſame motion was renewed, but under a different view. As it was doubtleſs perceived, that what had given him offenſe, was the plain meaning of propoſing a peace, viz. that he muſt depart from ſome of his pretenſions, care was taken to remove this deteſted meaning, and it was adviſed only to ſend a meſſage to both houſes, in order to gain time. His Majeſty ſtill oppoſed it, alleging, that to offer peace at ſuch a juncture, would be diſcovering his weakneſs: that his enemies would reject the offer with inſolence, and nothing but diſhonor would thereby reflect on himſelf. But it was repreſented to him, ſuch a meſſage might do good, but could do no harm: that indeed, both houſes would very probably reject the offer, but they would thereby render themſelves odious to the people, who were deſirous of peace, and who would be the more inclined to ſerve his Majeſty, for his indeavors to procure it: that if the overture was accepted, he would have opportunity of demonſtrating, that the war, on his part, was purely defenſive: in fine; that the bare offer of peace would of courſe retard the parliament's preparations, becauſe peoples minds would be in ſuſpenſe, while the King's levies might be continued by virtue of the commiſſions already ſent out.

He is adviſed to propoſe a peace, upon the likelihood of its being rejected. Ibid.

Reaſons to back the advice.

King Charles yielded to theſe reaſons, becauſe the point was not to offer any new conditions, but only to lay a ſnare for the parliament, and retard their preparations. This was the ſole motive of that meſſage, wherein, as we ſhall ſoon find, Charles propoſed nothing new, and which he nevertheleſs repreſented afterwards as a manifeſt ſign of his ſincere deſire

He complies.

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desire of peace. But tho' ſome pretend that his Majeſty's meſſage, and the parliament's refuſal, greatly contributed to facilitate that Prince's levies, and undeceive people of their good opinion of the intentions of both houſes, I cannot believe, that reaſons ſo weak were able to produce ſuch great effects. It is true, if by the word people, are to be underſtood Charles's devotees only, it is not unlikely, that the refuſal of peace might render the parliament odious to them, and promote their taking arms for his Majeſty; but if by people, be underſtood the parliament's faction, or rather indiſcriminately the whole people; it is not eaſy to conceive, how the refuſal of a bare propoſition, without any thing new in it, could produce any ſuch effect. Undoubtedly, the nation wiſhed for peace rather than war: but they would have a ſolid peace, ſupported by other foundations than the King's bare word, and not a peace in general, ſuch as his Majeſty propoſed. They had already rejected ſuch a peace; and upon this ſenſe of the nation it was, that the parliament's whole authority was founded. This was no novelty; it had been long diſputed without coming to any concluſion. How therefore could the bare propoſal of a treaty, without any particular offer, incline the people ſo ſtrongly to the King, and render the parliament more odious, if it was rejected? And yet, upon this foundation Charles did conſtantly build, from the begining of the war, as will hereafter manifeſtly appear. The ſecond reaſon was wholly grounded on the prejudices of the privy-counſellors: for, ſuppoſing the negociation had been entered on, by what freſh evidence would this Prince have been able to demonſtrate, that the war was only defenſive on his part, ſince he had already alleged whatever could be ſaid on that ſubject, and ſince his papers were public? The third reaſon was of no greater force: for if the bare overture of a treaty was capable of keeping people in ſuſpenſe, and retarding the parliament's levies, it might alſo have the ſame effect with regard to thoſe of King Charles. But the counſellors ſuppoſed, his Majeſty's levies would be continued with vigor, while the parliament's preparations would be interrupted: that is to ſay, the parliament's adherents would fall into the ſnare, while care ſhould be taken privately to warn his Majeſty's friends to avoid it. Nothing more evidently manifeſts with what ſpirit they adviſed this Prince to ſend the parliament that meſſage.

Remarks on thoſe reaſons.

Howſoever all this was, the meſſage was ſent, the twenty-fifth of Auguſt (three days after ſeting up the ſtandard) (1) by the earl of Southampton, ſir John Culpepper, and ſome others.

Charles's meſſage to both houſes. Aug. 25. Ruſhworth, Vol. IV. p. 784. T. May. Clarendon, Vol. II. p. 7.

He propounded to both houſes, "That ſome "perſons might be by them inabled, to treat with "the like number authoriſed by him, in ſuch a "a manner, and with ſuch freedom of debate, as "might beſt tend to the peace of the kingdom. "And he aſſured them, that nothing ſhould be "wanting on his part, which might advance the "Proteſtant religion, oppoſe Popery, ſecure the "laws of the land, and confirm all juſt power "and privileges of parliament. If this propoſi-"tion ſhould be rejected, he proteſted, he had "done his duty ſo amply, that God would abſolve "him from any of the guilt of that blood which "muſt be ſpilled."

His deputies ill received. p. 8.

As war was ſufficiently proclaimed by erecting the ſtandard, King Charles methinks ſhould have demanded a ſafe-conduct for his meſſengers. But tho' he had neglected to take this precaution, they pretended, on what grounds I know not, to go and ſit in their reſpective places, without any previous notice. The lords, offended at the earl of Southampton's boldneſs, called upon him to withdraw, and ordered him to ſend his meſſage in writing, and wait for an anſwer out of London. The commons alſo obliged Culpepper to deliver his meſſage at the bar; whereat his Majeſty was highly offended.

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The parliament's anſwer. Aug. 28. p. 9. Ruſhworth, Vol. IV. p. 785. T. May.

The anſwer of both houſes to his Majeſty's meſſage was, "That, notwithſtanding their indeavors "to prevent the diſtracted eſtate of the kingdom, "nothing had followed but proclamations and de-"clarations againſt both houſes of parliament, "whereby their actions were declared treaſonable, "and their perſons traitors. So that, until thoſe "proclamations were recalled, and the ſtandard "taken down, they could not, by the fundamen-"tal privileges of parliament, give his Majeſty "any other anſwer to his meſſages."

Vol. II. p. 9.

Charles's meſſengers being returned to Nottingham with this anſwer, "His Majeſty, ſays lord "Clarendon, was contented to make ſo much far-"ther uſe of their pride and paſſion, as to give "them occaſion, by another meſſage, to publiſh "more of it to the people." It is hence eaſy to judge, whether this Prince's real motive was a ſincere deſire of peace, ſince his meſſages were intended only to render the parliament odious. He ſaid in his reply: "That he never deſigned to declare "both houſes of parliament traitors, or ſet up his "ſtandard againſt them, and much leſs to put "them and the kingdom out of his protection; he "utterly profeſſed againſt it, before God and the "world. But he promiſed, that, if a day was "appointed by them, for the revoking their decla-"rations againſt all perſons as traitors, or other-"wiſe, for aſſiſting him, he would with all chear-"fulneſs, upon the ſame day, recal his procla-"mations and declarations, and take down his "ſtandard."

Charles's reply. Sept. 1. Ruſhworth, Vol. IV. p. 786. T. May.

In this meſſage, as in all his other papers, may be obſerved King Charles I's genius and character. He always made uſe of obſcure expreſſions, the interpretation whereof he reſerved to himſelf. It is true, he had not in expreſs terms declared both houſes traitors: but he called their members by that name, as the earl of Eſſex and others. So, according to his way of reaſoning, thoſe who executed the orders of both houſes were traitors and rebels, tho' the houſes themſelves were not ſo. It may be affirmed, that thoſe little artifices were what chiefly occaſioned this Prince's misfortunes, as they cauſed his forfeiting the truſt and confidence of his ſubjects. They inſpired the parliament with a perpetual jealouſy of being intangled by treaties, wherein it would have been impoſſible to avoid ſuch ambiguous expreſſions.

The anſwer of both houſes. Sept, 16. Ruſhworth, Vol. IV. p. 786. Clarendon, Vol. II. p. 10.

The two houſes anſwered, "That his Majeſty "not having taken down his ſtandard, recalled his "proclamations and declarations, whereby he had "declared the actions of both houſes of parlia-"ment to be treaſonable, and their perſons trai-"tors, and having publiſhed the ſame ſince his "meſſage of the twenty-fifth of Auguſt, they "could not recede from their former anſwer. That "if his Majeſty would recal his declarations, and "return to his parliament, he ſhould find ſuch ex-"preſſions of their fidelities and duties, that his "ſafety, honor and greatneſs could only be found "in the affections of his people, and the ſincere "counſels of his parliament, who deſerved better "of his Majeſty, and could never allow them-"ſelves, repreſenting likewiſe the whole kingdom, "to be balanced with thoſe who gave evil counſels "to his Majeſty."

(1) This ſuppoſes the ſtandard was ſet up the twenty-ſecond of Auguſt, as indeed Whitelock and Ruſhworth both affirm: tho' our author, after lord Clarendon, has it the twenty-fifth.

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Mean while both houſes, perceiving that Charles's aim, was to keep the people in ſuſpenſe by an uncertain expectation of peace, publiſhed a declaration; proteſting, they would never lay down their arms 'till his Majeſty had left delinquents to the juſtice of the parliament.

p. 11. Ruſhworth, Vol. V. p. 2.

Charles's third meſſage. Sept. 11. Ibid. Clarendon, Vol. II. p. 10.

Charles on his part, agreeably to his purpoſe, neglected not making uſe of both houſes anſwers to his two meſſages, in a third which he ſent them, ſaying, "Let all the world judge who had "uſed moſt indeavors to prevent the preſent di-"ſtractions, either he, who had condeſcended to "deſire and preſs it, or the two houſes, who had "refuſed to enter into a negociation. That, for "the future, if they deſired a treaty of him, he "ſhould remember, that the blood which was to "ſpilled in this quarrel was that of his ſubjects, "and therefore would return to his parliament, as "ſoon as the cauſes which had made him abſent "himſelf from it ſhould be removed."

Both houſes, finding his Majeſty's drift was to blacken in the public's eyes their refuſal to treat, made to this a ſtronger and more particular anſwer than they had to the two preceding meſſages: the ſubſtance of which anſwer here follows:

The parliament's reply. Sept. 16. Ruſhworth, Vol. V. p. 3.

"That, at the very time his Majeſty propounded "a treaty, his ſoldiers were commiting numberleſs "oppreſſions and rapines.

"That they could not think his Majeſty had "done all that in him lay to remove the preſent "diſtractions, as long as he would admit of no "peace, without ſecuring the authors and inſtru-"ments of theſe miſchiefs from juſtice.

"That they beſought his Majeſty to conſider his "expreſſions, 'That God ſhould deal with him and "his poſterity, as he deſired the preſervation of "the juſt rights of parliament.' That never-"theleſs, his intention was to deny the parlia-"ment the privilege of declaring to be delinquents "thoſe they deemed ſuch, a privilege which be-"longed to the meaneſt court of juſtice in the king-"dom.

"That his Majeſty hath no cauſe to complain, "that he was denied a treaty, when they offered "whatſoever a treaty could produce, ſecurity, ho-"nor, ſervice, obedience, ſupport; and ſought "nothing but that their religion and liberty might "be ſcreened from the open violence of a wicked "party.

"That if there was any cauſe of treaty, 'they "knew no competent perſon to treat betwixt the "King and the parliament.'.

"That beſide, the ſeaſon was altogether unfit, "while his Majeſty's ſtandard was up, and "his proclamations and declarations, whereby his "parliament was charged with treaſon, unre-"called.

"That indeed his Majeſty had often proteſted "his tenderneſs of the miſeries of Ireland, and his "reſolution to maintain the Proteſtant religion, "and the laws of this kingdom. But that theſe "proteſtations could give no ſatisfaction to reaſon-"able and indifferent men, when at the ſame "time ſeveral of the Iriſh rebels, the known fa-"vorers of, and agents for them, were admited "to his Majeſty's preſenſe with grace and favor, "nay, ſome of them imployed in his ſervice: "when the cloaths, munition, horſe, bought by "his parliament for the ſupply of the Iriſh war, "were violently taken away, and applied to the "maintenance of an unnatural war againſt his "people.

"That if his Majeſty would be pleaſed to "come back to his parliament, they ſhould be "ready to ſecure his royal perſon, crown and dig-"nity, with their lives and fortunes."

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King Charles left not this anſwer without a reply: but inſtead of doing it by way of meſſage, he publiſhed a declaration to this effect:

The King's declaration. Sept. 27. Ruſhworth, Vol. V. p. 5.

"Firſt, he alleged the laws in his favor.

"He denied that his ſoldiers had commited "any diſorders or violences, and affirmed, he had "never ſuffered them to oppreſs any perſon what-"ſoever.

"He recriminated upon the parliament. He "denied there were any Iriſh about him, and "maintained, that it was a notorious calumny, "like that caſt upon him heretofore by mr. Pym.

"He ſaid, the artillery-horſes he had taken at "Cheſter were few in number, and of ſmall value. "And for the cloaths, if his ſoldiers had taken "any which were deſigned for the ſervice of Ire-"land, it was done without his order; and tho' "he might have ſeized three thouſand ſuits which "were going thither, yet he refuſed to do it, and "gave order for their ſpeedy tranſportation.

"That the parliament made no ſcruple to imploy "in the war againſt their King, a hundred thou-"ſand pounds particularly appointed for the relief "of Ireland.

"That, of near five hundred members, of "which the lower-houſe conſiſted, there remained "not above three hundred, the reſt having been "driven away by tumults and threats, or with-"drawn themſelves, out of conſcience, from their "deſperate conſultations. That of above a hun-"dred peers, there remained but fifteen or ſixteen "in the upper-houſe.

"That it was not the body of the parliament, "but only thoſe violent leading members who "were authors of the war."

I omit ſundry general aſſertions, which might then be neceſſary to the King's deſigns, but which have been already intimated in the preceding papers.

The earl of Eſſex heads the parliament's army. p. 16. Charles marches from Notingham towards Wales. Sept. 16. p. 20. Clarendon, Vol. II. p. 12.

During theſe paper-ſkirmiſhes, both ſides prepared for war. The earl of Eſſex, having ordered his forces to aſſemble at Northampton, departed London, the ninth of September, to head the army; and having reviewed them, found about ſixteen thouſand men, well armed and appointed, with a good train of artillery. Then his Majeſty, finding he could not any longer remain at Notingham with ſafety, marched towards the borders of Wales, with his troops (1), which were yet ſo few in number, that they merited not the name of an army. He was undetermined in what place to expect the forces which were to come to him from diverſe quarters; but deſigned, if poſſible, to ſecure Shrewſbury or Cheſter, without however knowing whether either of theſe towns would receive him; the parliament having in all thoſe parts very active and vigilant agents, who ſpared no labor to procure them adherents. For this reaſon the King advanced but very deliberately. When he came to Wellington, about ſeven miles from Shrewſbury (2), he drew together his little army, and cauſed to be read his orders for military diſcipline: which done, he took occaſion to harangue his ſoldiers; and the better to ſatisfy them of his good intentions to the public, he made the following proteſtation.

The King's proteſtation at the head of his army. Sept. 19. p. 13. Ruſhworth, Vol. V. p. 21.

"I do promiſe, in the preſenſe of Al-"mighty God, and as I hope for his bleſſing and "protection,

(1) He marched from Notingham to Derby, Stafford, Leiceſter, and ſo to Shrewſbury, where he ſet up a mint. Ruſhworth, Vol. V. p. 20.

(2) Not near Derby, as our author miſtakes.

" protection, that I will, to the utmoſt of my " power, defend and maintain the true reformed " Proteſtant religion eſtabliſhed in the church of " England, and, by the grace of God, in the ſame " will live and die.

" I deſire to govern by all the known laws of " this land, and that the liberty and property of " the ſubject may be by them preſerved, with the " ſame care as my own rights. And if it pleaſe " God, by a bleſſing upon this army, raiſed for " my neceſſary defenſe, to preſerve me from this " rebellion, I do ſolemnly and faithfully promiſe, " in the ſight of God, to maintain the juſt privi- " leges and freedom of parliaments, and to govern " by the known laws of the land, to my utmoſt " power, and particularly to obſerve inviolably the " laws conſented to by me this parliament.

" In the mean while, if this time of war, and " the great neceſſity and ſtraits I am now driven " to, beget any violation of thoſe, I hope it ſhall " be imputed, by God and man, to the authors " of this war, and not to me, who have ſo earneſtly " labored for the preſervation of the peace of this " kingdom.

" When I willingly fail in theſe particulars, I " will expect no aid or relief from any man, or " protection from heaven: but, in this reſolution, " I hope for the chearful aſſiſtance of all good " men, and am confident of God's bleſſing.

King Charles was not contented with making this proteſtation to his army, but moreover, in all the conſiderable places thro' which he paſſed, he aſſembled the inhabitants, and indeavored to convince them of the ſincerity of his intentions. Theſe were neceſſary precautions, at a time when the chief point was to gain the people to his intereſt; for on the people depended both parties ſtrength.

He is received at Shrewſbury. Clarendon, Vol. II. p. 12.

From Wellington his Majeſty marched to Shrewſbury, having received the agreeable news, that the town had declared in his favor, and the inhabitants would give him a joyful reception. Here he reſolved to fix his head quarters, and appoint the rendezvous of his army. This was a very convenient place to expect the troops which were levying for him in Wales, Yorkſhire and Lancaſhire, and to ſend for his ordnance, which had not been able to follow him to Notingham for want of horſes.

He ſeizes ſome horſes deſigned for Ireland; p. 27. Ruſhworth, Vol. V. p. 13.

This want had conſtrained him to make uſe of a hundred draught horſes, ſent by the parliament to Cheſter, to be tranſported into Ireland. He deſired to have the conſent of the earl of Leiceſter, who was appointed lord-lieutenant of Ireland, and was then with him at Notingham: but his ſaid lordſhip conſtantly refuſing to give any orders about theſe horſes, bought with the parliament's money, Charles gained one Errington, a ſervant of the earl's, who took them in his maſter's name, and delivered them to the King(1). With this fact the parliament, as has been obſerved, taxed his Majeſty. As for arms, the King (not having a ſufficient quantity for all thoſe troops which were to come from diverſe parts) had diſarmed the militia in all the places thro' which he paſſed: but it was by way of loan, i. e. he obtained the militia officers conſent to take away their mens arms, on promiſe of reſtoring them. On Charles's arrival at Shrewſbury, the number of his troops ſo conſiderably increaſed that, in a few days, he had an army of ten thouſand foot, and four thouſand horſe, with which he was intirely ſecured from the danger he was in while his army was forming.

and borrows the militia arms. Clarendon, Vol. II. p. 31. T. May.

He forms an army fourteen thouſand ſtrong. Sept. 20. Ruſhworth, Vol. V. p. 36.

It is ſomewhat unaccountable, that the earl of Eſſex ſhould neither moleſt his Majeſty while at Notingham, nor in his march to Shrewſbury. In all probability, if, immediately on his arrival at Northampton, he had marched directly againſt the King, he would have ſtrangely imbraſſed and perhaps diſabled him from aſſembling a body of forces. This neglect can be aſcribed only to his not having power to act directly againſt the King's perſon, 'till he received his inſtructions, which he hourly expected, and which came too late. Both houſes, it ſeems, could not believe King Charles would be able to be ready ſo ſoon as he was, and imagined, that his inability to raiſe men and money muſt force him to ſome corner of the kingdom, or oblige him to throw himſelf into their arms: at leaſt, this is what they ſtrove to infuſe into the people, for fear of terrifying them with the notion of a war, the event whereof might be dubious. Charles made advantage of this error, to aſſemble all his forces at Shrewſbury, and provide himſelf with money, which he greatly wanted. His friends at London had taken care of this laſt article, and privately ſent conſiderable ſums to Oxford. Moreover, that univerſity, which had always been firmly attached to his Majeſty, had ingaged to deliver to him all the plate belonging to their colleges, which was very conſiderable. The point was only how to convey this aid to him ſafely. To that end, Charles ſent thither ſir John Byron, with a ſmall detachment of cavalry; not daring to give him a ſtronger, leſt it ſhould raiſe a ſuſpicion that it was for ſome affair of importance. Byron, coming to Oxford, received the money and plate, and returned towards Shrewſbury, by way of Worceſter, taking all poſſible precautions not to be intercepted in his march; this aid of money being to his Majeſty of the utmoſt conſequence, ſince without it he could not any how ſubſiſt. Wherefore, the better to ſecure it, he detached a band of cavalry, under command of Prince Rupert, who marched on the other ſide of the Severn to Worceſter to expect Byron, and guard him to Shrewſbury.

The parliament's negligence in not ſending Eſſex inſtructions. The reaſon. Clarendon, Vol. II. p. 14.

Charles raiſes money by various methods. p. 24, 27.

The univerſity of Oxford give him their plate.

He ſends Byron thither. p. 19.

Mean while the earl of Eſſex, after ſtaying ſome days at Northampton, and ſecuring Warwick, determined on fixing his head-quarters at Worceſter. To that purpoſe, he diſpatched away before colonel Nathaniel Fiennes, who came to Worceſter at day-break, ſome hours after ſir John Byron was entered with his convoy. Fiennes, at his arrival being told, that ſome of the King's horſe were in the town, the number whereof he knew not, haſtily retreated, without making any attempt. Preſently after Prince Rupert arrived, and to ſecure the convoy brought by Byron, who was reſting himſelf in order to march on, paſſed thro' the town, and poſted himſelf with his cavalry at ſome diſtance on the other ſide. As he believed not any enemies were thereabouts, he was not very careful to hinder many of his troopers from ſtaying in the town. Being come to the place he had choſen, he alighted with his brother Prince Maurice, and moſt of the officers, repoſing themſelves on the ground. On a ſudden they perceived, within muſket-ſhot, five hundred of the enemy's horſe marching up a narrow lane. Theſe were a body commanded by colonel Sandys, whom the earl of Eſſex had ſent before to take poſſeſſion of Worceſter. Prince Rupert inſtantly mounting, without a moment's heſitation, charged theſe troops, as they came out of the lane, and the charge was ſo vigorous, that the enemy was intirely routed, and Sandys, with thirty of his followers, killed. This action gained

A fight near Worceſter, wherein Prince Rupert had the advantage. Sept. 22. Ruſhworth, Vol. V. p. 23. Clarendon, Vol. II. p. 19. Ludlow.

(1) The earl ſays, in his letter, the King gave Errington a warrant to fetch the horſes, which he executed without his knowledge or conſent. See the letter in Ruſhworth, Vol. V. p. 13, 15.

the

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the Prince a great name, not only for the valor he ſhewed, but chiefly for his ſudden and moſt ſeaſonable reſolution, in falling on thoſe enemies on their coming out of the lane, and when they leaſt expected it. Some hiſtorians, in relating this ſkirmiſh, ſeem to repreſent Prince Rupert as one of thoſe romantic heroes who, with five or ſix aſſiſtants, attacked and routed whole armies. But, after all, there is nothing wonderful in this feat of his, who had not poſted himſelf beyond Worceſter, without having with him his detachment: beſide, it is not ſaid, what was the number of the body he commanded. Nevertheleſs, this action, how inconſiderable ſoever it was, failed not to ſtrike great terror into the parliament's troops, chiefly by reaſon of the activity and courage of Prince Rupert, who afterwards gave them cauſe to be confirmed in their high opinion of his bravery, he being in reality one of the gallanteſt Princes in Europe. But tho' he had gained ſome little advantage, he thought not proper to

p. 27.

expect the enemy at Worceſter. He marched ſome hours after, and ſafely conducted the convoy to Shrewſbury, where Charles inſtantly ordered the bullion to be coined. Next day, the earl of Eſſex poſſeſſed himſelf of Worceſter, and while he ſtayed there, ſecured Hereford, Gloceſter and Briſtol.

Eſſex takes ſeveral places. Whitelock.

It would doubtleſs be very ſtrange that in the twenty days of King Charles's continuance at Shrewſbury, his army ſhould ſo greatly increaſe, if, as ſome ſay, it was the effect of the parliament's refuſal to treat with him; ſo ſhort a ſpace of time not ſeeming ſufficient to determine people to repair to the places where they were liſted, and to conduct theſe new-raiſed troops to Shrewſbury. It may at leaſt be affirmed, that it is much leſs ſurpriſing, that his Majeſty's new levies, who could not be ready while he was at Notingham, or who cared not for marching to a place ſo expoſed, ſhould be in condition to march during his ſtay at Shrewſbury, tho' it was of twenty days only, ſince he had iſſued his commiſſions before he quited York.

The King marches towards London. Ruſhworth, Vol. V. p. 33. Clarendon, Vol. II. p. 30.

Howſoever this be, King Charles, finding himſelf at the head of an army little inferior in number to the earl of Eſſex's, and perceiving it ſufficed not to remain in quiet at Shrewſbury, while the enemy was uninterruptedly taking the principal towns in the heart of England, was of opinion it behoved him to indeavor bringing the war to a ſpeedy concluſion. To effect this the methods were two: one was to fight the enemy; the other to gain ſome marches upon them, and appear in ſight of London, before they could arrive. His Majeſty took this courſe, in the expectation that he ſhould raiſe in that capital a general conſternation, which might afford his friends opportunity to ſerve him

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effectually. So, ſuddenly begining to march, the twelfth of October, with his army, which was not much incumbered with baggage, there being not one tent, and few artillery; he quartered that night at Bridgenorth, ten miles from Shrewſbury, on the morrow he came to Wolverhampton, the third day to Birmingham, and the fourth to Kenelworth, where he reſted one day. It was two days before the earl of Eſſex had notice of his march, when

Eſſex follows him. p. 34.

he began to follow him. By his Majeſty's route, it evidently appears that, if he was not in queſt of the enemies, at leaſt he feared them not, ſince he could not be ignorant how eaſy it was for Eſſex, either to put himſelf in his way, or overtake him. To all appearance, he imagined the earl would be conſiderably retarded. Howſoever it be, it was not 'till the twenty-ſecond of October that the two armies came within ſix miles of each other, without having received any notice of each other's motions, 'till that day, which ſeems ſomewhat unaccountable. But what is ſtill more ſurpriſing, is, that the King, to whom ſpeed was ſo neceſſary, had ſo little advanced in five days; ſince leaving Kenelworth the ſeventeenth, he was, on the twenty-ſecond, but four miles north of Banbury; and that Eſſex, who departed the fifteenth from Worceſter, ſhould be only at Keinton the twenty-ſecond, which is not above twenty miles. His Majeſty, who 'till then knew not where the earl of Eſſex was, lay incamped near a village named Edgcot, where he had intelligence the twenty-ſecond at night, that the enemy was at Keinton, about ſix miles diſtant. He then found it would be very difficult to execute his deſign upon London, while he ſhould be ſo cloſely followed by enemies; and therefore he reſolved to give them battle. To that end, he drew up his army on Edge-hill, whence might be ſeen all Keinton plain, where the parliament's army ſtood in battle array, the twenty-third very early: but the ingagement began not 'till three in the afternoon. It is not known what induced King Charles to defer ſo long (1): but for the earl of Eſſex, he had a very ſtrong reaſon not to be in haſte; for, not imagining himſelf ſo near a battle, he had left behind two thouſand foot, and five hundred horſe, with his artillery, and conſequently, delay could not but be advantageous to that general.

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Ibid. Ruſhworth, Vol. V. p. 36.

Prince Rupert, who commanded the King's right wing of horſe, marching down the hill, and advancing to charge the enemies left wing, on a ſudden, ſir Faithful Forteſcue, who commanded a troop of the parliament's horſe, moving forwards with his whole troop from the groſs of the cavalry, and joining Prince Rupert, with his Highneſs charged thoſe he had deſerted. This unexpected occurrence inſpired the parliament's cavalry with ſuch terror, each man deeming his companion as his enemy, that they were utterly routed, and purſued more than two miles from the field of battle. By this unadviſed purſuit, his Majeſty was in danger of the ſame fate which his predeceſſor Henry III met with at the battle of Lewes. The parliament's right wing ſtood their ground no better than the left. They ran away full ſpeed, and were purſued with like fury and imprudence. What was moreover fatal to the King, was, that his reſerve of a regiment of horſe, judging the victory indiſputable, by the flight of the enemies cavalry, with ſpurs and looſe reins followed the chace, and were not to be ſtayed by their commanders.

Edge-hill fight. Octob. 23. P. 33, &c. Clarendon, Vol. II. p. 34, &c. T. May. Ludlow. Manley.

All this while, the infantry of both armies were ingaged, without fortune's inclining to either ſide. But, finally, ſir William Balfour, to whom the earl of Eſſex had given command of his reſerve, turned the ſcale. Immediately on his beholding his Majeſty's cavalry buſied in purſuing the fugitives, he advanced to charge his infantry in flank, and put them into ſuch diſorder, that Charles, with the two Princes his ſons, were in danger of being made priſoners. Lindſey, the King's general was taken, having been ſhot in the thigh, of which wound he next day died, and the royal ſtandard, which was always near the King's perſon, was loſt by the death of its bearer; but it was afterwards, I know not how, recovered.

The return of Prince Rupert with his cavalry, prevented King Charles's utter defeat. For Balfour, who had only a ſmall body of reſerve, ſeeing thoſe

(1) Lord Clarendon (Vol. II. p. 35) ſays, tho' the horſe were ready, the foot were quartered at ſuch a diſtance, that many regiments marched ſeven or eight miles to the rendezvous, ſo that it was one o'clock before the King's forces moved.

horſe

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horſe coming back from the chaſe, ſuddenly quited the fight, and ſecured himſelf near Eſſex's infantry. Could the King and Prince Rupert have perſuaded their cavalry to charge the parliament's foot, who had ſcarce any horſe to ſupport them, they had very probably routed them, and gained a complete victory. But the cavalry, being returned from the purſuit in extreme diſorder, could never be brought to fall upon their adverſaries, who ſtood in good order, tho' they were in great danger. As ſoon as the earl of Eſſex ſaw the enemy's horſe approaching, he drew off his foot from the battle, and ranged them in the beſt manner he could, in order the better to ſupport the charge of the King's cavalry, who, in all appearance, would attack them: but it was not his buſineſs to renew the fight. It was ſufficient for him to keep his ground, as he did 'till night, which freed him from his uneaſineſs.

When the battle commenced, ſcarce two or three hours day-light remained, and as the King's horſe had imployed ſome time in the purſuit, and, after their return, could not be prevailed on to re-ingage, it was too late for Charles to rally his infantry, who were in great diſorder, and whereof more than two thirds were miſſing. Both armies held their ſtations all night, and in the morning neither thought themſelves in condition to recommence hoſtilities. True, the forces left behind by the earl of Eſſex, came up in the night with his artillery. However, as he had no other cavalry than thoſe five hundred, which newly arrived, and the ſmall band commanded by Balfour, he did not think he ought to hazard a ſecond battle againſt a body of cavalry who had been victorious the day before, and were ſtill facing his army. King Charles, on his ſide, finding himſelf without infantry, and conſidering that his troops had greatly ſuffered by the cold, which was extremely ſharp that night, believed it ſufficient to let his enemies ſee he feared them not. In this diſpoſition, the two armies faced each other the whole day, without any deſire to ingage. At length, the earl of Eſſex ordering his baggage to be drawn off, his Majeſty retired to thoſe quarters he had taken the day before the battle, and Eſſex marched towards Warwick. The number of ſlain on the field of battle was about five thouſand. But what

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lord Clarendon ſays, that, two days after, the King reviewing his army, found there were not above three hundred men loſt, is ſcarcely credible, even according to his own deſcription of this ingagement. Without however dweling on the particular circumſtances of this battle, which were greatly diſguiſed or exagerated by both parties, who equally claimed victory, the conſequences demonſtrate, that they might have more juſtly owned each to have been worſted (1). Charles departed Shrewſbury, with deſign to attempt London; but after the battle he relinquiſhed that thought, tho' the road to London was open, and believed it properer he ſhould withdraw to Oxford. On the other hand, Eſſex followed his Majeſty, to obſtruct his going to London, but after the battle left him the road open, and, retiring to Warwick, put it out of his power to prevent or ſtop him. This I believe ſuffices to ſhew, it was a drawn battle, which afforded no real matter of triumph either to King or parliament. Indeed, three or four days after the battle, Charles took Banbury-caſtle, where was a gariſon of eight hundred foot and a troop of horſe. But if the circumſtances of reducing this place be well conſidered, it will be found far from being a conſequence or effect of victory. For firſt; his Majeſty ſummoned the caſtle, contrary to the opinion of all his generals, who believed his army little able to undertake the ſiege: ſecondly; he alleged for reaſon, that he could not determine what courſe to take, 'till he was informed of the enemies intention, and that, if they deſigned to attack him, he could not fight in a more advantageous ſtation. Hence may be infered, that he was not himſelf fully ſatisfied of the reality of his victory, ſince he preſumed the earl of Eſſex in condition to attack him. In ſhort, Banbury-caſtle ſurrendered at the firſt ſhot, which leaves it uncertain, whether Charles would have perſiſted in the ſiege in caſe of reſiſtance, and whether the earl of Eſſex would have ſuffered him to do it unmoleſted. The reduction of Banbury determined his Majeſty to withdraw to Oxford, the only place in thoſe parts at his devotion, by means of the univerſity, whoſe members were very zealouſly attached to his intereſt.

Tho' the parliament challenged alſo the victory, they were extremely ſenſible they had no great reaſon to triumph. They were however obliged to make a parade of this pretended victory, as if it had been real, to contradict Charles's friends, who were trying to ſtrike terror into the Londoners, and induce them to ſue for peace, on account of this pretended ſucceſs of his Majeſty's arms. Charles had yet many partiſans in the city, there not having hitherto been any meaſures taken to drive them away: nay, even in the parliament not a few continued there purpoſely to do the King ſervice, when occaſion ſhould offer, and who failed not improving the preſent opportunity. The news concerning the battle of Edge-Hill, or Keinton, being very various at firſt, King Charles's London-friends induſtriouſly magnified all the circumſtances which might give room to believe that his Majeſty was victorious, in order to diſpoſe the people to peace: for it muſt be obſerved that, ſince the breach, that Prince's grand aim had ever been to dazzle the public with the ſpecious term of peace, and he had never ceaſed hoping that the nation would compel the parliament to an agreement, by leaving him in poſſeſſion of all his prerogatives. This was his favorite project, from which he never ſwerved, not even when his affairs were moſt proſperous. It will hereafter, on ſundry occaſions, appear with what conſtancy he indeavored to execute this ſcheme. This preſent occaſion was the firſt ſince the war commenced. When both houſes had perfect information of the ſucceſs of the late ingagement, whatſoever public ſigns of rejoicing they gave, to make people believe their army victorious, they were very ſenſible ſuch victories were little capable to oblige the King to throw himſelf into their arms, tho'

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Ruſhworth, Vol. V. p. 35. Clarendon, Vol. II. p. 44.

Doubtful iſſue of this battle.

The King retires to Oxford. p. 45.

Great conſternation in the parliament.

Charles's friends take occaſion to propoſe a peace. Ibid.

(1) In this battle were killed on the King's ſide, Robert Bartu earl of Lindſey; lord Stewart; lord Aubigny, ſon to the duke of Lenox; ſir Edmund Verney, &c. On the parliament's ſide, fell lord St. John of Bletzo, and colonel Charles Eſſex. Lord Willoughby was taken priſoner, in indeavoring to reſcue his father, the earl of Lindſey. Upon the news of this battle (ſays Whitelock, p. 64.) all counties were alarmed and frighted, being a ſtrange thing in England. Clarendon, Vol. II. p. 40, 41. T. May. Some ſay, there were but a thouſand killed. See Manley, p. 48, &c.——With relation to this battle, Denzil lord Hollis (Mem. p. 17.) tells a remarkable ſtory, from his own knowledge, concerning the famous Oliver Cromwell; and ſhews (as he obſerves) "he was as errant a coward, as he was notoriouſly perfidious, ambitious, "and hypocritical. This was his baſe keeping out of the field at Keinton battle; where he, with his troop of horſe "came not in, impudently and ridiculouſly affirming, the day after, that he had been all that day ſeeking the army and "place of fight, tho' his quarters were but at a village near hand, whence he could not find his way, nor be directed by "his ear, when the ordnance was heard twenty or thirty miles off."

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the public had been amuſed with ſuch hopes. Then ſuch of Charles's partiſans as were ſtill in the houſe of commons, obſerving the conſternation expreſſed by moſt of the members, became bolder, and ſcrupled not propoſing a peace, as the only means to free them from their imbaraſs. Very ſeemingly, this was done with the conſent of his Majeſty, who at the ſame time was uſing his utmoſt indeavors to perſuade the public, that he had obtained at Edge-hill a compleat victory.

A day before this battle, both houſes had publiſhed a declaration, whereof I ſhall content myſelf with relating the ſubſtance: ſince having inſerted ſo many of theſe papers, I am apprehenſive my readers would be tired, were all we may have occaſion to mention, to be inſerted at full length.

The parliament's declaration before the battle. October 22. Ruſhworth, Vol. V. p. 26.

The two houſes proteſted firſt; "That no "private paſſion or reſpect, no evil intention "to his Majeſty's perſon, no deſign to the pre"judice of his juſt honor and authority, ingaged "them to raiſe forces, and have recourſe to "arms.

"That his Majeſty had refuſed to receive a very "humble and dutiful petition, which they had "directed the earl of Eſſex to deliver.

"That they were fully convinced the King was "ſo ingaged to the Popiſh party, that all hopes "of peace were excluded.

"That great numbers of Papiſts had in ſhew "conformed to the Proteſtant religion, in order "to qualify themſelves for poſts in the King's "army.

"That his Majeſty indeavored at firſt to keep "off all jealouſies and ſuſpicions, by many fearful "oaths and imprecations, concerning his purpoſe "of maintaining the Proteſtant religion, and the "national laws, cauſing ſome profeſſed Papiſts to "be diſcharged from his army, and none to be "received who would not come to church, receive "the ſacrament, and take the oaths: but that "afterwards his confidence in the prieſts did more "clearly appear; prieſts and Jeſuits, impriſoned "for being ſuch, having been releaſed out of "Lancaſter jail, and commiſſions granted to pro"feſſed Papiſts.

Here fourteen of them were named.

"That lord Herbert, the earl of Worceſter's "ſon, a notorious Papiſt, was made general of the "King's troops in all South-Wales.

"That thoſe who raiſed forces for his Ma"jeſty, in the North of England, did arm and im"ploy Papiſts.

"That men had been ſent to Hamburgh and "Denmark to levy forces there, and to bring them "over to join with the earl of Newcaſtle, and the "army of Papiſts which was intended to be raiſed "in Newcaſtle.

"That the King had received in his court ſeveral "Papiſts from Ireland; of whom ſome were in"dicted of high-treaſon for their rebellion there; "viz. lord Taffe, &c.

"That diverſe Engliſh traitors were the chief "counſellors, and actors in this unnatural war, as "lord Digby, O-Neal, Wilmot, Pollard, Aſh"burnham, &c.

"That diverſe Jeſuits and prieſts, in foreign "parts, made great collections of money for the "relief of the Papiſts in Ireland, and the farther"ing of his Majeſty's deſigns againſt the parlia"ment.

"For all which reaſons they were reſolved to "enter into a ſolemn oath and covenant, and ex"pected that their brethren of Scotland would help "and aſſiſt them, according to the act of paci"fication between the two kingdoms."

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Charles anſwered this declaration with two others, which were publiſhed after the battle of Edge-hill. In the firſt he ſaid:

Ruſhworth, Vol. V. p. 29.

"That notwithſtanding the ſolemn proteſtation "of both houſes, of having no evil intention to "his perſon, yet they had uſed their utmoſt "power, by the ſtrength of their army, to have "deſtroyed him.

"That if he refuſed to give admitance to the "petition ſent by the earl of Eſſex, it was becauſe "it was ſent by perſons whom he had particularly "accuſed of high-treaſon." [Here he gave a long account of this whole affair.]

"He denies his ever having had any inclina"tion to the Papiſts, or that he had releaſed "any prieſts or Jeſuits out of Lancaſter jail.

"He affirmed, that the Papiſts, ſuppoſed to have "commiſſions, were not ſo much as known to "him, and that they had not, to his knowledge, "any command in his army.

"He expreſly denied, that he ever ſent to raiſe "forces in Hamburgh, or Denmark.

"He affirmed, the parliament entertained ſeveral "Papiſts in their troops, and of this he ſpake "knowingly, as having taken ſeveral of them "priſoners at the battle of Edge-hill (1)."

p. 39.

The ſecond declaration was intitled; "His "Majeſty's Declaration to all his loving Subjects, "after his late Victory againſt the Rebels, on "Sunday the twenty-third of October, 1642." This title was prefixed on purpoſe to cheriſh the fears which Charles's friends were indeavoring to infuſe into the people, on account of the pretended victory lately obtained by his Majeſty againſt the parliament's army.

The intent of this declaration was to vindicate King Charles upon three main points; viz. 1. That his Majeſty favored Popery, and imployed Papiſts in his army. 2. That his deſign was to extirpate parliaments. 3. That it was his intention, by the commiſſion of array, to take from gentlemen part of their eſtates. I ſhall ſpeak here of the firſt only; becauſe, after what has been ſeen, it would be needleſs to repeat what the King alleged in his vindication upon the two laſt. As to the firſt therefore he ſaid:

The King's anſwer as to imploying Papiſts.

"That altho' he ſhould imploy Papiſts, no one "would wonder, who conſidered the hardſhips and "ſtreights he was driven to, and the little ſcruple "the parliament made to imploy Popiſh officers "and ſoldiers, who ſerved in great numbers in their "army; the induſtry they uſed to corrupt their "loyalty; the private promiſes wherewith they "allured them to their ſervice, even to the aſ"ſuring them, that all the penal laws ſhould be "repealed. That notwithſtanding the artifices "of his enemies, and the weakneſs of his own "condition, he could not prevail with himſelf "to recal his proclamation againſt receiving into "his army ſuch as had not taken the oaths. He "however owned that he had ſwerved from this "general rule, in favor of ſome of eminent abili"ties in command and conduct."

We ſhall find hereafter, that tho' this proclamation was not recalled, it was very far from being punctually obſerved.

Soon after, both houſes returned their anſwer to this declaration, the ſubſtance whereof was:

Reply of both houſes. Ruſhworth, Vol. V. p. 41.

"That it was aſtoniſhing the King, having "affirmed ſo poſitively, that a far greater number "of Papiſts ſerved in their army than in his, he

(1) Salmonet alſo owns, That there were ſome Popiſh prieſts found among the perſons ſlain on the parliament's ſide. Vol. I. p. 165.

"ſhould

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" ſhould not have been pleaſed to name a ſingle " inſtance: that they ſhould have been glad of " knowing their names, as it would have afforded " means to remove thoſe of that religion who, " under the profeſſion of Proteſtants, might have " creeped into the army without their privity."

Then they pretended to ſhew, by ſeveral reaſons, the abſurdity of ſaying, that the parliament indeavored to corrupt the loyalty of the Papiſts, with the promiſe of repealing the penal laws, and alleged diverſe inſtances of their ſeverity againſt them, during the ſiting of this parliament.

But for a demonſtration (ſaid they) that the King acted not with ſincerity, when he alleged, in his vindication, that he had ordered no recuſant to be received into his troops, and that this order was a mere illuſion, they named ſeveral Popiſh officers, who had commiſſions under the King's own hand, which commiſſions then remained in the houſe of commons. Moreover, they annexed to this declaration a petition, preſented to Charles by the Popiſh inhabitants of Lancaſhire, deſiring leave to provide themſelves with arms for his ſervice; with his Majeſty's anſwer, granting their requeſt. This petition, and Charles's anſwer, ſeem to me ſo deciſive upon the preſent caſe, which was ſo often repeated, that I am of opinion they ought to be inſerted verbatim: viz.

To the King's moſt excellent Majeſty.

The humble petition of us the inhabitants of Lancaſhire, whoſe names are under-written, in behalf of ourſelves, and diverſe others, being recuſants,

Humbly ſheweth,

The Lancaſhire recuſants petition. Ruſhworth, Vol. V. p. 49.

" THAT whereas we, and the reſt of this " county, your Majeſty's moſt loyal ſubjects, " are diſarmed, and not ſufficiently provided for " the defenſe of your royal perſon and our own " families; our moſt humble ſupplication to your " Majeſty is, That we may be received into your " moſt gracious protection from violence, have " our arms (taken from us) re-delivered in this " time of actual war, and, by your Majeſty's ſpe- " cial directions, be inabled farther to furniſh our- " ſelves with competency of weapons for the ſecu- " rity of your royal perſon (if we be thereunto " required) our countries and families, who now " are not only in danger of the common diſturb- " ances, but alſo menaced by unruly people to be " robbed: and when, by the Almighty's aſſiſtance, " your Majeſty's kingdom ſhall be ſetled, in caſe " we be again diſarmed, that a full value of money " in lieu thereof may be reſtored."

The King's anſwer.

To our truſty and well-beloved, ſir William Gerard baronet, ſir Cecil Trafford knight, Thomas Clifton, Charles Townley, Chriſtopher Anderton, and John Clansfield, and other of our ſubjects, eſquires, in the county of Lancaſhire.

Charles R.

The King's order for Papiſts to peovide arms. Sept. 27. p. 50.

" TRUSTY and well-beloved, we greet " you well. Whereas, by reaſon of the laws " and ſtatutes of our realm, by which all recuſants " convicted are to be without arms, your arms " have been taken from you: ſo that now, in " this time of imminent dangers, wherein there are " armies raiſed againſt our commands, and con- " trary to our proclamations, and are marching " againſt us, and diverſe of our good ſubjects, " for obeying our lawful commands, and oppoſing " the rebellious proceedings of others ill-affected, " are by a ſtrong hand ſeized upon and im- " priſoned, their houſes plundered, and their goods " taken away; and the like is threatened to your- " ſelves, who, as all other ſubjects, ought to have " our protection againſt unlawful violence and " force. And the laws, made for diſarming re- " cuſants, were made only for a proviſion to pre- " vent danger in time of peace, and were not in- " tended to bar you from a neceſſary uſe of " arms in time of actual war, for your own ſafety, " or for the defenſe of our perſon againſt all rebels " and enemies, which by your duty and allegiance " you are bound unto; which is not, nor ever " was meaned to be diſcharged, or taken away " by any act. And whereas, the arms which " were taken from you ought, by law, to have " been kept and preſerved, to have been made " uſe of by you in ſuch time of open war, or by " ſuch others as you ſhould provide; yet, under " the ſpecious pretenſe of diſarming recuſants, " and perſons ill-affected, your arms have been " diſpoſed and diſperſed into the hands of ſeveral " perſons ill-affected, and for the moſt part fo- " menters and exciters of the commotions now " raiſed in this kingdom. Our will and com- " mand therefore is, and we charge and require " you, upon your allegiance, and as you tender " the ſafety of our perſon, and the peace and " welfare of our kingdom, that you, with all " poſſible ſpeed, provide ſufficient arms for your- " ſelves, your ſervants and your tenants, which " we authoriſe and require, during the time of " open war raiſed againſt us, to keep and uſe " for the defenſe of us, of yourſelves, and " of your country, againſt all forces and arms " raiſed, or to be raiſed againſt us, or againſt " our conſent, or contrary to our proclamations, " by color of any order, or ordinance, or autho- " rity whatſoever; and we ſhall (according as " we are bound to all our ſubjects) uſe our utmoſt " powers for the protection of you and yours a- " gainſt all injuries and violence. And whenſo- " ever theſe arms which you ſhall ſo provide (after " it ſhall pleaſe God to put an end to theſe dangers " and diſtractions) ſhall be taken away from your " cuſtody, by reaſon of our laws now in force, " we do hereby aſſure you, we will allow you " for the ſame, ſo much as you ſhall have diſpenſed " in proviſion thereof."

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It is proper to animadvert, with regard to theſe two papers, that the queſtion between Charles and both houſes was not, whether the King might or might not lawfully imploy Papiſts in his ſervice but, whether he did really imploy them: and therefore care muſt be taken, not to confound the right with the fact, the latter only being the point in queſtion. Now theſe two papers demonſtrate, that King Charles did actually imploy Papiſts in his ſervice, even at the begining of this war, and before any effuſion of blood: for this petition was preſented him while he was yet at Shreſbbury (1). Remark on this ſubject.

For a ſtronger conviction, both houſes annexed likewiſe to their declaration, a liſt of the names of twenty-eight officers, colonels, lieutenant-colonels, majors, captains and lieutenants, who were Papiſts, and actually ſerving his Majeſty, in the earl of Newcaſtle's army. Ibid.

King Charles and the parliament were in this ſtate of animoſity, when his Majeſty's private friends in the houſe of commons moved to ſue for peace, under color of the parliament's inability to continue the war, after their late foil at Edge-hill. Charles, on his part, to confirm the opinion his friends were ſtriving to infuſe into the people, that the parliament's army was utterly defeated, Charles offers a pardon to the Londoners. p. 51, 54, &c.

(1) The King's anſwer, in Ruſhworth, (Vol. V. p. 50.) bears date September 27, at Cheſter.

and

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and to incourage his well-wiſhers in London to join with thoſe in the parliament, ſent offers of pardon to the cities of London and Weſtminſter; thereby inſinuating to the inhabitants, that ſuch an offer could not but proceed from the ſuperiority he had acquired by his victory. He practiſed the like with regard to ſome other towns. Certain it is, London was then in a great agitation, cauſed by Charles's friends, who, under pretenſe of dreading a war which, according to them, was ſo unfortunately begun, imployed their utmoſt indeavors to induce the people openly to demand peace. Againſt theſe ſecret practiſes it concerned the leading men in the parliament to provide: and as their abilities were no way inferior to thoſe of their adverſaries, they ſoon found means to baffle this project. Inſtead of oppoſing the motion to ſue the King for peace, they ſupported it ſtrenuouſly. They ſaid, "That "the parliament had not taken arms for the ſake "of going to war, but only to procure a good "peace, the moſt deſirable thing in the world: "that both houſes ought not to be aſhamed to "make the firſt advances, and humbly ſue for "peace to their Sovereign; but withal, care was "to be taken, that a too great zeal for peace "might not be a means to leave them at the "mercy of their enemies: that, in order to make "ſuch a peace as was neceſſary to the welfare of "the kingdom, the King was to be told, that "they were not yet reduced to the point of being "forced to accept of ſuch terms as he ſhould "pleaſe to impoſe; and therefore, if they would "have a peace wherein every man might find his "ſafety, it was neceſſary to take good meaſures "for the continuance of the war: that, among "all the means which could be uſed, they ſaw "none more proper, than to invite their brethren "of Scotland to their aſſiſtance, purſuant to the "treaty between the two nations. Not that they "actually wanted them, the parliament's affairs "not being reduced to ſuch extremities, that "foreigners were to be haſtily introduced into the "kingdom, but that the Scots would doubtleſs ſo "anſwer their requeſt, as to convince the King, "that this refuge would not fail the two houſes in "caſe of need: that thereby they ſhould become "more formidable; and if the King was really "deſirous of a peace, he would be forced to grant "it upon reaſonable terms, which was all ought "to be expected."

Clarendon, Vol. II. p. 47.

Meaſures of the King's opponents.

As this advice was very plauſible, and moreover propoſed by men in whom the majority had great confidence, it was approved by the houſe. Indeed, none could be ignorant that, by the peace which Charles had hitherto offered, and which his friends moved to ſue for, could be underſtood only a peace which ſhould put him in poſſeſſion of all his prerogatives, and that his word ſhould be taken for ſecurity that he would not again abuſe them. But tho' the members of parliament doubted not that his Majeſty would grant an act of oblivion, ſuch as they ſhould deſire, they believed not that ſuch a peace could be advantageous to the kingdom, becauſe they did not believe the King's word to be a ſufficient ſecurity. Beſide, the Preſbyterians were no better pleaſed, than they had been hitherto, with a peace which would of courſe reſtore epiſcopacy in all its preſtine luſter. Wherefore, matters not being yet brought to ſuch a criſis, that the parliament ſhould be induced to wiſh for ſuch a peace, it was reſolved, 1. That his Majeſty ſhould be addreſſed for ſetling the peace of the kingdom. 2. That the preparations of forces, and other neceſſary means for defenſe, ſhould be proſecuted with all vigor, if a ſafe and honorable peace might not be obtained. 3. That the Scots ſhould be applied to for aſſiſtance, if there ſhould be occaſion. Theſe reſolutions intirely diſconcerted all the meaſures of Charles's friends, who had flattered themſelves, that the pretended victory at Edge-hill would produce ſome great effect.

The parliament reſolve to demand aid of the Scots. Ibid, &c.

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Purſuant to theſe reſolutions, the parliament took care to recruit the earl of Eſſex's army, and to that end it was ordained, that ſuch apprentices as ſhould be liſted for ſoldiers, ſhould reckon the time imployed in the wars, as part of their apprenticeſhip: whereupon great numbers of apprentices ingaged in the parliament's ſervice.

A declaration, incouraging apprentices to liſt in the parliament's army. p. 48. Ruſhworth, Vol. V. p. 53.

After that, both houſes ſent into Scotland a declaration, wherein they did not indeed demand immediate aid; but ſaid, "That they did not "doubt but the Scots would aſſiſt them, if there "ſhould be occaſion, according to the treaty of "amity and alliance between the two nations. "That therefore they deſired them to raiſe ſuch "forces, as they ſhould think ſufficient to ſecure "their own borders againſt attempts of the army "of Papiſts, levied by the earl of Newcaſtle in "the north of England." The readier to ingage them to what they deſired, they ſaid, "The ene-"mies of the Proteſtant religion were ſo preva-"lent with his Majeſty, that he had rejected all "the petitions preſented him: that the preſent "war was for the maintainance of religion, againſt "the efforts of thoſe who had projected its de-"ſtruction; and that, in order to preſerve it more "effectually, they had willingly imbraced the in-"vitation of the Scots to a nearer degree of "union, in matters of religion and church-govern-"ment, which they had accordingly reſolved to "purſue."

The parliament's declaration to the Scots. Novemb. 7. p. 393. Clarendon, ubi ſupra.

It was now ſome months ſince the Scotiſh commiſſioners, reſiding at London, had intimated, in a memorial preſented to the parliament, that the Scots paſſionately deſired a union of the churches of England and Scotland in the ſame worſhip and diſcipline. As this propoſition was expreſſed by way of wiſh only, and beſide was worded in ſuch manner that it might be underſtood either, that the Scots deſired the Engliſh to imbrace the worſhip and diſcipline of the church of Scotland, or that they themſelves were willing to conform to the church of England, the parliament had, in the like ambiguous terms, courteouſly replied; that they alſo wiſhed the ſame thing, and would heartily concur in the accompliſhing that project. This anſwer was undoubtedly framed by the leading Preſbyterians, to ſerve as a corner-ſtone, of which they hoped one day to make good uſe: but it was not yet time to declare their intentions more openly, for fear of loſing all ſuch church of England men as oppoſed his Majeſty. Probably theſe men would have been alarmed, had they clearly known, that the Preſbyterians deſigned to eſtabliſh their worſhip and diſcipline upon the church's ruins. For the ſame reaſon alſo, in the above-hinted declaration, both houſes, or rather the directors, thought not proper to ſpeak more plainly; and, in ſaying, that both houſes intended to purſue this union, the propoſition was left in all its ambiguity, tho' it was eaſy for the Scots to perceive, that in time they ſhould receive ſatisfaction: for it is not to be imagined, there were none but Preſbyterians in the parliament's party, tho' this may be the idea ſome would give us of that faction; their aim being to inſinuate, that the war between King Charles and his parliament was properly a religious war, and that the parliament's ſole deſign was to deſtroy the Church of England, and in its ſtead to eſtabliſh Preſbytery. As this deſign was unjuſt in itſelf, they would infer, that the war againſt his ſaid Majeſty was unjuſt. This reaſoning would be ſolid and convincing, were it true, that this Prince's opponents had propoſed to themſelves this

Remark on the propoſition to unite the two churches. Aug. 3. Ruſhworth, Vol. V. p. 387, &c.

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this end only: but, as it is certain the Preſbyterians were not the only perſons who had cauſe to complain of King Charles, it is no leſs ſo, that his enemies faction conſiſted not of Preſbyterians alone, but alſo of a great number of church-men, who ſaw that, under color of cruſhing Puritaniſm, deſpotiſm was on the point of being eſtabliſhed. It is eaſy to conceive, that theſe men who were ill-affected to the King, had joined with the parliament, and as yet were attached to their party: but it is inconceivable that the Preſbyterians, who at the beginning of this parliament made ſo inconſiderable a figure in both houſes, as well as in the kingdom, ſhould be grown ſo very numerous in the ſpace of two years, or that the church of England members, who complained of Charles's former adminiſtration, ſhould have intirely renounced the Church, and imbraced Preſbytery. It is certain therefore, tho' the Preſbyterian faction, conſidered as a religious party, had prevailed in the parliament, there were however in that ſame party, conſidered as enemies to the King, many Church-men who had no other view than a reformation of the civil government, and ſecurity of the nation's liberties. Theſe were the men the parliament were to manage, for fear of alarming them, 'till they could be ingaged to become Preſbyterians, whether by the ſuperiority the parliament ſhould acquire in the courſe of this war, or by the abſolute neceſſity they ſhould be under of relinquiſhing the peoples liberties, or of recurring to the Scots for aſſiſtance, which could be obtained only by a change in eccleſiaſtical diſcipline. Contrariwiſe, the church of England men could not take it amiſs, that the parliament managed the Scots, ſince poſſibly their aid might be abſolutely neceſſary. The ambiguous expreſſions therefore in the declaration, with reſpect to the union of both churches, ſerved to manage all thoſe who were concerned for the parliament's affairs. The Scots were gladly ſuffered to fancy, that the propoſition was underſtood in the ſenſe they themſelves gave it, and thoſe of the church of England were told, That the parliament was properly bound to nothing, in promiſing to indeavor ſuch union, becauſe there was no more reaſon for the church of England to conform to that of Scotland, than for this latter's conforming to that of England: that however great advantage would accrue from this pretended ingagement, in that Charles, from the apprehenſion of ſeeing the parliament cloſely united with Scotland, would be induced to make peace upon reaſonable terms.

New projects of Charles's friends in London. Clarendon, Vol. II. p. 54.

Tho', on this occaſion, King Charles's adverſaries had gained ſome advantage in the parliament, his friends thought not themſelves vanquiſhed. They plainly ſaw that, ſo long as both houſes ſhould be able to act with freedom, his Majeſty's opponents would always be ſuperior, and that it was ſcarcely poſſible to take away this freedom without ſome extraordinary aſſiſtance. Wherefore, while people were ſtill in the agitation occaſioned by Edge-hill fight, they notified to that Prince, that, if he would appear before London with his army, they queſtioned not there would be raiſed in the city ſuch commotions as would turn to his advantage, wherein his friends would not fail exerting themſelves to the utmoſt of their ability. This made him determine on marching to London. In order thereto, he diſpatched away before a body of cavalry, who advancing to Reading, the parliament's troops

The King marches to Reading,

there quartered, were ſeized with ſuch a panic, that they intirely abandoned the place, and Charles ſoon after came thither with his army. Both houſes were alarmed when they underſtood his Majeſty to be within thirty miles of London: ſo, whether for that reaſon, or with deſign to amuſe him, they deſired a ſafe-conduct for a commitee of peers and commoners to attend him, with a petition for peace, purſuant to a reſolution taken ſome days before. Charles granted a ſafe-conduct for the commitee, excepting only Sir John Evelyn, becauſe he was proclaimed traitor. Mean while, both houſes had notice, that the Earl of Eſſex was, with all poſſible expedition, marching towards London. For this cauſe, they were in no haſte to ſend his Majeſty the commitee, on pretenſe of his ſcrupling to admit Evelyn. It is not eaſy to conceive why King Charles, who could not be ignorant that the execution of this project depended on his diligence, ſtayed long enough at Reading to give Eſſex time to reach London as ſoon as himſelf. Howſoever this be, he marched, the eleventh of November, to Colebrook, fifteen miles from London. The earl of Eſſex's army arrived about the ſame time, in the neighborhood of that metropolis: but, whether it was not ready ſoon enough, or the parliament was alarmed, the commitee was that very day diſpatched to his Majeſty, with a moſt humble petition, to appoint ſome place for a treaty. To this petition Charles gave a gracious anſwer, teſtifying he wiſhed for nothing more than a peace, and to that end was content to enter into treaty. The commitee returning to London with this anſwer, the parliament inſtantly diſpatched away orders to their forces, not to commit any hoſtilities. But preſently after the commitee's departure, King Charles began to march towards Brentford, which is only ſeven miles from London, and arriving there, the twelfth in the morning, attacked the town, where ſome of the parliament's troops were quartered, and became maſter of it, after ſome reſiſtance (1). Immediately after, he ſent a meſſage to both houſes, informing them that, ſince his anſwer to their petition laſt night, he had received advice, that the earl of Eſſex was drawing his forces out of London towards him, which had obliged him to march to Brentford: that however he was ſtill deſirous of peace, and expected their commitee at Brentford that night, or early next morning.

Both houſes petition for a treaty. Nov. 3. 11. Ruſhworth, Vol. V. p. 56. —58.

Difficulty about a ſafe-conduct. Clarendon, Vol. II. p. 54, 55.

The earl of Eſſex marches to London;

and his Majeſty to Colebrook.

He receives the commitee Nov. 11. Ruſhworth, Vol. V. p. 58.

Clarendon, Vol. II. p. 56, 57.

He aſſaults Brentford. Ruſhworth. Vol. V p. 9. T. May. Ludlow.

Eſſex's army was indeed arrived near London, the ſeventh, and that earl himſelf was actually in the houſe of peers the twelfth, during the aſſault of Brentford. Whereupon both houſes ordered the lord-mayor to ſend out the trained-bands, to join Eſſex's forces, who thereby became abundantly ſuperior to Charles's army (2). The ſame day, Eſſex made the neceſſary preparations for battle; but his Majeſty, not judging it proper to expect him, retired to Kingſton.

He retires to Kingſton. Ruſhworth, Vol. V. p. 55, 59. Clarendon, Vol. II. p. 58.

The parliament complained, that Charles had deceived them, under the falſe ſhew of deſiring to treat of a peace; ſince, immediately after the commitee had left him, he marched to ſurpriſe Brentford. That Prince would by two allegations have juſtified himſelf. He ſaid firſt, that not only there was no truce agreed on, but none even deſired. Secondly, that after the commitee's departure, he received certain intelligence of Eſſex's having ſent forces to Kingſton, Acton, and other places, to ſurround him, which had obliged him to advance to

The parliament complains. p. 57.

Charles attempts to juſtify his march to Brentford. p. 58. Ruſhworth, Vol. V. p. 60.

(1) Part of colonel Hollis's regiment was quartered there, who made a vigorous defenſe, but moſt of them would, in all probability, have been cut off, if lord Brooke's and colonel Hampden's regiments had not come to their relief, and maintained a fierce and bloody fight 'till night, wherein many were ſlain, others driven into the river, and many taken priſoners. So that they quited the town in the night, and the King poſſeſſed it. Ruſhworth, Vol. V. p. 59. Whitelock, p. 65.

(2) The whole army, horſe and foot, was about twenty-four thouſand ſtrong. See id. p. 66.

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Brentford. The former of theſe reaſons was the beſt; for, there not being any ceſſation of arms, he might juſtly take all advantages he thought proper: but he inſiſted leaſt upon this; for, being diſappointed, he would not have it appear, that his deſign was to poſſeſs himſelf of London, or at leaſt to raiſe commotions there in his favor, for fear of expoſing his friends to a ſtrict inquiſition. The latter was not alike forcible; for if he was apprehenſive of being ſurrounded at Colebrook, he avoided not that inconvenience, by advancing eight miles nearer to London: he rather added to it by that march, except he advanced with deſign to attack the enemy; which did not appear by his conduct.

Clarendon, Vol. II. p. 57.

Charles is moreover furniſhed with another reaſon, not mentioned in a kind of manifeſto, publiſhed by himſelf on this occaſion. Prince Rupert, it is ſaid, had advanced to Hounſlow with the cavalry, without Charles's order, and when there, was informed, that the parliament had ſent forces to Kingſton, Acton, and other places: ſo, finding he was going to be ſurrounded, ſent to requeſt his Majeſty would advance with his infantry to diſingage him. This reaſon to me ſeems ſo very weak, that I ſhould think a refutation quite needleſs, had it not come from this noble writer of the hiſtory of thoſe times. I will not ſay, it does much redound to Prince Rupert's honor, to affirm he had advanced without the King's order with his cavalry, which likewiſe is not abundantly probable. But firſt, if his ſaid Highneſs fancied himſelf in danger, his retiring to the King was much eaſier to be effected, than the King's marching to his relief. Secondly; what probability was there, that the parliament's forces, ſuppoſed to have been detached to ſurround Prince Rupert, ſhould poſt themſelves between him and the King? Thirdly; Eſſex's army came near London but that very day, and was not in condition to march ten or twelve miles farther to attack Rupert.

Nothing is therefore more likely, than that Charles, when he departed Oxford, intended to ſurpriſe London, or hoped his friends would ſo manage that he ſhould be there received without oppoſition, before Eſſex could arrive: but he either loſt too much time at Reading, or was prevented by that earl's expeditious diligence. Nevertheleſs, ſince he was not ignorant that the parliament's forces were already very near London, one cannot well ſee what it ſignified to attack Brentford, except it was to brave the parliament, or, having firſt deſigned to give battle, he had altered his mind upon hearing that the London militia were ſent to join the earl of Eſſex. Be it ſo or otherwiſe, having miſſed his aim, he was obliged to frame reaſons to color his attacking Brentford, and, if poſſible, to perſuade the public it was done merely in his own defenſe. After all, it is very likely that, when he ſent back the commitee from Colebrook, he was determined on marching to Brentford, and was not ſorry the parliament amuſed themſelves with the hopes of a treaty: at leaſt, the reaſons he alleged in his vindication prove not the contrary.

Military actions in ſeveral places. Whitelock, p. 66.

Hoſtilities continued the whole winter in ſeveral parts of England, ſcarce a county being exempted. My deſign is not to particulariſe every ſkirmiſh and rencounter during this war. Such circumſtances may be agreeable to the Engliſh, who are acquainted with the places ſituation, or concerned for the honor of thoſe who ſignaliſed themſelves on thoſe occaſions. But foreigners, for whom I write, being little intereſted, I ſhall confine myſelf to a ſuccinct recital of ſome of the moſt notable actions.

In the North. Dec. 1. Ruſhworth, Vol. V. p. 65.

Very early in December, the earl of Newcaſtle, who had levied a body of troops for his Majeſty in the northern counties, began his march towards York. He was ſtoped at the paſſage of the river Tees, which parts the palatinate of Durham from Yorkſhire, by young Hotham, who had with him a detachment of the little army, commanded by lord Fairfax, in that county, for the parliament: but Newcaſtle forced the paſſage, and marched to York, with about eight thouſand men.

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Likewiſe during this winter, in the ſame county, there were two pretty warm actions. The firſt at Tadcaſter, where lord Fairfax lay intrenched, and where he was attacked by the earl of Newcaſtle, who was finally, after a moſt obſtinate diſpute, obliged to retreat. The ſecond was at Giſborough, where ſir Hugh Cholmley defeated ſix hundred of royaliſts, commanded by colonel Slingſby, who was, with a good number of his followers, made priſoner.

Tadcaſter and Giſborough fights. p. 91.

Jan. 16. 1642-3.

A few days after, ſir Thomas Fairfax, the general's ſon, attacked the town of Leeds, defended by ſir William Savil with fifteen hundred men, carried it by ſtorm, and took five hundred priſoners. Theſe were the moſt remarkable actions in the North, during that winter which ſucceeded the firſt campain.

Leeds taken Jan. 23.

In the South, ſir William Waller, commander for the parliament, blew up Farnham-caſtle, and made the gariſon priſoners of war. He not long after this reduced Wincheſter, and then Chicheſter, which latter coſt him a ſiege of eight days.

Waller takes Farnham and Chicheſter. Dec. 29. p. 100.

In the mid-land counties alſo happened ſeveral notable incounters, tho' little deciſive. The fifth of December, Wilmot, commiſſary-general of the King's horſe, lord Digby, and others, attacked the town of Marlborough, fortified by the parliament, where was a numerous gariſon. The town, being entered by ſtorm, was plundered and burned, and about a thouſand of the gariſon killed and made priſoners.

Wilmot takes Marlborough. p. 82. Clarendon, Vol. II. p. 63, 64.

February the ſecond, Prince Rupert carried Cirenceſter by ſtorm, and took priſoners twelve hundred.

Cirenceſter taken.

March the firſt, Lord Brooke attacked ſome royaliſts intrenched in the cloſe of Litchfield cathedral, and was there ſlain; but after his death his men carried that cloſe.

Litchfield taken. Lord Brooke's death.

Finally, on the nineteenth, a battle was fought at Salt-heath near Stafford, which was maintained four hours, 'till the earl of Northampton, who commanded Charles's troops, being ſlain, the parliamentarians got the victory.

Battle of Hopton, or Salt-heath. Northampton's death.

The ſame day, ſir William Waller ſurpriſed lord Herbert, who was beſieging Glouceſter, killed five hundred of his men, and took upwards of a thouſand priſoners. After that, he took Chepſtow, in Monmouthſhire, and then reduced the town of Monmouth.

Waller defeats lord Herbert. Clarendon, Vol. II. p. 63, 99, 97, 113, 114, 115, 118, 119.

I proceed now to what paſſed in the weſtern counties, from the firſt hoſtilities to March next year, 1643. As the war was always very ſharp in thoſe quarters, and as the ſuperiority was there obſtinately diſputed, it will be neceſſary, for the better underſtanding theſe events, to be ſomewhat circumſtantial in the tranſactions of thoſe counties.

From the time King Charles was at Beverley, after having failed in his attempt upon Hull, he diſpatched away weſtward the marquis of Hertford, to attempt raiſing there a party capable to give the parliament's forces a diverſion. He granted him a commiſſion to command all the weſtern parts, and his lordſhip nominated ſir Ralph Hopton his general of horſe. The marquis, being come into Somerſetſhire, fixed his quarters at Bath, where he could raiſe but few men, by reaſon of the vigilance of the militia commitee, who greatly obſtructed his levies. At length the earl of Bedford, who commanded in thoſe parts for the parliament, having

Affairs of the Weſt. p. 2——5, 15, 16. Ruſhworth, Vol. V. p. 122, 124.

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Clarendon, Vol. II. p. 97.

having drawn together forces abundantly more numerous than thoſe who liſted for his Majeſty, Hertford was obliged to retire into Wales. He ſent however ſir Ralph Hopton with about a hundred and fifty horſe into Cornwal, to indeavor gaining that county to the King's intereſt. Bedford neglected purſuing this little troop, not doubting but the militia commitee would be able to diſperſe them, and marched away to join the earl of Eſſex. This paſſed before the battle of Edgehill.

Hopton was well received in Cornwal, and ſeconded by ſir Bevil Greenvil, a Corniſh gentleman, who ſo managed that the county declared for his Majeſty. Then Hopton aſſembled three thouſand of the trained-bands, and advanced towards Lanceſton, whence they chaſed the commitee of the militia, who had got together a few troops: but propoſing to lead theſe trained-bands into Devonſhire, they refuſed to march out of their county: for which reaſon he diſmiſſed them, having firſt driven the commitee from the little town of Saltaſh.

p. 99.

p. 100.

Mean while, with the aſſiſtance of the gentry of that county, he found means to levy fifteen hundred regular troops, with whom he became abſolute maſter of all Cornwal, and even made incurſions into Devonſhire.

p. 101.

The parliament, having notice of Hopton's progreſs in Cornwal, ordered all their forces in Dorſet and Somerſet to join with thoſe of Devon, and gave the command of this army to the earl of Stamford: who heading theſe troops, ſent Ruthen, a Scot, governor of Plymouth, with a detachment into Cornwal. He was no ſooner there, but was met by ſir Ralph Hopton, who put him to rout, killed many of his men, and took priſoners upwards of twelve hundred. Ruthen, on his defeat, retired to Saltaſh, where he indeavored to fortify himſelf, and the earl of Stamford withdrew to Taviſtock (1).

Ruthen defeated by Hopton.

p. 102.

Hopton, taking advantage of the terror wherewith he had inſpired the parliamentarians, divided his forces into two bodies; with one of which he marched towards Ruthen, and beat him out of Saltaſh, and thereby rendered himſelf once more maſter of Cornwal. The other body moved towards Taviſtock, which Stamford likewiſe quiting, and retiring to Plymouth inabled Hopton the more eaſily to fix quarters in Devonſhire. But, very ſoon after, both parties having agreed to obſerve a perfect neutrality in the two counties of Devon and Cornwal, in order to remove the war into other parts, Hopton retired with his forces into Cornwal.

p. 104, 105.

Civil affairs of the year 1642.

Having related the principal military actions of the firſt campain, and the inſuing winter, it will be requiſite we touch on ſome other matters, which indeed flowed from the war, but were not decided by the ſword.

Remarks on the levies of money on both ſides.

Money being the ſinews of war, it is no wonder both King and parliament ſhould do their utmoſt to raiſe all they could: but the wonder is, that they ſhould upbraid each other with the expedients made uſe of to that purpoſe. According to England's laws, the Sovereign cannot levy money upon the ſubject, without conſent of parliament; but it is no leſs certain, that parliaments cannot impoſe taxes without the royal aſſent. Taxes are laid by acts, to which the King and both houſes muſt neceſſarily give their approbation. But what is to be done when the King and parliament are at war with each other? Neither of them, according to the laws, muſt levy money upon the people, and then it will be almoſt impoſſible to carry on a war, or elſe both muſt be left at liberty to raiſe it, without regarding each other's conſent. This was what both King and parliament practiſed, and yet they reproached one another with breach of the laws. If we credit thoſe who have written in King Charles's favor, his ſaid Majeſty had no other money than what he was ſupplied with voluntarily, by gift or loan (2). If he ſometimes taxed thoſe counties which were in his power, it was always with the inhabitants concurrence. But this is a kind of artifice to deceive the reader: for it means nothing more, than that ſome of the leading men of a town or county were gained, by whom it was reſolved to give the King ſuch a ſum, after which it would have been in vain for the reſt to oppoſe it, or refuſe paying their quota. The parliament proceeded in much a like manner. They demanded for maintainance of the war contributions, which they termed voluntary, but which were very far from being ſo. This very clearly appeared in an ordinance, of the twenty-ninth of November, for aſſembling ſuch as had not freely contributed. Charles, conſidering this ordinance as a very expreſs breach of the law, iſſued out a proclamation, injoining all his ſubjects not to ſubmit to it. He publiſhed another of the ſame tenor, commanding all perſons not to execute the ordinance of parliament for paying tonage and poundage to the two houſes. All this was founded upon the laws, requiring the royal aſſent for impoſition of taxes. But ſuch were the times, that a ſtrict obſervance of the laws was become impracticable. The parliament anſwered this laſt proclamation, not by acknowledging the laws were violated by their ordinance, but by ſaying, that the ſtatute urged by King Charles was made to hinder the Sovereign from impoſing any tax, without conſent of both houſes, and not to diveſt the parliament of a right to impoſe what they pleaſed. It is eaſy to perceive this was a mere cavil, ſince the King's conſent was no leſs neceſſary for impoſing a tax, than that of both houſes: or rather, they had no right, neither the one nor the other ſeparately, had the laws been obſerved. Nevertheleſs Charles, in the inſuing February, iſſued a ſecond proclamation ordering, that the cuſtoms upon goods imported ſhould be paid him at Oxford, which very ſeemingly was not performed. This ſubject ſo often returns, not only concerning money-levies, but likewiſe with relation to every thing injoined ſeparately by the King or both houſes, that it will not be amiſs to have ſome knowledge of the principles of both parties, in order to avoid paſſing a wrong judgment (3).

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Clarendon, Vol. II. p. 67.

Ruſhworth, Vol. V. p. 71.

p. 73.

p. 87.

p. 88.

Clarendon, Vol. II. p. 69.

Ruſhworth, Vol. V. p. 146.

Remarks on the principles King Charles would have eſtabliſhed.

Ever ſince this parliament firſt opened, King Charles had conſtantly profeſſed a ſtrict adherence to the national laws: this he perpetually oppoſed to the conduct and pretenſions of the parliament. When the war was begun, he in like manner pretended that the laws were to be obſerved with the ſame ſtrictneſs as in full peace. It is very viſible

(1) This battle was fought on Bradoc-down, near Leſkard.

(2) And by theſe means, ſays lord Clarendon (Vol. II. p. 67.) the King was able to pay his foot, tho' it amounted to above 3000 l. weekly.

(3) According to ſome writers, the parliament raiſed in all upon the nation, during the courſe of the civil war and afterwards, above ninety five millions, five hundred and twelve thouſand pounds. And, according to mr. Walker, they levied, from the year 1641 to 1647, above forty millions in money, and money-worth. See Hiſt. of Taxes, p. 289, 297. In March 1642, they made an ordinance for raiſing thirty four thouſand, one hundred and eight pounds, thirteen ſhillings per week. Ruſhworth, Vol. V. p. 150.

how

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how advantageous to him this principle was. Legally, the two houſes could not raiſe either men or money, much leſs imploy them againſt their Sovereign; for he always ſuppoſed the war was, on his part, only defenſive. He found therefore no better way to reſtore the public tranquillity, than by adhering to the laws, on the obſervance whereof depended the nation's felicity. Nothing was truer than this principle, taken in general, and independently of the particular caſe the kingdom was in. But, as Charles himſelf acknowledged, the laws being only an empty name, if not kept, and the executive power being lodged in the Sovereign's hands, the point was to know, Whether this Sovereign could be relied on for the diſcharge of this truſt, after what had paſſed the fifteen firſt years of his reign? There lay the difficulty of the queſtion between King and parliament; to ſolve which Charles offered only his bare word, whereon the parliament could not or would not rely. It is evident that, when King Charles urged in his behalf the law to that effect, he ſaid nothing which any way prejudiced the parliament's claims. The point was not to know, Whether the laws aſcribed ſuch or ſuch prerogatives to the Sovereign? The parliament did not deny it: but the queſtion was, Whether the King was to be truſted with the executive power, after what had paſſed? So the whole difficulty conſiſted in knowing, by what means the execution of theſe ſame laws, agreed to by both parties, might be ſecured. King Charles carefully avoided the examination of this point, Whether the people had a right to demand ſecurity of him, and imployed his utmoſt indeavors to reduce the diſpute to this, "Whether this or "that were injoined by the laws?" This is the reigning principle in all his papers, none excepted.

Contrariwiſe, the parliament were no leſs imbaraſſed. True, they manifeſtly made appear, that Charles had abuſed his prerogatives, while he fully injoyed them, and from thence infered, it was neceſſary to reduce his power within certain bounds: but they ſuppoſed that, in order to reduce him within theſe bounds, there was no other means than to ſtrip him intirely of this ſame power, by depriving him of the command of the militia, and ſome other prerogatives. The queſtion in this reſpect was therefore, Whether it was poſſible to find expedients which, being added to the King's word and oath, might ſecure to the nation their liberties. But the two houſes induſtriouſly avoided entering upon that queſtion. They were contented to ſuppoſe, without alleging any poſitive proof, that the King had taken arms to deſtroy the privileges of people and parliament, and conſequently the war was but defenſive on their part. By that, they pretended to vindicate their daily manifeſt breaches of the laws, repreſenting them as abſolutely neceſſary to attain the end they propoſed to themſelves, of ſetling the kingdom's tranquillity. In this procedure, one can ſcarce help perceiving the aim of certain men, who labored to render all accommodation impracticable, the better to execute the project of altering church-government, to which a peace would have brought inſuperable obſtacles. Could King Charles have prevailed with himſelf to conſent to that change, expedients would not have been wanted to adjuſt the other points. We ſhall be convinced of this hereafter, when we come to ſee the difficulties of a pacification reduced, as I may ſay, to this ſingle article.

Charles, as I obſerved, had ſent the earl of Newcaſtle northwards, to gain to his party the biſhoprick of Durham, with the counties of Northumberland, Cumberland and Weſtmoreland, and to levy forces. That earl happily executed his Majeſty's orders. He ſo managed, that theſe four counties entered into aſſociation to furniſh him, at the common expenſe, with men and money; ſo that he raiſed an army eight thouſand ſtrong. But at the ſame time, he taught the King's enemies to form like aſſociations, which perhaps they would never have thought of. As ſoon as the parliament was informed of this aſſociation, they ordered the like to be entered into by the counties which owned their authority, and appointed generals to command their forces. Lord Fairfax was made general of Yorkſhire; ſir William Brereton of Cheſhire; ſir William Waller of Hampſhire; lord Gray of Lancaſhire; major-general Brown of Berkſhire; the earl of Denbigh of Shropſhire; colonel Middleton of Wales; and the earl of Mancheſter of Eſſex and the counties adjoining, ſtiled the Eaſtern counties, viz. Eſſex, Cambridge, Iſle of Ely, Hertford, Norfolk, Suffolk, and the city of Norwich (1). By means of theſe aſſociations, the parliament had forces always ready, who indeed were deſigned only for the defenſe of the aſſociated counties, but were however imployed ſometimes in other ſervices. Charles frequently labored to prevent theſe aſſociations in counties where he knew he had a good number of friends, as in Kent, and ſome others: but when both houſes perceived the King's practiſes were like to prevail in any of the counties where they were ſuperior, they obliged them to aſſociate with others, and furniſh their quota.

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Aſſociation of the northern countries for King Charles. Ruſhworth, Vol. V. p. 66.

The like aſſociation for the parliament. Nov. 23. p. 64, 66, 67, 95, 96.

p. 143.

Beſide theſe aſſociations between counties of the ſame party, there were likewiſe, at the begining of this war, private agreements between neighboring counties of different parties, to obſerve between them a perfect neutrality. Theſe agreements were founded on the common advantages of the contracting counties, as they removed the war from their own doors, and ſetled a mutual commerce between them, which they could not well be without. I have given one inſtance in the counties of Devon and Cornwal: the like agreement was made between the two parties in Yorkſhire and Cheſhire. But the parliament refuſed to authoriſe theſe private agreements, becauſe they were too advantageous to the King, who in the end would have been able, by this means, to aſſemble all his forces in one place, whereas he was obliged to diſperſe them throughout the whole kingdom. Beſide, the royaliſts had ſo well managed matters for their patron, that theſe agreements were made only in places where it was for his advantage; as for example, in Yorkſhire, where their ſole view was to ſtop the inroads of the gariſon of Pomtfret-caſtle, which greatly annoyed the city of York.

Neutralities. p. 100.

The parliament ſets them aſide. p. 101. Clarendon, Vol. II. p. 106.

King Charles, retiring to Oxford, after the Brentford affair, carried thither the priſoners taken at Brentford and Edge-hill. Some few days after his return, he granted to ſir Robert Heath a commiſſion of Oyer and Terminer, to try ſome of theſe priſoners, among whom was captain John Lilburn, who, with ſeveral others, was ſentenced to death for being taken in arms againſt his Majeſty. The parliament, having notice of this ſentence before its execution, declared, that if any priſoner of war ſhould be put to death at Oxford, or elſewhere, they would do the like by ſuch priſoners as were or ſhould be taken hereafter. This declaration

Charles gets condemned certain priſoners. Dec. 6. Ruſhworth, Vol. V. p. 83.

The parliament threatens retaliation. p. 93. Clarendon, Vol. II. p. 68.

(1) Theſe were afterwards generally called the Aſſociated Counties. Whitelock, p. 66.

ſaved

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saved the lives of the condemned, Charles not judging proper to expoſe his officers to the ſame fate.

His Majeſty's friends attempt ſowing diſcord in London. p. 82, 83.

Tho' the meaſures of King Charles's partiſans, to oblige the parliament to make peace were, as I ſaid, diſconcerted, yet were they not diſcouraged. As his Majeſty had, ſince the Brentford affair, fortified Reading, and left there a ſtrong gariſon, they pretended the Londoners had cauſe to be extremely alarmed at their neighborhood. So, under color of preventing the danger, they drew a petition, to which they procured as many hands as poſſible, to deſire leave of both houſes to preſent his Majeſty ſome propoſitions which he might conſent to with honor. Many of the inhabitants of Weſtminſter, and of the pariſhes of St. Martin's and Covent-garden, known to be the King's adherents, prepared alſo a like petition. It was very uncommon, and of dangerous conſequence, for private perſons, without the magiſtrates interpoſition or approbation, to take upon them to make the King overtures of peace. Accordingly, the parliament would not receive their petition; nay, ordered that the authors ſhould be proceeded againſt. Probably, they did not expect the parliament would make uſe of their mediation for a peace: but in publiſhing this petition, wherein they ſtiled themſelves, 'the "richeſt and moſt conſiderable inhabitants of "London,' their aim was to inſinuate to the public, that the honeſt part of the citizens wiſhed for peace upon terms more moderate than did the parliament, but were reſtrained by the magiſtrates. The two houſes, fully perceiving the motives of this petition, ſo ordered, that the mayor, aldermen and common-council of London, ſent Charles a very humble petition, wherein they took care to clear themſelves from all diſloyalty, and expreſſed a moſt earneſt deſire of peace. To that purpoſe, they beſought his Majeſty to return to his parliament, accompanied with his royal, not martial attendance; to the end whatſoever was amiſs in church and ſtate might be reformed by the advice of both houſes, and ſuch a peace obtained, as ſhould be for his Majeſty's honor, and his peoples welfare. This petition ſhewed, that the city of London deſired no other peace than what the parliament ſhould pleaſe to agree upon with his Majeſty. It had over the former one this advantage, that it came from the mayor and common-council, whereas that was ſubſcribed only by private perſons.

They deſire leave to petition the King: not granted by the parliament.

Petition of the mayor and aldermen of London. Ruſhworth, Vol. V. p. 110. Clarendon, Vol. II. p. 82, 83.

The King's anſwer: p. 85.

King Charles was really perſuaded, that the Londoners deſired and would accept of ſuch a peace as he ſhould be pleaſed to grant, but that the magiſtrates, in concert with the parliament, did their utmoſt to prevent it. This petition being preſented him the tenth of January, 1642-3, he returned a very gracious anſwer, and gave it in writing to the commitee of aldermen. He ſaid, "That he never entertained any miſapprehenſion "of the loyalty of his city of London, or of the "inhabitants in general: but could not ſay the "ſame with regard to their magiſtrates, and par-"ticularly alderman Pennington, their pretended "lord-mayor, and two or three more (1), who "indeavored, with all their power, to pervert the "people, and excite them to rebellion. Then he "enumerated all the outrages exerciſed at Lon-"don upon himſelf and the laws, and aſſured, "he was ready to return to them, when they "ſhould be in a fit poſture to receive him with "honor and ſafety, and had apprehended the "diſturbers of the public peace, that they might be "proceeded againſt by courſe of law, as guilty of "high-treaſon." This Prince flattered himſelf extremely with reſpect to his papers, which he fondly looked on as unanſwerable: but the grand effects he hoped would thence accrue did not always anſwer his expectations. In this ſentiment, when he delivered his anſwer in writing to the commitee of aldermen, he told them, it was his deſire it ſhould be read publicly at a common-hall, and before the people. The lord-mayor, with the conſent of both houſes, readily gave his Majeſty this ſatisfaction, and his anſwer was accordingly read in public: but the parliament had ſent a commitee of peers and commoners to be preſent at the reading, and then to reject the whole. This did mr. Pym, one of the commitee, in a ſet ſpeech, the deſign whereof was to ſhew, that this paper abounded throughout with ſcandalous and injurious aſperſions upon the city and parliament. So King Charles had little reaſon to be ſatisfied with the ſucceſs of his anſwer, whereon he had however highly depended, imagining it would be capable of ſowing diſcord between the Londoners and magiſtrates.

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which is read in public, Jan. 13. p. 87.

and replied to by Pym. p. 88. Ruſhworth, Vol. V. p. 113.

A few days after, King Charles ſent the ſherifs of London a declaration, grievouſly complaining of Pym's ſpeech, and of the publication of a pamphlet in the city, in his name, as if he retracted his former promiſes. He required alſo the maſter and wardens of the ſeveral companies of the city, to ſummon all their members, and read this declaration, with his fore-mentioned anſwer, publicly in their reſpective halls. He declared that Iſaac Pennington, not being regularly elected according to their charter, or lawfully admited, could not be looked on as lord-mayor of London, and ordered the ſherifs to commit him to ſafe cuſtody, with ſome other aldermen: but the parliament, perceiving Charles's drift was to ſtir up the people of London againſt their magiſtrates, commanded the ſherifs not to execute this order.

Charles's order to the ſherifs of London. Jan. 17. p. 120.

As the King frequently ſent private agents to London, to correſpond with his friends there, and to be fully informed of what paſſed in the city and parliament, both houſes thought proper, in order to render this practiſe more difficult, to declare, that all perſons coming from the King's quarters, to London, without a ſafe-conduct, ſhould be treated as ſpies.

Order of both houſes concerning ſpies. Jan. 16. p. 117, 118.

During this winter, before opening the ſecond campain, the conteſt about the number of Papiſts in the King's and the parliament's ſervice was renewed, on occaſion of ſome papers, publiſhed by the earl of Newcaſtle and lord Fairfax againſt each other. That earl denied not his having Papiſts in his army: but maintained, they were few in number; and beſide, it was lawful to imploy them, ſince it was not on account of their perſuaſion but for their loyalty. He contrariwiſe affirmed, there were great numbers in the parliament's army; and, in juſtification of what he advanced, appealed to their muſter-rolls. This proof I muſt own ſeems not to me of any validity: ſince theſe rolls were not publiſhed, and conſequently not eaſy to be examined by every one; nor was very poſſibly the religion of the inliſted officers and ſoldiers ſpecified (2). Howſoever this be, his Majeſty

Diſputes about the Papiſts in both armies. d. 78, 131---141.

(1) Ven, Foulk, and Manwaring, are named by the King.

(2) The earl ſays, in one of his papers, "That the parliament, for many months, had great numbers under their pay, "both Engliſh, French, and other nations, whom, at the time of their imployment, and ever ſince, they did know to "have been profeſſed Papiſts: whereas, it was notoriouſly known that, before this courſe was taken on the other party, his "Majeſty and his miniſters did not admit to, nor continue any ſoldiers in pay, who were ſuſpected to be that way inclined, "or did refuſe the oaths of allegiance and ſupremacy," Ruſhworth, Vol. V. p. 80.

and the earl of Newcaſtle loudly aſſerted, that the parliament's army ſwarmed with Catholics. Lord Clarendon has alſo affirmed as much; but in all their writings, not a ſingle Papiſt is named: whereas the parliament produced liſts of Popiſh officers in the King's ſervice, with their names, quality and imploys. Beſide, it may readily be perceived, that King Charles, anſwerably to his principles and his deportment towards the Papiſts, from the very begining of his reign, made no ſcruple to imploy them, and that they could themſelves expect ſome advantage in ſerving him: but what intereſt the parliament could have to imploy Romaniſts, or what advantage could accrue to them from ſuch ſervice, does not ſo clearly appear. Nevertheleſs, the imputation perpetually afterwards caſt on this Prince, of having Popiſh armies, becauſe he refuſed not the aſſiſtance of Papiſts, and the conſequence drawn thence, that his deſign was to deſtroy the Proteſtant religion, muſt be deemed a notorious exageration, and a mere calumny to render him odious.

Supplies ſent to Charles from Holland. Clarendon, Vol. I. p. 416. Vol. II. p. 109.

Since his Queen's being in Holland, ſhe had not been idle. She labored effectually to procure officers, arms and ammunition for her royal conſort, which was facilitated by the credit of their ſon-in-law, the Prince of Orange. September 1642, both houſes deputed Walter Strickland, to the Hague, as their agent, complaining to the ſtates of the preparations making in Holland for King Charles, and of the ſupplies already ſent him. But Strickland met with a very cold reception, by reaſon of the Prince of Orange's credit in the aſſembly of the ſtates-general. Beſide, the ſtates did not conſider him as a public miniſter, becauſe hitherto the parliament had never ſent agents abroad, in their own name. They were contented therefore to depute one member of their aſſembly, to learn what he had to ſay. Strickland put into their hands a declaration from the parliament, the purport whereof was:

The parliament ſends Strickland to the Hague: who is coldly received. Ruſhworth, Vol. V. p. 157.

He delivered to the ſtates a declaration of both houſes. Ibid. Clarendon, Vol. II. p. 69.

"That the lords and commons underſtood, by "a certain intercepted letter of lord Digby's, that "he had addreſſed himſelf to the Prince of Orange, "and by his countenance and help made proviſion of great quantities of ordnance, powder, "arms and diverſe other ſorts of warlike proviſion: and the ſaid Prince, the better to incou-"rage diverſe commanders of Engliſh regiments "in the ſtates ſervice to reſort to the King's aid "againſt the parliament, had promiſed to reſerve "their places for them in their abſenſe.

"That they could not believe, this was done "by any authority of the ſtates, conſidering "the great help they had received from England, "when they lay under the heavy oppreſſion of "their Princes. Neither could they think, that "they would be forward in helping to make ſlaves "of thoſe who had been uſeful and aſſiſtant in "making them freemen: or that they would for-"get, that the troubles and dangers of them both "iſſued from the ſame fountain, and that thoſe "who were ſet at work to undermine religion "and liberty, in England, were the ſame who, "by open force, had ſought to do the like in "the Low-countries.

"That it could not be unknown to them, that "the jeſuitical faction had corrupted the King's "counſels; and the conſciences of a great part of "the clergy, ploted to deſtroy the parliament, "raiſed a cruel rebellion in Ireland, indeavored to "divide the King from his parliament and people, "and by falſe ſlanders inſenſed his Majeſty ſo, "as that he had reſolved to ſet up his ſtandard, "and draw his ſword for the deſtruction of his "people, whom, by the laws and conſtitutions "of the kingdom, he is bound to preſerve and "protect.

"That the queſtion was not, whether the King "ſhould injoy the ſame prerogative and power "which belonged to former Kings, his predeceſ-"ſors; but whether that prerogative and power "ſhould be imployed to the defenſe or the ruin "of the kingdom.

"That it could not be denied, but that it "would be more honor and wealth, ſafety and "greatneſs to his Majeſty, in concuring with his "parliament, than in the courſe he was in; but "that his counſellors looked more upon the pre-"vailing of their own party, than upon any of "thoſe great advantages which he might obtain by "joining with his people.

"That both houſes had lately expreſſed ſo "earneſt inclinations to a national love and amity "with the United Provinces, that they had pe-"titioned his Majeſty they might be joined with "them in a more near and ſtrait league and union; "and that they could not but expect ſome returns "from them of the like expreſſions: therefore "deſired, they would be ſo far from blowing the "fire which began to kindle among them, that "they would rather indeavor to quench it, by "ſtrengthening and incouraging them, who had "no other deſign but not to be deſtroyed, and "to preſerve their religion."

Holland and Zealand promiſe to ſtand neutral. Ruſhworth, Vol. V. p. 159, 160.

This declaration was long neglected, th eſtates-general not vouchſafing to return any anſwer. At length, Strickland having preſented it to the ſtates of Holland, they promiſed to obſerve a ſtrict neutrality, and ingaged the province of Zealand to take the ſame reſolution. They even arreſted ſome ſhips, laden with ammunition and ſoldiers on King Charles's account. Then the ſtates-general could not any longer avoid taking notice of the parliament's declaration, and returned in anſwer: "That "they would expreſly forbid all perſons whatever, "to tranſport into England any weapons or war-"like ammunitions, and would gladly imploy "their mediation for terminating the troubles."

Anſwer of the ſtates-general: p. 160.

But this could not hinder the indirect ſupplies which were tranſmited thence to Charles, by reaſon of the Prince of Orange's great credit. During the winter, general King, a Scot, brought his Majeſty ordnance and ammunition, and general Goring conveyed over ſeveral Engliſh officers, who ſerved the ſtates. Indeed, every now and then, the parliament's ſhips failed not of laying hold on veſſels ſo freighted for his Majeſty's uſe. Strickland frequently complained of theſe ſupplies: but the ſtates-general took little notice: nay, they granted the Queen, who was preparing to return to England, ſo large and general paſſport, that by virtue thereof ſhe might tranſport into England troops, ordnance, arms and ammunition, in what quantities ſhe pleaſed. However, the ſtates of Holland, whom it concerned to keep fair with the parliament, ſtayed one of her Majeſty's tranſports, laden with ammunition: whereupon ſhe delivered in a proteſtation. Very ſeemingly, they hereby aimed at managing both parties; the parliament, by ſeizing one of her ſhips; and the Queen, by ſtoping but one out of many. We ſhall hereafter find the ſupply brought Charles by his Queen to have been very conſiderable. She arrived about mid- February in Burlington-bay, and thence went to York, where ſhe continued ſome time.

yet ſupplies are ſent to Charles from Holland. p. 161. Clarendon, Vol. II. p. 108, 109. Warwick.

The ſtates grant the Queen a large paſſport. Jan. 22.

Thoſe of Holland ſtop one of her ſhips. Ruſhworth, Vol. V. p. 162, 163.

She arrives in England. Feb. 22. p. 156.

King Charles, as I obſerved, conſtantly inſiſted on the laws of the land, and urged, that they ought to be regarded in war-time as in peace. The admitance of this principle would have turned greatly to his advantage; for the laws, not ſuppoſing any actual diviſion between King and parliament, aſcribed

Charles wants to adjourn the courts of juſtice to Oxford; but is oppoſed by the parliament.

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aſcribed to the King ſundry prerogatives which he could have made uſe of againſt his opponents. For inſtance, by virtue of the prerogative, he pretended to adjourn the courts of juſtice to Oxford, during Hillary-term; but the parliament would not give their conſent.

Decemb. 7. 1642. p. 98, 146.

Contrariwiſe, the counties being divided between the two parties, the parliament addreſſed his Majeſty, repreſenting the inconveniencies which would follow the holding aſſizes in the ſeveral counties (ſome whereof were for himſelf, and ſome for the parliament) beſought him to agree to their being defered to a more convenient ſeaſon. But Charles poſitively refuſed it, under color of the neceſſity of puniſhing malefactors at all times. Had he gained this point, he might have condemned as rebels all ſuch as had taken arms againſt him; for the judges muſt have adminiſtered juſtice according to law, which, not ſuppoſing any open war between King and parliament, condemns indiſcriminately all who are in arms againſt the Sovereign. But the caſe in which England then was, being wholly extraordinary and unexpected, the parliament pretended, the laws could not be executed in that reſpect, without ſome reſtriction and explication. For this reaſon, they deſired the aſſizes ſhould be ſuſpended, 'till ſome means might be agreed on for rendering juſtice impartially: but finding the King refuſed conſenting to it, they publiſhed an ordinance, forbiding the aſſizes to be held 'till farther order.

who alſo ſuſpend holding the aſſizes, againſt his will. Ruſhworth, Vol. V. p. 144, &c.

p. 145.

Tho' the war commenced in April, 1642, and a battle, with ſeveral ſkirmiſhes, had been fought, Charles could ſcarcely be perſuaded, that the very perſons who were in arms againſt him, could or durſt refuſe the obedience due to him. Of this notion he gave a very evident proof in March, 1642-3, on the following occaſion. The city of Briſtol being in the parliament's hands, Charles had gained mr. Robert Yeoman * one of the chief citizens, and ſent him a commiſſion to raiſe forces, and appoint what commanders he thought proper; Yeoman's deſign being to ſurrender the city to his Majeſty. To that purpoſe, he joined with one Bourchier, another leading citizen, and they both formed a plot, into which many of the inhabitants entered, to ſeize Briſtol for the King. This conſpiracy being diſcovered the very night it was to be executed, the chief ploters were impriſoned, and the parliament ſent down a commiſſion to the governor, colonel Nathaniel Fiennes, to call a council of war, and proceed againſt thoſe priſoners by martial law. The chief conſpirators being condemned to die, Charles wrote to the governor by general Ruthen, that if he put to death theſe men, ſome priſoners in his hands ſhould undergo the ſame fate. Fiennes returned the general a civil anſwer: but in ſhewing him however, the difference between priſoners of war, and ſecret ſpies and conſpirators, he threatened, in his turn, there would be frequent opportunities, in the courſe of this war, for the parliament to uſe repriſals. Hereupon his Majeſty ſent a thundering letter to the mayor and aldermen of Briſtol, commanding them, as well as all the inhabitants, to riſe againſt the governor and gariſon, and free the condemned priſoners. It was eaſy to forſee the mayor would ill obey this order. Accordingly the priſoners † were executed, without the King's thinking proper to proceed in like manner againſt the priſoners in his power.

Plot to deliver up Briſtol to the King. March 7. p. 153. Clarendon, Vol. II. p. 191. T. May.

* Sherif of that city the year before.

May 16. Ruſhworth, Vol. V. p. 155.

Ibid.

The conſpirators executed.

† Yeoman and Bourchier.

Before we proceed to what paſſed in the ſecond campain of the year 1643, I think it abſolutely neceſſary to ſhew the diſpoſition of both King and parliament, as to peace and war. Military actions depending upon many circumſtances of time, place, number and bravery of the troops, conduct and abilities of the officers, theſe things indeed are ingredients of hiſtory, but not the chief. If in the recital of warlike exploits, the end of hiſtory was to teach the art of war, all the circumſtances of the ſieges, battles, ſkirmiſhes, &c. would be eſſential: but there is another end more material to the generality of readers, i. e. to know the cauſes and grounds of the begining and continuance of wars, and conſequently the intereſts, motives and artifices of the parties concerned, whence proceed military actions. This is the reaſon why I reſolved to be brief in the deſcription of battles, in order to be more copious upon the above-ſpecified points, which I look on as what is moſt conſiderable. Nothing, in my opinion, is properer to ſhew the real diſpoſitions of King and parliament, than the treaty at Oxford, in March and April 1643, concerning a peace: and therefore I determined on giving a circumſtantial account of that negociation; and the rather, as I ſhall thereby avoid the neceſſity of explaining afterwards many particulars, which otherwiſe might not be perfectly comprehended.

Posture of the King's and parliament's affairs.

CHARLES I AN' 1642.

Both houſes, having conſidered that King Charles made ſome advantage of the inclination he had conſtantly expreſſed for peace, deſired a ſafe-conduct for commiſſioners they intended to ſend him; which his Majeſty granting, the commiſſioners preſented him certain propoſitions, as proper to ſerve for foundation to a peace. Ruſhworth has preſerved, in his collections, two ſpeeches made in council upon this occaſion: the earl of Briſtol's, to perſuade his Majeſty to continue the war; and the earl of Dorſet's, to demonſtrate the advantages and neceſſity of a peace. Here follows the ſubſtance of Briſtol's reaſons.

The parliament deſires a ſafe-conduct to treat for a pacification. Ruſhworth, Vol. V. p. 164.

The earl of Briſtol's ſpeech for continuing the war. Feb. 1. p. 127.

" 1. That the parliament had declared diverſe " of the greateſt and moſt eminent among the no- " bility delinquents in the higheſt nature; ſo that " there could not be any accommodation, with- " out the utter ruin of themſelves and their fa- " milies.

" 2. But granting that this article was removed, " his Majeſty could not condeſcend with his honor " to beg peace of his ſubjects.

" 3. That no mention could be found, in the " hiſtory of Spain, of inteſtine and civil wars, be- " cauſe they were truly ſubjects, and their Sove- " reign truly a Sovereign. But ſince in England " the ſtate would neither be ſo to the King, nor " ſuffer the King to be ſo to them, he thought " they ſhould be compelled to it.

" 4. That it was no diſhonor for ſubjects to con- " deſcend to their King; but it was an exceſſive " diminution to his Majeſty's royalty, to ſubmit " himſelf to his ſubjects.

" 5. His opinion therefore was, that his Ma- " jeſty ſhould neither propound to the parliament, " or receive from them any conditions for peace, " but ſuch as ſhould abſolutely comply with the " regal dignity and prerogative, and ſuch as " might be no way prejudicial to his Majeſty's " ſervants and counſellors, or their eſtates.

" 6. That there was an army on foot which " could, by force, compel that which fair words " could not effect."

Contrariwiſe, the earl of Dorſet repreſented:

The earl of Dorſet's ſpeech for an accommodation. p. 128.

" 1. That peace, and a ſudden one, was abſo- " lutely neceſſary between his Majeſty and the par- " liament.

" 2. That he would not adviſe them to im- " brace a peace which ſhould be more diſavanta- " geous than the war; a peace which would de- " ſtroy the eſtates and families of the nobility. " But it was to be conſidered, that the parliament " declared that only againſt delinquents, ſuch as " they conjectured had miſcounſelled his Majeſty, " and were authors of the tumults in the common- " wealth. But this declaration of theirs, except

" ſuch

Charles I An' 1642.

" ſuch crimes could be proved againſt them, were " of no validity; the parliament would do no- " thing unjuſtly, nor condemn the innocent: and " certainly innocent men needed not fear to ap- " pear before any judges whatſoever. He who " ſhould, for any cauſe, prefer his private good " before the public utilty, was but a bad ſon of the " common-wealth.

" 3. That the buſineſs of the kingdom was, to " ſtudy reconciling all differences between his Ma- " jeſty and his parliament, and ſo to reconcile " them, that they ſhould no way prejudice his " royal prerogative, of which the parliament be- " ing a loyal defender (knowing the ſubject's pro- " perty dependent on it) would never indeavor to " be an infringer; ſo that if doubts and jealouſies " were taken away by a fair treaty between his " Majeſty and the parliament, no doubt a means " might be deviſed to rectify differences.

" 4. That in Spain, the ſubjects were ſcarcely " removed a degree from ſlaves, or the Sovereign " from a tyrant. But in England the ſubjects had, " by a long and received liberty, made their free- " dom reſult into a ſecond nature: neither was it " ſafe for the Kings to ſtrive to introduce the Spa- " niſh government upon this free-born nation, nor " juſt for the people to ſuffer that government to " be inforced upon them; which he was certain " his Majeſty's goodneſs never intended.

" 5. Granting that his Majeſty had an army of " gallant and able men, yet he had infinite diſ- " advantages on his ſide; the parliament having " double his number, and ſurely perſons of as " much bravery, nay, and ſure to be daily ſup- " plied when any of their number failed; a bene- " fit which his Majeſty could not boaſt of, they " having the moſt popular part of the kingdom at " their devotion; all, or moſt of the cities, con- " ſiderable towns and ports, together with the " manifeſt pillar of the kingdom's ſafety, the ſea, " at their command, and the navy: and which " was moſt material of all, an unexhauſted Indies " of money to pay their ſoldiers, out of the liberal " contributions of coin and plate ſent by people of " all conditions, who accounted the parliament's " cauſe their own.

" 6. All which things conſidered, he concluded " it neceſſary to beſeech his Majeſty, to take ſome " preſent order for a treaty of peace between him- " ſelf, and his high-court of parliament."

What was the reſult of the council's deliberations, does not any where appear: but it may be judged, by what followed, that King Charles better reliſhed Briſtol's reaſons, than he did Dorſet's. I return to the Oxford treaty.

An' 1643. The parliament demand a peace, but deſire it not.

Vol. II. p. 89.

The parliament, having to guard againſt the artifices of Charles's partiſans, who were ſtrenuouſly laboring to perſuade the people, that a war was carrying on merely in behalf of ſome members, could not better contradict them, than by openly ſuing the King for peace, and by publiſhing the terms on which they were ready to conclude it. They wanted to ſhew by theſe terms, that it was not the private intereſt of ſome of their members which put them upon action, but ſolely the kingdom's welfare and ſecurity. However, they knew at the ſame time Charles would not accept them. That Prince, on his part, was obliged to make appear he wiſhed for peace, ſince he had always pretended to have armed purely in his own defenſe: but the truth is, he deſired it no more than the parliament, becauſe he ſaw, it was no favorable juncture to obtain ſuch a peace as he expected, with a full reſtoration of all his prerogatives. Thus, tho' neither King nor parliament had any intention ſincerely to indeavor a pacification, they were however both indiſpenſibly obliged to expreſs their deſire of it, not to give the people occaſion to believe, they prefered their private intereſt to public welfare. For this reaſon, Charles perpetually inſiſted on reſtoring the laws to their priſtine vigor, and the parliament on ſecurity for the obſervance of the ſame laws, and thereby both rendered all accommodation utterly impracticable. The ſubſtance of the propoſitions preſented Charles by the parliament was to this effect.

Neither is it deſired by Charles.

Charles I An' 1643.

" I. That the armies on both ſides be diſbanded, " and his Majeſty be pleaſed to return to his par- " liament.

The parliament's propoſitions. February 1. Ruſhworth, Vol. V. p. p. 165. Clarendon, Vol. II. p. 91.

" II. That he leave delinquents to a legal trial, " and judgment of parliament.

" III. That the Papiſts be diſbanded and diſ- " armed.

" IV. That his Majeſty be pleaſed to give the " royal aſſent to the following bills:

" 1. For taking away ſuperſtitious innovations.

" 2. For the utter aboliſhing all archbiſhops, " biſhops, deans, &c.

" 3. Againſt ſcandalous miniſters.

" 4. Againſt pluralities.

" 5. For conſultation with godly, religious and " learned divines. That his Majeſty be pleaſed to " promiſe paſſing ſuch other bills for ſetling church- " government, as, upon conſultation with the aſ- " ſembly of the ſaid divines, ſhall be reſolved on " by both houſes of parliament.

" V. That his Majeſty be pleaſed to give his " conſent, that an oath may be eſtabliſhed by act " of parliament, to be adminiſtered in ſuch manner, " as by both houſes ſhall be agreed on; wherein " they ſhall abjure and renounce the Pope's ſupre- " macy, the doctrine of tranſubſtantiation, pur- " gatory, worſhiping the conſecrated hoſt, cruci- " fixes, and images; and that the refuſing the ſaid " oath, being tendered in ſuch manner as ſhall be " appointed by act of parliament, ſhall be a ſuffi- " cient conviction in law of recuſancy.

" And that his Majeſty be pleaſed to conſent to,

" 1. A bill for the education of the children of " Papiſts by Proteſtants.

" 2. To a bill for the true levying of the penal- " ties againſt recuſants, in ſuch manner as both " houſes of parliament ſhall agree on.

" 3. To a bill whereby the practiſe of Papiſts " againſt the ſtate may be prevented.

" VI. That the earl of Briſtol and lord Herbert, " may be removed from his Majeſty's councils and " court, and that they may not bear any office, " or have any imployments concerning the ſtate or " common-wealth.

" VII. That the militia be ſetled in ſuch a man- " ner, as ſhall be agreed on by both houſes.

" VIII. That his Majeſty be pleaſed to appoint " for judges, ſuch and ſuch perſons, naming them, " with the clauſe, ' Quam diu ſe bene geſſerint.'

" IX. That all ſuch perſons as have been put " out of the commiſſion of peace, &c. ſince the " firſt day of April 1642, may again be put into " them; and that ſuch perſons may be removed " as ſhall be excepted againſt by both houſes of " parliament.

" X. That his Majeſty be pleaſed to paſs the " bill preſented him to vindicate and ſecure the " privileges of parliament, from the ill conſe- " quence of the late precedent in the charge and " proceeding againſt lord Kimbolton, and the five " members of the houſe of commons.

" XI. That his Majeſty's royal aſſent may be " given unto ſuch acts as ſhall be adviſed by both " houſes of parliament, for the ſatisfying and pay- " ing the debts and damages, wherein the two " houſes of parliament have ingaged the public " faith of the kingdom.

" XII. That

CHARLES I AN' 1643.

" XII. That his Majeſty be pleaſed to enter into " a ſtrict alliance with the ſtates of the United-" Provinces, and other neighboring Princes and " ſtates of the Proteſtant religion.

" XIII. That, in the general pardon which his " Majeſty hath been pleaſed to offer to his ſub-" jects, all offenſes and miſdemeanors commited " before the tenth of January 1641, which have " been, or ſhall be queſtioned in parliament be-" fore the tenth of January 1643, ſhall be ex-" cepted; which offenſes and miſdemeanors ſhall " nevertheleſs be taken and adjudged to be fully " diſcharged againſt all other inferior courts: that " likewiſe there ſhall be an exception of offenſes " commited by any perſons, who have had any " hand in the rebellion of Ireland: and an exception " of William earl of Newcaſtle, and George lord " Digby.

" XIV. That his Majeſty will be pleaſed to re-" ſtore ſuch members of either houſe of parliament " to their ſeveral places, out of which they have " been put ſince the begining of this parliament; " that they may receive ſatisfaction and reparation " for thoſe places; and that all others may be re-" ſtored to their offices and imployments, who " have been put out of the ſame upon any diſplea-" ſure conceived againſt them, for any aſſiſtance " given to both houſes of parliament, or obeying " their commands, or forbearing to leave their " attendance upon the parliament without licenſe, " or for any other occaſion ariſing from the dif-" ferences between his Majeſty, and his par-" liament."

Charles conſents to a treaty.

Theſe propoſitions manifeſtly evidenced that, tho' both houſes ſued for a treaty in order for a pacification, they were however very far from it, ſince they inſiſted on matters which King Charles would ſcarcely have granted, had his condition been much worſe than it was at that time. Nevertheleſs, as he had talked very much of his offer, in Auguſt laſt, to treat of a peace, and of the refuſal of both houſes, he did not think it adviſeable abſolutely to reject theſe propoſitions. He therefore conſented, that they ſhould be diſcuſſed in a treaty; but gave on his own part ſix others, viz.

Propoſitions. Ruſhworth, Vol. V. p. 169. Clarendon, Vol. II. p. 95.

" I. That his Majeſty's own revenue, maga-" zines, towns, forts and ſhips which have been " taken or kept from him by force, be forthwith " reſtored unto him.

" II. That whatſoever had been done, or pub-" liſhed, contrary to the laws of this land, or de-" rogatory to his Majeſty's power and rights, be " renounced and recalled.

" III. That whatſoever illegal power hath been " claimed and exerciſed by both, or either houſe, " over his ſubjects, as impriſoning their perſons " without law, ſtoping their Habeas Corpus, and " impoſing upon their eſtates without act of par-" liament, be diſclaimed, and all ſuch perſons ſo " commited forthwith diſcharged.

" IV. That a bill be framed for the better pre-" ſerving the Book of Common-prayer from " the ſcorn and violence of Browniſts, Anabaptiſts, " and other ſectaries, with proper clauſes for the " eaſe of tender conſciences.

" V. That all ſuch perſons as, upon the treaty, " ſhall be excepted out of the general pardon, " ſhall be tried 'per pares,' according to the uſual " courſe and known law of this land.

" VI. And, to the intent this treaty may not ſuffer " interruption by any intervening accidents, that a " ceſſation of arms and free trade for all his Ma-" jeſty's ſubjects be firſt agreed upon."

He deſires a ceſſation may be firſt ſetled.

Some days after, Charles ſent a meſſage to both houſes, deſiring that his laſt propoſition might be firſt taken into conſideration, to the end that, during the ceſſation as peace might be treated of with the greater tranquillity; to which they conſented. CHARLES I AN' 1643.

It was the twenty-eighth of February before both houſes ſent his Majeſty the conditions whereon they propoſed to conclude a ſuſpenſion of arms, during the treaty; viz.

Articles for a ceſſation ſent by the parliament. Ruſhworth, Vol. V. p. 170.

" 1. That all manner of arms, ammunition, " victuals, money, bullion, and all other commo-" dities, paſſing without ſuch ſafe-conduct as may " warrant their paſſage, may be ſtayed and ſeized, " as if no ſuch ceſſation was agreed on.

" 2. The ſame with regard to all manner of per-" ſons paſſing without ſuch a ſafe-conduct.

" 3. That his Majeſty's forces, in Oxfordſhire, " ſhall advance no nearer to Windſor than Wheatly, " and, in Buckinghamſhire, no nearer to Ayleſ-" bury than Brill; and that, in Berks, the forces " reſpectively ſhall not advance nearer the one to " the other than they now are; and that the par-" liament's forces in Oxfordſhire ſhall advance no " nearer to Oxford than Henley; and thoſe in " Buckingham no nearer to Oxford than Ayleſ-" bury: and that his Majeſty's forces ſhall take " no new quarters above twelve miles from Oxford " any way: and that the parliament's forces ſhall " take no new quarters above twelve miles from " Windſor, any way.

" 4. That no ſiege ſhall be begun or continued " againſt Gloceſter; and that his Majeſty's forces " now imployed in the ſiege ſhall return to Ciren-" ceſter and Malmſbury, or to Oxford, as ſhall " be moſt for their conveniency; and the parlia-" ment's forces which are in Gloceſterſhire, ſhall " remain in the cities of Gloceſter, Briſtol and " the caſtle and town of Berkley, or retire nearer " to Windſor, as they ſhall ſee cauſe; and that " thoſe of Wales which are drawn to Gloceſter, " ſhall return into their quarters where they " were before they drew down to Gloceſter-" ſhire.

" 5. That in caſe it be pretended on either ſide, " that the ceſſation is violated, no act of hoſtility " is immediately to follow; but firſt, the party " complaining is to acquaint the lord general on " the other ſide, and to allow three days after " notice given, for ſatisfaction. And in caſe ſatiſ-" faction be not given, or accepted, then five days " notice to be given before hoſtilities begin: and " the like to be obſerved in the remoter armies by " the commanders in chief.

" 6. Laſtly, That all the other forces, in the " kingdom of England and dominion of Wales, " and not before-mentioned, ſhall remain in the ſame " quarters and places as they are at the time of " publiſhing this ceſſation, and under the ſame " conditions as are mentioned in the articles be-" fore, and that this ceſſation ſhall not extend to " reſtrain the ſeting forth, or imploying any " ſhips for the defenſe of his Majeſty's domi-" nions."

The King's anſwer thereto. March 6. p. 172.

To theſe propoſitions Charles replied by a meſ-ſage to both houſes, complaining, " That he had " been left without any anſwer almoſt a month, " from the third to the twenty-eighth of February. " He conceived, that the articles of the ceſſation, " now preſented him, were ſo ſtrict, that ſuch of " his good ſubjects who were not of his army " would receive no benefit by the ſuſpenſion, " which he would ever inſiſt on; and therefore " he had returned the articles with ſuch alterations " as he doubted not but both houſes would con-" ſent to, ſince they ſufficiently manifeſted how " ſollicitous he was for the good of his people, " and how deſirous to prevent any more effuſion " of his ſubjects blood. He deſired the ceſſation " might begin the twelfth of March, or ſooner, " if the conditions ſhould be ſooner agreed on,

" and was willing the ſame ſhould continue for " twenty days, in which time he hoped, by the " treaty, a full peace might be eſtabliſhed through- " out the kingdom."

It muſt be obſerved that, in this negociation, King Charles propoſed to himſelf three advantages, as will hereafter appear very clearly. 1. To gain time to make his preparations. 2. To ſet on foot, by means of a ceſſation of arms, a free commerce and correſpondence between the quarters of both armies, and particularly between London and Oxford, which would help to provide himſelf of many things neceſſary for the inſuing campain, by ſending for them from London, or elſewhere. 3. To convey ſafely from York the forces and ammunition, which were arrived from Holland. All this was concealed under the pretenſe of procuring the eaſe of his people by a free commerce throughout the kingdom. Theſe are the articles which he ſent to both houſes, with the alterations he mentioned.

Propoſals made by King Charles for a ceſſation. Ibid.

" I. That all manner of arms, ammunition, " money, bullion and victuals, paſſing for the " uſe of either army, without a paſs, or ſafe- " conduct, from the generals of each army, may " be ſtayed and ſeized on, as if no ceſſation at all " was agreed on."

The King here left out the words, ' and other ' commodities.'

" II. That all other officers and ſoldiers of " either army, paſſing without licenſe or ſafe-con- " duct as aforeſaid, may be apprehended and de- " tained, as if no ceſſation was agreed upon at " all: and that all manner of perſons, his Ma- " jeſty's ſubjects, of what quality or condition ſo- " ever (except officers and ſoldiers of either army) " ſhall paſs to and from the cities of Oxford and " London, and back again at their pleaſure, " during this ceſſation, as likewiſe to and from " any other parts of his Majeſty's dominions, " without any ſearch, ſtay, or impriſonment of " their perſons, or ſeizure and detention of their " goods or eſtates: and that all manner of trade, " traffic and commerce, be free and open between " his Majeſty's ſubjects, excepting as aforeſaid be- " tween the officers and ſoldiers of either army, " or for arms, ammunition, money, bullion, or " victuals, for the uſe of either army, without a " paſs, or ſafe-conduct, as aforeſaid, which may be " a good begining to renew the trade and correſ- " pondence of the kingdom, and whereby his " good ſubjects may be reſtored to that liberty " and freedom they were born to, and have ſo " happily injoyed 'till theſe miſerable diſtractions, " and which, even during this war, his Majeſty " hath to his utmoſt labored to preſerve, opening " the way, by moſt ſtrict proclamations, to the " paſſage of all commodities, even to the city of " London itſelf.

III. The begining of this article is the ſame as in the parliament's, but the end is different, viz.

" And that the forces of neither army ſhall " advance their quarters nearer to each other, than " they ſhall be upon the day agreed on for the " ceſſation to begin; otherwiſe, in paſſage and " communication between their ſeveral quarters " reſpectively, without any acts of hoſtility each to " other, but may inlarge themſelves, within their " own quarters reſpectively, as they ſhall find " convenient.

Hereby the King was at liberty to ſend for his forces from York to Oxford, without any oppoſition from the parliament's army.

" IV. That the forces of either army in Glo- " ceſterſhire, Wiltſhire and Wales, as likewiſe in " the cities of Gloceſter, Briſtol and the caſtle " and town of Berkley, ſhall be guided by the " rule expreſſed in the latter part of the prece- " dent article.

V. This article is exactly the ſame with the parliament's.

" VI. That all other forces in the kingdom " of England, and dominion of Wales, not before " mentioned, ſhall remain in the ſame quarters " and places, as they are at the time of publiſh- " ing this ceſſation, otherwiſe than in paſſage and " communication between their ſeveral quarters, " as is mentioned in the latter part of the ſaid " article; and that this ceſſation ſhall not extend " to reſtrain the ſeting forth, or imploying any " ſhips for the defenſe of his Majeſty's dominions, " provided that his Majeſty be firſt acquainted " with the particulars, and that ſuch ſhips as " ſhall be ſet forth be commanded by ſuch perſons " as his Majeſty ſhall approve of.

" VII. Laſtly; that, during the ceſſation, none " of his Majeſty's ſubjects be impriſoned, other- " wiſe than according to the known laws of the " land; and that there ſhall be no plundering, or " violence, offered to any of his Majeſty's ſub- " jects. And his Majeſty is very willing, if there " be any ſcruples made concerning theſe propoſi- " tions and circumſtances of the ceſſation, that " the commitee for the treaty nevertheleſs " may immediately come hither, and ſo all mat- " ters concerning the ceſſation may be ſetled by " them."

Tho' both houſes were not at all pleaſed with the alterations his Majeſty had made in their articles, yet, as he offered to treat upon that ſubject, they deſired a ſafe-conduct for ſix commiſſioners, viz. the earl of Northumberland, lord Say, and four commoners. Charles immediately granted it, excepting lord Say, becauſe he was proclaimed traitor. When he ſent the ſafe-conduct, he ſignified to them by a meſſage, that he was content his propoſition concerning the magazines, &c. and theirs for diſbanding the armies, ſhould be firſt treated of and agreed; and then the ſecond of his Majeſty's, and the ſecond of theirs, and ſo in order: and that the time of treaty might not exceed twenty days.

Ruſhworth, Vol. V. p. 173. Clarendon, Vol. II. p. 127, 146.

The parliament's five commiſſioners repairing to Oxford, preſented to his Majeſty freſh articles concerning a ceſſation: but they ſo little differed from the firſt, that Charles was not therewith at all ſatisfied, and therefore he delivered to the commiſſioners the following objections againſt the laſt articles.

The parliament's laſt articles for ceſſation. Ruſhworth, Vol. V. p. 173.

1. They are in effect the ſame his Majeſty formerly excepted to, and there is not the leaſt mention of freedom of commerce between his ſubjects, and conſequently they have no eaſe or benefit by this ceſſation, tho' that is his Majeſty's chief aim.

Charles's objections thereto. March 23. p. 177. Clarendon, Vol. II. p. 147.

2. Puting the ſhips which may be imployed under the command of perſons approved of by his Majeſty, is not conſented to by theſe articles; and by that means the conveying of any number of forces from one place to another (which is an act of hoſtility) remains free to both houſes.

3. The army raiſed by the parliament is ſpoken of, as if his Majeſty was no part of the parliament, or himſelf to have raiſed that army. Now, in order to prevent any inconveniencies which might ariſe upon real differences or miſtakes, on the latitude of expreſſions, and to avoid delays, his Majeſty deſired that the commitee might have liberty to debate any ſuch differences and expreſſions; and yet no ſuch power is given in theſe articles: and the commitee confeſſed to his Majeſty they have no liberty, but are ſtrictly bound to the very words of the articles now ſent.

4. His

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4. His Majeſty's deſire that, during the ceſſation, none of his ſubjects might be impriſoned otherwiſe than according to the laws of the land, is in no degree conſented to.

5. His Majeſty's deſire againſt violence is not at all taken notice of, nor is his deſire againſt plundering any way ſatisfied; his Majeſty not only meaning thereby, robbing the ſubject by the unruline's of the uncommanded ſoldiers, but particularly the violence and plundering uſed to his ſubjects, for not ſubmiting to impoſitions required from them by ordinances of one or both houſes, which are contrary to the known laws of this land.

6. Beſide, as there is no conſent given to thoſe alterations offered by his Majeſty, ſo where an abſolute conſent may be ſuppoſed, becauſe the very words of his Majeſty's articles are wholly preſerved; yet, by reaſon of the relation of ſomewhat going before, is varied by them, the ſenſe of thoſe words is alſo wholly varied. So that upon the matter, all the propoſitions made by his Majeſty (which did not in terms agree with thoſe preſented to him) are utterly rejected. For, theſe reaſons, his Majeſty deſires that the commitee, now ſent, may ſpeedily have liberty to debate and agree upon the articles of ceſſaation.

Both houſes, perceiving that his Majeſty concealed under thoſe few alterations he had made in their articles more than appeared at firſt ſight, thought proper to tell him, they were not altogether ignorant what advantages he intended to draw from ſuch a ceſſation as he propoſed. To that end, they ſent him in writing their reaſons, why they were obliged to reject his additions to their articles. Here follows the ſubſtance of thoſe reaſons. viz.

The parliament's reaſons, why they cannot agree to Charles's propoſed articles. March 27. Ruſhworth. Vol. V. p. 182. Clarendon, Vol. II. p. 148.

" 1. That if they ſhould grant ſuch a free trade " as your Majeſty deſireth, to Oxford, and other " places where your forces remain, it would be " very difficult, if not impoſſible, to keep arms, " ammunition, money and bullion from paſſing " into your Majeſty's army, without very ſtrict " and frequent ſearches, which would make it " ſo troubleſome, chargeable and dangerous to the " ſubjects, that the queſtion being but for twenty " days for ſo few places, the miſchiefs and incon- " veniencies to the whole kingdom would be far " greater than any advantage which that ſmall " number of your ſubjects (whom it concerns) can " have by it.

" The caſe then is much otherwiſe than is ex- " preſſed by your Majeſty's anſwer; for whereas " they are charged not to give the leaſt permiſ- " ſion of this liberty and freedom of trade, during " the ceſſation, the truth is, that they do grant " it as fully to the benefit of the ſubjects, even " in time of war; and that your Majeſty, in preſ- " ſing this for the peoples good, doth therein " deſire that which will be very little beneficial " to the ſubject, but exceedingly advantageous to " your Majeſty, in ſupplying your army with " many neceſſaries, and making your quarters a " ſtaple for ſuch commodities as may be vented " in the adjacent counties, and ſo draw money " thither; whereby the inhabitants will be better " inabled, by loans and contributions, to ſupport " your Majeſty's army. And as your Majeſty's " army may receive much advantage, and the " other army much danger, if ſuch freedom ſhould " be granted to thoſe places, ſo there is no pro- " bability that the army raiſed by the lords and " commons ſhall have thence any ſuch return of " commodities and other ſupplies as may be uſeful " for them: and they conceive that, in a treaty " for a ceſſation, thoſe demands cannot be thought " reaſonable which are not indifferent, that is, " equally advantageous to both parties.

" As they have given no interruption to the trade " of the kingdom, but in relation to the ſupply of " the contrary army, which the reaſon of war re- " quires; ſo they beſeech your Majeſty to conſi- " der, whether your ſoldiers have not robbed the " carriers in ſeveral parts, where there hath been " ſuch reaſon; and your ſhips taken many veſſels, " to the great damage not only of particular " merchants, but of the whole kingdom: and " whether your Majeſty hath not declared your own " purpoſe, and indeavored, by your miniſters of " ſtate, to imbark the merchants goods in foreign " parts, which hath been in ſome meaſure exe- " cuted upon the Eaſt-land merchants in Den- " mark, and is a courſe which will much diminiſh " the wealth of the kingdom; violate the law of " nations; make other Princes arbiters of the diffe- " rence between your Majeſty and your people; " break off the intercourſe between this and other " ſtates, and be like to bring us into quarrels and " diſſenſion with all the neighboring nations.

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" 2. To demand approving of commanders of " the ſhips, is to deſire the ſtrength of one party " to the other, before the difference be ended, " and againſt all rules of treaty; to make a ceſ- " ſation at ſea, would leave the kingdom naked " to thoſe foreign forces, which they have great " cauſe to believe have been ſollicited againſt " them, and the ports open for ſuch ſupplies of " arms and ammunition as ſhall be brought from " beyond ſea: but for conveying any number of " forces, by thoſe means, from one port to ano- " ther, they ſhall obſerve the articles of the ceſſa- " tion by which that is reſtrained.

" 3. As for the expreſſions of the army raiſed " by the parliament, they are contented it ſhould " be altered thus '(raiſed by both houſes of par- " liament)' as not deſiring to differ upon words: " but to give any concluſive power, in this caſe, " to the commitee, upon ſuch differences as may " ariſe, wherein the houſes have given no expreſs " direction, is neither ſafe for the commitee to " undertake, nor fit for the two houſes to grant; " yet to debate, and to preſs the reaſon of their " deſires, whereby an agreement from your Ma- " jeſty may be procured, is granted to them: " and altho' the two houſes did think it moſt " proper the ceſſation ſhould be firſt agreed on, " and that it was unfit to treat in blood; yet, to " ſatisfy the world of their earneſt longing after " peace, they have given power to the commitee " to enter into the treaty upon the two firſt pro- " poſitions, notwithſtanding the ceſſation be not " yet aſſented to, and thoſe being agreed, they " hope the foundation will be laid not only of a " ſuſpenſion, but a total abolition of all hoſtility " in the kingdom.

" 4. If the nature of war be duly conſidered, it " muſt needs be acknowledged, that it is incom- " patible with the ordinary rules of a peaceable " government. Your Majeſty would have them " commit none, but according to the known laws " of the land; whereby they conceive your Ma- " jeſty underſtands, that it muſt be by the ordinary " proceſs of law: which being granted, it will " follow, that no man muſt be commited by them " for ſupplying your Majeſty with arms, powder, " or ammunition. For, by the law of this land, " the ſubject may carry ſuch goods from London, " or any other place, to Oxford, the ſoldiers muſt " not be commited if they run from their colors, " and refuſe any duty in the army; 'No man " ſhall be commited for not ſubmiting to neceſ- " ſary ſupplies of money:' ſo that, if this be " yielded in your Majeſty's ſenſe, they ſhall be " diſabled to reſtrain ſupplies from their enemies, " and to govern or maintain their own ſoldiers.

" It

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" It cannot be thought reaſonable that, under the " diſguiſe of a ceſſation, they ſhould admit that " which will neceſſarily produce the diſſolving " their army, and deſtruction of the cauſe.

" It ſeems not probable that your Majeſty " intends that, if any be taken with ſupplies for " this army, or mutinying in your own, ſuch " perſons ſhall not be commited, but according " to the known laws of the land, that is, by " proceſs of law; but rather, that your Majeſty " will ſo interpret this limitation of known laws, " that tho' it lays ſtrait bonds upon both houſes, " yet it leaves your generals as much liberty as " before: for it hath been denied by your Ma- " jeſty, that theſe known laws give any power " to the two houſes of parliament to raiſe arms, " and ſo conſequently their general cannot exer- " ciſe any martial law in thoſe caſes; and it is " not unlikely, it will be affirmed, that the generals " conſtituted by your Majeſty's commiſſion have " that power, by the ſame known laws; ſo that " this article, under the ſpecious ſhew of liberty " and law, would altogether diſable them to de- " fend their liberties and laws, and would pro- " duce to your Majeſty an abſolute victory " and ſubmiſſion, under pretenſe of a ceſſation and " treaty.

" 5. Being, by neceſſity inevitable on their part " inforced to a defenſive war, in this unhappy " breach between your Majeſty and them, and " that they are therein warranted both by the " laws of God and man, it muſt needs follow " that, by the ſame laws, they are inabled to " raiſe means to ſupport that war: and there- " fore, 'till it ſhall pleaſe God to incline your " Majeſty to afford them ſuch a peace as may " ſecure them, they cannot relinquiſh the power " of laying taxes upon thoſe who ought to join " with them in that defenſe, and the neceſſary " ways of levying thoſe taxes upon them, in " caſe of refuſal; for otherwiſe their army muſt " needs be diſſolved. But if your Majeſty ſhall " conſent to diſband the armies, the cauſe of " war being taken away, the conſequences will " likewiſe be removed, and the ſubject reſtored " to the benefit of thoſe laws, which the neceſſity " of arms hath, in ſuch caſes, ſuſpended.

" 6. They deny any pretenſe of conſenting to " thoſe alterations and additions offered by your " Majeſty; only in the preamble they ſay, they " have conſidered of thoſe articles, with ſuch " alterations and additions: unto which articles " they profeſs they were ready to agree; not as " they were accompanied with thoſe alterations " and additions, but in ſuch manner as they ex- " preſſed. As for the clauſe left out in the third " article, it implied a freedom of paſſage and " communication of quarters, which is contrary " to the nature of a ceſſation, whereby matters " ſhould be preſerved in the ſtate they are, and " neither party have liberty ſo much to advan- " tage himſelf, as it is evident your Majeſty might " do, if your forces in the North and Weſt might " join with thoſe at Oxford, and bring thither " thoſe ſupplies of treaſure or arms which were " brought out of Holland; or, at leaſt, it ſhould " be ſo indifferent as to give a proportionable " advantage to the other ſide, which this doth " not. For the forces under the power of both " houſes are ſo diſpoſed, that they have eaſy paſ- " ſage from one to the other: but your Maje- " ſty's forces are ſevered the one from the other, " by many large counties, ſtrong paſſes, and com- " petent armies; and, if they had admited this " clauſe, they had bereaved themſelves of one of " the greateſt advantages, and freed your Maje- " ſty's party of one of the greateſt inconveniencies, " which your Majeſty, or they, have in this " war.

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" For the reaſons already alleged, they cannot " agree to the alterations and inlargements of " the ceſſation propounded, or to transfer to the " commitee any ſuch power of treating, debating " and agreeing upon thoſe articles, in any other " manner than the houſe have directed. But, that " a fair and ſpeedy paſſage may be opened to a " ſecure and happy peace, they have inabled their " commitee to treat and debate upon the two " propoſitions concerning his Majeſty's own reve- " nue, the delivery of his towns, caſtles, maga- " zines and ſhips, and the diſbanding the armies; " which being agreed upon, a preſent peace and " ſecurity will follow, and the treaty upon the other " propoſitions be facilitated, without fear of inter- " ruption, by the confuſion of war, or exaſpera- " tion of either party by the bloody effects there- " of."

King Charles failed not anſwering this paper. But, as his ſaid replication is very prolix, I ſhall content myſelf with inſerting the moſt material part of each article.

1. Concerning the freedom of trade:

His Majeſty denies that he has any private benefit by it; and aſſures, that the good of his people is the only advantage he has in view. He ſlightly paſſes over the objection, that the ceſſation being to laſt only twenty days, the freedom of commerce could not be, for ſo ſhort a ſpace, of any great benefit to the nation. Charles's reply. April 4. Ruſhworth, Vol V. p. 186, &c.

His Majeſty affirms, that no complaint concerning his ſoldiers pillaging carriers has been made him, which he has not received to the relief and reparation of the ſufferers.

He owns, he is reſolved not to grant his protection to ſuch perſons abroad who aſſiſt, or conſent to actions of diſloyalty to him at home.

2. Concerning the ſhips.

He ſays, as the equiping out the preſent fleet is pretended to be for defenſe of his dominions, it is moſt neceſſary for his Majeſty both to know the deſigns, and to approve the commanders. He cannot ſee how a ceſſation at ſea ſhould leave the kingdom naked to foreign forces; and is willing to concur in the reſiſtance of all ſuch, of what kind ſoever, and expects that, during the ceſſation, the conveying of all forces from one part to another, by ſea, for the earl of Eſſex's aſſiſtance, be reſtrained, whereto both houſes ſeem now to conſent, tho' it be not at all expreſſed in their former articles.

3. Concerning the power of the commitee.

His Majeſty had, and hath great reaſon to deſire, that the commitee may have liberty to debate and conclude any differences and expreſſions in the articles, in order to prevent loſs of time. Of this there is a clear evidence, in the conſent which his Majeſty now underſtands to be given by both houſes, that no forces ſhall, during the ceſſation, be ſent by ſea for the relief of any places held by them; which clauſe might in much leſs time have been agreed here, had there been that liberty. And much time muſt ſtill be loſt, as the commitee have not power to explain the meaning of both houſes concerning communication of quarters.

4. Concerning impriſonment.

It was no part of his Majeſty's intention, that his article againſt impriſonment of his ſubjects, otherwiſe than according to the known laws of this land,

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land, ſhould extend to the deſtruction of the military diſcipline of either army. This is an inſtance of the neceſſity of inabling ſome perſons to conclude upon theſe articles, ſince a limitation of half a dozen words would have ſaved moſt of this fourth reaſon.

5. Concerning taxes.

The King ſtrongly inſiſts on the two houſes not having a legal power to impoſe taxes without his conſent: and adds, he is extremely well pleaſed to find they have need of force and rapine to raiſe them. He ſays he has reaſon to inſiſt, that no ſuch violence be uſed towards his ſubjects, for not ſubmiting to illegal impoſitions; being willing to be obliged from the like courſe, and to rely wholly upon the juſtice of his cauſe, and the affection of his people.

6. Concerning communication of quarters.

His Majeſty's anſwer upon this article was very general and obſcure. He ſays, it highly concerns him, that this and every other clauſe be ſo clear, that no after-differences may ariſe upon any diſputable point; ſince they, whoſe induſtry and malice could perſuade any of his people, that, in the buſineſs of Brentford, he had broken a ceſſation before any was made or offered, would have a much eaſier work to lay the breach of a made ceſſation to his charge, if the ground of this breach would bear the leaſt diſpute. He agrees that, in a ceſſation, the advantages ſhould be equal; but from this principle draws the inference, That therefore ſir Ralph Hopton, and the earl of Newcaſtle, ought to have the ſame liberty to come to him, as the earl of Stamford, and lord Fairfax, had to come to the earl of Eſſex (1).

Remark (1) This advantage not accruing to both houſes by the ceſſation, ſince they had it before, King Charles could not lay any claim thereto by virtue of the ſuſpenſion.

He concluded his anſwer with ſaying, "Notwithſtanding all this, his Majeſty, to ſhew his abundant deſire of peace, is contented to admit a ceſſation upon the matter of their own articles, ſo that his Majeſty may not be underſtood to conſent to any impoſing upon his ſubjects, or impriſoning them, to force them to contribute; ſo that there may not be a liberty for any rapine, plundering, or ſeizing upon his ſubjects, by the parliament's ſoldiers, for not ſubmiting to ſuch illegal impoſitions; for otherwiſe both houſes may, during the ceſſation, impoſe new taxes, not only to the nineteenth part, but, if they pleaſe, to the half of, or all their eſtates; and their army would then be at leiſure to be imployed as collectors as well of the old as the new impoſitions, and vaſt ſums would and might by this means be raiſed, to their own extraordinary advantage, and great diſadvantage of his Majeſty, who can neither obtain his own conſent to take the like courſes, nor, in caſe he could, is he ſo quartered as to have within the power of his army any ſuch city as London, or ſo many and rich counties as they have to retire to on ſuch occaſions."

The parliament refuſe longer treating about the ceſſation. Ruſhworth, Vol. V. p. 101.

Both houſes, having examined Charles's reply, ſent their commitee new inſtructions, wherein they ſaid, "His Majeſty's expreſſions, in his anſwer, were ſo doubtful, that they did not think good to conſume any more time in debates upon the ceſſation, and the rather, as the remainder of the whole time for the treaty was but ſeven days, and if the ceſſation was preſently agreed, it would not yield any conſiderable advantage to the kingdom. Wherefore they ſhould deſire his Majeſty, to give a ſpeedy and poſitive anſwer to their firſt propoſition concerning the diſbanding, that ſo the people might not have the ſhadow, but the ſubſtance of peace."

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Theſe inſtructions being imparted to Charles, he indeavored, in the anſwer he returned, to ſhew it was not his fault that a ceſſation from hoſtilities had not been concluded. He preſſed again, that whatever was thought doubtful in the articles might be expounded, whatever was excepted againſt might be debated, a ceſſation concluded, and power given to the commitee to that effect. p. 192.

This is all was tranſacted touching the ſuſpenſion of arms propoſed by King Charles, and whereby, ſeemingly, he had hoped to reap great advantages, had the two houſes being leſs upon their guard. As the conferences on a pacification were not to commence 'till the twenty-fifth of March, whatever was done before that day, concerning the ceſſation, is to be conſidered rather as a preparative, than as part of the conferences, tho' the negociation relating to a ſuſpenſion was continued 'till the ſeventh of April.

Negociation upon the other propoſitions.

I muſt now touch on the eſſential part of the treaty, with regard to the terms offered on both ſides for a peace. As it was agreed to begin with the diſcuſſion of the two firſt reſpective propoſitions, his Majeſty's firſt was immediately conſidered. The propoſition was, That his revenue, magazines, towns, ſhips and forts, ſhould be reſtored. I ſhall cite the chief arguments advanced upon each of theſe heads.

Concerning the revenue.

p. 196, &c. Clarendon, Vol. II. p. 167.

March the twenty-ſixth, the commiſſioners preſented to his Majeſty a memorial, urging:

"That the two houſes of parliament had not made uſe of his Majeſty's own revenue, but in a very ſmall proportion, which for a good part had been imployed in the maintenance of his Majeſty's children, according to the allowance eſtabliſhed by himſelf: that they would ſatisfy what ſhould remain due to his Majeſty, of thoſe ſums received out of his own revenue; and would leave the ſame to his Majeſty for the time to come. But they likewiſe propoſed, That he would reſtore what had been taken for his uſe, upon any of the bills aſſigned to other purpoſes, by ſeveral acts of parliament, or out of the proviſion made for the war of Ireland."

The King's anſwer.

"That he was well contented to allow whatſoever had been imployed in the maintenance of his children, and to receive the arrears due to himſelf, and to be ſure of his own for the future.

"That he was willing to reſtore all monies taken for his uſe, by any authority from him, upon any bills aſſigned to other purpoſes, being aſſured he had received very little or nothing that way.

"But he expected ſatisfaction for all thoſe ſeveral ſums, received and diverted to other purpoſes, by orders of one or both houſes, which ought to have been paid upon the act of pacification with Scotland, or imployed for the diſcharge of the debts of the kingdom, and by other acts of parliament for the relief of his Proteſtant ſubjects of Ireland."

Next day, the commiſſioners deſired to know of his Majeſty, if he would not account his own revenue to be ſure for the future, if both houſes of parliament did leave it in the ſame way as it was before the troubles commenced.

Charles replied; "That by thoſe words ('of being ſure of his own for the future') he meaned, that no reſtraints or interruption ſhould be made, by one or both houſes, in and upon his Ma-

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" jesty's revenue, but that it shou'd be left in " the same way it was before the troubles began."

One may readily perceive that there were not any difficulties upon this article capable of preventing a pacification.

Concerning the magazines.

The parliament's commissioners offered, in writing; " That all the arms and ammunition, taken " out of his Majesty's magazines, shou'd be deli- " vered into his stores, and whatsoever shou'd be " wanting, they would in convenient time supply, " in kind. But they likewise propos'd; That the " persons to whose charge those public magazines " shou'd be commited, being nominated by his " Majesty, might be such as the two houses of par- " liament could confide in: and that he would " restore all such arms and ammunition as had " been taken, for his use, from the several coun- " ties, cities and towns.

The King's answer.

" The magazines shall be commited to, and " continued in the custody of the sworn officers, " to whose places the same belong: and if any the " said officers shall forfeit that trust, by any mis- " demeanors, his Majesty will by no means defend " them from the justice of the law.

" His Majesty will restore again, and recompense " out of his own stores, such arms and ammunition " as have been taken for his use out of the several " counties, &c.

" He expects, that the arms and ammunition " which have been taken from the several counties " and cities, for the use of the armies under com- " mand of the earl of Essex, be likewise restored " to them."

Without entering into a more particular discussion of this article, it suffices to say, that the whole difficulty lay in both houses reserving to themselves the power of approving such as should be intrusted with the custody of the magazines; and in King Charles, pretending, that the legal oath of such persons was a sufficient security. And this rendered its conclusion utterly impracticable.

Concerning restitution of the towns and forts.

The same difficulty occured upon this article. The two houses offered to restore the towns and forts, but pretended, that they should be delivered into the hands of such persons as both houses could confide in; whereto Charles would not agree. As the commissioners urged the necessity of giving the people satisfaction, with respect to their fears and jealousies; the King answered, That he rather expected, their reasons should have had some foundation in the law of the land, than that they should only have insisted upon fears and jealousies, of which, as he did not know the ground, so was he ignorant of the cure.

Concerning the ships.

It was the same with this as with the two foregoing articles. Both houses required, that the lord high-admiral, and all commanders of ships, should take a particular oath, to use their utmost power to preserve the true Protestant religion, and the kingdom's peace, against all foreign forces, and all other forces raised without his Majesty's authority, and consent of both houses of parliament. But hereto Charles would not consent, alleging the oaths which all those officers were, by law, already obliged to take, were very sufficient: only he said, if any thing should be made appear to him necessary to be added, when there should be a full and peaceable convention of parliament, he would readily consent to an act for such addition.

If it is considered what was the occasion of this war, it will easily be perceived, that the execution, and not the injunction of the laws was the question. Wherefore King Charles, in pretending that every thing should be setled by law, did not any how meddle with the question to be decided in his dispute with the parliament.

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His Majesty's first proposition having been thus in vain debated, they proceeded to the first of the parliament's, which contained two articles; viz. that both armies should be disbanded, and his Majesty should return to his parliament. Rushworth, Vol. V. p. 206.

Charles's answer to the first was, " That he was " willing all armies should be disbanded, and con- " ceived the best way to it to be a speedy conclu- " sion of the treaty; and for that purpose he de- " sired, that the time given to the commitee of " both houses to treat might be inlarged."

As to the second, " He would repair to his par- " liament, as soon as he could possibly do it with " his honor and safety."

As the King's answer was too general and doubtful, the commissioners, in writing, desired to know, " If by the words ('a speedy conclusion of the " treaty') he intended a conclusion of the treaty on " his first proposition, and their proposition for " disbanding the armies; or a conclusion of the " treaty on all the propositions of both parts."

His Majesty replied; " That, by a speedy con- " clusion of the treaty, he intended such a conclu- " sion of the treaty, as there might be a clear evi- " dence to himself and his subjects of a future " peace, and no ground left for the continuance and " growth of the present bloody dissensions; which, " he doubted not might he obtained, if both houses " should consent, that the treaty might proceed " without farther interruption, or limitation of days."

This reply being no less ambiguous than the former, the commissioners insisted upon an explication of what they had already desired; as also that he would be pleased to let them know, what he intended should be a clear evidence to him and his subjects of a future peace.

Charles answered, " That if the conclusion of the " treaty on his first proposition, and the propositions " of both houses, should be so full and perfectly made, " that the law of the land might have a full, free " and uninterrupted course for the defense and pre- " servation of the rights of his Majesty, both houses, " and his subjects, there would be thence a clear " evidence of a future peace, and this would be such " a conclusionas he intended. He never meaned, " that both armies should remain undisbanded until " all the propositions of both sides were fully con- " cluded: but he was very sorry that, in that point " of the proposition of both houses, viz. his return to " the parliament, they had yet no manner of power " or instructions so much as to treat with him."

His Majesty used such general expressions, that it was easy to discover he sought only to prolong the conferences, or to make some advantage of the commissioners answers. To all appearance, he would also have found a fresh occasion of delay, in the debate of that part of the proposition concerning his return to the parliament.

April the tenth, the commissioners presented to his Majesty another paper, wherein they said, " That, by new instructions, they were commanded " to insist upon the disbanding of the two armies, " and that both houses conceived his answer to be " in effect a denial, unless they departed from all " those cautions and limitations contained in their " reply to his first proposition: that if they had " not inserted their desire of his Majesty's return, " in their commitee's instructions, it was because " they conceived disbanding the armies would faci- " litate his resolution therein."

During

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During the courſe of this negociation, Charles had frequent conferences in private with the commiſſioners. Whitelock, in his Memorials, reports that, in one of theſe conferences, the commiſſioners (of whom he was one) having been with the King 'till mid-night, and preſſed him with their reaſons upon a very material point, his Majeſty was prevailed with to give a ſatisfactory anſwer, which would have much conduced to a happy ſucceſs of the treaty, and told them, "He was fully ſatisfied, "and promiſed to let them have his anſwer in "writing according to their deſire;" but becauſe it was then too late to draw it up, he ordered them to wait on him next morning at ſuch a time. Accordingly they came; but, inſtead of that anſwer, which they expected, the King gave them a paper quite contrary to what was concluded the night before, and very much tending to a breach of the treaty. Whitelock ſays, he was informed by ſome of the King's own friends that, after the commiſſioners were gone from his Majeſty, and his council alſo withdrawn, ſome of his bed-chamber (and they went higher) hearing from himſelf what anſwer he had promiſed, and doubting it would tend to ſuch iſſue as they did not wiſh, they being rather for the continuance of the war, never left perſuading the King, 'till they prevailed with him to change his former reſolutions, and give order for his anſwer to be drawn directly contrary to what he had promiſed; it being that Prince's misfortune to prefer always the opinions of others to his own. Which is an obſervation confirmed alſo by lord Clarendon, in his character of King Charles I. Indeed Whitelock does not ſay, that the King's anſwer, which he mentions, was the ſame with the inſuing meſſage; but in all probability it was ſo, ſince it was the cauſe of breaking off the conferences. Howſoever this be, on the twelfth of April, Charles, notwithſtanding the indeavors of the commiſſioners to diſſuade him, ſent to both houſes this meſſage: viz.

A remarkable circumſtance. Whitelock, p. 68.

Subſtance of the King's meſſage to both houſes, April 12, 1643.

Ruſhworth, Vol. V. p. 259. Clarendon, Vol. II. p. 173.

"AS ſoon as his Majeſty is ſatisfied concerning "his own revenue, magazines, ſhips and "ports, to which he deſires nothing but that the "juſt, known, legal rights of his Majeſty (de-"volved to him from his progenitors) and of the "perſons truſted by him, which have violently "been taken from both, be reſtored unto him, "and unto them.

"As ſoon as all the members of both houſes "ſhall be reſtored to the ſame capacity, of ſiting "and voting in parliament, as they had upon the "firſt of January 1641, the ſame juſtly belong-"ing unto them by their birth-rights, and the free "elections of thoſe who ſent them, and from "which they have been voted for adhering to "his Majeſty in theſe diſtractions; his Ma-"jeſty not intending that this ſhould extend either "to the biſhops, whoſe votes have been taken "away by bill; or to ſuch in whoſe places, upon "new writs, new elections have been made.

"As ſoon as his Majeſty and both houſes may "be ſecured from ſuch tumultuous aſſemblies as, "to the great breach of privileges, and the high "diſhonor of parliaments, formerly aſſembled "about both houſes, and awed the members of "the ſame, and occaſioned two ſeveral complaints "from the houſe of lords, and two ſeveral deſires "of that houſe to the houſe of commons to join "in a declaration againſt them; the complying "with which deſire might have prevented all "theſe miſerable diſtractions which have inſued. "Which ſecurity, his Majeſty conceives, can be "only ſetled by adjourning the parliament to ſome "other place, at leaſt twenty miles from London, "the choice of which his Majeſty leaves to both "houſes.

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"His Majeſty will then moſt chearfully and "readily conſent, that both armies be immedi-"ately diſbanded, and give a preſent meeting to "both his houſes of parliament, at the ſame time "and place to which the parliament ſhall agree "to be adjourned.

"His Majeſty being confident, that the law "will then recover its due credit and eſtimation, "and that upon a free debate, in a full and peace-"able convention of parliament, ſuch proviſions will "be made with regared to ſeditious preachings and "printing againſt his Majeſty, and the eſtabliſhed "laws (which hath been one of the chief cauſes of "the preſent diſtractions) and ſuch care will be "taken concerning the legal and known rights "of his Majeſty, and the property and liberty "of his ſubjects, that whatſoever hath been pub-"liſhed or done, in or by color of any illegal de-"clarations, ordinances, or order of one or both "houſes, or any commitee of either of them, and "particularly the power to raiſe arms without his "Majeſty's conſent, will be in ſuch manner re-"called, diſclaimed and provided againſt, that "no ſeed will remain for the like to ſpring out for "the future, to diſturb the peace of the kingdom, "and to indanger its very being.

There needed not much penetration to perceive, by this meſſage, that not only the King intended to break off the conferences, but alſo was not much inclined to peace. It was indeed very needleſs to enter into treaty, ſince neither King nor parliament would recede from their pretenſions. The ſhorteſt way would have been to diſcuſs the general queſtion, "Whether there was juſt reaſon to con-"fide in the King, and reſtore him to his rights?" For every one of the propoſitions offered by both parties neceſſarily led to that queſtion; ſo that none could be decided without this being previouſly determined. Had all the other propoſitions been diſcuſſed, the difficulties would have been ſtill greater, ſince the parties builded upon quite oppoſite principles. But, in all appearance, both King and parliament had foreſeen what came to paſs, and agreed to this negociation only to make people believe they were peaceably diſpoſed. This was equally neceſſary for them, becauſe in the people conſiſted the ſtrength of both parties.

As ſoon as both houſes received this meſſage, they ſent their commiſſioners poſitive orders to return, and the conferences ceaſed.

The conferences broken off.

It was not without reaſon that Charles deſired a ceſſation from hoſtilities, on the terms by him propoſed, tho' for even the ſhorteſt ſpace of time, and that he inſiſted upon communication of quarters. He found himſelf at Oxford unprovided of ammunition, and the Queen, who was at York, had brought him a good quantity; but the difficulty was the conveying it to Oxford with a ſufficient guard. If therefore the ceſſation of arms had been concluded, with the clauſe of communication of quarters, nothing would have obſtructed his ſending for the ammunition from York, without the parliament's having room for complaint. For tho', in the firſt article of the propoſed ceſſation, it was allowed to ſtop all perſons carrying ammunition, yet it was not ſaid that ſuch conveying was a breach of the ſuſpenſion. Since therefore, by the article of communication of quarters, King Charles might have drawn as many of his troops as he pleaſed from York to Oxford, he might likewiſe, had this article been granted, have ſent for his ammunition with a guard, which the parliament's forces could

Charles's view in propoſing a ceſſation.

could not have attacked, without violating the truce, when the convoy ſhould have paſſed into their quarters.

He detaches Prince Rupert to ſetle a communication between York and Oxford. Clarendon, Vol. II. p. 180.

It evidently appears, that Charles deſigned to reap this advantage by the ceſſation, which, according to him, was to be only for his peoples eaſe and benefit, ſince from the begining of April, when the treaty was negociating at Oxford, he detached Prince Rupert with twelve hundred horſe, and ſeven or eight hundred foot, to eſtabliſh a communication between York and Oxford, by ſecuring certain places between theſe two cities. The Prince marched by Birmingham, a town of the parliament's, gariſoned with a company of foot (1), and taking it by ſtorm, made the inhabitants pay a large fine, to chaſtiſe them for aſſiſting the gariſon to repulſe him (2).

That Prince takes Birmingham,

and Litchfield. p. 182.

After this ſmall conqueſt, his ſaid Highneſs marched directly to Litchfield, where he entered without difficulty, the town being open in ſeveral places: but the cathedral, with the cloſe, was a ſort of fortreſs, which he was obliged to beſiege in form, being ſtrongly gariſoned. At length, he drained the moat, and ſprang two mines, whereof one taking effect, he furiouſly ſtormed the place, which was ſtoutly defended by the gariſon: but the dread of not being able to ſtand a ſecond aſſault, made them deſire to capitulate. Rupert granted them honorable terms; being very glad to be freed from the trouble of continuing the ſiege, which had laſted ten days. He intended to puſh his conqueſts farther northwards, in order to make a line of communication between York and Oxford: but the King recalled him from Litchfield, wanting him to raiſe the ſiege of Reading.

He is recalled by his Majeſty.

Siege and taking of Reading by Eſſex. p. 177. Ruſhworth, Vol. V. p. 265, 266, 267.

The treaty at Oxford being broken off, the fifteenth of April, the earl of Eſſex marched that day from Windſor, and on the morrow appeared before Reading. His army conſiſted of ſixteen thouſand foot, and three thouſand horſe: the gariſon was three hundred horſe, and three thouſand foot. His Majeſty was ſo poſſeſſed with the notion, that the parliament's ſoldiers ſerved them unwillingly, and by conſtraint, that he iſſued a proclamation, offering pardon to ſuch as were in Eſſex's army; a precaution abſolutely fruitleſs. At the begining of that ſiege, the governor, ſir Arthur Aſton, being wounded in the head, and forced to keep his chamber, the command devolved to colonel Richard Fielding, eldeſt colonel in the gariſon.

Clarendon, Vol, II. p. 179.

Charles no ſooner heard of the ſiege of Reading, but he detached away a body of cavalry, under the conduct of commiſſary Wilmot, who found means to throw into the town five hundred men, with ſome powder. But this ſupply not appearing ſufficient to colonel Fielding, he demanded to capitulate, and a truce was agreed on, during which the beſiegers and beſieged mutually gave hoſtages.

Charles tries in vain to relieve that town. p. 183.

At the ſame time Charles, coming with his army within few miles of Reading, detached his general Ruthen, newly created earl of Forth, who, with a thouſand muſqueteers, vigorouſly attacked a poſt (3), by which the King was neceſſarily to paſs in order to relieve Reading. The earl of Forth was in hopes that, while he attacked this poſt, the gariſon would ſally upon the beſiegers. But as, without knowing it, he had made his attack juſt as the truce was agreed on, there was no ſally from the town: ſo not being able to force the paſs, he retreated to his Majeſty.

Mean while Fielding, having negociated a capitulation with the earl of Eſſex, found means, before it was intirely concluded, to go in the night to Charles, telling him, he hoped to have liberty to march away with their arms and baggage. His Majeſty approved the capitulation, which was ſigned next day, and the town ſurrendered to the beſiegers: but, by one of the articles, which ſeemingly Fielding did not tell the King, and which perhaps was not yet agreed on, Eſſex excepted the deſerters, who could not obtain liberty to march out with the others. As Charles's troops evacuated the town, and were paſſing thro' the enemies guards, the ſoldiers were inſulted, and ſome waggons plundered, contrary to the articles of the capitulation.

Fielding capitulates. April 26.

Breach of the capitulation. p. 184. Ruſhworth. Vol. V. p. 267.

The King was highly pleaſed with ſaving the gariſon of Reading, and indeed that was his chief view in permiting Fielding to capitulate. But when the gariſon came to Oxford, ſeveral officers complained, that Fielding was too haſty in ſurrendering a place which could have held out much longer; nay, ſome openly charged him with treachery: whereupon he deſired to be tried by a council of war, which was granted him. Charles, who perhaps had too readily conſented to the capitulation, and was inſenſed at him, when he underſtood the place was capable of making a longer defenſe, could not however find fault with his capitulating, ſince it was done with his approbation: but his admiting that article whereby the deſerters were excepted was charged to him as a crime, and the King publiſhed a declaration, proteſting he had not conſented to that exception, being very far from refuſing protection to any who ſhould leave the enemy, and betake themſelves to his ſervice. Fielding was alſo accuſed of not paying punctual obedience to his Majeſty's orders: but what theſe orders were, I have not been able to inform myſelf. Howſoever this be, Fielding was ſentenced by the council of war to loſe his head: which ſentence, after long interceſſion, was remited by the King; but his regiment was given to another. Poſſibly, he had been too precipitate in concluding the capitulation, and had not fully acquainted his Majeſty with the true ſtate of the place: but, as he could not be condemned for that, ſince he had the King's conſent to capitulate, other pretenſes were ſought. This ſentence occaſioned great diſſenſion in Charles's army; ſome indeavoring to vindicate it, while others paſſionately repreſented it as the moſt unjuſt had ever been paſſed in a like caſe.

Fielding condemned to die. Clarendon, Vol. II. p. 185.

p. 187.

Lord Clarendon ſays, that his Majeſty, having received wrong intelligence, that the earl of Eſſex, after reducing Reading, was marching directly to Oxford, reſolved to retire into the North, to join the earl of Newcaſtle. But it was only a falſe alarm: Eſſex was ſo little able to beſiege Oxford, that contrariwiſe he was forced to remain ſix weeks at Reading, without being able to act, by reaſon of the ſickneſs which infeſted his army.

The King on a falſe alarm, about to quit Oxford.

Sickneſs in the parliament's army. p. 188. Ruſhworth, Vol. V. p. 290.

While the treaty for peace was negociating at Oxford, ſir William Waller continued his conqueſts along the Severn, where having defeated lord Herbert of Ragland, the marquis of Worceſter's ſon, he became maſter of Hereford; but in aſſaulting Worceſter he was repulſed: after which he joined the earl of Eſſex before Reading.

Waller takes Hereford. p. 263. Clarendon, Vol. II. p. 179, 180.

As the war was ſpread in all parts of England, the military actions of this ſecond campain cannot,

Order of matters for the campain of 1643.

(1) Lord Clarendon (Vol. II. p. 181) ſays, the town had in it a troop of horſe belonging to the gariſon of Litchfield.

(2) In the too eager purſuit of the troop of horſe, William Fielding, earl of Denbigh, who, from the begining of this war, had been a voluntier in Prince Rupert's troop, was wounded, ſo that he died within two or three days. Ibid.

(3) Caveſham bridge, defended by lord Roberts's and Berkley's regiments.

without

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without confuſion, be ſpoken of according to the order of time: and therefore I chuſe rather to follow the order of place, and touch firſt on what paſſed in the middle of the kingdom, where lay the two main armies. I ſhall relate next the principal events which occured in the Weſt; and laſtly, ſhall proceed to what paſſed in the North, and on the borders of the Eaſtern counties. Theſe latter being aſſociated by the parliament, and well provided with troops, the King had not many opportunities to carry the war thither. As for the Southern counties, nothing conſiderable was tranſacted there during this campain. After this, I ſhall reſume what paſſed, of any moment, with regard to civil affairs, during the courſe of the year 1643. This method has alſo its inconveniencies: but I ſhall indeavor to avoid them in part, by marking the exact time of each event, that the cauſes and motives as well of the civil, as military actions may more readily appear.

The parliament have thoughts of attacking Oxford. Clarendon, Vol. II. p. 201.

The reduction of Reading ſeemed to the parliament a favorable omen for this campain. But, as I hinted, the great mortality among Eſſex's ſoldiers, ſuffered him not to improve this advantage. After Reading had ſurrendered, both houſes thought of no leſs than beſieging Oxford, where the King was in great diſtreſs for want of warlike ſtores. Very ſeemingly, the intelligence he had received, that the earl of Eſſex was upon marching thither, came from ſome friends at London, who, knowing it was the parliament's deſign, queſtioned not its being put in execution. Mean while, Charles received ſome ammunition in May; and, as his enemies were not in condition to make any attempt, he remained quiet at Oxford.

Eſſex marches towards Oxford. Ruſhworth, Vol. V. p. 290.

Finally, after a ſix weeks ſtay at Reading, the earl of Eſſex marched for Oxford, rather thro' condeſcenſion to the parliament, than in expectation of making any progreſs, by reaſon of the ill ſtate of his army. He however advanced to Thame, within ten miles of Oxford, where he halted (1).

Col. Hurry deſerts, and gives Prince Rupert important intelligence; who beats up two of the enemies quarters, and retires. June 18. p. 274. Clarendon, Vol. II. p. 201, 202. 203.

There was in his army a Scotiſh colonel, named Hurry, who had ſerved in Germany with the earl of Forth, Charles's general, with whom he held a ſecret correſpondence. As ſoon as the earl of Eſſex approached Oxford, Hurry quited the parliament's ſervice, and went over to the King, who received him very graciouſly. Then he informed Prince Rupert of the ſituation of the quarters of the parliament's army, and perſuaded him to make an attempt upon the enemy. His Highneſs, departing Oxford in the evening with a body of cavalry, took a long circuit, and at day-break came to Wickham, where beating up the quarters of two regiments, one of horſe, the other of foot, he cut them in pieces. Then he attacked another quarter with like ſucceſs, after which he reſolved to retire by a bridge, where he had left a guard. But Eſſex having now taken the alarm, had detached ſome troops to intercept the Prince, who was to croſs Chaldgrave field, and enter a lane which led to that bridge. Eſſex's cavalry not giving Prince Rupert time to reach the bridge, he choſe rather to expect them in an open field, than enter the lane with the enemies in his rear. He charged therefore theſe horſe with ſuch bravery, that he put them to flight towards a body of foot, which Eſſex himſelf was leading. While the cavalry fled, Rupert paſſed the lane and bridge, and entered Oxford in triumph (2). On the firſt alarm at the head-quarters, mr. Hambden, colonel of foot, mounted his horſe, and rode as a voluntier in the regiment detached to intercept his Highneſs. He was ſhot in the ſhoulder in this action, and within few days died of the wound. He was a perſon very eminent in his party, both for his courage as an officer in the army, and for his wiſdom and capacity as a member of parliament. He had given a good proof of his firmneſs in his famous trial concerning ſhip-money.

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Hambden ſlain. June 24. Clarendon, Vol. II. p. 204.

After this loſs, the earl of Eſſex, whoſe army was in a very indifferent condition, did not think fit to ſtay any longer at Thame. He put his troops into quarters of refreſhment at St. Albans, Uxbridge, and thoſe neighborhoods, 'till they ſhould be recruited, and furniſhed with diverſe neceſſaries they wanted, which the parliament, whether from inability, or ſome other reaſon, ſeemed not much to regard.

p. 206, 226.

The Queen brings Charles a great ſupply. Ruſhworth, Vol. V. p. 274.

Thenceforwards Charles's military affairs began to flouriſh, and the parliament was extremely imbaraſſed. On the thirteenth of July, her Majeſty joined him, bringing two thouſand foot, a thouſand horſe, a hundred waggons laden with ammunition of all ſorts, ſix pieces of cannon, and two mortars. On the other ſide, ſir William Waller, ſent by the parliament weſtward, had the ill fortune to be defeated, and his army ſo diſperſed, that it was no longer ſerviceable (3). In this juncture it was that the King reſolved to beſiege Briſtol, by Prince Rupert, with whom was joined the Corniſh army which had routed ſir William Waller.

p. 284. Clarendon, Vol. II. p. 206, 214.

Prince Rupert beſieges Briſtol. Ruſhworth, Vol. V. p. 284.

The twenty-ſecond of July, Prince Rupert incamped before Briſtol, and the ſame day, with the aſſiſtance of ſome ſailors who had been gained, he ſeized the ſhips in King-road, laden with goods of great value, which the inhabitants of Briſtol had thought to ſecure by that means.

He ſtorms the town. Ibid. Clarendon, Vol. II. p. 226.]

On the morrow, his Highneſs holding a council of war, it was reſolved to proceed by aſſault, and not by approach. The walls muſt have been very weak, otherwiſe it cannot eaſily be conceived the beſiegers ſhould reſolve to ſtorm two days after their arrival, eſpecially as there was a numerous gariſon in the city (4). Howſoever this be, next day both armies attacked, each at three different places, ſo that the gariſon were forced to divide themſelves into ſix bodies to defend the walls. The Corniſh army was repulſed with great ſlaughter in their three aſſaults. The two diviſions of Prince Rupert's were likewiſe repulſed: but the third, conducted by colonel Waſhington, had better ſucceſs, the colonel finding means to make a breach in the wall large enough for the Prince to enter with his cavalry. But this advantage only put him in poſſeſſion of the ſuburbs, beyond which was the city-wall, much ſtronger than what he had paſſed. However, he marched up the ſtreet to Frome-gate, where he was forced to halt, and where he loſt many of his men, who were ſhot by the inhabitants from the walls and windows (5).

The governor capitulates. p. 228.

What his Highneſs had gained was ſo inconſiderable, that probably the ſiege would ſtill have coſt much time, and many lives, had not the governor

(1) Lord Clarendon (Vol. II. p. 201.) ſays, That the deſign of his marching thither, was rather to ſecure Buckinghamſhire, which was now infeſted by the King's horſe, than to diſquiet Oxford.

(2) With near two hundred priſoners, ſeven cornets of horſe, and four enſigns of foot. Idem. p. 203, 204.

(3) He loſt two battles. The battle of Landſdown, July 5; and that of Roundway-down, July 13, as will hereafter appear.

(4) The gariſon conſiſted of two thouſand five hundred foot, and a regiment of horſe and dragoons. Idem. p. 227.

(5) Sir Nicholas Slanning, colonel Trevannion, lord Grandiſon, major Kendal were ſlain, without about five hundred others. Idem. p. 230.

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loſt his preſenſe of mind, and ordered a parley to be beaten. This governor was colonel Nathaniel Fiennes, who, at the begining of this parliament, had made in the houſe of commons diverſe ſmart and elegant ſpeeches againſt the King, but who, in all appearance, was not very ſkilful in the art of war. Rupert inſtantly granted the deſired capitulation, thinking himſelf very happy to gain a place of that importance in ſo ſhort a time. This capitulation was ill obſerved by the King's ſoldiers, who pillaged thoſe of the gariſon, and made themſelves ample amends for the breach of the capitulation at Reading: whether, with or without the general's concurrence is uncertain. Fiennes was impriſoned for his cowardly ſurrender of Briſtol, and ſome months after condemned to die by a council of war: but he was reprieved by the earl of Eſſex, and paſſed the reſidue of his days beyond-ſea.

Breach of the capitulation. Clarendon, Vol. II. p. p. 229.

Fiennes condemned to die. State-Try. Vol. 1.

The reduction of Briſtol inſpiring Charles with freſh hopes, he was willing to improve the preſent opportunity, while the parliament had no army ready to oppoſe his progreſs. He reſolved therefore to beſiege Gloceſter, the poſſeſſion whereof would have been to him of great conſequence. Thereby he would have been maſter of all the Severn, from Briſtol to Shrewſbury, and of the whole country between that river and Wales, where would have remained only Hereford, which probably muſt have ſoon ſurrendered By this means, he would not only have extended his quarters into a very good country, but alſo ſecured a communication from Cornwal to the Northern counties: for as the parliament had no army in the Weſt, ſince Waller's defeat, the communication of the Weſtern counties with Briſtol could not be interrupted. The taking Gloceſter would have opened a communication from Briſtol to Shrewſbury, and thence to the North, by means of Lancaſhire, which was more for him than for the parliament. Beſide this, being poſſeſſed of Gloceſter would have ſecured him the poſſeſſion of Wales, where the parliament would have no entrance but by ſea. If therefore even ſome of his friends have blamed him for undertaking this ſiege, it may be affirmed, the ill ſucceſs was the beſt foundation of their opinion. For my part, I believe he had all imaginable reaſon to undertake it, at a time when there was no likelihood that Eſſex's army could be ready ſoon enough to hinder this conqueſt. Lord Clarendon pretends to diſcover a ſecret, which confirmed Charles in his reſolution. He ſays, his Majeſty having ſent a meſſenger to colonel Maſſy, governor of Gloceſter, to perſuade him to deliver the place, Maſſy in public anſwered in a high ſtile, but in private bid the meſſenger tell the King, "That if he came himſelf to beſiege the town, "he would not hold it againſt him: for it would "not ſtand with his conſcience to fight againſt the "perſon of the King (1)." But the ſequel ſhewed, either that Maſſy had altered his mind, or that Charles had taken a mere compliment for a poſitive promiſe, ſince, in the defenſe of this place, Maſſy was very far from expreſſing the leaſt inclination to favor the King. This Prince was ever poſſeſſed with the notion, that thoſe who bore arms againſt him acted contrary to the dictates of their conſcience, and readily believed, they only wanted opportunity to ſerve him, wherein he was frequently deceived.

Charles reſolves to beſiege Gloceſter. Clarendon, Vol. II. p. 241.

p. 242.

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Nothing more clearly ſhews, how advantageous the taking of Gloceſter would have been to his Majeſty, than the parliament's alarm, when they heard the firſt news of his marching to form that ſiege. Whereas before Eſſex's army was ſuffered to decay, all indeavors were uſed to recruit it, the moment Charles's intention was known. Care was taken to complete the regiments by freſh levies of ſoldiers, raiſed in London with all poſſible haſte and diligence: and to facilitate theſe levies, the parliament ordered the ſhops to be ſhut up 'till Gloceſter ſhould be relieved, and morever the earl's army was ſtrengthened with a numerous body of the city militia. All this was puſhed on ſo vigorouſly, that in fifteen days the earl of Eſſex was ready for marching to relieve the beſieged.

The parliament alarmed.

Eſſex's army recruited. Ruſhworth, Vol. V. p. 291.

His Majeſty appeared before Gloceſter, the tenth of Auguſt *, and immediately ordered the approaches to be begun, which however were not ſo warmly puſhed as was expected, by reaſon of the frequent ſallies of the beſieged: beſide, the King was obliged to go to Oxford, which occaſioned his loſing ſeveral days. Eſſex, begining to march the twenty-ſixth of Auguſt, arrived in few days near Gloceſter, and, advancing to Preſbury hlls, drew up his whole army in view of the city, expecting his Majeſty would come and give him battle. But Charles, not thinking fit to run any hazard, raiſed the ſiege, which could not be done without great diſorder. Eſſex, entering Gloceſter, found the beſieged reduced to a ſingle barrel of powder, and no better provided with other ſtores (2). After ſtaying there three days (3), he departed towards London, paſſing thro' Tewkſbury in his way. He marched two days before the King knew he was gone, and ſurpriſed the town of Cirenceſter, where lay two regiments (4). He then croſſed North-Wiltſhire, a deep and incloſed country, which obliged him to make ſhort marches.

* About 8000 ſtrong.

Charles beſieges Gloceſter. Aug. 10. p. 286, 287, &c. 292. Clarendon, Vol. II. p. 243, 252.

He raiſes the ſiege upon Eſſex's approach. Sept. 9. p. 265. T. May.

Eſſex returns. Clarendon, Vol. II. p. 266. Ruſhworth, Vol. V. p. 292.

Soon as Charles had notice of the enemies march and route, he likewiſe ſet out in order to follow them, ſending Prince Rupert before with all his cavalry, in number five thouſand. Seemingly, his intent was that his Highneſs ſhould poſt himſelf between London and the parliament's army, while he followed, and put the army between him and his cavalry. Howſoever this was, for it is not eaſy to gueſs his Majeſty's deſign, Rupert came up with the earl of Eſſex, as he was marching over Auborn-chace, intending to have reached Newbury that night. There inſued in this place a ſharp conflict, Prince Rupert having charged the earl's rear, who were put into ſome diſorder. Marquis La Vieuville, a French nobleman, who ſerved King Charles as a voluntier, was killed in this action. This incounter conſtrained the earl of Eſſex to quarter at Hungerford. Next day, he purſued his march towards Newbury, but found that Charles had prevented

The King follows him.

Sept. 18. p. 293. Clarendon, Vol. II. p. 266.

Charles gets to Newbury before Eſſex. Sept. 19.

(1) Lord Clarendon does not ſay, the King ſent a meſſenger, but colonel Leg, under whom Maſſy had ſerved in the King's army, ſent him a letter of kindneſs and overture, as was proper in ſuch a caſe from one friend to another. But Maſſy returned an anſwer in a high ſtile, but told the meſſenger in private as above.

(2) Their whole ſtrength of ſoldiers, horſe, foot, and dragoons, together with the trained bands, did not at firſt conſiſt of above 1400: 40, or at the moſt 50 barrels of powder was all their ſtore, and a mean and ſlender artillery. Ruſhworth, Vol. V. p. 287.

(3) And in that time, ſays lord Clarendon (Vol. II. p. 265.) which was as wonderful as any part of the ſtory, cauſed all neceſſary proviſion to be brought in to them, out of thoſe very quarters in which the King's army had been ſuſtained, and which they conceived to be intirely expended: "So ſollicitous were the people to conceal what they had, and to reſerve it for them."

(4) And took forty loads of proviſions, ſix ſtandards, three hundred common ſoldiers, and four hundred horſes, the ſaid forces being deſigned for Kent, to raiſe an army there for the King, and ſir Nicholas Criſpe to command them. Ruſhworth, Vol. V. p. 292. ——— Our Author, by miſtake, ſays Chicheſter, inſtead of Cirenceſter.

him

him by two hours, and poſted himſelf near the town. Prince Rupert, after the foregoing day's conflict, went and joined his Majeſty.

The first battle of Newbury. Sept. 30. Clarendon, Vol. II. p. 267, &c. Ruſhworth, Vol. V. p. 293. T. May.

The two armies, being too near each other to part without blows, prepared for battle, which ſoon commenced. Prince Rupert, as uſual, performed wonders with his cavalry. He immediately forced the parliament's horſe to recoil; but was careful not to commit the ſame fault he had done at Edgehill, by purſuing the runaways too far. After he had routed the enemies cavalry, he charged their infantry, who, tho' deſtitute of the aſſiſtance of their horſe, received him ſo intrepidly that he could make no impreſſion on their ſtand of pikes, but was obliged to wheel about. A ſharp fight continued the whole remainder of the day, with pretty equal ſucceſs: but at night Charles retired with his army, and left Eſſex the way open to proceed for Newbury, where he intended to lodge the preceding night. Next morning Eſſex, ſeeing the coaſt clear, purſued his march, and paſſing thro' Newbury arrived at Reading, as he had before deſigned. Prince Rupert, who followed, ſeeing him entered into the narrow lanes, attacked his rear, put it in diſorder, and took ſome priſoners; but prevented not the earl from continuing his route. He remained two days at Reading to refreſh his troops, and, without leaving a gariſon in that place, which was poſſeſſed by Charles's troops after his departure, returned to his old quarters. His Majeſty loſt in this ingagement more than twenty officers of note, and among others the earls of Sunderland, and Caernarvon, with lord Falkland, ſecretary of ſtate, who would be preſent at the fight, tho' he had no call, not being a military officer.

Remark on lord Clarendon's deſcription of the battle.

I have taken from lord Clarendon the deſcription of this battle, which by many omiſſions is rendered obſcure. Among others, it appears not what the King did with his infantry. This gives occaſion to preſume, that his foot were routed when Prince Rupert charged thoſe of the enemy: for otherwiſe, it cannot be conceived, how theſe latter could have reſiſted, had they been at once attacked by the King's infantry and cavalry. Neither is it ſeen, in this deſcription, why Charles left the field of battle in the night, ſince it does not appear that he had received any conſiderable loſs. Nevertheleſs, lord Clarendon indeavors to prove, tho' by weak arguments, that his Majeſty gained the victory. I believe it would be very eaſy to confute his reaſons, was it neceſſary. I ſhall content myſelf with ſaying in general, that the earl of Eſſex's deſign, at his departure from Gloceſter, was to return to his former quarters about London, and that the battle of Newbury hindered him not from executing it; whereas ſeemingly the King's intention was to intercept Eſſex's paſſage, which he could not effect (1).

Sept. 23. Ruſhworth, Vol. V. p. 295.

After the ingagement, Charles retiring to Oxford, and the earl of Eſſex to Windſor, neither had much ſhare in what other actions occurred this campain. Wherefore I ſhall proceed to other parts of the kingdom, where the war was continued, and particularly in the Weſt, where it was puſhed with very great vigor.

Military actions in the Weſt.

Touching the affairs of thoſe parts, I have already intimated that the parliament did not judge proper to conſent to the neutrality entered into by the counties of Devon and Cornwal. On the contrary, they reſolved to carry the war into Cornwal, which had declared for his Majeſty. To that end, about the begining of May, while Charles's troops were at Lanceſton, few in number, and very ſhort of proviſions, the earl of Stamford, the parliament's general in the Weſt, entered Cornwal ſeven thouſand ſtrong. He poſted himſelf on the top of a hill near Stratton, whence he detached a party of twelve hundred horſe, under conduct of ſir George Chudleigh, to Bodmin, a town in the middle of this county, in order to keep it in awe and prevent the militia's joining Charles's forces, as they had done once before, Sir Ralph Hopton, who commanded for the King at Lanceſton, and had only three thouſand men, readily foreſaw he ſhould be driven out of the county, except he found means to avoid it by ſome notable exploit. This made him reſolve to march towards the enemy, tho' far ſuperior in number, and advantageouſly poſted. Stamford thought himſelf ſo ſecure from any attack, that, tho' he had frequent notice of the enemies approach, he could not believe it. Indeed, it would have been a notorious temerity in ſir Ralph Hopton, to attack him with ſo great diſadvantage, had there been any other way to ſave the county for his royal maſter. However that be, the ſixteenth of May, approaching the hill whereon Stamford lay incamped, he ordered him to be attacked from four different quarters. As the aſſailants were reſolved to conquer or die, they gained, tho' with great difficulty, the ſummit of the hill, which their enemies were at length forced to relinquiſh, after ſuſtaining the charge many hours. In this action Stamford had only three hundred men killed, but left ſeventeen hundred in the enemy's hands. Among theſe priſoners was major-general Chudleigh, who being carried to Oxford, ingaged in his Majeſty's ſervice. The earl of Stamford, whether to excuſe his defeat, or upon ſome grounds, openly complained, that Chudleigh was a traitor, having, in the heat of the battle ſhifted ſides and charged him with the body under his command. This lord Clarendon pretends was a calumny: but I ſuppoſe few now are concerned to know the truth.

Battle of Stratſon. Stamford defeated by Hopton. Clarendon, Vol. I. p. 208. Ruſhworth, Vol. V. 267, 271.

p. 272.

p. 208.

After this battle, Stamford threw himſelf into Exeter, his amy be ing diſperſed; and the party of horſe ſent to Bodmin thinking proper to retire to Plymouth, Hopton remained maſter of Cornwal. Shortly after, he was informed by a meſſenger from Oxford, that the parliament had reſolved to ſend ſir William Waller into the Weſt, with forces to join the remains of Stamford's army, and ſome levies which were to be raiſed in that country, and that the King on his part was ſending thither the marquis of Hertford and Prince Maurice with a body of troops, who were already on their march. This made him think it would be very proper for his little Corniſh army (ſo it was now called) to join the marquis's forces. He marched therefore into Devonſhire, leaving a party at Saltaſh, to defend Cornwal from any incurſions of Plymouth, and advance to Tiverton, where he expected orders from the marquis. Preſently after, hearing the marquis of Hertford was come to Chard, a town in Somerſetſhire, on the edge of Devonſhire, with ſeventeen hundred horſe and a thouſand foot, he went and joined him, and the two bodies together formed a corps ſeven thouſand ſtrong. Taunton, a large town in Somerſetſhire, was the firſt which Hertford reſolved to attack. But the gariſon ſaved him the labor, by retiring to Bridgwater, on account of a ſedition raiſed by the inhabitants. Next day, the parliament's troops quited alſo Bridgwater, and in a few days Dunſtar caſtle was ſurrendered to his Majeſty.

Charles ſends the marquis of Hertford Weſtward. Clarendon, Vol. II. p. 210, 211.

Hopton joins him. p. 212.

The marquis takes Bridgewater and Taunton. p 213.

The marquis of Hertford having ſtayed ſome days about Taunton, at length heard that ſir William Waller was within two days march of him,

The earl of Stamford, general for the parliament, enters Cornwal. p. 171. Clarendon, Vol. II. p. 207.

(1) This battle laſted from ſeven in the morning, 'till ſeven or eight at night. Ruſhworth, Vol. V. p. 295.——See Whitelock's account of this battle. p. 73.

drawing

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drawing troops together with the utmoſt diligence, and expecting more from London and Briſtol: whereupon he reſolved to attack him, without giving him time to ſtrengthen his army. While he was preparing to execute this deſign, the commitee of the militia, who were levying forces in thoſe parts to join them with Waller's, perceiving a favorable opportunity, beat up one of the marquis's quarters, who was now advanced to Somerton, and gave Charles's troops ſuch a briſk alarm, that the marquis was forced to draw up the whole army. Then the parliament's forces retired to Wells: but ſeeing they were purſued, quited Wells, and poſted themſelves on the top of Mendip hill, which overlooks that city. Hertford, being come to Wells, ſtayed there, evening coming on a pace. But Prince Maurice, ſir Ralph Hopton, and the earl of Caernarvon, taking the enemies retreat for a flight, went out with two regiments of horſe in their purſuit, and marched directly to them, whereupon the parliamentarians, being moſtly infantry and few in number, retired in order to join a detachment of horſe ſent by Waller to ſupport them. But the earl of Caernarvon, who was fartheſt advanced, gave them not time to retreat in any tolerable order. As they were obliged to paſs thro' a lane, he entered after them, and purſued them 'till he met with Waller's cavalry, who ſtoped his career, and in his turn forced him to retire with great precipitation. Prince Maurice coming to his relief, a warm action inſued, wherein his ſaid Highneſs received two cuts in the head, and was beaten off his horſe, but was fotunately relieved. Night obliged both parties to retire, his Majeſty's to Wells, and the parliament's to Bath.

Incounter wherein Prince Maurice is wounded. Clarendon, Vol. II. p. 216.

Some days after, Hertford, knowing Waller's army daily increaſed, marched towards Bath, to attempt drawing him to an ingagement. But Waller having his reaſon to defer it, becauſe he ſtill expected freſh ſupplies, the marquis advanced to Marsfield, five miles beyond Bath: whereupon Waller marched out of Bath, and drew up his army on Lanſdown, expecting the enemies, who failed not to move towards him. As Hertford was in a country ſo diſaffected to King Charles, that only force could procure him any ſupply or relief, and as beſide, he was advanced beyond Bath purpoſely to ingage them to fight, he was unwilling to loſe the opportunity. In this action, which was called the battle of Lanſdown, of his two thouſand horſe, the marquis loſt above fifteen hundred. But on the other hand, he drove Waller from his poſt, and compelled him to give way, about demi-culvering ſhot. Next day, Waller retired to Bath, and the marquis remained abſolute maſter of the field (1).

Hertford tries to ingage Waller to fight. p. 217.

Battle of Lanſdown wherein the marquis loſt moſt of his cavalry. July 5. Id. p. 218. Ruſhworth, Vol. V. p. 284.

But this inconſiderable advantage, gained with the loſs of near all his cavalry, threw him into a very ill ſituation. He had been ſent into the Weſt to drive thence ſir William Waller, and yet, after the battle, Waller was between the King's army and the Weſtern counties, where the marquis could penetrate only by a ſecond battle, which he was not in condition to hazard, as being without horſe. This made him determine on marching to the Devizes, leaving there his infantry under command of ſir Ralph Hopton (2), and breaking thro' to Oxford, with Maurice and what remained of his cavalry, in expectation of returning thence with a body of horſe ſtrong enough to bring off the foot he ſhould leave at the Devizes, diſtant but thirty miles from Oxford. This reſolution was purſued: but as ſoon as he had quited his infantry at the Devizes, Waller came before the town with his whole army, and inveſted theſe troops, who were in a very indifferent ſtate by reaſon of the ſcarcity of proviſions. As he was ſenſible, the beſieged could not remain long in ſuch neceſſity, he made them an overture of capitulating with him, which Hopton gladly imbraced, in the uncertainty whether any ſupplies would come from Oxford, or would arrive ſoon enough. He entered therefore into treaty with Waller; but with intention to prolong it as much as poſſible, and not yield 'till the laſt extremity, as hoping every moment to be relieved from Oxford. Waller was ſo confident that they were at his mercy, that he had ſent the parliament word, "That their buſineſs was done, and by the "the nexr poſt, he would ſend the number and "quality of his priſoners."

He leaves his infantry at the Devizes, and marches to Oxford. Clarendon, Vol. II. p. 222.

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Waller beſieges them at the Devizes. July 11. Ibid. Ruſhworth, Vol. V. p. 285. T. May.

Hopton feigns to capitulate.

Mean while the marquis of Hertford and Prince Maurice having reached Oxford, and repreſented to Charles the diſtreſs of his troops at the Devizes, his Majeſty immediately ſent away lord Wilmot, with fifteen hundred horſe, who came within two miles of the Devizes before the capitulation between Hopton and Waller was ſigned.

Wilmot ſent to relieve the Devizes. Clarendon, Vol. II. p. 223.

Waller was no ſooner informed of the enemies approach, but he drew up his whole army on Roundway-down, over which the King's troops were neceſſarily to paſs, in order to join thoſe in the town. Wilmot, finding he could not execute his deſign without fighting, drew up within muſquet-ſhot of Waller's army: but perhaps he would have thought of it more than once, before he would with fifteen hundred horſe have ventured on enemies ſo ſuperior in number, had not Waller begun the fight, by charging him with a regiment of cuiraſſiers lately ſent from London, and which had thitherto been deemed invincible (3). This regiment was vigorouſly repulſed, and retreating in diſorder, infuſed ſuch a terror into Wallers' troops, that they made but a faint reſiſtance. Mean while Hopton, ſeeing from the town the enemy's diſorder, ſallied with his foot, and bravely ſeconding Wilmot, who for his part gave not the enemies time to recover themſelves, they ſoon put to rout the whole army, killed five or ſix thouſand, and took nine hundred priſoners. Waller after his defeat, eſcaped to Briſtol. He highly complained of the earl of Eſſex, who, lying then at Thame, had ſuffered Wilmot to paſs without ſending a party after him, or giving the allarm to Oxford, which would have cauſed Wilmot to be recalled. Contrariwiſe Eſſex, who was no friend to Waller, could not forbear making ſome reproachful animadverſions on his defeat. This bred between them ſuch enmity, that it might have proved extremely prejudicial to their party, had not the parliament taken care to effect a reconciliation.

Battle of Roundway-down, where Waller is intirely routed. July 5. p. 223. Ruſhworth, Vol. IV. p. 285.

Quarrel between Eſſex and Waller. Clarendon, Vol. II. p. 225, 277.

After ſo complete a victory, lord Wilmot returned in triumph to Oxford, and the marquis of Hertford, taking command of the army, appeared before the city of Bath, the gates whereof were

p. 226.

(1) In this battle, as has been obſerved, fell ſir Bevil Greenvil. This was the firſt time the King's horſe had turned from an enemy; occaſioned, it ſeems, by a regiment of cuiraſſiers commanded by ſir Arthur Haſlerig, ſo compleatly armed, that they were called the Regiment of Lobſters. Juſt after the battle, ſir Ralph Hopton was miſerably hurt by the accidental blowing up of ſome powder. Clarendon, Vol. II. p. 220.

(2) Who was now out of danger, and could hear and ſpeak, tho' he could not ſee or ſtir; with him were left the earl of Marlborough, general of the artillery, and lord Mohun. Idem. p. 221.

(3) This was the regiment of Lobſters (as above) which, according to Ruſhworth (Vol. V. p. 285.) raſhly led on by ſir Arthur Haſlerig, leaving the foot, charged the King's forces very diſadvantageouſly, and ſo were preſently routed. Whitelock (p. 70.) ſays, Waller's horſe, upon a panic fear, fled and left the foot to the mercy of the enemy.

opened

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opened at the first summons. Presently after Charles, as has been hinted, being determined on the siege of Bristol, ordered the Cornish army to join Prince Rupert at the siege. As soon as he was master of Bristol, he resolved to send an army into the West, under Prince Maurice's conduct, and to keep the marquis of Hertford near his person. To that end, he gave orders to Robert Dormer, earl of Caernarvon, who was to serve under Maurice, to advance towards the West with a party of horse, while that Prince should follow with the infantry, of which the Cornish army made the best part. Caernarvon marched first into Dorsetshire, which declared for the parliament, and took Weymouth, Dorchester and Portland-castle. Here arrived Maurice and joined his cavalry. When his Highness had headed the army, he suffered his troops to use such license, and so ill observed the articles made upon the surrender of places, that the earl of Caernarvon quited his command in this army, and returned to his Majesty before Gloucester. Mean while Maurice, after staying some time in Dorsetshire, entered Devonshire, and laid siege to Exeter, which the earl of Stamford surrendered by capitulation.

Charles sends Prince Maurice to command in the West. Clarendon, Vol. II. p. p. 240, 257, 258, 259.

Exeter taken by Prince Maurice. Sept. 5. Rushworth, Vol. V. p. 273.

After taking Exeter, Prince Maurice applied himself chiefly to increase the number of his forces by fresh levies, while the parliament had no army in that country able to make head against him. In a short space, he assembled seven thousand foot, with horse proportionably, beside three thousand men commanded by colonel John Digby before Plymouth, which place he had blocaded 'till the Prince should come and besiege it in form. There had lately been discovered at Plymouth a plot framed by sir Alexander Carew, knight of the shire for Cornwal, and governor of the fort and island of St. Nicholas, on which depended the town's security, to deliver the island and fort to his Majesty. Carew was apprehended and sent to London, where some time after he was condemned to die by a court-martial (1).

He increases his army. His farther progress. p. 297. Clarendon, Vol. II. p. 260.

A plot discovered at Plymouth.

Maurice takes Dartmouth, and besieges Plymouth. October 6. Rushworth, Vol. V. p. 297.

When Prince Maurice had completed his levies, instead of going to Plymouth, he laid siege to Dartmouth, which held him imployed upwards of a month. During that time, the inhabitants of Plymouth, whom the discovery of Carew's conspiracy had thrown into a great consternation, recovered themselves, and resolved on an a staut resistance. This resolution was confirmed by a supply of five hundred men sent by the parliament by sea, with a Scotish governor, a person well experienced in martial affairs. So, Prince Maurice, when he came before the place, found its reduction for more difficult than he had expected. He however continued the siege, notwithstanding the winter, which was now begun. Here I shall quit the West, 'till I have farther occasion to resume these matters, and proceed to what passed in the North during this campain.

Military actions in the North.

State of those quarters.

Since the earl of Newcastle's arrival at York, with his army levied in the North, lord Fairfax had been obliged to keep at some distance from that city, to avoid being attacked by an army much more numerous than his own. All the northern parts, from York to the borders of Scotland, were for the King. The southern part of Yorkshire was for the parliament, and war was raging in the middle parts of the country, to right and left. But little else was transacted, beside the taking a few small towns, which served only to extend one or the other army's quarters.

Lord Fairfax beats 3000 of the King's party at Wakefield.

In May 1643, the earl of Newcastle took two or three of these places. In the same month, lord Fairfax, having detached fifteen hundred men, under command of his son, sir Thomas Fairfax, ordered him to attack Wakefield, where lay three thousand royalist. This attack was made about four in the morning, with such vigor and conduct, that the King's troops were driven from the town, and many slain and taken. Among the prisoners was the commander, general Goring.

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May 21. p. 268, 270.

He is defeated by the earl of Newcastle. June 30. p. 270.

Presently after, the earl of Newcastle had his revenge. Having taken Howley-house, he marched thence towards Bradford, and in the way was met on Atherton-moor by lord Fairfax, whom he intirely routed. Fairfax, with the remains of his army, threw himself into Hull, where sir John Hotham had been lately apprehended by order of parliament, and lord Fairfax was appointed governor of that important place.

The earl of Kingston taken in Gainsborough, and killed by accident. p. 278. * Of Parham.

In June, Gainsborough, a town in Lincolnshire, was seized by lord Willoughby *, commander for the parliament in those parts, who there took prisoner the earl of Kingston. But being informed that the earl of Newcastle was preparing to recover Gainsborough, he sent his prisoner to Hull in a pinnace. The earl was unfortunately shot by some of his own party, who would have stayed the pinnace. Mean while, the earl of Newcastle began his march to besiege Gainsborough, and at his approach detached a party of horse to invest the town. Oliver Cromwel, arriving at the same time, with design to supply the town with provisions, defeated this detachment, pursuing them even in sight of their main body, which he imagined not to be so near. As he was not in condition to face this army, he retreated in good order, and, after throwing supplies into Gainsborough, retired to a greater distance. Soon after, the earl of Newcastle retook that town, and possessed himself of Lincoln, where he left a numerous garison; which done, he besieged Hull, while his Majesty lay before Gloucester.

Cromwel throws supplies into Gainsborough. July 30. p. 279.

Newcastle besieges Hull. Sept. 2. p. 279, 280.

A sally which raises the siege.

Lord Fairfax, assisted by sir John Meldrum, a Scot, defended Hull with great bravery and conduct during five weeks, tho' he was very vigorously attacked. Finally, October the eleventh, the besiegers made a grand sally, and, after a most obstinate fight, which was several times renewed, beat the besiegers from their trenches, and seized their cannon. This obliged the earl of Newcastle, now created marquis, to raise the siege.

The earl of Manchester beats lord Widrington at Horncastle. October 11. p. 281.

The same day this famous sally was made at Hull, a gros body of cavalry, part of Newcastle's army, commanded by lord Widrington, were routed at Horn-castle, by the earl of Manchester, who had with him sir Thomas Fairfax and Cromwel.

The other military exploits, during the winter after this campain, having a necessary connection with the affairs of Scotland and Ireland, I am indispensibly obliged to speak of what passed in these two kingdoms in the course of this year. I shall begin with Scotland.

Affairs of Scotland. p. 390.

The English parliament, when they replied to the Scots proposition of uniting the two national churches, made their answer (which was no less ambiguous than the demand) a tool, which they might use or not, as occasion required. It is certain, there was a strict correspondence between some leading members, and the Scots. These members easily foresaw that, to establish Presbytery in England, they should in the end want the Scots, who, on their part, were ready to assist them when a favorable opportunity should offer. As King Charles, in his last journey to Scotland, had been obliged to grant the Scots whatever they desired, the leaders of the adverse party had taken such just measures, that all the offices of that kingdom were in

(1) He was beheaded on Tower-hill, Decemb. 23, 1644.

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the hands of their friends, while thoſe who were ſuſpected of inclining to the King were removed from all imploy. By this means, the Engliſh parliament's friends were in a capacity to ſecond them in eſtabliſhing a Preſbyterian government in the church of England, on the firſt fair occaſion. It was not ſolely thro' zeal for religion, but alſo thro' policy, that the directors of the Scotiſh affairs wiſhed the Engliſh would receive that form of government. They believed they could never promiſe themſelves a perfect tranquillity, if it ſhould happen to be in Charles's power to be revenged on them, and that he would be inceſſantly prompted to it, if prelates were reſtored in England. Whether this belief was well-grounded, or only a prejudice, it is certain they looked on the reſtoration of prelacy in England as the firſt ſtep to their ruin. For this reaſon, they conſtantly held a very ſtrict correſpondence with both houſes, by means of their commiſſioners reſiding in London, in order to act in concert with them for abridging the regal power, and deſtroying epiſcopacy. This plainly appeared in the courſe of this year 1643.

The ſtates of Scotland convened, ſpite of Hamilton's oppoſition. Ruſhworth, Vol. V. p. 463.

The parliament's affairs not being in a ſituation to afford a proſpect of any great advantages over his Majeſty this campain, the Scots began to prepare to aſſiſt them, in caſe it was requiſite. To that purpoſe, about the begining of May, it was moved by ſome of the leading men, that there might be a joint meeting of the council, the conſervators of the peace, and the commiſſioners for public burdens. In the hands of all theſe was lodged the authority of the kingdom, when there was no parliament. This motion was readily complied with, all public offices and poſts being, as I ſaid, filled with men of that party. In this aſſembly it was propoſed, that, conſidering the danger the kingdom was in, by reaſon of armies levying in the north of England, Scotland ſhould be put in a poſture of defenſe. As this could not be done without a parliament, or a convention of eſtates, it was urged, that there was abſolute neceſſity of immediately ſummoning ſuch convention. Marquis Hamilton, and ſeveral others, ſtrongly oppoſed it, alleging; That for them to appoint a convention without the King's order, was an incroachment upon the royal prerogative in the higheſt degree: that his Majeſty had promiſed to call a parliament in the year 1644, and therefore to hold a convention of eſtates before that time, without his privity, was directly contrary to the laws of the land. But their arguments were fruitleſs. It was carried by a majority, that the lord-chancellor ſhould ſummon a convention of eſtates, againſt the twenty-ſecond of June. They make a diſtinction in Scotland between a convention of eſtates, and a parliament. The convention of eſtates is a court conſiſting of all the members of parliament; but as they are called, and ſit without the ſtate, or formalities uſed in parliament, ſo their power extends only to raiſe money or forces, but not to make or repeal laws.

Burnet's Mem. p. 233.

May 15.

Charles, having intelligence of what was projecting in Scotland, immediately ſent thither the earls of Roxborough, Kinnoul, and Lanerick, with inſtructions concerning what they were to do for his ſervice. Theſe three Scotiſh peers arrived at Edinburg the fifteenth of May, and brought marquis Hamilton a patent, creating him duke. They moreover preſented to the council a declaration from his Majeſty, wherein he indeavored to diſplay the juſtice of his cauſe againſt the parliament of England. He vindicated his innocence, with regard to all the aſperſions caſt upon him, particularly touching religion, and repreſented moſt pathetically the wrongs and injuſtices done him. As we have more than once ſeen what this Prince alleged in his vindication, I deem it needleſs to inſert this declaration. I ſhall only obſerve, that he concluded with ſaying, "God ſo deal with us, and "our poſterity, as we ſhall inviolably obſerve the "laws and ſtatutes of that our native kingdom, "and the Proteſtant religion; the laws of the land, "the juſt privileges and freedom of parliament."

Hamilton created duke. May. Burnet's Mem. Idem.

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Not long after Charles, hearing that a convention of eſtates was ſummoned without his order or privity, eaſily perceived this ſtep was not taken without intention to ſupport it. He choſe therefore to permit their aſſembling, but with expreſs order to limit their conſultations to the beſt ways and means of ſupplying the Scotiſh army in Ireland, and to relieving public burdens, by preſſing a ſpeedy payment of the brotherly aſſiſtance due from England. But the convention was not any way diſpoſed to be thus reſtrained. When the eſtates met, the firſt thing in debate was the limitation in his Majeſty's letter of licenſe. Duke Hamilton with Charles's other friends (1), voted it 'no convention "but as regulated by his Majeſty's letter;' but all the reſt voted it 'a free convention (2).' Charles afterwards pretended, Hamilton and his brother, the earl of Lanerick, had not ſerved him with ſincerity, and might, had they pleaſed, have hindered the convention from meeting. Theſe two noble Scots repairing to Oxford ſome time after, he ordered them to be apprehended; but Lanerick found means to eſcape, and his brother the duke was impriſoned in St. Michael's Mount-caſtle, in Cornwal. Lord Clarendon, in his hiſtory, ſupports to the utmoſt of his power Charles's ſuſpicions of theſe two brothers, while we contrariwiſe find them very amply juſtified, in Burnet's Memoirs of the Dukes of Hamilton.

The King conſents to a convention of eſtates, with certain limitations: June 10. p. 466.

which are rejected by the eſtates. Burnet's Mem. Ham.

Hamilton and his brother apprehended at Oxford. Ibid.

p. 251, &c.

The convention of eſtates met, the twenty-ſecond of June, and the general-aſſembly of the kirk, the ſecond of Auguſt. It is obſervable that, in June, the Engliſh parliament publiſhed their ordinance, calling an aſſembly of divines, and others, to be conſulted by both houſes, for ſetling the government and liturgy of the church of England, and that this aſſembly held their firſt ſeſſion the firſt of July, a few days after the eſtates in Scotland aſſembled. The ſequel manifeſted with what deſign this meeting was appointed.

Eccleſiaſtical aſſembly held at Weſtminſter, by order of both houſes. Ruſhworth, Vol. V. p. 337. Fuller. Collier.

The precaution uſed by the Scots was not ineffectual: they ſeem to have foreſeen what happened ſoon after; for, in the interval between the propoſing a convention of eſtates, and the time of their aſſembling, the earl of Eſſex's army was ſeized with ſickneſs after taking Reading; the city of Briſtol fell into the King's hands; and ſir William Waller's forces were routed at Roundway-down. Had not Charles's ſucceſſes received a check, by raiſing the ſiege of Gloceſter, and the battle of Newbury, it is very viſible the parliament's affairs were in a very bad ſituation about the end of July and begining of Auguſt, i. e. when the convention of eſtates, and general-aſſembly, met in Scotland. Accordingly, both houſes failed not improving the precaution taken by the Scots, and which had, very ſeemingly, been ſuggeſted to them. As they ſaw their affairs were declining, they applied, without farther heſitation, to the convention of Scotland for aſſiſtance, and ſent commiſſioners with full powers to treat. Theſe commiſſioners, who came to Edinburg while Charles was approaching Gloceſter, found the Scotiſh eſtates as well diſpoſed as they could have deſired.

The parliament ſend for aid to the eſtates of Scotland. Clarendon, Vol. II. p. 232, 283. Ruſhworth, Vol. V. p. 467.

Both houſes had foreſeen, that the eſtates of

(1) Eighteen lords and one knight. Ruſhworth, Vol. V. p. 466.
(2) Whereupon Hamilton and his party withdrew, and would ſit in the convention no more. Ibid.

Scotland

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Scotland would demand, in return for their aſſiſtance, a poſitive ingagement to eſtabliſh in the church of England a Preſbyterian government, like that in the Scotiſh kirk. It is ſcarcely to be doubted, that ſome of the directors of the parliament's affairs had made with them ſuch a private agreement; tho' it cannot be proved by any public acts: nay, to all appearance, Eſſex's army had been ſuffered to decay purpoſely to reduce matters to ſuch a ſtate, that the aſſiſtance of the Scots ſhould be abſolutely neceſſary; at leaſt, it is not eaſy to comprehend what elſe could have induced the parliament to ſuffer that army to remain unſerviceable, from the taking of Reading to the ſiege of Gloceſter. It appeared that this did not wholly proceed from inability; ſince, when the danger grew more imminent, means were found to inable the earl of Eſſex to relieve Gloceſter. Now it was preciſely while Eſſex's army was thus neglected, that the parliament reſolved to deſire the aſſiſtance of Scotland. But howſoever this was, both houſes ſent with their commiſſioners two declarations, one directed to the convention, and one to the general-aſſembly. The firſt was, only to deſire the eſtates ſpeedy aſſiſtance, and to intimate, that their commiſſioners had inſtructions to treat with them, not only concerning the ſatisfaction to be made for the deſired aid, but alſo about ſetling accounts between the two kingdoms. In the ſecond, both houſes acknowledged the great zeal and love, manifeſted by the general-aſſembly of the Scotiſh churches, in their indeavors for the preſervation of the true Proteſtant religion, from the attempts of the Popiſh prelatical party, to the neceſſary reformation of church-government in England, and the nearer union of both churches. Therefore they exhorted the aſſembly to ſend into England ſome of their body, for the fartherance of that work, in conjunction with the aſſembly of divines now ſiting at Weſtminſter. They likewiſe declared that, beſide their inſtructions in the civil matters of both kingdoms, the commiſſioners had received directions to reſort to and conſult with the general-aſſembly of the kirk of Scotland, in every thing relating to the reformation of the church of England; and to that end, meſſ. Marſhal and Nye, miniſters of God's word, were appointed to aſſiſt the commiſſioners with their advice.

Ruſhworth, Vol. V. p. 467.

p. 469.

With theſe declarations the commiſſioners found no difficulty in their negociation. On the contrary, the general-aſſembly addreſſed to the eſtates a declaration, containing the reaſons which ought to induce them to aſſiſt the parliament of England. The reaſons were to this purport, viz.

The general-aſſembly's reaſons for aſſiſting the Engliſh parliament. P. 472.

" 1. The controverſy now in England, being " betwixt the Lord Jeſus and anti-chriſt with his " followers, if we would not come under the " curſe of Meroz, we ſhould come out, and help " the Lord againſt the Mighty.

" 2. There was an act paſſed by the convention " of eſtates, Anno 1585, wherein the eſtates " found it neceſſary to enter into a league and " Chriſtian confederation, with all Proteſtant " Princes and eſtates, againſt the bloody league at " Trent. Conformably thereto, there followed a " league betwixt the two crowns of Scotland and " England, ſubſcribed at Berwick 1586, againſt " whatſoever foreign and inteſtine powers of Pa- " piſts ſhould arrive, or riſe. And therefore, " the cauſe being the ſame, as well as the parties " and the danger, we are bound to perform now " what we promiſed then.

" 3. We ſtand obliged to England for old kind- " neſs to us, being in the ſame poſture then which " they are in now; for in the years 1556 and " 1557, the eſtates of this land, finding the re- " formation of religion oppoſed by their own " Princes with arms and violence, and them- " ſelves oppreſſed by the Popiſh army, ſought " and obtained the aſſiſtance of an army from " England, whereby they expelled the French " army, made the pacification at Leith, held the " parliament of 1560, eſtabliſhed the religion. " Therefore they got new aſſiſtance from Eng- " land to ſuppreſs the general Popiſh faction, " whereby they took in the caſtle of Edinburg " from the laird of Grange; and in that public " printed prayer, prefixed to the Pſalm-book, we " ſolemnly promiſed never to forget their kind- " neſs againſt the French; and if we call to mind " the manifeſtation of the lawfulneſs of the expedi- " tion into England, we ſtand obliged to them for " their late kindneſs; for they not only refuſed " to levy arms againſt us in the laſt troubles, in " 1639, but alſo did mediate for a treaty, did " welcome and kindly entertain our army for a " year, did freely beſtow upon us their brotherly " aſſiſtance of thirty thouſand pounds; whereupon " we acknowledged our thankfulneſs not to con- " ſiſt in affection and words at that time, but in " the mutual kindneſs and real declaration to be " expected from the whole kingdom of Scotland, " in all time to come; beſide ſolemn promiſes " and vows repeated in our late declaration and " information publiſhed to the world, wherein we " aſſure them of our help in their need, as in the " Remonſtrance of the States of Scotland, 1639, " pag. 28. Remonſtrance of the Parliament of " England, 1640, pag. 15, 16. Intentions of the " Army of Scotland, near the end.

" 4. The common danger, imminent to both " kirks and kingdoms, doth invite us to help " them; for we and they ſail in one bottom, dwell " in one houſe, are members of one body, that, " according to their own principles, if either of " the two nations, or kirks, be ruinated, the other " cannot long ſubſiſt. We have the ſame friends and " foes, and many years experience hath taught us, " what influence Popery and prelacy in England " may have upon Scotland; from thence came the " prelates, the ceremonies, the book of Common- " prayers, Service-book, and, upon our refuſal, " the bloody ſword came from thence; therefore " we are to take England's condition to heart, as " a common cauſe, to put forth our helping hand, " if we tender religion, laws and liberties.

" 5. The common advantages, redounding to " both kirks and kingdoms, do perſuade help; " for hereby we have a fair opportunity to ad- " vance uniformity in diſcipline and worſhip, " which will prove the ſureſt bond of union and " a bulwark to both.

" 6. If we forſake England, we forſake our " deareſt friends, who can beſt help us in caſe " we be reduced to the like ſtraits hereafter, by " the common adverſary.

" 7. If we ſuffer the parliament of England to " be cut off, we have loſt our peace with Eng- " land. If the Popiſh and prelatical faction do " over-rule the parliament, we may expect war " both from King and parliament, whereunto they " will not want pretenſes. And we have reaſon " to fear that, ſeeing ſome of the malignants at " home are reported to have vented, that the " King was not tied to keep what he had granted " to us, becauſe, by calling and keeping of our " convention, we have firſt broken to him.

" 8. If we ſhould deſert them at this time, yet, " as Mordecai ſaid to Eſther, 'Deliverance ſhall " ariſe to them from elſewhere, but we and our " father's houſe may look for deſtruction;' and " who knoweth, but we are reſtored to our reli- " gion and liberties, to a free convention at this " time, and made a mirror of God's mercy to all " nations

" nations and kirks, that we may help our brethren " of England?

" 9. That the only means for procuring a happy " agreement betwixt the King and parliament, is " by puting up the ſword, and ſaving Chriſtian " blood from being ſhed, ſuppreſſing Papiſts, and " eſtabliſhing religion in his dominions; for hum- " ble ſupplications and remonſtrances, reached out " with naked hands, will not prevail with our ad- " verſaries, who have invironed our King, and " cloſed his ears to the cry of his ſubjects.

" But it will be objected; ſeeing our religion " and liberties are eſtabliſhed according to our " own deſires; and ſeeing his Majeſty's declara- " tion to the whole kingdom, and letter to every " nobleman and burrough, to give aſſurance for " the preſervation of the ſame without altering, " we have no intereſt nor hazard, however buſineſs " go in England, but ſhould keep ourſelves in " peace and quiet.

" 1. Anſwer. In all the proceedings of this " buſineſs, we have from time to time declared, " that neither verbal promiſes, nor fair declara- " tions for maintaining religion and liberty could " ſecure us, becauſe we have ſo often found 'facta " verbis contraria.' As for example; the treaty of " Dunce, when we confided to verbal gracious ex- " preſſions of his Majeſty's; yet afterwards they " were denied, and burned by the hands of the " hangman, and an army levied againſt us. It was " the counſel of Monſieur de Thou to the Queen- " regent of Scotland, at St. Andrews, for re- " verſing our firſt reformation, to grant our pre- " deceſſors in fair promiſes and declarations all " they craved, and when thereby they ſhould be " divided, to interpret theſe by herſelf, and to " take order with the heads of the opponers; and " this policy was uſed by Charles IX. King of " France, for the ſubverting of the Proteſtant re- " ligion in France, as witneſſeth Monſieur de " Thou, L. 71. p. 463.

" 2. As we have found by former experience, " that the eſtabliſhment of our firſt reformation, " by an act of aſſembly and parliament, could not " ſecure us from the violent preſſing of innova- " tions againſt both; and in the new remonſtrance " of 1640, pag. 16. we have fully expreſſed, " that no aſſembly, or parliament, whereunto we " faſtened our hopes, can be any ſafety for us, ſo " long as our enemies ſit at the helm, and govern " the King's council, and make his Majeſty inter- " pret laws contrary to the advice of judicators " of kirk and ſtate. And of late our mediation be- " twixt him and his parliament was rejected, and " our commiſſioners ſtoped from going to Lon- " don, contrary to his own ſafe-conduct.

" 3. If the now parliament of England be de- " ſtroyed, who ſhall undertake for our ſafety? As " the King's declarations cannot exceed his perſon, " or ſecure us at the hands of his ſucceſſors, ſo we " may perceive, in the late diſcovery of the plots " of the Scotiſh, Engliſh and Iriſh Papiſts, that " theſe declarations can be no ſufficient ſecurity " againſt the ſurpriſing of Papiſts and malignants, " if they be permited to carry arms within any of " the kingdoms.

" Secondly, It is objected, that we are a poor " people, not fit for ſuch an undertaking. To which " we anſwer.

" 1. The repreſentative body of the kingdom, " now convened, can beſt ſatisfy this objection.

" 2. When God calls his people, and makes " them willing, he gives them alſo ſtrength, that " thro' him they may do valiantly.

" 3. God hath helped us in all enterpriſes for his " cauſe, and he will yet provide for us. We hope " the wiſe convention of eſtates will ſee to the " conditions, that the kingdom receive as little de- " triment as may be.

" Thirdly, It is objected, they will not im- " brace a Preſbyterian government in the kirk, " and ſo no hope of uniformity.

" Anſwer, 1. They have already put out epiſ- " copal government, root and branch; neither " will they, nor do the Proteſtant kirks know of " any other but Preſbyterial.

" 2. If any zealous man among them have their " ſcruples againſt Preſbyterial government, we " truſt the Lord will reveal the truth unto them.

" 3. They have in many declarations expreſſed " their reſolutions and deſires for uniformity.

Covenant between the two nations approved in Scotland and England. Ruſhworth, Vol. V. p. 475. Guthry's Mem.

The aſſembly and convention having reſpectively appointed commitees to treat with the Engliſh commiſſioners, it was at the firſt conferences agreed, that the beſt and ſpeedieſt means for accompliſhing the union and aſſiſtance deſired was, that both nations ſhould enter into a mutual league or covenant. This covenant was very ſoon got ready, ſo that, Auguſt the ſeventeenth, it was preſented to the eſtates and general-aſſembly, and approved by both that very day. On the morrow, being the eighteenth, it was ſent to England by lord Maitland, afterwards duke Lauderdale. He was accompanied by mr. Alexander Henderſon, moderator of the general-aſſembly, and mr. Gilleſpy, both miniſters, as commiſſioners from the aſſembly to treat with the aſſembly of divines at Weſtminſter, about uniting the two churches.

If the Scots were diſpoſed to enter into a league with the Engliſh, theſe latter were not thereof leſs deſirous. Auguſt twenty-eight, ten days after the Scotiſh commiſſioners ſet out, the parliament of England conſented to the covenant. Immediately after, the aſſembly of divines were ordered by both houſes to frame an exhortation to taking the covenant, to be publicly read in every church. That done, the covenant was ordered to be printed and publiſhed, and appointed to be taken the twenty-ſecond of September by all the members of parliament, and the aſſembly of divines; which was performed with great ſolemnity. The covenant runs in theſe terms: viz.

A ſolemn league and covenant for reformation and defenſe of religion, the honor and happineſs of the King, and the peace and ſafety of the three kingdoms of England, Scotland, and Ireland.

Ruſhworth, Vol. V. p. 478. Clarendon, Vol. II. p. 287.

" WE noblemen, barons, knights, gentle- " men, citizens, burgeſſes, miniſters of " the goſpel, and commons of all ſorts in the " kingdoms of England, Scotland and Ireland, " by the providence of God, living under one " King, and being of one reformed religion, " having before our eyes the glory of God, and " the advancement of the kingdom of our Lord " and Savior Jeſus Chriſt, the honor and happi- " neſs of the King's Majeſty and his poſterity, and " the true public liberty, ſafety and peace of the " kingdoms, wherein every one's private condi- " tion is included; and calling to mind the trea- " cherous and bloody plots, conſpiracies, attempts " and practiſes of the enemies of God againſt the " true religion, and profeſſors thereof in all places, " eſpecially in theſe three kingdoms, ever ſince " the reformation of religion; and how much their " rage, power and preſumption are of late, and at " this time, increaſed and exerciſed, whereof the " deplorable eſtate of the church and kingdom of " Ireland, the diſtreſſed eſtate of the church and " kingdom of England, and the dangerous eſtate " of the church and kingdom of Scotland, are " preſent and public teſtimonies; we have (now at " laſt) after other means of ſupplication, remon- " ſtrance, proteſtations and ſufferings, for the

" preſervation

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" preſervation of ourſelves and our religion from " utter ruin and deſtruction, according to the com- " mendable practiſe of theſe kingdoms in former " times, and the example of God's people in other " nations, after a mature deliberation, reſolved " and determined to enter into a mutual and ſo- " lemn league and covenant, wherein we all ſub- " ſcribe, and each one of us for himſelf, with " our hands lifted up to the moſt high God, do " ſwear:

" I. That we ſhall ſincerely, really and con- " ſtantly, thro' the grace of God indeavor, in " our ſeveral places and callings, the preſervation " of the reformed religion in the church of Scot- " land, in doctrine, worſhip, diſcipline and go- " vernment, againſt our common enemies, the re- " formation of religion in the kingdoms of Eng- " land, and Ireland, in doctrine, worſhip, diſci- " pline and government, according to the word " of God, and the example of the beſt reformed " churches; and we ſhall indeavor to bring the " churches of God, in the three kingdoms, to the " neareſt conjunction and uniformity in religion, " confeſſing of faith, form of church-government, " directory for worſhip and catechiſing, that we, " and our poſterity after us may, as brethren, " live in faith and love, and the Lord may delight " to dwell in the midſt of us.

" II. That we ſhall in like manner, without re- " ſpect of perſons, indeavor the extirpation of " Popery, prelacy (that is, church-government by " archbiſhops, biſhops, their chancellors and com- " miſſaries, deans, deans and chapters, archdea- " cons, and all other eccleſiaſtical officers de- " pending on that hierarchy) ſuperſtition, hereſy, " ſchiſm, profaneneſs, and whatſoever ſhall be " found to be contrary to ſound doctrine, and the " power of godlineſs, leſt we partake in other mens " ſins, and thereby be in danger to receive of their " plagues, and that the Lord may be one, and his " name one in the three kingdoms.

" III. We ſhall with the ſame ſincerity, reality " and conſtancy, in our ſeveral vocations indeavor, " with our eſtates and lives, mutually to preſerve " the rights and privileges of the parliaments, and " the liberties of the kingdoms, and to preſerve " and defend the King's Majeſty's perſon and au- " thority, in the preſervation and defenſe of the " true religion and liberties of the kingdoms, that " the world may bear witneſs with our conſciences " of our loyalty, and that we have no thoughts " or intentions to diminiſh his Majeſty's juſt power " and greatneſs.

" IV. We ſhall alſo, with all faithfulneſs, in- " deavor the diſcovery of all ſuch as have been, " or ſhall be incendiaries, malignants, or evil in- " ſtruments, by hindering the reformation of reli- " gion, dividing the King from his people, or " one of the kingdoms from another, or making " faction or parties among the people, contrary " to this league and covenant, that they may be " brought to public trial, and receive condign " puniſhment, as the degree of their offenſes ſhall " require or deſerve, or the ſupreme judicatories " of both kingdoms reſpectively, or others having " power from them for that effect, ſhall judge " convenient.

" V. And whereas the happineſs of a bleſſed " peace between theſe kingdoms, denied in former " times to our progenitors, is by the good providence " of God granted unto us, and hath been lately " concluded and ſetled by both parliaments, we " ſhall, each one of us, according to our place " and intereſt, indeavor that they may remain " conjoined in a firm peace and union to all poſte- " rity, and that juſtice may be done upon the " wilful oppoſers thereof, in manner expreſſed in " the precedent articles.

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" VI. We ſhall alſo, according to our places " and callings, in this common cauſe of religion, " liberty and peace of the kingdoms, aſſiſt and de- " fend all thoſe who enter into this league and cove- " nant, in the maintaining and purſuing thereof, " and ſhall not ſuffer ourſelves, directly or indi- " rectly, by whatſoever combination, perſuaſion, " or terror, to be divided and withdrawn from " this bleſſed union and conjunction, whether to " make defection to the contrary part, or to give " ourſelves to a deteſtable indifferency or neutrality " in this cauſe, which ſo much concerneth the " glory of God, the good of the kingdoms, and " the honor of the King; but ſhall, all the days " of our lives, zealouſly and conſtantly continue " therein, againſt all oppoſition, and promote the " ſame according to our power againſt all lets and " impediments whatſoever; and what we are not " able ourſelves to ſuppreſs or overcome, we ſhall " reveal and make known, that it may be timely " prevented or removed: all which we ſhall do as " in the ſight of God.

" And, becauſe theſe kingdoms are guilty of " many ſins and provocations againſt God and his " ſon Jeſus Chriſt, as is too manifeſt by our pre- " ſent diſtreſſes and dangers, the fruits thereof: " we profeſs and declare, before God and the " world, our unfeigned deſire to be humbled for " our ſins, and for the ſins of theſe kingdoms, eſ- " pecially that we have not, as we ought, valued " the ineſtimable benefit of the goſpel; that we " have not labored for the purity and power there- " of; and that we have not indeavored to receive " Chriſt in our hearts, nor to walk worthy of him " in our lives, which are the cauſes of other ſins " and tranſgreſſions, ſo much abounding among " us. And our true and unfeigned purpoſe, de- " ſire and indeavor, for ourſelves, and all others " under our power and charge, both in public " and in private, in all duties we owe to God and " man, to amend our lives, and each one to " go before another in the example of a real refor- " mation; that the Lord may turn away his " wrath and heavy indignation, and eſtabliſh theſe " churches and kingdoms in truth and peace. And " this covennnt we make in the preſenſe of Al- " mighty God, the ſearcher of all hearts, with a true " intention to perfom the ſame, as we ſhall anſwer " at that great day, when the ſecrets of all hearts " ſhall be diſcloſed; moſt humbly beſeeching the " Lord to ſtrengthen us by his holy ſpirit for this " end, and to bleſs our deſires and proceedings " with ſuch ſucceſs, as may be deliverance and " ſafety to his people, and incouragement to other " Chriſtian churches, groaning under, or in dan- " ger of, the yoke of Anti-chriſtian tyranny to " join in the ſame, or like aſſociation and cove- " nant. To the glory of God, the inlargement " of the kingdom of Jeſus Chriſt, and the peace " and tranquillity of Chriſtian kingdoms and com- " monwealths."

Reaſon why the Covenant was ſo readily received in England.

I have frequently intimated, that the Preſbyterian party prevailed in the Engliſh parliament. This party impatiently waited for ſome opportunity to eſtabliſh the Preſbyterian government in the church, and this ſeemed to them ſo favorable, that they reſolved not to loſe it. The parliament's affairs had but a very indifferent aſpect. The King was become maſter of Briſtol. Eſſex's army was unſerviceable, and Waller's utterly ruined or diſperſed by the loſs of Roundway-down battle. Prince Maurice was with a ſtout army in the Weſt, where he met with no oppoſition. The marquis of Newcaſtle was maſter of all the North, and ſuperior in

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in ſtrength to lord Fairfax in Yorkſhire. Moreover, his Majeſty was actually beſieging Gloceſter, when the parliament's commiſſioners arrived at Edinburg. Had Charles reduced that place, the parliament would have had reaſon to fear a general defection, conſidering the advantages he would have thereby received. The two houſes had therefore, if I may ſo term it, no other refuge than the aſſiſtance of the Scots, which could not be otherwiſe procured, than by yielding them the article of uniformity, ſo paſſionately deſired by them, being, in their opinion, the ſole means of ſecuring the injoyment of their liberties. So, thoſe of the parliament's party, who were moſt attached to the church of England, clearly perceived, they muſt conſent to a change of church-government, or be expoſed to the hazard of loſing the fruit of all their labors, in caſe the King ſhould be reſtored by force of arms. Matters ſtanding thus, they could not think it ſtrange, that the parliament ſhould agree to ſuch uniformity, in order to ſatisfy the Scots for their ſo neceſſary aſſiſtance. For this reaſon the covenant was taken without murmuring; nor was it perceived, that this procedure would increaſe the number of his Majeſty's friends, as the parliament had ever dreaded, becauſe it was done at a juncture, when the neceſſity of it ſeemed unavoidable.

Charles in vain forbids taking the covenant. October 9. Ruſhworth. Vol. V. p. 248.

Soon after, Charles iſſued a proclamation, which ſtrictly inhibited taking the covenant; but it produced no great effect. Contrariwiſe, the commitee of eſtates did, by their printed act of the twenty-ſecond of October, ordain it to be ſworn and ſubſcribed by all the ſubjects, under pain of having their goods and rents confiſcated. After that, they ſummoned all the lords of the council to come and ſign it before them. Duke Hamilton, with ſome others, refuſing to ſubſcribe it, the commitee, by another act, ordered all their lands to be ſeized, and their perſons apprehended, with licenſe to kill ſuch as reſiſted. Charles nevertheleſs, at the duke's coming to Oxford, cauſed him, as I obſerved, to be arreſted.

It is ordered to be taken in Scotland under ſevere penalties. p. 484. Nov. 17.

When both kingdoms had thus agreed on the covenant, the eſtates of Scotland appointed commiſſioners to treat with the Engliſh, concerning the deſired aſſiſtance. The ſubſtance of this treaty, ſigned November twenty-nine, is as follows:

Treaty between England and Scotland. p. 485.

" 1. That the covenant be ſworn and ſubſcribed by both kingdoms.

" 2. That an army ſhall be forthwith levied in Scotland, conſiſting of eighteen thouſand foot effective, and two thouſand horſe, and one thouſand dragoons effective, with a ſuitable train of artillery, to be ready at ſome general rendezvous near the borders, to march into England with all convenient ſpeed; the ſaid foot and horſe to be well and completely armed, and provided with victuals and pay for forty days.

" 3. That the army be commanded by a general appointed by the eſtates of Scotland, and ſubject to ſuch reſolutions and directions as ſhall be agreed and concluded on mutually between the two kingdoms, or by commitees appointed by them in that behalf.

" 4. That the charge of levying, arming and bringing the ſaid forces together, as alſo the train of artillery, be computed and ſet down according to the ſame rates, as if the kingdom of Scotland was to raiſe the ſaid army for themſelves; all which for the preſent is to be done by the kingdom of Scotland upon accompt, and the accompt to be delivered to the commiſſioners of the kingdom of England; and when the peace of the two kingdoms is ſetled, the ſame to be repaid, or ſatisfied to the kingdom of Scotland.

" 5. That this army be likewiſe paid, as if the kingdom of Scotland was to imploy the ſame for their own occaſion; and towards the defraying thereof, ſhall be monthly allowed and paid the ſum of 30,000 l. ſterling, by the parliament of England, out of the eſtates and revenues of the Papiſts, prelates, malignants, and their adherents, or otherwiſe; and in caſe the ſaid 30,000 l. monthly, or any part thereof, be not paid at the time when it ſhall become due, the kingdom of England ſhall give the public faith for paying the remainder unpaid with all poſſible ſpeed, allowing the rate of 8 l. per cent. for the time of the performance thereof; and in caſe that, notwithſtanding the ſaid monthly ſum of 30,000 l. paid as aforeſaid, the ſtates and kingdom of Scotland ſhall have juſt cauſe to demand farther ſatisfaction of their brethren of England, when the peace of both kingdoms is ſetled, for the pains, hazard and charges they have undergone in the ſame, they ſhall, by way of brotherly aſſiſtance, have due recompenſe made to them by the kingdom of England, and that out of ſuch lands and eſtates of the Papiſts, prelates, malignants, and their adherents; and for the aſſurance thereof the public faith of the kingdom of England ſhall be given them. CHARLES I An' 1643.

" 6. And to the end the ſaid army may be inabled and prepared to march, the kingdom of England is to pay in ready money to their brethren of Scotland the ſum of 100,000 l. ſterling, at Leith, or Edinburg, by way of advance beforehand, which is to be diſcounted back again to the kingdom of England by the kingdom of Scotland, upon the firſt monthly allowance which ſhall grow due to the Scotiſh army, from the time they ſhall make their firſt entrance into the kingdom of England.

" 7. That the public faith of the kingdom of Scotland will be given to be jointly made uſe of with the public faith of the kingdom of England, for the preſent taking up 200,000 l. ſterling in the kingdom of England, or elſewhere, for the ſpeedy procuring of the ſaid 100,000 l. ſterling as aforeſaid, as alſo a conſiderable ſum for the ſatisfying, in good proportion, the arrears of the Scotiſh army in Ireland.

" 8. That no ceſſation, nor any pacification or agreement of peace whatſoever, ſhall be made without the mutual advice and conſent of both kingdoms.

" 9. That the public faith of the kingdom of Scotland ſhall be given to their brethren of England, that neither their entrance into, nor their continuance in the kingdom of England, ſhall be made uſe of to any other ends than are expreſſed in the covenant, and in the articles of this treaty: and that all matters of difference which ſhall happen to ariſe between the ſubjects of the two nations, ſhall be reſolved and determined by the mutual advice and conſent of both kingdoms, or by ſuch commitees as, for this purpoſe, ſhall be by them appointed.

" 10. That the kingdom of England do oblige themſelves to aid and aſſiſt the kingdom of Scotland, in the ſame or like caſes of ſtreights and extremities.

" That, during the time the Scotiſh army ſhall be imployed, as aforeſaid, for defenſe of the kingdom of Scotland, there ſhall be fited out, as men of war, eight ſhips, whereof ſix ſhall be of burden betwixt one hundred and twenty and two hundred ton, the other between three and four hundred ton; all which ſhall be maintained at the charge of the kingdom of England,

" land,

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" land, to be imployed for defenſe of the coaſt of " Scotland, under ſuch commanders as the earl of " Warwick, for the time of his being admiral, ſhall " nominate, with the approbation of the commitees " of both kingdoms; which commanders ſhall re- " ceive from the ſaid earl general inſtructions, that " they do from time to time obſerve the directions " of the commitees of both kiugdoms."

An army got ready in Scotland.

Tho' this treaty was not ſigned 'till the twenty-ninth of November, the eſtates of Scotland were ſo ſecure there would be no objections to the terms, that the troops of the moſt diſtant counties were already marching to the general rendezvous, while the treaty was agitating. That very day the covenant was ſent to England, viz. the eighteenth of Auguſt, a proclamation was publiſhed in his Majeſty's name, according to the uſual ſtile, commanding all the ſubjects of Scotland, from ſixteen to ſixty years of age, to provide themſelves with ammunition and arms, with forty days proviſions, and to be ready to march for the kingdom's defenſe. King Charles could not bear that ſuch order ſhould be publiſhed in his name, to his ſubjects of Scotland, to arm themſelves againſt himſelf. He wrote a vehement letter to the council, commanding them expreſly to call in the proclamation; but to no purpoſe. His Majeſty ſeems not to have known, that in Scotland, as well as in England, in all ſtate-affairs, the Sovereign is never conſidered as ſeparated from the people, and that it is the uſual practiſe to iſſue all public orders in the King's name, tho' they are prejudicial to his private intereſts. Hiſtory furniſhes us with numberleſs inſtances; and Charles had, by too frequent experience, for ſome time, found in England that, in making war upon him, it was pretended to be for his honor and true intereſt. He himſelf feigned, he was carrying on war with both houſes in defenſe of the liberties of parliament. This is an effect of the government's conſtitution, whereby the King as head, and his people as the body, are deemed inſeparable. If they happen to be divided, it is not ſtrange that each pretends to act for the good of the whole, ſince this pretenſion is made the ſole cauſe of their diviſion.

Ruſhworth, Vol. V. p. 482.

p. 484.

Manifeſto of the Scots. P. 487, 490.

Upon this foundation it was that the eſtates of Scotland publiſhed two manifeſto's, wherein, ſuppoſing the King to have been, and ſtill to be, guided by pernicious counſels, they pretended not only, that they might juſtly aſſiſt the two houſes againſt him, but were bound in conſcience to make war upon him. They maintained, they had no other view, than to reſcue him from the dangers whereto he willingly expoſed himſelf, and to labor for his happineſs and glory. After all, this maxim is not wholly peculiar to England and Scotland: it has been followed in other ſtates, during inteſtine wars. All can be ſaid is, that many times the welfare of King and ſtate is only a cloke to ambition, revenge and other criminal paſſions: but it is not impoſſible, that what is frequently a pretenſe only, may ſome times be a very ſolid reaſon. It is the part of the wiſe and unbiaſſed, who ſeek only truth, to diſtinguiſh the real motives which ingage ſubjects to take arms againſt their Sovereigns, in ſtates where abſolute and unlimited power cannot with reaſon be aſcribed to the Prince, as in England and Scotland.

The King's anſwer. P. 494.

King Charles returned a long anſwer to theſe manifeſto's; but it was upon quite contrary ſuppoſitions. He pretended, both houſes of parliament had forced him to take arms in his own defenſe: that his conſent to the Scotiſh parliament's acts was more than ſufficient to ſecure their religion and liberties: that his ſubjects of Scotland could not, without being guilty of treaſon, make war upon him on any pretenſe whatſoever; with other ſuch like ſuppoſitions, which the Scots did not grant, as he did not thoſe made by them in ſupport of their pretended right. There is one, among others, which frequently occurs in the writers who have handled this ſubject, and which is admited, or rejected, according as they lean to either party: and this obliges me juſt to mention it, in order to arm the reader againſt the prejudices of both.

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In the treaty of peace concluded, at London, in 1641, there was this clauſe: " That the kingdom " of Scotland ſhall not denounce nor make war " againſt the kingdom of England, or Ireland, " without conſent of the parliament of Scotland; " nor, on the other hand, the kingdom of Eng- " land make war againſt Scotland, without conſent " of the parliament of England. And in caſe any " of the ſubjects of any of the kingdom ſhall riſe " in arms, or make war againſt any other of the " kingdoms and ſubjects thereof, without conſent " of the parliament of that kingdom whereof they " are ſubjects, or upon which they do depend, that " they ſhall be held as traitors to the ſtates where- " of they are ſubjects. And that both the king- " doms, in the caſes aforeſaid, be bound to concur " in the repreſſing of thoſe who ſhall happen to riſe " in arms, or make war without conſent of their " own parliament."

Ruſhworth. Vol. IV. p. 371.

King Charles, ſuppoſing that the Scots, in aiding the parliament againſt him, intended to make war upon England, infered from this clauſe, that they were guilty of treaſon. This inference was founded not only upon the ſaid ſuppoſition, but likewiſe upon the convention of eſtates not being a true parliament, and moreover upon his having given them licenſe to meet, but with ſuch limitations as had not been obſerved. The Scots contrariwiſe ſuppoſed, that, far from intending to make war againſt England, their deſign was to aid and defend that kingdom againſt the Popiſh and prelatical party, and reſcue the King out of their hands. Thus, what King Charles ſtiled invading England, the oppoſite party termed aſſiſting it. This muſt be always remembered, when we read the hiſtory of thoſe days.

Vol. V. P. 498.

The Scotiſh army entered England January fifteen, 1643-4: but it is not yet time to touch upon what they there tranſacted. It will be neceſſary firſt to ſpeak of what paſſed concerning Ireland, and of ſome other important occurrences of the year 1643.

Affairs of Ireland.

As to Ireland, the ſucceſs of the firſt campain had been ſo equal on both ſides, that neither could boaſt of having gained any great advantage. The point was to continue the war; each rightly judging, that peace would be always very remote, while matters remained in a ſtate of equality: and therefore both King and parliament thought of ſtrengthening themſelves againſt the inſuing campain. The Oxford treaty not ſucceeding, as was eaſy to foreſee, his Majeſty ſtudied means to imploy at home the Engliſh troops which ſerved in Ireland, and in order thereto, of making a truce with the rebels. As this notable project could not but be odious to the Engliſh, and render ſuſpicious all this Prince's proteſtations touching the Iriſh rebellion, he ſaw himſelf obliged to uſe more caution, to procure ſome plauſible excuſe to conclude ſuch ceſſation. This he did by ingaging the lords-juſtices of Ireland, and the council of Dublin, to countenance his project. But, as I may be accuſed of aſcribing to the King motives he never had, I think it incumbent on me to allege here the unqueſtionable teſtimony of lord Clarendon. The reader will find it in Vol. II. p. 318. Fol. Edit. viz.

Charles forms the project of making a truce with the Iriſh. Cox. Part. II. p. 130. Borlace. p. 112, &c.

" The King was not all this while without a due " ſenſe of the dangers threatened him, in the growth " and improvement of the power and ſtrength

" of

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" of the enemy, and how impoſſible it would be " for him, without ſome more extraordinary aſſi- " ſtance, to reſiſt that torrent, which he foreſaw " by the next ſpring would be ready to overwhelm " him, if he made not proviſion accordingly. " And finding by degrees, that it was not in his " power to compoſe the diſturbances of England, " or to prevent thoſe of Scotland, and abhoring " the thought of introducing a foreign nation to " ſubdue his own ſubjects, he began to think of " expedients which might allay the diſtempers in " Ireland; that ſo, having one of his kingdoms in " peace, he might apply the power of that towards " the procuring it in his other dominions. He " was not ignorant, how tender an argument that " buſineſs of Ireland was, and how prepared men " were to pervert whatſoever he ſaid, or did in it; " and therefore he reſolved to proceed with that " caution, that whatſoever was done in it, ſhould " be by the council of that ſtate, who were under- " ſtood to be moſt ſkilful in thoſe affairs."

Hence it is manifeſt, that King Charles's deſign in making a truce with the Iriſh rebels, was to imploy the Engliſh forces, ſerving in that kingdom, to ſubdue the parliament, and that, to avoid the reproaches which might be caſt on him for it, he reſolved ſo to manage that it ſhould appear to be done by the council of Ireland, that is, by the lords-juſtices, and the reſt of the council. In this paſſage I have quoted, lord Clarendon inſinuates, that his Majeſty came not to this reſolution 'till about the end of 1643, i. e. when he was ſure the Scots were to ſend an army into England. For, after relating what had paſſed during the campain of 1643, the parliament's negociations in Scotland, the covenant of both kingdoms, the reſolution taken in Scotland to aid the two houſes, calling the Oxford parliament, which was not done 'till December the ſame year, he finally comes to ſpeak of Charles's reſolution, to make uſe of the Engliſh troops which ſerved in Ireland. " The King (ſays " he) was not all this while without a due ſenſe " of the dangers which threatened him, and how " impoſſible it would be for him to reſiſt that " torrent, which he foreſaw by the next ſpring " would be ready to overwhelm him.——He " began therefore to think of expedients which " might allay the diſtempers of Ireland." It is however certain that his Majeſty determined on making a truce in Ireland long before the parliament's negociation with Scotland, and before the Scots reſolution to levy an army. And what invincibly proves Charles's being reſolved before the ingagement of the Scots, is, that the Iriſh truce was ſigned the fifteenth of September 1643, after a long negociation. Thus, lord Clarendon's inſinuation, that the King did reſolve to imploy the Engliſh forces of Ireland, only to ſecure himſelf againſt the torrent which was ready to overwhelm him, being very ill-grounded, confirms what will be ſeen hereafter, that he was not induced by neceſſity to make a truce with the Iriſh rebels, but by the hopes of ſubduing the parliament with theſe additional forces.

His Majeſty's pretenſe to conclude this truce.

To have a pretenſe to conclude this truce, Charles judged the beſt way was to perſuade the public, it would be extremely advantageous, or rather was abſolutely neceſſary, to the Engliſh in Ireland, and their ſole refuge, to preſerve what they ſtill poſſeſſed in that iſland. He had more than once complained, that the parliament neglected the Iriſh war, and would have had a numerous army ſent thither. But, as I have already obſerved, that the parliament, ſuſpecting his drift was only to weaken them by that diverſion, were contented with ſending from time to time a few ſupplies to continue the war, beſide the Scotiſh troops, which made a great diverſion in the North. Theſe ſupplies, tho' inconſiderable, had however produced this good effect, that the rebels, inſtead of making greater progreſs, had on the contrary loſt much ground, after ſeveral defeats: yet were they abundantly ſuperior to the Engliſh; and tho' the Engliſh and Scotiſh forces were in ſome ſort able to curb them, they were not however ſtrong enough to hope reducing them to obedience: nay, it was to be feared, they would in the end be overpowered with numbers, eſpecially as the parliament, ingaged in a war with his Majeſty, could not ſend a powerful aid into Ireland, for fear of leaving England unprovided. This was the pretenſe Charles made uſe of to conclude a truce with the rebels.

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Perplexity of the lords-juſtices of Ireland.

In the poſture of affairs ſince war had been declared between King and parliament, the lords-juſtices who governed Ireland were greatly imbaraſſed. They had been commiſſioned by his Majeſty, and conſequently from him they were to receive their orders. But on the other hand, the parliament having taken upon them to pay the charges of the Iriſh war, they could not openly declare for the King, without forfeiting all aſſiſtance from the parliament, Charles not being in condition to ſupply their neceſſities. A neutrality was not any how practicable, becauſe his Majeſty's and the parliament's intereſt being oppoſite, they could not implicitely obey the one, without being ſuſpected by the other. They choſe therefore to indeavor contenting both, as far as poſſible, and the rather, as King and parliament equally expreſſed a longing deſire to terminate the troubles of Ireland. But they could not remain long in this ſituation: ſuch was their caſe at laſt, that it was not poſſible for them to pleaſe both. The parliament having above a year ſince ſent to Dublin a commitee, to aſſiſt the council, and ſetle with the lord-juſtices what concerned continuing the war (1), theſe commiſſioners were at firſt received with reſpect; but, in February 1643, by the King's expreſs order, were ſent back to England. Charles was well pleaſed, the parliament ſhould ſupply what was neceſſary for carrying on the war, but unwilling they ſhould have any ſhare in the government of Ireland, or their commiſſioners a place in the council of ſtate. Not long after, he removed ſome of the lords-juſtices and counſellors (2). Probably, he was then forming the project of a truce with the rebels, and wanted for that purpoſe that the lords-juſtices, and all the counſellors ſhould be diſpoſed to act only by his orders: beſide, on this ſuppoſition, the parliament's commiſſioners could not but be a great impediment, had they continued to aſſiſt at the council of ſtate. From that time alſo, the lords-juſtices inſtances to his Majeſty, and the parliament, for aid, became more preſſing and frequent. They repreſented the ſtate of the Engliſh in Ireland as utterly deſperate, without a ſpeedy ſupply of men, money and ammunition. They ſaid, the officers were very importunate for leave to return to England. In a word, they forgot nothing might create a belief that matters were at the ultimate extremity. On the other hand, ſome officers of the Engliſh army preſented a remonſtrance to the lords-juſtices, April the fourth, 1643, declaring, they were reduced to deſpair for want of money to ſubſiſt, and that it ought not to be thought ſtrange if, in their caſe, they ſhould have recourſe to the firſt and primary law of nature,

The parliament ſend a commitee to Dublin. October, 1642; who are well received, and aſſiſt the council. Ruſhworth, Vol. V. p. 530.

Ibid. Some of the lords-juſtices and counſellors removed by Charles. Borlace. p. 112, &c.

Ruſhworth, Vol. V. p. 537.

(1) They carried with them 20,000 l. in money, three hundred barrels of powder, ten ton of match, and other ammunition. Ruſhworth, Vol. V. p. 530.

(2) See hereafter the declaration of both houſes, concerning the affairs of Ireland. Rapin.

wherewith

wherewith God hath indowed all living creatures, viz. the law of ſelf-preſervation. If to theſe ſo earneſt complaints be added what lord Clarendon ſays, that the King reſolved ſo to proceed, that every thing ſhould appear to be done by the council of Ireland, the ſending back the parliament's commiſſioners, and the changes made among the lords-juſtices, and members of the council, one can ſcarce help ſuſpecting theſe complaints to be all begged, purpoſely to ſerve for pretenſe to the ceſſation. This ſuſpicion ſeems the more probable, as at that time the affairs of the Engliſh in Ireland were on a very good footing, and as the marquis of Ormond had juſt gained, at Roſs, a ſignal victory over the rebels. Accordingly the lords-juſtices, as well as the officers, took care not to make the rebels progreſs the ground of their complaints, but only the want of money, proviſions and ammunition.

Charles impowers Ormond to treat with the rebels. April 23. Ruſhworth, Vol. V. p. 537. Borlace, p. 115. * For one year.

Be this ſo or otherwiſe, this remonſtrance of the officers being ſent to his Majeſty, he thence took occaſion to ſend Ormond a commiſſion, impowering him to treat with the rebels, and agree with them upon a ceſſation *. This he notified to the lords-juſtices, in a letter, dated April the twenty-third, 1643, commanding them to aſſiſt that marquis in the execution of his commiſſion, to the utmoſt of their power. The date of this commiſſion is not a little obſervable; for it evidently ſhews, that the Scots reſolution to aſſiſt the parliament, which was not taken 'till the inſuing Auguſt, did not occaſion this truce with the Iriſh rebels.

The lords-juſtices very urgent for aid. May 11. Ruſhworth, Vol. V. p. 538. Clarendon, Vol. II. p. 320.

The third of May, Charles renewed his orders to Ormond concerning the truce. But before the marquis had received theſe freſh orders, the lords-juſtices had written to his Majeſty, on the eleventh ditto, in very expreſſive terms, repreſenting the wretched ſtate of Ireland; intimating, that they were all reduced to deſpair for want of money and proviſions, tho' 'till then the Engliſh forces had been not a little ſucceſsful againſt the rebels.

Charles ſends their preſſing letter to the parliament: June 16. Ruſhworth, Vol. V. p. 539——544.

Charles, who meaned to take advantage from this letter, to demonſtrate to the public the neceſſity of ſuch ceſſation as he was concluding, ſent it to both houſes, who immediately took into conſideration this affair. A commitee was appointed, with orders to think of ways to raiſe money for Ireland. On this commitee's report, the parliament reſolved to raiſe money by voluntary contributions, and offered very advantageous terms, to ſuch as ſhould advance the ſums required (1). But

and diſpatches freſh orders concerning the ceſſation. p. 544, 545. Clarendon, Vol. II. p. 323. Ruſhworth, Vol. V. p. 547.

notwithſtanding this, July the ſecond, Charles diſpatched freſh orders to the lords-juſtices, and the marquis of Ormond, to conclude a truce for one year, which they were already laboring. From the twentieth of June, the general council of the Iriſh, aſſembled at Kilkenny, had granted a commiſſion to treat.

September the ſeventh, King Charles repeated his orders to the marquis of Ormond, to conclude the truce as ſoon as poſſible. At the ſame time, he ordered him to ſend into England all ſuch Engliſh troops as could be ſpared after the truce ſhould be concluded. His reaſon was, and he could juſtly ſay it then, that an army was preparing in Scotland to invade England: but there was not any mention of that article in the preceding orders.

The truce ſigned. P. 548.

At length, the ceſſation was ſigned the fifteenth of September, on condition, that both parties ſhould retain what they then poſſeſſed. Charles founded the neceſſity thereof; firſt, on a remonſtrance preſented him, December the firſt, 1642, by four colonels, as well in their own, as in the names of many other officers, who ſerved in the army of Ireland, wherein they told him, it was impoſſible for them to ſubſiſt any longer, if means were not found to ſupply their preſſing wants: ſecondly, on the repeated letters ſent from the lords-juſtices to King and parliament, ſince January 1642-3, wherein they ſaid, the army was going to periſh in few days, for want of aſſiſtance: thirdly, on the officers ſaid later remonſtrance, of the fourth of April, wherein they pretended, a few hours delay to aſſiſt them would be too long (2). Nevertheleſs, this army, which was reduced to extremity the firſt of December, 1642, found means to ſubſiſt 'till the fifteenth of September 1643, tho' the lords-juſtices complained, they had received no ſupplies ſince November. This is a clear evidence, that all theſe complaints were greatly agravated by private directions from his Majeſty, whoſe meaning was to uſe them for pretenſe to the ceſſation. This is what the parliament repreſented in a declaration, publiſhed on account of the Iriſh truce, before they had notice of its being concluded. They complained in very ſtrong terms, that they were never acquainted by the ſtates of Ireland with the treaty of a ceſſation, much leſs was their advice demanded, notwithſtanding that, by act of parliament, and by his Majeſty's commiſſion under the great-ſeal, both houſes were 'to adviſe, order and diſpoſe of all things "concerning the government and defenſe of that "kingdom.' They ſaid, that to accompliſh more eaſily this diſhonorable ceſſation, thoſe of the ſtate in Dublin, who were ſo honeſt and religious as to diſſuade it, were firſt diſcountenanced, and at laſt put out of their places, and reſtrained to priſon, as ſir William Parſons, one of the lords juſtices; ſir John Temple, maſter of the Rolls; ſir Adam Loftus, vice-treaſurer of Ireland; and ſir Robert Meredith, likewiſe one of the council. That it was made only with a view to diſcourage thoſe who had ſubſcribed to advance money upon the parliament's propoſals, in order to render impoſſible the maintenance of the army in Ireland, and to imploy it in England, to the deſtruction of the parliament. For theſe, and many other reaſons, which I omit to avoid prolixity, both houſes declared the intended ceſſation void, promiſing to indemnify thoſe who ſhould refuſe ſubmiting thereto (3).

Both houſes complain of it. Ruſhworth, Vol. V. p. 555. Clarendon, Vol. II: p. 323.

Mean while Charles, who was aſſured of the concurrence of the lords-juſtices, the council of ſtate, and the marquis of Ormond, general of the army, ſo managed that, on concluding this truce, all the Engliſh troops which could be ſpared were ſent him over. Theſe forces landed at Moſtyn, in Flintſhire, and their firſt attempt was upon Hawarden-caſtle, which was ſurrendered to them the fourth of December. Then they took ſome other ſmall places in Cheſhire (4); after which lord Byron, who commanded for the King in thoſe parts, beſieged Nantwich, January the fifteenth, 1643-4. Three days after, making a ſudden and violent ſtorm on five different parts of the town at once, he was every where repulſed with the loſs of many of his men. At length, the twenty-firſt ditto, lord Fairfax, who advanced to relieve the town, intirely routed the Iriſh army, conſiſting of three thouſand foot (who were almoſt all ſlain or taken priſoners) and

Part of the Iriſh army land in England to ſerve the King. Novemb. p. 337. Ruſhworth, Vol. V. p. 299, 300.

They are intirely routed by lord Fairfax. p. 300—302. Clarendon, Vol. II. p. 350.

(1) The adventurers were to have ſuch and ſuch towns, with ſo many acres of land for ſecurity, upon advancing ſuch a ſum upon each town. The ſum propoſed to be raiſed, was 200,000 l. Ruſhworth, Vol. V. p. 540, 542.

(2) The remonſtrance has not any ſuch words. They ſay indeed; "they are brought to ſo great exigency, that they are "ready to rob and ſpoil one another." p. 537.

(3) Whitelock ſays, twenty thouſand Engliſh and Scots, in the North of Ireland, vowed "to live and die together in oppo- "ſition to the ceſſation." Mem.

(4) Namely, Beeſton-caſtle, Northwich, Crew-houſe, Dedington-houſe, and Acton-church. Ruſhworth, Vol. V. p. 300, 301.

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eighteen hundred horſe, moſt of whom eſcaped by flight, but were ſo diſperſed that they could not do his Majeſty any farther ſervice. Colonel George Monk was taken in this action, and ſent priſoner to the Tower of London, where he remained ſome time, 'till he finally took arms under the parliament (1). Thus King Charles received no advantage by theſe troops; nay, they rather did him great prejudice, in that, by all his proceedings to procure them, he confirmed the miſtruſt entertained by many of his being concerned in the Iriſh rebellion.

Monk taken priſoner.

Several events of the year 1643.

To avoid interrupting the thread of military actions, and of what paſſed in Scotland and Ireland, I have been conſtrained to paſs over diverſe important events of this year 1643, whereof it will be neceſſary to make ſome mention, tho' without any connection, as they are of a different nature. The reader, by obſerving the dates, may readily perceive their relation to the general affairs. I ſhall begin with certain projects framed at London, to compel the parliament to make peace, while both armies were in the field.

A plot to force the parliament to a peace.

King Charles was ever ſtrongly poſſeſſed with the notion, that fear alone held moſt people attached to the parliament, and that if he procured them a good opportunity to hold up their heads, he ſhould oblige both houſes to make a ſpeedy peace, without demanding ſecurities, which made the principal obſtacle. This was Charles's favorite ſcheme, as well as of his miniſters, his council, his friends and adherents, in London and elſewhere; and this was the ſpring of ſeveral projects to force the parliament to a peace. It would indeed be very ſtrange, that ſo many able men ſhould be of this opinion, without any manner of foundation. But, on the other hand, one knows not what to think, when it is conſidered that, of ſo many projects grounded upon this ſuppoſition, not one ſucceeded, which ſeems to argue that the majority of people were not for his Majeſty. Howſoever this be, it is certain, Charles had many friends in London, and in the parliament itſelf, who ſerved him artfully, by pretending to dread that the war would be deſtructive to the parliament; and thereby they aimed at infuſing a real terror into the people, and gradually diſpoſing them to wiſh and ſue for peace. Theſe men inceſſantly labored to ſow diſcord between parliament and people. As it was neceſſary for them to hold private correſpondence with the court, in order to act according to directions, his Majeſty ſent frequent meſſengers to London, ſometimes ſecretly, othertimes openly, under color of bringing meſſages to the parliament, in order to convey his inſtructions to his friends, and be exactly informed of what paſſed in both houſes, and the city. With this view, in December 1642, he publiſhed for the Londoners ſakes, as was pretended, a proclamation for the free and ſafe paſſage of all goods, wares and merchandizes to the city. But the commons, ſuſpecting ſome hidden myſtery under this condeſcenſion, did, in the inſuing month, paſs two orders; one, That no carriers or waggoners would be permited to go to Oxford, or elſewhere, without ſpecial licenſe from the parliament: the other, that any agent or ſervant to a perſon in arms againſt the parliament, who ſhould preſume to enter Weſtminſter, or reſide about London, ſhould be forthwith apprehend as a ſpy. The tenth of April following, theſe orders were renewed, and even extended to all perſons who ſhould come from the King's quarters to London without a ſafe-conduct, and the ſame was printed and publiſhed.

Charles allows free commerce between his quarters and London. December 8. Ruſhworth, Vol. V. p. 83.

The commons forbid it. Jan. 16. p. 117.

p. 314.

To all appearance, his Majeſty, who had ſo many correſpondents in London, was not ignorant of this order. Nevertheleſs, on pretenſe it was not ſignified to him in form, he ſent a meſſage to the parliament with an offer of peace in general terms, without demanding a paſs: for the bearer. But the commons, reſolving to ſtop the courſe of theſe artifices, which ſerved to carry on Charles's private correſpondence in London, ordered the meſſenger to be ſent to priſon, for coming without a ſafe-conduct. Three days after, to ſhew the people that his Majeſty vainly amuſed them with hopes of a peace, they impeached the Queen of high-treaſon, and ſent up the impeachment to their lordſhips, by mr. Pym. Charles, full of indignation at this extraordinary proceeding, iſſued a proclamation, to forbid obedience to the orders of both houſes; declaring, he acknowledged them no longer for houſes of parliament.

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His Majeſty ſends a meſſage to both houſes without a paſs: May 20. Ruſhworth, Vol. V. p. 321.

who is impriſoned. The Queen accuſed of high-treaſon. May 23. Ludlow.

Charles forbids obedience to both houſes. Ruſhworth, Vol. V. p. 331.

Affairs were in this poſture, when both houſes diſcovered a conſpiracy formed in London, always under color of procuring peace, refuſed by the parliament. I ſhall give the particulars of this conſpiracy, as they were communicated by mr. Pym to the peers, at a conference between the two houſes. He told them;

Clarendon, Vol. II. p. 191.

Another plot to force the parliament to a peace. p. 191. Ruſhworth, Vol. V. p. 322. T. May.

"I. That the conſpiracy was formed of a mixture and conjunction of perſons of ſeveral qualities, ſome whereof were of both houſes of parliament, others of the city, and others belonging to the court, who in their reſpective places and imployments were to form and perfect the work, raiſed out of the aſhes of the late petition of London for peace.

"II. The chief actors were mr. Waller, a member of the houſe of commons, who pretended, and gave out to the reſt, that many others of that houſe, and of the lords, were privy to and concerned therein; mr. Tompkins, a gentleman living in Holborn, brother-in-law to the ſaid mr. Waller, and a ſervant to the Queen, as being ſecretary to the commiſſioners for her Majeſty's revenue; mr. Challoner, a noted citizen; one mr. Blinkard; mr. Alexander Hampden, who brought the laſt meſſage from the King; mr. Haſſel, one of his Majeſty's meſſengers, &c.

"III. The method was, for ſeveral perſons in the city to diſpoſe themſelves into a commitee, to hold intelligence with both armies, the court, and the parliament, to take a general ſurvey of the affections of all the inhabitants within the weekly bills of mortality, which was to be done under theſe three ranks, 'right men,' (or of the King's party) 'averſe men,' (or the well-affected to the parliament) and 'moderate men,' (or neutrals;) to conſider of arms, ammunition, and all proviſions of war, to appoint out of themſelves ſelect perſons to treat with mr. Waller and mr. Tompkins in relation to the city, court and parliament; as alſo with ſir Nicholas Criſp, ſir George Binion, captain Roydon, and others at Oxford.

"IV. Mr. Waller's province was, to ingage a conſiderable part of the lords and commons, and to be a means of conveying counſels, reſolutions and intelligence between them and the ſaid city-commitee. Mr. Tompkins was not only an aſſiſtant to mr. Waller therein, but an inſtrument to convey, by Haſſel and others, their proceedings to the court, principally to lord Falkland, and to receive thence directions, powers and commands.

(1) Among the priſoners were taken a hundred and twenty Iriſh women with long knives, wherewith they were ſaid to have done miſchief. This fight was reported to be as ſharp, for the time, as any had happened before in thoſe wars. Ruſhworth, Vol. V. p. 302.

"V. For

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" V. For preventing diſcovery, proteſtations " of ſecreſy were taken, as they were Chriſtians, " not to diſcloſe it, and no man in the city was to " indeavor the ingaging above two, whereby no " one man could impeach many.

" VI. From the court, mr. Heron and mr. " Alexander Hampden, and others imployed " upon meſſages from the King to the parlia- " ment were to convey directions, incourage- " ments and advice to thoſe in London, and " authority was to be given under the great- " ſeal, and warrants under the King's hand, for " ſetling a council of war, naming generals and " other officers, execution of martial law, raiſing " money and providing arms; and, to facilitate " the whole, part of the King's forces to be in " readineſs to aſſiſt the party here, as there ſhould " be occaſion.

" VII. The particulars of the deſign itſelf were, " to ſeize the King's children, to ſecure ſeveral " members of parliament, particularly lord Say, " lord Wharton, mr. Pym, ſir Philip Stapleton, " colonel Hampden, and colonel Strode, as alſo " the lord-mayor and commitee of the militia, " under pretenſe of bringing them to a legal " trial; to ſeize upon the out-works, forts, ma- " gazines, gates and other places of importance " in the city, with the Tower, and let in the " King's forces, and in the mean time to reſiſt " and obſtruct all payments, impoſed by autho- " rity of the two houſes for ſupport of their " armies.

" VIII. For their authority, they had the fol- " lowing commiſſion brought up by lady Aubigny " (who was under cuſtody) the ſaid commiſſion " being found hid under ground in mr. Tomp- " kins's cellar.

" IX. In purſuance of this commiſſion, they had " often conſulted of a general, and treated of " his buſineſs with ſir Hugh Pollard, priſoner in " the Compter, once a member of the houſe of " commons, but expelled, being accuſed of having " a hand in the deſign to bring up the Northern " army againſt the parliament. And a declara- " tion was ready drawn, ſeting forth the cauſe of " their taking up of arms to be in purſuance of " their late proteſtation; to maintain the true " reformed Proteſtant religion againſt all Papiſts " and Sectaries; to oppoſe illegal aſſeſſments, &c. " which was to be diſtributed to their friends, " and, on the night of their riſing, ſet upon the " poſts round about London. Concerning which " time of their riſing they had alſo conſulted (of " which preciſe notice was to be ſent to Oxford, " as to the day and hour) and ſome moved to " have it done on Wedneſday, the laſt of May " (being the faſt-day, and the very next day " after the firſt intimation was given towards a " diſcovery) but it had been put off, and not fully " concluded; it being ſaid, 'it ſhould be left to " the lords to determine,' who Waller pretended " ſhould ſide with them. Mr. Haſſel lay cloſe " at Beaconsfield, and had word ſent, 'the great " ſhip was come in the Downs,' by which he " was to underſtand, that the deſign was near " ripe; and he acquainted lord Falkland at " Oxford therewith, and received anſwer, that " they ſhould haſten it with all ſpeed, and when " they were ready, three thouſand of the King's " forces were to advance, from Oxford, within " fifteen miles of London, to be ready upon no- " tice to fall into the works, and aſſiſt; and " white ribbons or tape was agreed to be worn by " all concerned in this action, to diſtinguiſh them."

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Lord Clarendon, who is very diffuſe upon this conſpiracy, denies neither the plot itſelf, nor the King's commiſſion, brought to London by lady Aubigny (1); but urges, that the parliament confounded in one ſingle plot two different projects; the firſt formed by Waller, Tompkins and Challoner, who were at London; and the other by ſir Nicholas Criſp, who, being recorder of London (2), had been impriſoned, and eſcaping had retired to Oxford. Mighty well: but whether there were two plots or one, it is no leſs apparent, that King Charles's deſign was to compel the parliament to a peace, and that his repeated meſſages to both houſes, with offers of peace, were frequently but artifices to carry on his correſpondence in London.

Vol. II. p. 194.

This diſcovery cauſed both houſes to reſolve on uniting themſelves ſtill more ſtrictly together, by a new covenant or oath, tendered to all the members, and afterwards to the army, and ſuch of the people as were willing to take it. Tompkins, Challoner, and two others were hanged. But Waller ſaved his life, paying a fine of ten thouſand pounds, and was baniſhed the kingdom. Hampden died in priſon before his ſentence, and Haſſel died likewiſe the night before his trial. The ill ſucceſs of this ſcheme prevented not the like from being contrived in the ſucceeding Auguſt.

Oath agreed on by the two houſes. June 6. Ruſhworth, Vol. V. p. 325——330. Clarendon, Vol. II. p. 198, 199, 200.

Since the miſcarriage of Waller's conſpiracy, Charles had a train of ſucceſſes, which revived the courage of his friends at London, who were near deſponding. Lord Fairfax was defeated at Atherton, in Yorkſhire. The Queen was got to her conſort, with a conſiderable ſupply. Waller was intirely routed at Roundway-down; and his Majeſty, now maſter of Briſtol, was preparing to attack Gloceſter. Thus, crowned with ſucceſs, he judged this a favorable opportunity to force the parliament to a peace, and all his London friends began to imploy their beſt efforts. Whether this project had its riſe at court, or Charles had only approved it, he believed it requiſite to prepare peoples minds by a public declaration, to this purport: viz.

New plot. Auguſt.

" As the grievances and loſſes of no particular " perſons could be compared to the damage he " himſelf ſuſtained; ſo a peace could not be ſo " welcome to any man as to him. God Almighty " knew with what unwillingneſs, and anguiſh of " ſoul, he ſubmited to the neceſſity of taking up " defenſive arms: and the world knew, with what " juſtice and bounty he had repaired his ſubjects, for " all the preſſures they had borne, by ſuch excellent " laws, as would for ever have prevented the like; " and with what earneſtneſs he deſired to add any " thing for the eſtabliſhment of the religion, laws " and liberty of the kingdom; all which had " been evidently invaded by thoſe who had ſa- " crificed the public good to their own ends. He " well remembered the proteſtation made by him, " at the head of his army, 'to defend and main- " tain the true reformed Proteſtant religion, and

Charles's declaration after his ſucceſſes, to prepare the people. p. 233.

(1) This lady, with the conſent of both houſes, went to Oxford, to tranſact her own affairs with the King, upon the death of her huſband, who was killed at Edge-hill, and having done her buſineſs, and being ready to return, ſhe was deſired by the King, to carry a ſmall box (in which was put the commiſſion) to London, and deliver it to one who ſhould come for it with ſuch a token, which ſhe did accordingly, not knowing what ſhe carried. Clarendon, Vol. II. p. 195. Ludlow (Vol. I. p. 82.) ſays, She brought the commiſſion made up in the hair of her head.

(2) This does not appear. He is ſaid only to be a popular citizen, and had been an officer in the trained bands. Clarendon ibid. p. 194.

" if

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" if it ſhould pleaſe God to bleſs his arms with " ſucceſs, he would maintain the juſt privileges and " freedom of parliament, and govern by the known " laws of the land, for whoſe defenſe only that " army was raiſed.' And there could not be a more " ſeaſonable time to renew that proteſtation than " now, when God had vouchſafed him ſo many victo- " ries, which would hinder him from falling under " the ſcandalous imputation, that his meſſages of " peace proceeded from the weakneſs of his power, " not love of his people. He declared therefore to " all the world, in the preſenſe of God, that he was " ſo far from intending any alteration of the reli- " gion eſtabliſhed, in which he was born and " bred, and would reſolutely die, or from the " leaſt thought of invading the liberty and pro- " perty of the ſubject, or violating the juſt privi- " leges of parliament, that the preſervation of the " eſtabliſhed religion, the laws, the liberties of " his people, and the juſt privileges of parlia- " ment, ſhould be equally his care, as the main- " tenance of his own rights. Whether thoſe who " were enemies to the eſtabliſhed eccleſiaſtical " government, who perſecuted the learned, ortho- " dox miniſters, and put into their places igno- " rant, ſeditious and ſchiſmatical preachers, who " vilified the book of Common-prayer, and pro- " fained God's worſhip, were like to advance " religion: whether thoſe who, without the leaſt " ſhadow of law, impoſed exorbitant taxes upon " their fellow ſubjects, impriſoned, tormented " and murdered them, were like to preſerve the " liberty and property of the ſubject: and whe- " ther thoſe who had invaded the juſt rights of the " crown, denied the King his negative voice, " awed and terrified the members of both houſes, " were like to vindicate the privileges of parlia- " ment, all the world might judge," Finally, after ſundry invectives againſt the two houſes, he concluded with ſaying: " Whoſoever have been " miſ-led by thoſe whoſe hearts, from the begin- " ing, have deſigned all this miſchief, and ſhall re- " deem their paſſed crimes by their preſent ſervice " and loyalty, in the apprehending or oppoſing " ſuch who ſhall continue to bear arms againſt us, " and ſhall uſe their utmoſt indeavors to reduce " thoſe men to their due obedience, and to reſtore " the kingdom to its wonted peace, ſhall have " cauſe to magnify our mercy, and to repent the " treſpaſſes commited againſt ſo juſt and gracious " a Sovereign. (1).

It eaſy to perceive that, by this declaration, and eſpecially by its concluſion, Charles's aim was to excite and authoriſe an inſurrection in London againſt both houſes, and what happened preſently after puts it abſolutely beyond all doubt. This declaration was therefore preparative for the execution of a plot, to compel the parliament to a peace. Undoubtedly, King Charles was really deſirous of peace: but it muſt be always remembered what peace it was he ſo earneſtly wiſhed. It was a peace which ſhould re-inveſt him with all his prerogatives, after which he promiſed to govern according to the known laws of the land. But in this promiſe lay the whole difficulty of a peace; the parliament pretending it could not be relied on, and this Prince offering no other ſecurity than his word, tacitly ſuppoſing it a crime to call in queſtion his ſincerity.

The houſe of lords propoſe ſending to his Majeſty offers of peace. Clarendon, Vol. II. p. 245.

No ſooner was this declaration publiſhed, than the King's friends began their uſual artifices in London. They affected being in extraordinary terror, on account of the proſperous ſucceſs of his Majeſty's arms, and inſinuated, that the conſequences ſhould be prevented by a pacification. But, as the example of Tompkins and Challoner had effectually terrified the King's moſt devoted friends, not one dared openly expoſe himſelf to the ſame danger. It was therefore reſolved among them, that the houſe of lords ſhould firſt break the ice, and propoſe to the commons a peace, which ſhould be ſeconded by the King's friends in London. The upper-houſe conſiſted but of few peers, ſome of whom were either openly or privately for the King: others were his enemies; and ſome were ready to follow the ſtream, which way ſoever it carried them. Theſe latter were thoſe whom Charles's party ſtrove to gain by various means, in order to be ſuperior in the houſe of lords, ſome by promiſes, others by threats, and ſome again by way of perſuaſion, intimating to them the abſolute neceſſity of a peace. In ſhort, they ſecured a majority of voices in the upper-houſe: not that all on whom they prevailed directly promiſed being abſolutely at his Majeſty's devotion; that was not the point, but only to agree that a peace ſhould be propoſed by their houſe, which could not be otherwiſe conſidered than as a propoſal very innocent. The managers of this ſcheme took care not to propoſe peace without ſome ſuch terms as Charles preciſely required: doing otherwiſe alone had been ſufficient to make them loſe ſeveral of thoſe they had gained. They had only to ingage the commons to enter into negociation, after which, they hoped the ſuperiority his Majeſty then had, ſupported with the indeavors of his party, would be capable to remove ſuch difficulties as might occur in the principal articles. This reſolution taken, their lordſhips deſired a conference with the commons, whereat they declared, that they had determined on ſending to his Majeſty propoſitions of peace, and hoped the commons would concur with them. The propoſitions were:

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Propoſitions for peace by the peers. Auguſt 5. Ibid.

" 1. That both armies might be preſently diſ- " banded, and his Majeſty be intreated to return " to his parliament, upon ſuch ſecurity as ſhould " give him ſatisfaction.

" 2. That religion might be ſetled with the " advice of a ſynod of divines, in ſuch a manner " as his Majeſty, with the conſent of both houſes " of parliament, ſhould appoint.

" 3. That the militia, both by ſea and land, " might be ſetled by a bill; and the militia, forts " and ſhips of the kingdom, put into ſuch hands " as the King ſhould appoint, with the approba- " tion of both houſes of parliament: and his Ma- " jeſty's revenue to be abſolutely and wholly re- " ſtored unto him; only deducting ſuch part as " had been, of neceſſity, expended for the main- " tenance of his children, and not otherwiſe.

" 4. That all the members of both houſes, who " had been expelled only for abſenting themſelves, " or mere compliance with his Majeſty, and no " other matter of fact againſt them, might be " reſtored to their places.

" 5. That all delinquents, from before the tenth " day of January 1641, ſhould be delivered up " to the juſtice of parliament, and a general par- " don for all others on both ſides.

" 6. And laſtly, that there might be an act of " oblivion for all by-gone deeds, and acts of ho- " ſtility."

Very poſſibly, thoſe who had got theſe propoſitions paſſed in the houſe of peers, did not themſelves

(1) Adding, " We deſire all our good ſubjects, who have really wiſhed us well, now God has done ſuch wonderful things " for us, vigorouſly to indeavor to put an end to all theſe miſeries, by bringing in men, money, plate, horſes, or arms, to " our aid, that ſo we being not wanting to ourſelves, may with confidence expect the continuance of God's favor, to reſtore us " all to that bleſſed harmony of affection, which may eſtabliſh a firm peace."

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ſelves believe a peace could be made on theſe foundations. The difficulties which occured in the three firſt propoſitions had been frequently debated, both before and ſince the war commenced, without any poſſibility of coming to a concluſion. It was therefore unlikely that King Charles would, in his proſperity, grant what he had denied when his affairs were not in ſo promiſing a ſituation. But, as I hinted, they who managed this contrivance, aimed only at procuring a negociation; perſuaded as they were that, by their intereſt and cabals, or by the peoples riſing, they ſhould get theſe points decided in his Majeſty's favor. For that reaſon, the chief propoſition, viz. the third concerning the militia, which the parliament had always fully explained, was expreſſed in a very general and ambiguous manner, in theſe terms, "That the "militia might de ſetled by a bill."

The commons in a fright conſent to the propoſitions. Clarendon, Vol. II. p. 246.

The commons perfectly ſaw what was the aim of thoſe who projected theſe propoſitions, and were thereat not a little terrified. The houſe was apprehenſive, that they were but too powerfully ſupported; otherwiſe, it was not likely they ſhould have taken ſuch a ſtep, when a commitee was already gone to deſire aſſiſtance from the Scots. It was therefore, after a long debate, reſolved by a majority, that the propoſitions ſhould be tranſmited to his Majeſty. Very ſeemingly, this reſolution was taken merely to amuſe Charles's friends, and to gain time, in order more eaſily to diſconcert their meaſures: ſince the lord-mayor of London, attended with a croud of people, came next day to the lower houſe, whereof he was a member, and delivered a petition from the common-council, wherein the houſe was requeſted to perſiſt in their former reſolutions, and reject their lordſhips propoſitions. The lord-mayor withal affirmed, that the Londoners were ready to exert their utmoſt towards a vigorous proſecution of the war. Whereupon the houſe reſumed courage, and reverſed the preceding day's reſolves. Thus his Majeſty's partiſans were in their turn greatly imbaraſſed, and under a neceſſity of taking new meaſures. The expedient they deviſed was to make the women riſe, in hopes that ſuch a ſtrange inſurrection might produce one more important, and occaſion ſome revolution.

The city of London's petition againſt the ſame. p. 247. Ruſhworth, Vol. V. p. 356.

The propoſitions rejected.

The womens tumult. Ruſhworth, Vol. V. p. 357.

Auguſt the ninth, a petition for peace was preſented to the commons by two or three thouſand women *. The conditions by them propoſed were preciſely thoſe which Charles had always offered. A general anſwer being ſent them, they were not ſatisfied, and their number by noon increaſing to five thouſand, they came to the door of the houſe, crying "Peace! Peace! give us thoſe traitors who are "againſt peace, that we maytear them to pieces; give "us that dog Pym." Part of the trained-bands (who uſually ſtood centinel there) firing upon them with powder only, to fright them, they laughed at it, and finding a heap of brickbats in the yard, threw them at thoſe centinels, whom they made ſcamper. Some companies of ſoldiers being at length ſent for, they, after uſing fair means in vain, drew and cut them over their hands and faces. A ballad-ſinger was killed on the ſpot (1), and another woman loſt her noſe, whereof it was ſaid ſhe afterwards died. They finally all diſperſed. Lord Clarendon affirms, they were the wives of ſubſtantial citizens; which is ſcarcely credible (2). Thus ended the grand project of forcing the parliament to a peace; a project wherein means was found to ingage diverſe peers, and many commoners, under color that a peace was neceſſary to the ſtate. Nothing could be truer; but care was taken not to diſcover to them that, on pretenſe of laboring for the public, the King's advantage only was really aimed at.

* With white ſilk ribbons in their hats.

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Character of the earl of Eſſex.

The earl of Eſſex was of their number who moſt wiſhed for peace; but not ſuch a peace as the court and its adherents were ſeeking. Theſe were for peace, and uſed their utmoſt indeavors to procure it: but it was ſuch a one as King Charles offered, i. e. a peace founded only upon his word. Eſſex deemed it not impracticable, in concluding a peace, to find neceſſary ſecurities for the nation's liberties: as appears in his letter to the ſpeaker (dated July the ninth) wherein, after the deſcription of Chalgrave-field: he ſays, "If it were thought fit to ſend to "his Majeſty to have peace, with the ſetling of "religion, the laws and liberties of the ſubject, "and to bring unto juſt trial thoſe chief delinquents "who have brought all this miſchief to both king-"doms; and (as my lord of Briſtol ſpake once "in parliament) how we may be ſecured to have "theſe things performed hereafter; or elſe, if his "Majeſty ſhall pleaſe to abſent himſelf, there may "be a day ſet down to give a period to all theſe "unhappy diſtractions by a battle, which, when "and where they ſhall chuſe, that may be "thought any way indifferent, I ſhall be ready to "perform that duty I owe you; and the propo-"ſitions, to be agreed upon between his Majeſty "and the parliament, may be ſent to ſuch an in-"different place, that both armies may be drawn "near the one to the other; that if peace be not "concluded, it may be ended by the ſword."

His letter to the ſpeaker. July 9. Ruſhworth, Vol. V. p. 291.

This, moſt apparently, is not the language of a man propoſing a peace to gratify the King, and ſolely with intent to procure a negociation whence his Majeſty might reap ſome advantage; but of one who heartily wiſhed for ſuch a peace as might put a happy period to the kingdom's diſtractions; or, if that could not be by means of a peace, to end them at leaſt by a battle. He was doubtleſs of opinion, that the nation would run leſs hazard by venturing a deciſion by arms, than by continuing the war. Nothing better demonſtrates the uprightneſs of his intentions: but few in thoſe days were of a like diſpoſition. King Charles likewiſe paſſionately wiſhed for peace; but it was on condition he ſhould be no loſer by it; that he ſhould be reſtored to all his rights, and his word relied on for what was to come. Touching religion, all he would yield was, that the Preſbyterians ſhould not by penal laws be forced to a conformity with the church of England: thitherto he had advanced nothing which might make them hope for a public toleration of their creed. The parliament for their part alſo wiſhed for peace, provided by this peace the King was reſtrained from returning to his former courſes, i. e. was ſo humbled that he ſhould not have power to make one ſtep without the conſent of both houſes, and injoy only the empty name of a King, with the external badges of royalty. As to religion, very many, as well members as others, prefered the war's continuation, let what would be the event, to the ſeeing prelates reſtored to their power. This muſt be always remembered, when either party is introduced mentioning peace. A diſpoſition like the earl of Eſſex's was undoubtedly, the cauſe why ſome were dazzled with the bare ſound of peace, and the limitations inſerted in the propoſitions to be ſent to his Majeſty, when

(1) Ruſhworth (Vol. V. p. 358.) ſays, ſhe was ſhot by the centinels, who, upon the brickbats flying about their ears, were forced to fire balls. —— Lord Clarendon affirms, that many of the women were killed and wounded.

(2) The above collector ſays, they were generally of the meaner ſort.——It is ſomewhat ſtrange that Whitelock, who is ſo particular in whatever related to the houſe of commons, takes not the leaſt notice of this remarkable tumult.

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the late plot was in agitation: but it may be affirmed, that the chief authors of this artifice were far from having the nation's welfare in view, and thought only of ſerving the King their patron. I queſtion not, but ſome others were perſuaded into a conſent to the propoſitions, by reaſon of the end propoſed by the Preſbyterian party, and now publicly known, perceiving that the advantages the parliament might gain upon his Majeſty, by a continuation of the war, would only ſerve to ruin the church of England with greater facility.

Charles tries in vain to gain the earl. p. 566, &c. Clarendon, Vol. II. p. 338. which renders him ſuſpected to the parliament.

Eſſex's integrity occaſioned his experiencing what uſually befals honeſt men in civil diſſenſions, where the moderate paſs for indifferent, and coldly affected to their party. King Charles, who was informed of this nobleman's moderation, imagined he deſired a peace only becauſe he was diſſatisfied with the parliament, and convinced of the injuſtice of the cauſe he had eſpouſed. In this belief, he unſucceſsfully uſed all means to gain him. Contrariwiſe, the moſt violent of the party grew jealous of this earl, perceiving he was no proper inſtrument for their deſigns. Wherefore they no longer confided in him, or at leaſt, feigned not to truſt him, in order to have, by his removal, another general, more compliant and manageable. They turned their eyes on the earl of Mancheſter, known formerly by the name of lord Kimbolton, and began with advancing him to the command of their forces in the Eaſtern aſſociated counties (whereto Lincolnſhire was lately added) to oppoſe the earl of Newcaſtle; and an ordinance was paſſed for preſſing men to reinforce this army.

The earl of Mancheſter made general of the aſſociated counties. p. 248.

Eſſex diſguſted.

Had the earl of Eſſex ſided with the parliament merely thro' paſſion, humor, or intereſt, the mortifications he met with would have been apt to make him turn to the King, to be revenged on the two houſes: but that was not his character. Tho' he had frequently complained of the diſregard ſhewn him, in leaving his army without recruits and cloaths, and tho' ſeveral lords of Charles's party took this occaſion to indeavor perſuading him to ſhift ſides, he ever remained firm to his principles. How ſtrong ſoever their ſollicitations might be, he never gave the leaſt reaſon to believe him capable of betraying the parliament, who had truſted him with the command of their forces. Both houſes being informed of the inſtances made to their general, aſſured him of their eſteem and acknowledgment for his great ſervices, and promiſed to recruit and cloath his army, before thoſe of ſir William Waller, and the earl of Mancheſter, which was done accordingly. This ſatisfaction was more than ſufficient to make him forget all the occaſions of complaint before given him. A celebrated hiſtorian has been pleaſed to aſcribe the earl of Eſſex's conſtant attachment to the parliament, to his not having ſteadineſs enough to ingage in an enterpriſe ſo hazardous as that of forcing the parliament to peace. I am perſuaded, this was owing to King Charles's, and his whole party's prepoſſeſſion, that there was not a ſingle man for the parliament, who was ſatisfied of the juſtice of his cauſe: nor did they ever forgo this prejudice.

Clarendon, Vol. II. p. 249.

Project of Charles's partizans.

The project of thoſe who had undertaken to gain the earl of Eſſex was, that, ſo ſoon as he ſhould give the word, ſuch peers, lords and commoners as were in the ſecret, ſhould retire to the army, and under its protection proteſt againſt the offered violence, the breach of their privileges by the common-council's taking notice of their debates, and over-ruling their concluſions, by hindering the propoſitions being ſent to his Majeſty. They doubted not but, by their example, great numbers would take the ſame courſe, by which means they hoped to be ſtrong enough to conſtrain the parliament to make peace: and, in caſe the houſes ſhould remain obſtinate, their deſign was to enter on a ſeparate treaty with the King, as men undeceived who, having been ſeduced by the parliament, were at length ſenſible of the injuſtice of their cauſe. They fancied all England would do the like, and both houſes be utterly abandoned: for Charles and his party conſtantly imagined that, among all the parliament's adherents, not one was ſo thro' perſuaſion, honor and conſcience, but thro' ſeduction, fear and ignorance. This cauſed them to take ſo many wrong ſteps, to compel the parliament to a peace by the peoples means; ſteps which to that Prince proved extremely prejudicial. That with regard to the earl of Eſſex, was no leſs ſo than the reſt. Thoſe lords and commoners concerned in this ſtratagem, as well as in Waller's conſpiracy, being apprehenſive that Eſſex would betray them, thought proper to avoid being called to account, by withdrawing to his Majeſty. Of this number were the earl of Portland, and lord Conway (who had been impriſoned for Waller's affair, and afterwards releaſed) lord Lovelace (who had only ſtayed with the parliament by Charles's leave) the earls of Clare, Bedford * and Holland. The earl of Northumberland, diſſatisfied with his not having in parliament the ſame credit as formerly, feigning want of health, obtained the houſe's permiſſion for retiring to his ſeat at Petworth, in Suſſex. It was generally believed he had aſſurances from court of not being there moleſted. The retreat of all theſe peers turned greatly to Charles's diſadvantage, as it deprived him of ſo many friends in parliament, who were all ready to ſerve him, and commonly directed his London favorers. Moreover, by the abſenſe of theſe nobles, his Majeſty's adverſaries were more at their eaſe, and found fewer obſtacles to their deſigns than before: for Eſſex's army was ſoon after inabled to relieve Gloceſter, and the parliament approved of the covenant made with Scotland, wherein they would undoubtedly have been oppoſed by thoſe who were lately withdrawn. I muſt now proceed to other matters.

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Clarendon, Vol. II. p. 249, 250.

* Not Dorſet as in the French.

Having juſt hinted above, that ſir John Hotham, governor of Hull, was apprehended by order of parliament, it is now time we examine the occaſion of his diſgrace. The King had been ſo inſenſed againſt him, that there was little probability of his ever pardoning the indignity he had received, or of Hotham's delivering himſelf into his hands. Nevertheleſs, a deſire of poſſeſſing Hull in one, and thirſt of revenge in the other, made them forget all had paſſed. Hotham, as he could not bear that (after the ſervice he had done the parliament in keeping Hull for them, without any ſcruple at ſo expoſing himſelf to his Sovereign's indignation) lord Fairfax ſhould be appointed commander in chief of all the Northern forces, a poſt of honor whereof he doubtleſs thought himſelf more worthy, determined on taking vengeance for this pretended injuſtice, by delivering the place to his Majeſty (1). The preciſe time of his applying to the earl of Newcaſtle is not known; but it is certain he wrote to him ſeveral letters, which were communicated to her Majeſty while ſhe was in the North. He had drawn into the conſpiracy his ſon, captain Hotham, and it was between them agreed to deliver Hull to the Queen, when on her march with the troops ſhe had with her. Mean while young Hotham, having given ſome occaſion to ſuſpect him, was ſeized by ſir John Meldrum, and ſent priſoner to Notingham-

Sir John Hotham's diſgrace. p. 476.

Ruſhworth, Vol. V. p. 275.

Ibid.

June 24.

caſtle.

(1) Whitelock (p. 70.) obſerves, that Hotham was high and moroſe, as Fairfax was meek and courteous.

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castle. He however found means to escape, and going to Lincoln, wrote thence to the parliament, complaining of the injury done him, and affirming, he was ready to answer whatever should be laid to his charge: but as the Queen was now on her march, and it was time to execute the design, he returned to Hull, to concert measures with his father. That Princess judged herself so secure of having Hull in her power very speedily, that she said in her letter to the King, dated June twenty-seven, "She stayed at Newark but for one thing, "to have Hull and Lincoln, for which she hoped "he would pardon two days stop." At the same time orders were sent to seize young Hotham, the mayor of Hull was injoined to have his eye on the father, examine his conduct, and take care to preserve the town. The son's return to Hull after his escape from Notingham, the suspicions he already lay under, and the notice received from the captain of a ship of war then in the road, that Hull, that night or the next, would be delivered to the King, made the mayor (tho' governor Hotham's brother-in-law) resolve to prevent it. That very night, while the Hothams were in bed, all the townsmen, officers and soldiers, of known affection to the parliament, were assembled without noise, and all the ports of the town seized, without sheding one drop of blood, or even discharging a musket. Mean while, I know not for what reason, they had neglected to secure the two Hothams (1), who found means to get out of the town: but, at their coming to Beverley, they were both seized and conducted to London, where, after a long imprisonment, they were condemned and executed.

Rushworth, p. 274. Vol. V. p.

June 28.

p. 744, 750.

Two particulars did King Charles great prejudice with the people, and from which he let slip no opportunity to justify himself, conscious how nearly such prepossessions might affect his interest. The first was, that he countenanced Popery: the second, that he had excited the Irish rebellion, or at least connived at it. These two articles both houses made no scruple to insinuate, and even to maintain openly in their papers: not that they had positive proof of what they advanced; but, from his actions and sundry passed occurrences, they drew inferences, to some of which it must be owned he answered but weakly or in generals, or, according to his custom, by ambiguous expressions capable of a double meaning.

As to the first charge, he took occasion to make the following protestation, as he was on the very point of receiving the eucharist from the hands of archbishop Usher.

His Majesty's protestation concerning religion. July. p. 346.

My lord,

"I Espy many resolved Protestants, who may "declare to the world the resolution I do now "make. I have, to the utmost of my power, "prepared my soul to become a worthy receiver; "and may I so receive comfort by the blessed sa-"crament, as I do intend the establishment of the "true reformed Protestant religion, as it stood in "its beauty, in the happy days of Queen Eliza-"beth, without any connivance at Popery. I "bless God that, in the midst of these public dis-"tractions, I have still liberty to communicate; "and may this sacrament be my damnation, if "my heart do not join with my lips in this pro-"testation."

Remark thereon.

King Charles was undoubtely very zealous for the Protestant religion, as professed in the church of England; but it is no less certain, he never scrupled favoring Papists, whether thro' complaisance to his Queen, or from a belief, that a rigid observance of the penal laws made against them was not necessary to the welfare of the Protestant religion. It is therefore very difficult to explain what he could mean by these words, 'without any connivance at Popery.' It cannot be thought, that his intention was to swear, he would never grant the Papists any toleration, since at this very juncture he was negociating the Irish truce, whereby toleration was granted to the Catholics of Ireland; and it will hereafter appear that, in treating of a peace with those rebels, he scrupled not granting them that article. Much less still may we venture to affirm that, by the word 'Connivance,' he understood all manner of condescension for Papists. This sense would be repugnant to his principles and usual practise. It seems therefore most reasonable to think, that he made a distinction between Popery and Papists, and that when he promised to establish religion in its beauty, his meaning was, that he would suffer no Popish tenets to be mixed with the church of England's doctrines. But if such was his meaning, it was not to the purpose, since this was not properly that wherewith he was charged. As he was extremely artful in chusing expressions to which it was difficult to give a fixed and determinate sense, it is certain his most solemn protestations produced not the intended effect.

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As to the second charge, relating to the Irish rebellion, I do not think I can give a clearer prospect of that affair, than by inserting the substance of a declaration published, on this occasion, by both houses, the twenty-fifth of July, 1643. They shewed:

Declaration of both houses against King Charles, touching the Irish rebellion. Ibid.

"That, in the second year of his Majesty's reign, "a design was formed in Ireland, to bring in a "public toleration of the Popish religion in that "kingdom, and to suspend all proceedings against "Papists, for a sum of money to be paid his Ma-"jesty. That the then bishops of Ireland made "a protestation against it, seting forth, how "grievous a sin it was to consent to such a tolera-"tion, and of what dangerous consequence it "might be. And the house of commons, in a re-"monstrance made in the third year of his Ma-"jesty's reign, informed that, even then, the Po-"pish religion was professed in every part of that "kingdom, and that monasteries and nunneries "were then newly erected, and repleniished with "men and women of several orders, beseeching "his Majesty, that some speedy course might be "taken for redress therein; yet, in the begining "of the fourth year of his Majesty's reign, all "this was granted and confirmed by his Maje-"sty, in consideration of one hundred and twenty "thousand pounds, to be levied in three years upon "the kingdom in general, as well upon the Prote-"stants as upon the Papists.

"That many potent and notorious Papists had "been created peers by his Majesty.

"That when, by direction of the lord chancellor "Loftus, and the earl of Cork, then lords-justices, "proceedings were begun against the Papists, upon "the statute of 2 Elizabeth, for not coming to "church, and the judges in their circuits gave that "statute in charge, and indictments were framed "thereupon; directions were sent from England, "to suspend and stay all proceedings upon that "statute: when, by taking the penalty imposed "by that statute, being nine-pence, for absenting "from church Sundays and holy-days, the poor "Protestants there might have been eased of many "heavy payments and taxes, which were after im-"posed upon them.

"That the late earl of Strafford, being the

(1) The son was secured, but the father, on the first notice of what was doing, got out at Beverley gate, there having been no orders to stop him. Rushworth, Vol. V. p. 276.

"King's

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" King's lieutenant there, did by his great favorite " ſir George Ratcliff, one of his Majeſty's privy-" council of that kingdom, hold correſpondency " with the Popiſh clergy, and particularly with " Paul Harris, a known prieſt, who had both " public and private acceſs to ſir George Ratcliff at " at all times, as well by night as by day.

" That, in March 1639, the earl of Strafford " carried with him into Ireland ſir Toby Mat-" thews, a notorious, pernicious, Engliſh jeſuited " prieſt (baniſhed, at the begining of this parlia-" ment, upon the importunity of both houſes) " lodged this prieſt over-againſt the caſtle of Dub-" lin, the houſe where the earl did himſelf reſide, " and from whence this prieſt daily rode to the " public maſs-houſes in Dublin, and negociated " the ingaging of the Papiſts of Ireland in the war " againſt Scotland.

" When the late lord chancellor Loftus, and the " earl of Cork, were lords-juſtices, they indeavored " to ſuppreſs the maſs-houſes in Dublin, and to " convert them to pious uſes; one, which was in " the ſtreet called the Back-lane, they diſpoſed of " to the univerſity of Dublin, who placed a rector " and ſcholars in it, and maintained a weekly " lecture there: but, after the earl of Strafford " came to the government, the lecture was put " down, the ſcholars diſplaced, and the houſe be-" came a maſs-houſe, as formerly it had been.

" That diverſe monaſteries and nunneries were " newly erected, immediately before the rebellion " brake forth in ſundry parts of that kingdom. " That at the Naas, where the earl of Strafford " had his chief ſeat and reſort, convents of friers, " namely, Auguſtines, Franciſcans, Dominicans, " were not only permited, but alſo a houſe builded " there by the ſaid earl, for another purpoſe (as " he pretended) ſoon after that building was con-" verted to a friery, by the connivance of the ſaid " earl.

" That the Popiſh Iriſh army was kept on foot " there for a long time after the begining of this " parliament; to the great fartherance of this re-" bellion, by teaching thoſe barbarous villains the " knowledge of arms, under the notion of fight-" ing againſt Scotland, but now made uſe of to " extirpate both Engliſh and Scots from the king-" dom of Ireland.

" And that lead might not be wanting to the " completing of this intended rebellion, the ſilver-" mines of that kingdom, which afforded great " ſtore of lead, and therefore fit only to be in the " hands of Proteſtants of known integrity, were " farmed out by his Majeſty to moſt pernicious " Papiſts, namely, ſir George Hamilton, ſir Baſil " Brook, and the like; and upon diſcovery of the " plot for ſurpriſing the city and caſtle of Dublin, " diverſe barrels of muſket-bullet were found (upon " ſearch) in the houſe of the ſaid ſir George " Hamilton, in Dublin.

" That the earl of Strafford had, by a violent " indeavor, intitled his Majeſty by office to the " whole counties of Roſcommon, Mayo, Slego, " Galloway, and Clare, and to a great part of " the counties of Limerick and Tipperary; by " which means a door was opened, not only to " increaſe his Majeſty's revenue, but therewith to " ſetle a plantation of Proteſtants; and yet, when " the lords-juſtices and council of Ireland did, by " their letters, exceedingly importune his Majeſty, " that he would not part with thoſe counties; and " that the plantation of Engliſh Proteſtants might " proceed as was formerly intended; his Majeſty " notwithſtanding did, in the Queen's preſenſe, by " a clandeſtine agreement, give away, at the Pa-" piſts requeſt, thoſe five whole counties, for a rent " of 2000 l. or thereabouts.

" That archdeacon Maxwell teſtifies, in his Charles I. " examinations taken in Ireland, that he heard An' 1643. " Tirligh Oge O Neale, brother to ſir Phelim O " Neale, the arch-rebel of Ulſter, confeſs, that " the rebellion was communicated by the Popiſh " Iriſh commitee to the Papiſts in England, who " promiſed their aſſiſtance. And Mac Mahoun, " who was to join with lord Mac-guire for the " ſurpriſing the caſtle of Dublin, being taken and " examined, at the rack confeſſed, that the ori-" ginal of that rebellion was brought to them out " of England by the Iriſh commitee, imployed to " his Majeſty for redreſs of grievances.

" That the earl of Caſtle-haven, a peer of Eng-" land, and a notorious rebel in Ireland; mr. " Porter, who declared himſelf a Papiſt in Ire-" land; ſir Baſil Brook, the Popiſh treaſurer for " the monies raiſed by the Queen's ſollicitation " for the war againſt the Scots; mr. Andrew " Brown, a lawyer of Lincolns-Inn, heretofore " expelled thence for being a known Papiſt; with " diverſe other dangerous Engliſh Papiſts, went " out of England into Ireland, the ſummer before " the rebellion brake forth, and were very active " there.

" That the rebels in all parts of Ireland pro-" feſſed, that the cauſe of their riſing was, to " preſerve his Majeſty, and the Queen, from being " oppreſſed by the Puritan parliament; and that " it was by their conſent, for they had good " warrant in black and white for what they did. " They called the Engliſh army, parliament-" rogues, and traitors to the Queen; and told " them at the begining of the rebellion, that ere " long they ſhould ſee England as much in blood " as Ireland then was: that they had their party " in England and Scotland, which ſhould keep " both kingdoms ſo buſy at home, that they " ſhould not ſend any aid againſt them; with a " multitude of ſuch like expreſſions from the Iriſh of " the beſt quality; as may appear by the exami-" nations of colonel Audley Mervin, William " Stuart, eſq; Henry Stuart, gent. herewith " printed, and by diverſe other proofs.

" In the ſame month of October, wherein the " rebellion of Ireland brake forth, lord Dillon, " of Coſtelough (now in arms againſt the parlia-" ment and kingdom of England) went out of " Scotland from his Majeſty into Ireland, bring-" ing his Majeſty's letters, obtained by mediation " of the Queen, to be preſently ſworn a privy-" counſellor of Ireland; who, when he had taken " the oath of a privy-counſellor, preſented to the " lords-juſtices and council, from many of the in-" habitants of the county of Longford, a letter " in the nature of a remonſtrance, full of unreaſon-" able demands: as namely, to have freedom of " religion; a repeal of all laws made to the con-" trary, and the like.

" In December, after the rebellion, the ſame " lord Dillon, together with his brother-in-law, " the now lord Taaffe, a notorious Papiſt, re-" paired into England, bringing with them ſeveral " papers and inſtructions from many lords and gen-" tlemen of the Pale, all now in rebellion, to nego-" ciate for them to his Majeſty; and as they ſol-" licit with his Majeſty here on the behalf of the " rebels, ſo do they ſollicit the rebels from hence " in the name of his Majeſty, to perſiſt in their " rebellion; as appears by the teſtimony of mr. " Jephſon, a member of the houſe of commons, " lately delivered at a conference before both " houſes, in theſe words, viz.

" At my late being at Oxford, finding my lord " Dillon and lord Taaffe in favor at court, I " acquainted lord Falkland, his Majeſty's ſecretary, " that there were two lords about the King, who,

" to

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" to his Majeſty's great diſhonor, and the " great diſcouragement of his good ſubjects, did " make uſe of his Majeſty's name to incourage " the rebels. To make this appear, I informed, " that I had ſeen two letters ſent by lord Dillon " and lord Taaffe to lord Muſkerie, the chief man " in rebellion in Munſter, and one of the Iriſh " commitee ſent into England, intimating; that, " tho' it did not ſtand with the conveniency of his " Majeſty's affairs to give him public countenance, " yet his Majeſty was well pleaſed with what " he did, and would in time give him thanks for " it; or near to that purpoſe. That theſe letters " were ſeen by lord Inchiquin, the chief commander " of the Engliſh forces in Munſter, and by his ſe- " cretary, who had kept copies of them; and " that I was ready to juſtify as much. Where- " upon lord Falkland was pleaſed to ſay, that " they deſerved to be hanged: but tho' I ſtayed " at Oxford about a week after this diſcovery made, " I never was called to any farther account, nor any " prejudice done to theſe two lords, but they had " the ſame freedom in court as before, for ought " I could obſerve or hear to the contrary.

" That, ſince this diſcovery made to lord Falk- " land, the ſame lord Taaffe, one Roche, and " William Brent a lawyer, active Papiſts, went " with letters from his Majeſty, from Oxford to " Dublin. And upon Thurſday before Whitſun- " tide, 1643, in the evening, taking with them " one colonel Barry, a profeſſed Papiſt, and pre- " tending for Connaught, did ſlip away to Kilken- " ny, where the Tueſday following was a general " aſſembly of all the chief rebels. When they had " done their errand, Barry was left lieger at Kil- " kenny among the rebels; lord Taaffe returned to " Dublin, and, upon Friday the ninth of June, " 1643, lord Taaffe, with diverſe of the privy- " council of Ireland, who favored the rebels, met " at the marquis of Ormond's houſe, where the " propoſitions which lord Taaffe brought from the " rebels were debated. Lord Taaffe is ſince gone " into Connaught; Brent is come back to Oxford, " to give account of this imployment.

" By this every man may conſtrue, what was " meaned by his Majeſty's not conſenting that the " parliament ſhould ſend a commitee into Ireland " laſt year, to indeavor carrying on the war againſt " the rebels, upon pretenſe that the earl of Leiceſter " was preſently to go over thither, who is yet " remaining at Oxford. That when this com- " mitee had prevailed with the lords-juſtices " and council, and with many of the prime " commanders and other officers of the army " in Leinſter, to ſubſcribe, by way of adven- " ture, very conſiderable ſums, for land in Ireland " to be ſetled by a new bill, which were to be " deducted out of their reſpective entertainments; " then, to render this indeavor fruitleſs, one captain " Yarner did confidently affirm, that thoſe who " had, or ſhould ſubſcribe, were enemies to the " King; a thing ſo incredible, that few could be- " lieve it, 'till the ſame man went to Oxford: " and upon his return to Dublin, aſſured the lord " marquis of Ormond and the officers, that he had " diſcourſed with his Majeſty about this way of " ſubſcription, and that his Majeſty did not ap- " prove of the ſame. Whereupon thoſe who had " ſubſcribed did withdraw their hands, and the reſt " were wholly diſcouraged.

" That, about this time, a commiſſion was " ſent over, to meet with the rebels, and to hear " what they could ſay, or propound for themſelves; " which commiſſion was directed to the lord marquis " of Ormond, and to ſome other commiſſioners; " among whom Thomas Bourk, who had a hand " in contriving this rebellion, was one, and who " brought the ſaid commiſſion to Ireland, and con- " fidently delivered the ſame at the council-table, " to the amazement of all the council then preſent, " who were not acquainted with the plot.

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" That the lords and commons, to whoſe di- " rection the war was commited, thought it expe- " dient to ſend into Ireland a commitee for that " purpoſe, conſiſting of members of the houſe of " commons, but authoriſed from both houſes; who " carried with them above twenty thouſand pounds " in ready money, beſide great ſtore of powder, " match, and other ammunition: but when thoſe " who favored the rebels ſaw that, during the " abode of the commitee there, parties were con- " tinually ſent forth to deſtroy the enemy; and " that the commitee ingaged their own particular " credits to take up monies for the relief and ſeting " forth of the army; a letter was ſent from his " Majeſty, and brought over by the marquis of " Ormond's own ſecretary, wherein his Majeſty " did require the lords-juſtices and council, not " to admit the commitee any more at their debates: " and it is obſervable, that this letter was only " ſigned with his Majeſty's hand, without any " ſecretary's hand to avow the ſame.

" The commons cannot conceive what is " meaned, that the juſtices and council are ſtraitly " charged, in that letter, upon their allegiance, not " to ſuffer the commitee to ſow ſedition among " his Majeſty's good ſubjects; unleſs, to ſtir up " and incite the Engliſh ſoldiers, in the parlia- " ment's pay, to proceed vigorouſly againſt the " Iriſh rebels, be conſtrued as ſowing ſedition " among his Majeſty's good ſubjects.

" That, according to the teſtimony of ſir Wil- " liam Brereton, knight of the ſhire for the county " of Cheſter, there landed, in June 1643, many " Iriſh rebels at Werral, in Cheſhire, ſome whereof " acknowledged, they had waſhed their hands in " the blood of ſeveral Engliſh and Scots in Ireland, " and now hoped to waſh their hands in the blood " of Engliſhmen in England. The country where " theſe rebels firſt arrived did all riſe, with their " beſt weapons, and apprehended ſeveral of them; " but they were reſcued out of their hands by a " troop of horſe, which came from the commiſſio- " ners of array, who alſo ſeized priſoners about " twenty-eight of the honeſt countrymen.

" And that the councils now predominant at " Oxford, and the ſupreme council of rebels at " Kilkenny, are concuring and aiding one another, " as well by ſea as by land, is apparent by that " which follows. The commiſſioners authoriſed " to command the King's forces in the Weſt, by " an authority derived unto them under the great " ſeal of England, do grant commiſſions, or letters " of mart, for the apprehending and taking, for " his Majeſty's ſervice, all ſhips and veſſels be- " longing to the cities and towns which have de- " clared for the parliament; and, on the other " ſide, the rebels of Ireland grant the like com- " miſſions. And as the ſhips in his Majeſty's ſer- " vice do gratify the rebels of Ireland, in ſeizing " ſuch ſhips as bring proviſion for the relief of " the Engliſh army in Ireland; ſo the rebels of " Ireland do, in like manner, gratify his Majeſty, " by commanding the ſhips ſet forth by them " to examine all Engliſh ſhips at ſea, whether " they be for the King or parliament; and if " they be for the King, to let them go; but if " for the parliament, to take and pillage them. " All which is proved by depoſitions herewith " annexed.

" The earl of Antrim, a notorious rebel, was " taken by the Scots army in Ulſter, and impri- " ſoned there upon ſuſpicion of high-treaſon. To " avoid his trial, he brake priſon, and fled into

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" the North-parts of England, and hath been with " the Queen at York a long time; from whence " he was ſent to the rebels of Ulſter, with ſecret " inſtructions, and had ammunition aſſigned him " by the Queen's directions: and what care was " taken of his ammunition appears by a letter here " annexed, dated at York the eighth of May, " 1643, written by ſerjeant-major Roſſe, at the " deſire of mr. Jermin.

" Since this care taken of the ammunition of the " the earl of Antrim, the earl of Antrim is taken " a ſecond time by major-general Monroe, as he " was returning, from the Queen to the rebels of " Ulſter, with diverſe letters, inſtructions and " papers: and by the confeſſion and depoſition of " the earl of Antrim's own ſervant, who was taken " with his maſter, and ſince condemned and exe- " cuted, it is evident, that there was, and doubtleſs " yet is, a deſign on foot to reconcile the Engliſh " and Iriſh in Ireland; and that, by their joint " power, having expelled the Scots, the Iriſh " forces there might be ſent againſt the parliament " of England. The earl of Antrim, the lord of " Aboyn, and the earl of Niddiſdale, were three " principal agents imployed in this plot. This " clearly appears, in that the lord of Aboyn, in a " letter taken in the earl of Antrim's pocket, " writes in theſe words:

My Lord,

BEing certainly informed, by Niddiſdale's ſervant, that there is a new order, ſince we parted, for ſtoping the ammunition, I have taken occaſion to intreat your lordſhip, by this bearer, that I may know the particulars of it. I muſt confeſs it ſurprifeth me, that any diſtance ſhould alter ſo ſeaſonable a concluſion: and, certainly, I ſhall never deſerve to be made the inſtrument of fruſtrating the hopes of thoſe parts, which ſhould have been inabled by this ſupply: I am perſuaded, there is ſcarce another mean to make our fidelity uſeleſs for her Majeſty's ſervice.

" And that it might appear to the rebels of Ire- " land, that the earl of Antrim was accounted his " Majeſty's good ſubject, and had his Majeſty's " approbation for what he was to act there, he " was furniſhed with a paſs from the earl of New- " caſtle.

(The paſs is here inſerted at length in the declaration. The reſidue of this article tends to ſhew, by the earl of Antrim's confeſſion, and that of Stuart, one of his ſervants, that the earl was imployed by the Queen to make peace with the rebels.)

" The houſe of commons, among a numerous " company of proofs of this kind, concluded with " the teſtimony of John Dod, late miniſter at " Annegilliffe in the county of Cavan, who was " examined at the bar of the houſe of commons, " and teſtifieth,

That, after he had ſuffered many miſeries in this rebellion of Ireland, he repaired into this kingdom, and ſome occaſions carrying him to Oxford, he ſtayed there ſeven weeks, and came out of Oxford the thirteenth of June, 1643. That, during his ſtay there, he ſaw a great number of Iriſh rebels, whom he very well knew to have a hand in the moſt barbarous actions of that rebellion; as daſhing ſmall infants in pieces, riping up women with child, and the like, among whom one Thomas Brady, who (was at Turbet in Ireland, within ſeven miles where the ſaid Dod lived) as thirty-ſix old men, women and children, not able to flee, were paſſing over a bridge, cauſed them to be thrown into the water, where they were all drowned; that this Brady is now at Oxford in great favor, and ſerjeant-major to colonel Percy's regiment: that he ſaw there three Franciſcan friers, namely; —— and three Jeſuits, namely; —— who were all very earneſt for the cauſe, and daily incouraging the ſoldiers to fight againſt the Roundheads, and for that purpoſe have liſted themſelves in lord Dillon's troop, and are called cornets: that there are daily and public meetings at maſs, in almoſt every ſtreet there; and verily believes in his conſcience that, for one ſermon preached, there are four maſſes ſaid now at Oxford: tha the ſaw there ſir John Dungan, a man accuſed of high-treaſon in Ireland, for being in the rebellion, and fled into England, who hath a commiſſion for a troop of horſe; lord Barnewall of Thimbleſtown, and his ſon, who hath a commiſſion for a troop of horſe, and is now gone into Wales to raiſe them; a ſon of lord Newterfield, who hath got a command likewiſe: that, as near as he can poſſibly compute, there were then at Oxford above three thouſand rebels; and that moſt of the King's life-guards are Iriſh.

The two houſes thus concluded: " Upon the " whole matter, no man can think, that this re- " bellion in Ireland, ſo barbarous and bloody, that " one hundred and fifty four thouſand Proteſtants, " men, women and children, Engliſh and Scots, " were maſſacred in that kingdom, between the " twenty-third of October, when the rebellion " brake forth, and the firſt of March following, " by the computation of the prieſts themſelves " who were preſent, and were directed by ſome " chief rebels of Ireland to take this computation, " leſt they ſhould be reported to be more bloody " than in truth there was cauſe: No man can be- " lieve, that this horrid and unparalleled rebellion " ſhould be the undertaking of the rebels alone, " being ſet on foot when in England ſate a par- " liament, which could not diſſolve without its " own conſent, when all nations profeſſing the " Romiſh religion were at peace with England, " and ſo ingaged at home, that the rebels, in rea- " ſon, could not expect any conſiderable aſſiſtance " from them, nor could think themſelves able to " incounter England or Scotland either, much leſs " both together: ſo that to imagine the nobility, " gentry, and, in a manner, the whole kingdom " of Ireland, ſhould thus deſparately ingage their " lives and eſtates in ſo raſh an enterpriſe, without " being incouraged, incited, nay commanded " from England, with aſſurance both of conni- " vance and aſſiſtance too, were to deny them to " be reaſonable creatures.

" And therefore the houſe of commons, abun- " dantly ſatisfied in their own conſciences and " judgments of the truth thereof, cannot but de- " clare to the world, That, by all theſe concur- " ing circumſtances, and convincing proofs, they " are perſuaded, that this unheard-of and monſtrous " rebellion of Ireland was projected, incited, " and aſſiſted by thoſe councils now only preva- " lent with his Majeſty: that the Queen, with her " Romiſh prieſts, the Papiſts of all his Majeſty's " three kingdoms, have been principal actors " and ſticklers therein: that now thoſe bloody " rebels have, in a manner, rooted out the Pro- " teſtant religion in Ireland, there is a deſign to " pardon them, and bring them into England to " do the like: that no earthly power is likely, in " human reaſon, to withſtand this damnable plot, " but the power of the parliament in England, " which is now declared, by a late proclamation, " to be no free parliament, to be null and of none " effect; and all poſſible indeavor uſed, by ſtrength " and ſtratagem, to deſtroy the ſame. So that " the houſe of commons do conceive it impoſſi- " ble,

" ble, that ſo many of thoſe who would be " the honeſt and moderate Engliſh Proteſtants " ſhould be blinded and led on to join with Ger- " man, French, Walloon, Engliſh, Scotiſh, and " Iriſh Papiſts, and thereby to ſurrender up at " once the Proteſtant religion, the parliament, " liberties and laws of England, into the hands " of Papiſts and ſtrangers, that ſo this renowned " kingdom may be no more a nation."

As the charge againſt King Charles of exciting the Iriſh rebellion, or at leaſt of conniving at it, made a great noiſe in thoſe days, and as all hiſtories are full of it, I judged it neceſſary to ſhew the grounds or pretenſes thereof, by giving the ſubſtance of this declaration: for it is not likely, the parliament ſhould have omited any thing capable of proving the aſſertion, tho' it be true that his Majeſty afterwards took certain ſteps which could have greatly helped to ſwell this manifeſto. I ſhould be glad, according to my uſual method, to give here this Prince's particular anſwer to theſe articles: but I have not been able to find any, nor am even certain he ever anſwered it. Indeed he uſed his utmoſt indeavors to clear himſelf from this accuſation; but it was only by generals and proteſtations, without replying to any particular article, no not even in his Eikon Baſiliké, whoſe writer undertakes to vindicate his whole conduct.

I cannot therefore but obſerve, concerning this declaration, that ſome of its articles ſeem highly exagerated; and from others may be drawn conſequences not ſo very atrocious as thoſe here inſinuated. But withal it cannot be denied, but it contains ſome, to which it were to be wiſhed, for King Charles's honor, he had returned diſtinct and particular anſwers.

Policy of the parliament in accuſing King Charles.

It appears by this manifeſto, that the parliament very little regarded his Majeſty: but, over and above the pique and animoſity which might enter into the deſign of blackening his reputation, it is certain, policy had no ſmall ſhare therein. Charles, in all his public papers, repreſented himſelf as abſolutely innocent of all laid to his charge, and as having undertaken the war purely in defenſe of the nation's laws and liberties. He deſcribed the two houſes as a crew of robbers, who, for their own private ends, had put the kingdom in a blaze, refuſed the obedience due to him, and, without any cauſe trampled upon all the known laws of the land. Nor was gratifying the paſſion of revenge this Prince's ſole motive: there was another much more dangerous to the parliament; and that was, to draw the people of London to his ſide, by means of theſe papers (which his friends took care to diſperſe in the city) and thereby to force both houſes to conclude ſuch a peace as he deſired, i. e. a peace which ſhould render to him his prerogatives intire. If therefore the two houſes, thro' deference to their Sovereign, had neglected defending themſelves, their ſilence might have been extremely detrimental to them, ſince people are apt to believe, if accuſations are not replied to, it is becauſe no pertinent anſwer can be given. It was therefore the parliament's buſineſs to try, as far as poſſible, to inlighten the people, on whom the King, as they pretended, ſtrove to impoſe by general proteſtations, wherewith they labored to demonſtrate his actions did not correſpond. This was the grand view of their declaration, wherein they indeavored to manifeſt Charles's inſincerity, in that, while he called heaven and earth to witneſs, that he had no other intention than to maintain the Proteſtant religion, " without conniving at Popery," he was ſtriving to make peace with the Iriſh rebels; a peace which, in the then juncture of affairs, could not be concluded but by conceſſions wholly inconſiſtent with the Proteſtant religion's ſafety.

On the other hand, as King Charles, by his papers and emiſſaries in London, was perpetually laboring to convince the public of the greatneſs and ſincerity of his zeal for religion, for the laws and liberties of his good ſubjects, without ever mentioning what paſſed the firſt fifteen years of his reign, the two houſes were intereſted to renew the remembrance of thoſe times, leſt the occaſion of their fears and jealouſies ſhould finally be obliterated: wherefore they took two ſteps very proper to produce this effect. The firſt was, to order King James's book for tolerating ſports on Sundays, which Charles had cauſed to be re-publiſhed in the churches, to be burned by the common executioner. This book, being in a manner out of memory, could not produce any great effects at the time we are now upon; but, in all appearance, the meaning of both houſes was thereby to inſinuate to the people, what was to be expected from their Sovereign's exceſs of zeal for religion, in caſe he came to be reſtored to his priſtine authority. The ſecond was, to proceed to judgment againſt judge Berkley, whom the peers had condemned in the exorbitant fine of twenty thouſand pounds, and to ſtand commited to the Tower, 'till he ſhould be tried upon the other articles alleged againſt him: for this ſentence concerned only that part of his charge relating to his extrajudicial deciſions in the caſe of ſhip-money. Berkley was one of Charles's moſt zealous inſtruments to eſtabliſh arbitrary power; nevertheleſs, he had now lain three years in priſon, without being thought of: but, this year, the parliament believed it proper to bring him to judgment, as well to revive the memory of a time which his Majeſty was indeavoring to bury in oblivion, as to reap the benefit of his fine (1). The latter motive makes lord Clarendon ſay, that the parliament, in appropriating to themſelves the ſaid fine, which by law was due to the King alone, were thought, by many, to be guilty of a greater crime than that for which Berkley was ſentenced. This ſuppoſes that, even when the King and parliament were making war upon each other, the parliament ſhould do the King juſtice, and ſend him the money ariſing from fines and confiſcations. But the two houſes were ſo far from allowing this maxim, that contrariwiſe they, that very month, paſſed an ordinance for ſeizing the King's, Queen's, and Prince's revenues, for public uſe (2), i. e. to be imployed in this war againſt the King. Four days after, King Charles on his part iſſued out a proclamation, forbiding all tenants or debtors to pay any rents, or debts to ſuch perſons as were in open rebellion againſt him. But theſe orders, as well from King as parliament, were executed only in places where they were ſupported with power.

The book of Sports burned by the parliament's order. May 5. Ruſhworth. Vol. V. p. 317.

Judge Berkley's ſentence. Sept. 12. p. 361.

Vol. II. p. 290.

The King's, Queen's, and Prince's revenues ſeized. Sept. 21. Ruſhworth, Vol. V. p. 361.

p. 362.

Moſt of the lords, who had withdrawn from the parliament, and retired to his Majeſty, meeting with a very cold reception at Oxford, thought fit once more to change ſides, and return to London. The earl of Holland led the way. He was at firſt put under confinement; but, ſome days after, had leave to live upon his own eſtate, without any imploy. Seemingly, he had expected a better reception; ſince, after his return, he publiſhed a declaration very injurious to the King, wherein he

Some lords, who had retired to the King, return.

The earl of Holland. p. 367. Clarendon, Vol. II. p. 282.

(1) The half of his fine was abated, and upon payment of the other half, he had his liberty. Clarendon Vol. II. p. 290.

(2) Or rather, as they word it, " for the good of his Majeſty, and the commonwealth.". See Ruſhworth, Vol. V. p. 362.

ſaid

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Northumberland. Clarendon, Vol. II. p. 283.

Bedford and Clare.

The parliament orders a new great-seal. p. 312. Rushworth, Vol. V. p. 339. T. May.

said that, retiring to Oxford, in hopes by his credit to procure a peace, he had been laboring it to the utmost of his power, but (added he) without success, the King and his council being intirely averse to all accommodation, because every thing at court was managed by the Papists (1). The earl of Northumberland, who was retired to Petworth, being informed how ill the earl of Holland was received at Oxford, judged proper to return to the parliament, where he was received with respect; both houses being willing to suppose, he never intended to quit them, tho' many suspected he had withdrawn to his own estate, purposely to see what reception the other lords would find at Oxford. The earls of Bedford and Clare took also the same course, and came off with being for a time excluded their seats in parliament (2).

One of the chief occurrences of this year, 1643, was the resolution of both houses to make a new great-seal. It had been proposed by the commons in July; but, whether thro' scruple, as some pretended, or because King Charles's secret party were yet very numerous in the house of peers, the lords refused consenting, or rather delayed their answer: but, in the insuing November, their scruples vanished. The commons, in a conference, represented to them the mischiefs occasioned by the conveying away, and thro' the want of the great-seal (3).

I. It was secretly and unlawfully carried away by the lord-keeper Littleton, who ought not to have departed without leave of both houses: nor would have been suffered to do so, if his intentions had been discovered.

II. It hath been since taken away from him, and put into the hands of ill-affected persons, so as the lord-keeper, being sent to by the parliament for the sealing some writs, answered, "He could not seal "the same, because he had not the seal in his "keeping."

III. That those who have had the managing thereof, have imployed it to the hurt and destruction of the kingdom; as by making new sheriffs, to be as so many commanders of forces against the parliament; by issuing out illegal commissions of array; by sending forth proclamations against both houses of parliament, proclaiming them traitors.

And, thro' want of the great-seal, 1. The terms have been adjourned; the course of justice obstructed. 2. No original writs can be sued for without going to Oxford, which none who hold with the parliament can do, without peril of life or liberty. 3. Proclamations in parliament cannot issue out for bringing in delinquents impeached of high-treason, or other crimes, under pain of forfeiting their estates. 4. No writs of error can be brought in parliament to reverse erroneous judgments, nor writs of election issued out for chusing new members upon death or removal of any, whereby the number of members is continually lessening. 5. Every other court of justice has a peculiar seal, and the parliament, the supreme court, has no other seal but the great-seal, and so now no seal at all. 6. The great-seal is the 'Clavis Regni,' and therefore ought to be resident with the parliament (the representative of the whole kingdom) while it continues siting; the King, as well as the kingdom being always legally present in it during its session.

Next day, the lords declared their consent to the making a new great-seal. Accordingly a great-seal was made exactly like that in the King's hands (4), and, by an ordinance of both houses, it was declared, that all letters patents, and grants which had passed under the great-seal, since the twenty-second of May 1642 (5), were void and of no effect: that the new great-seal should be of like force, power and validity as any great-seal of England had ever been, and be put into the custody of the persons hereby ordained commissioners for that purpose, who should have the same power and authority as any lord-chancellor, or lord-keeper, used to have. On the last of November, the new great-seal was carried up, by the speaker of the commons, attended with the whole house, to their lordships, and delivered to lord Grey of Werk, their speaker, who in presense of both houses gave it to the commissioners. The first thing sealed with it, was a patent to the earl of Warwick, of lord high-admiral of England, the earl of Northumberland not being in that favor with both houses as formerly.

Charles I An' 1643. Rushworth, Vol. V. p. 341. Clarendon, ubi supra.

p. 313.

Remark on this new great-seal. p. 312.

Charles and his partisans made great noise upon this incroachment of the parliament, and urged the statute of the 25 Edward III, whereby counterfeiting the great-seal is expresly declared to be high-treason. But it is easy to perceive, this statute concerns only private persons, and not both houses of parliament, and that it was not possible, when the said statute was made, to foresee the King and the parliament would be one day divided. Beside, it cannot be said, that private persons have any right to dispose of the great-seal. But it is not the same with both houses of parliament, who are the nation's representatives: for the great-seal is not the King's seal in particular, but the kingdom's, and the kingdom is a body composed of the Sovereign, who is the head, and the people who are the members. If the King has the great-seal at his disposal, it is only as he is the most noble of this body's members, considered as being united with, and not as being separated from the other members (6). If therefore such a separation, as was at the time I am speaking of, happens, it is hard to conceive, by what title the King or people, separately, may claim disposal of the great-seal, which is the seal of their joint, not separate authority. In a word, I scarcely suppose them who most strenously affirm that, in such a separation, the King ought to have the sole disposal of the great-seal, to be willing to admit all the consequences flowing from that principle. The great-seal stamps a not violable authority on all acts whereto it is affixed. If therefore, in case of open war between King and parliament, the King could, by means of the great-seal, communicate such authority to all his particular acts, where would be the bounds of his power, which by the government's constitution is limited by laws? He would need only to declare, by proclamation under the great-seal, as King Charles had actually done, that, according to law, the members of parliament are traitors and rebels, and then the point would be decided by the sole possession of the great-seal, and the Sovereign might, by this authority, assume a power unlimited. But how would the case be, if the parliament was in possession of the

(1) Lord Clarendon (Vol. II. p. 283.) observes, upon this occasion, that the ill reception of these lords made the King, and all about him, looked upon as implacable; and so diverted all men from any thoughts of returning to their duty, and chuse rather to stay where they were, than expose themselves by unseasonable and unwelcome addresses.

(2) It was said in drollery, that these three earls had much confirmed others to continue with the parliament; for they, having tried both parties, found it by experience, that this was the best to be in, and adhere to. Whitelock, p. 71.

(3) Our author having confounded these two reasons for making a new great-seal, we have rectified his mistakes.

(4) There was ingraven on one side the picture of the house of commons, with the members siting; and on the other, the arms of England and Ireland. Whitelock, p. 70.

(5) When Littleton left the house, and went with the seal to York.

(6) And as the executive power is lodged in his hands.

great-

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great-seal, and by a like proclamation should declare the King traitor and rebel; would the application of the seal give to such an act a not violable authority?

It will undoubtedly be urged, that the great-seal gives inviolable authority to such acts only as are agreeable to the laws, and that the laws expresly declare guilty of high-treason such as take arms against the Sovereign. But it is manifest, the laws, as they neither could, nor ought to foresee such actual separation between King and people represented in parliament, have considered the King only as head inseparably united with the body, and not as the head divided from the other members. Else it might be said, the laws have ascribed to the King unlimited power, which is directly contrary to the English government's constitution. Most certainly, the laws have considered the King but as head of the state, and the crime of taking arms against him relates not more to his person in particular, than to the rest of the state. This parliament therefore seems to have had no less right to make a new great-seal, than King Charles would have had if the common-seal had been in the parliament's hands; since the seal was not either's property, but appertained to both, considered as inseparably united.

Count Harcourt's embassy. Clarendon, Vol. II. p. 306. Whitelock.

About this time, count Harcourt, a Prince of the Lorrain family, was sent over to England from France. He came directly to London, where he was received with great ceremony, as embassador extraordinary, tho' he had not presented to the parliament his credentials: but it was supposed he was not without them, and designed first to address his Majesty. After a few days stay in London, without any application to both houses, he set out for Oxford, where he had diverse conferences with the King. He then wrote to the earl of Northumberland, that having, from the King and Queen-regent of France, proposed to his Britannic Majesty the making a peace with his subjects, he found him wholly inclined to enter into negociation; and that, if both houses would inform him wherein consisted the differences between the King and them, he would gladly use his interest to adjust them. Both houses thought it very strange, that this Prince should offer his mediation, without producing his credentials. They therefore, by the earl of Northumberland, let him know, that they received, with all due respect, the offers of the King and Queen-regent of France, and that as soon as he should shew he was authorised for such a mediation, they would not fail to appoint a commitee to treat with him. But he had no credentials for the two houses, the Queen-regent not judging proper to own them for a parliament, since the King of England refused them that title. So, this pretended mediation was not only fruitless, but was a clear indication, that the French court had sent this embassy to testify externally their interesting themselves in King Charles's affairs, tho' they, very apparently, did not much desire to see England's combustions terminated (1).

Sir Edward Deering returns to the parliament: Feb. 2. Rushworth, Vol. V. p. 383. Ludlow.

Sir Edward Deering, who at the begining of this parliament had made himself so famous by a fervent zeal for his country, and by sundry memorable speeches upon grievances, was become excessively averse to the proceedings of both houses, since he found the aim of some leading-men was to establish Presbytery in the church of England. For that cause, after the war commenced, he abandoned the parliament, and turned to the King. But, in all appearance, he was no better pleased with the court than he had been with the parliament, since he at length followed the example of those lords above-mentioned. He came to London in February, 1643-4, and presenting a petition to the house of commons, whereof he was a member, he obtained leave to pass the residue of his days at his country seat, where within few months he died.

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Pym's death. Rushworth, Vol. V. p. 376. Clarendon, Vol. II. p. 353.

Mr. Pym, one of the parliament's pillars, and a principal director of the house's affairs, died December the eighth, 1643. King Charles's favorers speak of him as of a very wicked man; while the parliamentarians represent him as the greatest patriot then in England. Opinions so opposite about the same person are not uncommon. It is not strange that from contrary principles should be drawn contrary consequences. Thus much is certain, mr. Pym's death was a very great loss to the parliament, he being one of the commoners ablest members.

The parliament hangs one of the King's messengers as a spy. Novem. 27. Rushworth, Vol. V. p. 369.

The lower-house, as has been hinted, did in May this year, 1643, imprison one whom Charles had sent with offers of peace, and shortly after, he was discovered to be one of those imployed by his Majesty to keep a correspondence in London. That Prince could not be ignorant of the commons having twice declared, they would treat as spies such as should come from his quarters to London, without a safe-conduct. Beside having good correspondents in London and the parliament, he had no occasion to be informed of these particular resolutions to know, it is not allowable for any without a pass to enter their enemies quarters, since it is a maxim received whereseever war is declared. But there was in the present case something still more particular: for, upon the arresting this messenger by the house, his Majesty, by advice of his council, had deemed it inconsistent with his honor to hold any farther correspondence with the parliament. Morever, the eighteenth of October, both p. 367. houses had published an ordinance, declaring that any person coming to London, from the King's quarters, should be looked on as a spy. Nevertheless, twelve days after, on the thirtieth of October, Charles sent privately to London Daniel Kniveton, a state-messenger, with three proclamations; one against 'taking the solemn league and co-"venant;' another, against 'observing the month-"ly fast,' injoined by the parliament; a third for "removing to Oxford the seals of the green-wax "offices belonging to the Exchequer, King's-"bench, and Common-pleas.' This man was apprehended and sent to prison. Notwithstanding, the nineteenth of November following, Carpenter, another messenger, was privately sent by the King with his order, that the judges should adjourn the term to Oxford. Carpenter was likewise seized, and they were both tried and condemned to die. Kniveton was the less excusable, as he had before been taken and detained at Windsor for the same reason, and discharged by the general. All the defense he made was, that, being the King's sworn messenger, he was obliged to obey him; that beside, not taking London for a garison, he thought he might have come without drum, trumpet or pass. But this defense not sufficing, he was executed. Carpenter, tho' under the same condem- p. 370 Clarendon, Vol. II. p. 314. nation, was reprieved and commited to Bridewell. Lord Clarendon speaks of the sentence passed upon these men as of a great injustice, for two reasons; that they were obliged to obey the King, being his messengers, and that the parliament had not caused

(1) While count Harcourt was in England, he had two affronts put upon him. 1. He had not been landed twenty-four hours, before Walter Montague, one of his train, was apprehended and commited to the Tower. This man was an agent of the King's in the court of France, and thought, by disguising himself, to get a safe passage to Oxford, in the embassador's retinue. 2. As count Harcourt was going from London to Oxford, his coach was searched for letters, tho' he had a safe-conduct. For both which indignities, he could get no redress. Clarendon, Vol. II. p. 307, 308.

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their ordinance to be notified to his Majeſty. I doubt, whether all readers will be induced by theſe reaſons to condemn the proceedings of both houſes. The King at leaſt ſeems not to have blamed them, ſince he did not uſe repriſals, neither does it appear that he ever complained of it formally.

In proportion as hoſtilities advanced, the animoſity grew ſtronger between King and parliament, who no longer regarded each other. Charles refuſed to own the two houſes for a parliament, and they, as appears in their declaration concerning the Iriſh rebellion, omited nothing might ſully that Prince's reputation. Theſe proceedings were not confined only to England, where they might be in ſome meaſure neceſſary, becauſe the point was to gain the people; but care was alſo taken to convey beyond-ſea papers, tending to juſtify one of the parties, and blacken the other. Both houſes, being informed, or poſſibly ſurmiſing it only, that the King had abroad emiſſaries, who were uſing their utmoſt indeavors to repreſent the civil wars in England as a horrible rebellion againſt the Sovereign, ordered the aſſembly of divines, then ſitting at Weſtminſter, to write letters to the churches of Zealand, Holland, France, and Swiſſerland, to warn them againſt the artifices of King Charles's agents, by giving them a clear relation of the affairs of England. They charged them to inſiſt chiefly on the King's appointing Iriſh rebels, and other Papiſts, to be governors, commanders and ſoldiers; to lay before them the proofs of the intention of his ſaid Majeſty's counſellors to introduce Popery, and obſtruct ſuch reformation as was deſigned by the parliament: laſtly, to inform them of the diſadvantageous opinion of the King's party concerning the Proteſtant churches abroad, becauſe not governed by biſhops. The aſſembly failed not ſending to theſe churches a circular letter, which was properly a manifeſto for the parliament againſt King Charles, with copies of the ſolemn league and covenant, and of the declaration of England and Scotland on that ſubject.

The aſſembly of divines write to the churches abroad by order of parliament. Ruſhworth, Vol. V. p. 371.

Some time after, the King on his part publiſhed a manifeſto, addreſſed to all the Proteſtant churches, to efface the impreſſions which the parliament's circular letter might have cauſed. This manifeſto, which was very brief, contained only a proteſtation, that he had never intended to conſent to the public exerciſe of Popery in his dominions, but was firmly reſolved to adhere with his lateſt breath to the church of England, wherein he was born, baptized and educated; and to the liturgy of that church, approved by ſo many convocations and parliaments, by all the Proteſtant churches, and the ſynod of Dort.

King Charles's manifeſto touching religion. May 14. Ruſhworth, Vol. V. p. 752.

During this, his Majeſty was ſtrangely perplexed how to carry on the inſuing campain, knowing the parliament were preparing to exert themſelves powerfully. He had been openly charged, before this parliament, with arbitrarily exacting money of his ſubjects, without conſent of parliament. He likewiſe more than once owned, he had exceeded his power, ſince he had not only redreſſed that grievance, but proteſted, he had redreſſed it freely and willingly. Since the war commenced, he had never ceaſed accuſing both houſes of theſe very actions, which he himſelf had been ſo often upbraided with, in that they impoſed taxes upon the ſubjects without their conſent, which was directly contrary to the known laws, whereon he conſtantly inſiſted. By demonſtrating that both houſes violated the laws, he pretended to gain the people to his intereſt. Mean while, money was neceſſarily to be raiſed, not only to maintain the forces already on foot, but alſo to levy others, in order to reſiſt the Scots, who were on the point of entering England. If, for the maintenance of theſe forces, he had impoſed taxes by his ſole authority, he could not have reproached both houſes for a like procedure, and poſſibly would have diſobliged his own party by acting contrary to law. Money however was to be found at any rate, otherwiſe he would not be able to continue the war, Hitherto he had uſed ſundry methods to ſupply his wants, without giving any advantage againſt him, whether by ſelling or mortgaging the crown-lands, or by the voluntary contributions of his well-wiſhers: but the means he had already uſed were too uncertain to be ſafely relied on. He ſought therefore and found an expedient to free himſelf from this dilemma. He aſſembled at Oxford all the members who, according to him, had been driven from the parliament; pretending, theſe members were the true parliament, and the more as he had publicly declared, he no longer regarded as ſuch the two houſes at Weſtminſter. He expected not this new parliament would augment the number of his friends; but he could reaſonably hope it would grant him a ſupply of money, and that, being authoriſed by ſuch an act, he might openly, and by way of authority levy what money was neceſſary. This happened accordingly, and was properly Charles's aim in calling this parliament, which met at Oxford the twenty-ſecond of January, 1643-4.

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Clarendon, Vol. II. p. 337.

Ruſhworth, Vol. V. p. 559.

Parliament at Oxford. p. 560.

As it was not proper his Majeſty ſhould immediately diſcover his ſole end in calling this extraordinary parliament, he only told them in his firſt ſpeech, that he had aſſembled them to receive their advice, and conſult with them how to appeaſe the kingdom's troubles.

The firſt ſtep taken by this parliament was, indeavouring to convince the public of their intention to labor for peace. I have already explained the conſtant ambiguity of the word peace, and the different ſenſes given it by the two parties, and therefore think a repetition wholly needleſs. Indiſputably, Charles heartily wiſhed for a peace: but it was on condition it ſhould be made after his manner, and in his ſenſe of the word; elſe he was very averſe to it. To be convinced of what I advance, one needs only reflect on what lord Clarendon ſays, ſpeaking of the motion made in council to ſummon the Oxford parliament, which his Majeſty ſomewhat ſcrupled. "The King was at firſt in ſome "apprehenſion (ſays that illuſtrious hiſtorian) "that ſuch a conflux of perſons together of the "parliament, who would look to injoy the privi"leges of it in their debates, might, inſtead of "doing him ſervice, do many things contrary to "it, and exceedingly apprehended, that they would "immediately enter upon ſome treaty of peace, "which would have no effect, yet, while it was "in ſuſpenſe, would hinder his preparation for "war; and tho' no body more deſired peace, yet "he had no mind that a multitude ſhould be con"ſulted upon the conditions of it: imagining, that "things of the greateſt importance, as the giving "up perſons, and other particulars of honor, "would not ſeem to them of moment enough to "continue a war in the kingdom." Hence appears what ſort of peace was deſired by the King. It was not ſuch a peace as the Oxford parliament might think reaſonable, but a peace whereby he ſhould not be obliged to make any conceſſions.

This parliament propoſes peace. p. 566. Clarendon, Vol. II. p. 338. p. 318.

But his council quickly freed him from theſe apprehenſions, by the ſame method uſed on a like occaſion, in the begining of this war. It was intimated to him, that there was no probability, the two houſes at Weſtminſter would ever treat with the members who ſhould meet at Oxford, becauſe they would not regard them any otherwiſe than as private perſons, and deſerters of the parliament. Thereupon Charles's ſcruples vaniſhed. As the Oxford parliament was intirely directed by the King, and as his Majeſty agreed to the

Ibid.

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the propoſing a peace to thoſe at Weſtminſter, it may eaſily be gueſſed that, in ſo doing, his intention was not to conclude it, except both houſes at Weſtminſter would have ſubmited to his terms. But the two houſes at Oxford had another view in this proceeding, viz. to lay a ſnare for the parliament at Weſtminſter, and ingage them, if poſſible, to treat with them, which would have been owning them for a parliament. However, they expected to reap ſome advantage even from their refuſal.

Letter from the parliament at Oxford to the earl of Eſſex. p. 339. Ruſhworth, Vol. V. p. 566.

To this end, a letter was ſent to the earl of Eſſex, ſigned by the Prince of Wales, the duke of York, forty-three lords, and a hundred and eighteen members of the houſe of commons. In this letter it was ſaid, "That his Majeſty having "ſummoned them to attend him at Oxford, they "were aſſembled in obedience to his com- "mands: that his Majeſty was pleaſed to invite "them in the proclamation of ſummons, by gra- "ciouſly ſaying, 'His ſubjects ſhould ſee how "willing he was, as far as in him lay, to reſtore "the peace of the kingdom:' That this invitation "had not only been made good to them, ſeconded "by ſuch unqueſtionable demonſtrations of his "Majeſty's deep ſenſe of the miſeries and cala- "mities of his poor ſubjects in this unnatural war, "and of his moſt intire and paſſionate affections to "redeem them from that ſad and deplorable con- "dition, by all ways poſſible, conſiſtent with his "honor, or for the future ſafety of the kingdom: "'That as it were impiety to queſtion the ſince- "rity of them, ſo it were great want of duty and "faithfulneſs in us (his Majeſty having vouchſafed "to declare that he did call us to be witneſſes of "his actions and privy to his intentions) ſhould we "not ſatisfy and witneſs to all the world the aſſu- "rance we have of the piety and ſincerity of both.' "Adding——That, being ſatisfied of this truth, "they had yet hopes to be the happy inſtruments "of their country's redemption from the miſeries "of war, and reſtitution to the bleſſings of peace; "and were deſirous to believe, that his lordſhip, "howſoever ingaged, would co-operate with them "in the bleſſed work, by truly repreſenting to, and "induſtriouſly promoting with, thoſe by whom "he was truſted (1), their moſt earneſt deſire, "that ſome perſons be appointed on either part, "to treat of ſuch a peace as may yet redeem their "country from the brink of deſtruction."

Eſſex's anſwer. January 30. p. 567. Clarendon, Vol. II. p. 340.

The earl of Eſſex returned this conciſe anſwer, "That the letter he had received, not being ad- "dreſſed to the two houſes of parliament, nor "any acknowledgment of them being therein, he "could not communicate it to them. That the "maintenance of the parliament of England, and "the privileges thereof was that for which him- "ſelf and his whole party were reſolved to ſpend "their blood, as being the foundation whereon "all the laws and liberties of the nation were "builded (2)."

Tho' the earl of Eſſex ſaid, he could not communicate the letter to the parliament, yet it was known that his anſwer had been concerted with a commitee of both houſes, ſtiled the Commitee of State. Wherefore his Majeſty, knowing thereby the intention of both houſes, believed he ſhould run no great hazard by ſending them a meſſage, in a letter to the earl of Eſſex, directed to the Lords and Commons of Parliament aſſembled at Weſtminſter. This meſſage contained the uſual offers to treat of a peace, and appoint commiſſioners, if they would do the like on their part. Charles added, he took this ſtep by the advice of the lords and commons of parliament aſſembled at Oxford. Both houſes eaſily perceived the King was laying a ſnare for them, by puting them under a neceſſity, either of accepting his offer, in which caſe they ſhould indirectly own the lords and commons aſſembled at Oxford for a parliament, or of rejecting it, and ſo furniſhing him with a reaſon to upbraid them for refuſing to labor for a peace. But they little regarded this artifice, and for anſwer declared, they would never own ſuch members as had deſerted both houſes for a parliament, "And here- "upon (added they) we think ourſelves bound to "let your Majeſty know, that ſeeing the conti- "nuance of this parliament ſetled by a law (which, "as other laws of your kingdoms, your Majeſty "hath ſworn to maintain, as we are ſworn to our al- "legiance to your Majeſty, theſe obligations being "reciprocal) we muſt in duty, and accordingly "are reſolved, with our lives and fortunes to de- "fend and preſerve the juſt rights and full power "of this parliament; and do beſeech your Majeſty "to be aſſured, that your Majeſty's royal and "hearty concurrence with us herein will be the "moſt effectual and ready means of procuring a "firm and laſting peace in all your Majeſty's do- "minions, and of begeting a perfect underſtand- "ing between your Majeſty and your people, "without which your Majeſty's moſt earneſt pro- "feſſions, and our moſt real intentions concerning "the ſame, muſt neceſſarily be fruſtrated."

Declaration of both houſes to his Majeſty. Ruſhworth, Vol. V. p. 570. Clarendon, Vol. II. 345.

Notice has been already taken of the views wherewith King Charles propoſed peace to both houſes at Weſtminſter, viz. that ſuch a general offer would not be accepted, as was eaſy to foreſee. This refuſal it was which made both houſes at Oxford exult, as if the bare propoſal of a peace had been a clear and evident demonſtration of their ſincere deſire to conclude a reaſonable one. They publiſhed on this occaſion a long declaration, ſo like thoſe ſet forth by his Majeſty on the ſame account, that it was not difficult to perceive it flowed from the ſame fountain. They likewiſe, not long after, publiſhed another, pretending to ſhew, that thoſe aſſembled at Oxford had been forced from the parliament by the leading members menaces and violence. In this declaration were repeated all the outrages and artifices practiſed, by the chiefs of that faction, to intimidate ſuch as would not conform to their ſentiments, and this, as they pretended, was the ſole and forcible reaſon of their withdrawing. Such was really King Charles's ſcheme; but it may be ſaid to be ill grounded: for moſt of thoſe members, who had deſerted the parliament, had not abſented themſelves 'till long after theſe pretended outrages, ſome by his Majeſty's expreſs order, others thro' apprehenſion of being puniſhed for attempting to raiſe commotions againſt the parliament: but care was taken not to intimate this particular in the declaration. After all, ſuppoſing ſome had withdrawn themſelves purely for fear, it is certain their number came far ſhort of thoſe who retired with the ſole view of ſerving his Majeſty. However, they were all confounded in one and the ſame claſs, as perſons expreſly driven from the parliament.

The Oxford parliament's declaration on a peace. p. 347. Ruſhworth, Vol. V. p. 566, 582.

The King's meſſage to both houſes at Weſtminſter. p. 344. Ruſhworth, Vol. V. p. 569.

Some time after, both houſes at Weſtminſter publiſhed alſo a manifeſto, wherein they pretended to ſhew that, under the ſpecious color of propoſing peace, a ſnare was laid to ingage them tacitly to acknowledge themſelves not a parliament, but that the true parliament was at Oxford. They drew their proofs from ſundry letters, written from Oxford to the earl of Eſſex; from the expreſſions

The Weſtminſter parliament's declaration on the ſame account. p. 576.

(1) Not allowing them to be a parliament.

(2) This letter was directed to the earl of Forth, the King's general. With this letter he ſent a copy of the covenant, and the declaration of both kingdoms. Ruſhworth, Vol. V. p. 567.

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Dec. 27. Rushworth, Vol. V. p. 580.

preſſions in his Majeſty's late meſſage; but more particularly, from a certain intercepted letter of lord Digby's, wherein his lordſhip ſays; "A point "which his Majeſty may not ſuffer them to gain, "without ſubverting the grounds and maxims of "all his late proceedings againſt them, and that "which he now goes upon by the advice of all "his nobility here, as you will perceive by this "incloſed proclamation (1), upon the effects "whereof all the eyes of the kingdom are fixed. "God ſend them to be as good actuated, as they "are in ſpeculation; for I am confident that, in rea-"ſon, it carries probability of the ſureſt and rea-"dieſt way to a re-eſtabliſhment of his Majeſty in "his juſt rights and powers, of any courſe hath "been yet attempted."

Votes at Oxford againſt the Scots. Jan. 26. P. 564.

A day before the two houſes at Oxford wrote to the earl of Eſſex, to propoſe a peace, they voted, that the Scots, having entered the kingdom in ſuch hoſtile manner, had thereby denounced war againſt England, and that all thoſe Engliſh who aſſiſted them, ſhould be deemed as traitors and enemies to the ſtate.

P. 565.

March the twelfth, the ſame Oxford parliament voted, "That the lords and commons now re-"maining at Weſtminſter, are guilty of high-"treaſon; for raiſing forces under command of "the earl of Eſſex; for conſenting, and being "aſſiſting to the preſent coming of the Scots "into England; and for counterfeiting the great-"ſeal." But as votes did no hurt to the parliament at Weſtminſter, ſo neither were they of much advantage to Charles. He found a more real benefit from them, with regard to the affair for which he ſummoned this Oxford parliament, I mean, thoſe money aids he expected for ſupporting the war.

Means to procure money for his Majeſty. Clarendon, Vol. II. p. 346.

This parliament was however ſtrangely imbaraſſed to deviſe how they might give his Majeſty ſome effectual aid, for that was the main affair. If as the only and true parliament, they had laid a general tax, King Charles would have hazarded meeting great oppoſition in levying money; all thoſe of the counties on his ſide not being ſatiſfied, that ſuch a parliament had any legal authority. In that caſe, he would be obliged to imploy force to compel ſuch as ſhould refuſe paying, which little ſuited his then circumſtances. Another method was therefore deviſed, doubtleſs ſuggeſted by the court. This was, to counſel his Majeſty to borrow, from the wealthieſt of his partiſans, a hundred thouſand pounds. To that purpoſe, the commons went into their reſpective counties, to take the number of thoſe deemed monied-men, and make a liſt, wherein were ſet down the quality and ability of each. Thoſe members being returned to Oxford, with their liſts, the taxes were proportioned; which done, Charles wrote circular letters to every particular perſon, to borrow of one, a hundred pounds, of another two hundred, promiſing to repay it as ſoon he was able, and not forgeting to ſay in theſe letters, that this loan was by advice of his parliament. Thus, tho' this parliament did not think themſelves ſufficiently authoriſed to impoſe a general tax, the particular perſons rated were no leſs obliged to furniſh what was laid on them, ſince theſe loans were made with the advice of both houſes. His Majeſty would have found leſs advantage in a general tax; for it was much eaſier to raiſe a hundred thouſand pounds upon particular rich men, than upon the whole nation. Now the point was, to procure, certainly and ſpeedily, the money wanted for the King's ſervice. Accordingly, this ſoon appeared to be the ſole motive of chuſing that method; for the Oxford parliament, underſtanding both houſes at Weſtminſter had laid a duty upon wine, beer, ale, and other commodities, which duty they ſtiled Exciſe, a word before unheard of in England (2), ſcrupled not laying a like injunction in the counties where the King's authority was acknowledged.

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p. 601, Clarendon, Vol. II. p. 347. T. May.

Rushworth, Vol. V. p. 580.

From that time, nothing remarkable was tranſacted by this parliament, which (ſiting 'till the 16th of April) was prorogued to October, and never met again. It ſerved only to procure King Charles a ſum of money, for which it was ſolely deſigned, and to exhibit a ſpectacle never before ſeen in England, viz. two parliaments, both at once holding their ſeſſions.

Oxford parliament prorogued. Rushworth. Vol. V. p. 601.

Three days before opening this parliament, the Scotiſh army entered England, notwithſtanding the ſeaſon, which ſhould ſeemingly have obſtructed their march (3). The marquis of Newcaſtle, who commanded for Charles in the North, hearing that the bad weather prevented not this army's advancing towards the borders, began likewiſe to march with his troops, and got to Newcaſtle, the ſecond of February (4). The Scots approaching that town, their general ordered it to be ſummoned; but the ſummons had no effect. He continued in that neighborhood the whole remainder of February, waiting for his artillery, which was coming by ſea. The twenty-eighth, he paſſed the Tyne, at ſome diſtance from Newcaſtle, (5) having left on the north-ſide of the town ſix regiments of infantry, with a body of cavalry, to awe the gariſon. The marquis, too weak to venture a battle, contented himſelf with haraſſing the Scots by frequent ſkirmiſhes, in order to retard their march; but he finally thought proper to retire into Durham, whither he was followed by the Scotiſh general, tho' with great inconveniency, being greatly in want of forage.

Scotiſh army enters England. Jan. 19. p. 603.

Feb. 3. p. 613.

p. 614.

p. 615.

When the marquis of Newcaſtle marched from York, to oppoſe the Scots, he left the command of that city, with a good body of troops, to colonel John Bellaſis (6). No ſooner was lord Fairfax informed, that the marquis had directed his march Northwards, but he determined on bending his courſe towards York; and, to that end, ordered his ſon, ſir Thomas Fairfax, to meet him at a certain place, with the party he commanded, that they might act in conjunction. But Bellaſis, having notice of this deſign, departed York, with moſt of the gariſon, to hinder their junction, and poſted himſelf at Selby. Some few days after, lord Fairfax, having taken a great circuit to deceive the

Lord Fairfax defeats Bellaſis at Selby. April 11. p. 618. Clarendon, Vol. II. p. 348.

(1) To ſummon the members to meet at Oxford. Rapin.

(2) The parliament's ordinance, for the exciſe, bears date July 22, 1643. It was laid upon liquors, grocery wares, ſilks, linens, cloths, furs, and almoſt all other ſorts of commodities, imported. That our readers may form hereof ſome ideas notion, it will be proper to mention a few particulars, viz. Every pound of tobacco, not of the Engliſh plantation, was to pay, over and above all cuſtoms, 4 s. and that of Engliſh plantation, 2 s. Every tun of wine retailed, 6 l. and for private uſe, 3 l. Malaga raiſins, one farthing per pound. Currants, 1 d. Loaf-ſugar, 4 d. per pound. Cloth of gold and ſilver 8 s. and tiſſue 10 s. per yard Damaſk table-linen, 1 s. a yard, &c. It is ſomewhat ſtrange, that Ruſhworth has not inſerted in his collections this remarkable ordinance.

(3) This army conſiſted of eighteen thouſand foot, three thouſand horſe, and between five and ſix hundred dragoons. Alexander Leſley, earl of Leven, was general; John Baily, lieutenant general of the foot; and David Leſley, major general of the horſe. Ruſhworth, Vol. V. p. 603, 604.

(4) One day before the Scots came in ſight.

(5) At the three ſeveral fords of Ovingham, Bydwell, and Altringham. p. 614.

(6) Son of lord Falconbridge.

enemy's

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enemy's vigilance, and joining his ſon, ſuddenly attacked Selby *, where Bellaſis lay with fifteen hundred horſe, and eighteen hundred foot, forced the town, took priſoners the colonel, with ſixteen hundred of his followers, and killed a great number.

* With a body about 4000 ſtrong.

The marquis of Newcaſtle returns to York. April 13. Ruſhworth, Vol. V. p. 619.

The marquis of Newcaſtle learned theſe unhappy tidings at Durham, the Scots being then within two miles of the place. He apprehended that lord Fairfax, after his victory, would attack York, or at leaſt march directly towards Durham, to put himſelf between the two armies. For this reaſon, he ſuddenly reſolved on retiring to York, as well to ſecure himſelf as that city, which would otherwiſe have been in the utmoſt danger.

AN' 1644. p. 620. Ludlow, Vol. I. p. 173.

It ſoon appeared, that the marquis had taken this reſolution very ſeaſonably; for, the twentieth of April, i. e. nine days after the Selby fight (1), lord Fairfax joined the Scots at Tadcaſter, whence the two generals agreed to ſet out for the ſiege of York. But as that city was too ſpacious to be inveſted by the two armies on all ſides, particularly towards the river, croſs which the marquis had made a bridge of boats (2), they deſired the earl of Mancheſter, general of the Eaſtern aſſociated counties forces, to advance to this ſiege. Theſe generals, 'till the earl of Mancheſter's arrival, held the city blocaded to the ſouthward of the river Ouſe. I ſhall interrupt for a moment the account of York's ſiege, to ſpeak of the parliament army's ill ſucceſs, at Newark.

Meldrum defeated at Newark by Prince Rupert. March 22. Ruſhworth, Vol. V. p. 307. Clarendon, Vol. II. p. 356. Common's War.

While the marquis of Newcaſtle was in the North, obſerving the Scotiſh army, lord Willoughby of Parham, and ſir John Meldrum, with above five thouſand of the parliament's troops, beſieged Newark, a conſiderable town in Notinghamſhire, where Charles had ſtationed a gariſon. So ſoon as his Majeſty had thereof notice, he ſent orders to Prince Rupert to attempt its relief. His ſaid Highneſs, then at Cheſter, inſtantly put himſelf on the march, and, being joined by other troops, made a body ſeven thouſand ſtrong, wherewith he advanced towards Newark. Meldrum, who commanded alone at the ſiege, lord Willoughby being gone elſewhere, reſolved to fight the Prince, and to that purpoſe drew up his forces at a ſmall diſtance from the town. The twenty-firſt of March, there was a ſharp conflict, particularly at a bridge, by which Meldrum had reſolved to retreat, in caſe of neceſſity. The bridge was vigorouſly attacked, and as bravely defended. Mean while, when the fight was over, Meldrum, finding himſelf too weak to renew it next day, reſolved to retreat over the bridge during night; but he found the guard he left there had deſerted, and the bridge in the enemy's poſſeſſion (3): ſo Meldrum, not being able to retreat, and perceiving himſelf ſurrounded with the King's forces, ſent his Highneſs a trumpet to deſire a parley. It was agreed, that the foot ſhould march away with their ſwords, colors and drums; all the officers with their arms, horſes and baggage; and the troopers and dragoons with their ſwords, horſes and colors: but he was forced to deliver all his ordnance and ammunition, with about three thouſand muſkets.

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Rupert, after this expedition, whereby he acquired great honor, returned into Shropſhire, and thence went to Lancaſhire, to relieve the counteſs of Derby, who, during eighteen weeks, was beſieged in Latham-houſe, and made a gallant defenſe againſt a body of two thouſand men (4). The Prince, in his way to Latham, took by ſtorm Stopworth, a ſmall town in Cheſhire. While he was advancing towards Latham, the beſiegers diſlodged, and part of them, under command of colonel Rigby, marched away to reinforce the gariſon of Bolton, in Lancaſhire, which was in great danger. His Highneſs purſued them, and, without giving them time to recollect, carried the town by ſtorm.

Other exploits of Prince Rupert. Ruſhworth, Vol. V. p. 617, 623. Dugdale's Baron. Vol. II. May 25. May 28.

That atchieved, he attacked Liverpool, a maritime-town on the edge of Cheſhire, where thoſe who paſs into Ireland generally imbark. The governor, colonel More, after ſome reſiſtance, conveyed on board the ſhips in the Pool moſt part of his ſoldiers, with what elſe was of moſt value, and then Rupert entered with little oppoſition. Here he received a letter from his Majeſty, ordering him to march with all ſpeed to the relief of York, which was now beſieged. Charles told him, in this letter, "that his affairs were in ſo very ill a ſtate, "that it would not be enough, tho' his Highneſs "raiſed the ſiege of York, if he had not likewiſe "beaten the Scotiſh army;" which expreſſions ingaged the Prince to fight a battle which proved extremely fatal to his royal uncle.

June 11. Ruſhworth, Vol. V. p. 624.

He is ordered by the King to relieve York. Clarendon, Vol. II. p. 390, 396.

I left York blocaded by the Engliſh and Scotiſh armies, commanded by lord Fairfax and the earl of Leven, 'till the earl of Mancheſter ſhould join them. Mancheſter who was general of the ſeven Eaſtern aſſociated counties, had raiſed an army of fourteen thouſand horſe, foot and dragoons. With theſe troops, the ſaid earl had already done the parliament great ſervice. In the laſt campain, he had taken the town of Lynn, and, in the begining of this, had poſſeſſed himſelf of Lincoln. As diverſe of the leading members had thoughts of puting him in the earl of Eſſex's place, occaſion was taken from the ſervices he had performed to make a conſtant proviſion for his army. To that end, by an ordinance of both houſes, May the fifteenth, 1644, each of the ſeveral aſſociated counties were charged and rated at a certain weekly ſum for the maintenance of his troops; after which he received orders to join the two other armies, to beſiege York in concert. The parliament had alſo taken care for the ſubſiſtence of the earl of Eſſex's (5) and ſir William Waller's forces; ſo that, in May, they had on foot five armies, beſide the troops diſperſed in ſeveral counties, and in gariſon.

Exploits of the earl of Mancheſter. Ruſhworth, Vol. V. p. 621.

p. 283, 620.

p. 621.

The parliament has five armies. p. 653.

Before the marquis of Newcaſtle was blocaded in York, he had ſent general Goring with four thouſand horſe, to ravage the parts in ſubjection to the parliament. Wherefore, the earl of Mancheſter detached likewiſe three thouſand horſe, which were joined by two thouſand ſent from the Scots before York, to attend Goring's motions. Mancheſter therefore joined the two armies only with his infantry, and ſome few horſe (6), and preſently after their junction, the ſiege of York commenced. The marquis of Newcaſtle had ſignified to his Ma-

The earl of Mancheſter joins Fairfax and the Scots. Clarendon, Vol, II. p. 396. Ludlow.

(1) We have here rectified a ſmall miſtake of our author's, in point of time.

(2) The caſe was this: The marquis having a great ſtrength of horſe, and the advantage of a bridge over the river, could eaſily tranſport them to either ſide in a ſhort time: ſo that if the beſiegers divided their forces, the river being betwixt them, he might fall on the weaker, and the reſt would not be able to relieve them. The river Ouſe runs North and South quite thro' the city, divided into two parts, which are joined by a ſtone bridge.

(3) Our author has here confounded two bridges. That which was attacked was a bridge of boats, over which Meldrum's horſe were drawn by his order into the iſland. This bridge Prince Rupert indeavored to recover, but was repulſed. The other was Muſcome bridge, over which he deſigned to retreat, but his guard deſerting broke it down.

(4) In a ſally, May 6, the beſieged ſlew near three hundred of the beſiegers. Mercur. Ruſticus.

(5) The maintaining this army coſt, in the year 1644, above a million of money. And the charge of the navy had been, 240,000 l. the year paſſed Dugdale's View. p. 123.

(6) With about ſix hundred foot, a hundred horſe, and twelve field-pieces. Ruſhworth, Vol. V. p. 622.

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jesty, that he hoped to hold out six weeks or two months, and besought him in the interim to consider how to relieve him. To retard the progress of the siege, as much as possible, he made overtures for a treaty, but on such conditions as he knew would n ot be granted. Nevertheless, he gained seven or eight days by this artifice, so that the cessation he had obtained did not expire 'till the fifteenth of June. On the twenty-fourth, he made a sally, and furiously attacked Manchester's leaguer; but was repulsed with loss after a sharp conflict.

Siege of York. June 3. The marquis amuses the besiegers. Clarendon, Vol. II. p. 369. Rushworth, Vol. V. p. 624, 625, &c.

On Sunday the thirtieth of June, the besiegers had certain notice, that Prince Rupert was advancing at the head of an army *, which had greatly increased in their march, as well by the troops drawn from several garisons, as by Goring's cavalry, so that this army was not inferior to those three imployed at the siege. The three generals, after a short consultation, thought it adviseable to raise the siege, and join their armies, whether, as some affirm, with design to give battle, or to avoid it, as others pretend. Howsoever it be, they posted themselves on Marston-moor †. But tho' Prince Rupert must have indeed passed that way to come at them with his army, they however left two sides of York open, that provisions and ammunition, and even troops by small parties, might be conveyed in. Had the Prince's design been only to relieve York he had already effected it, and had only to remain in his post, and keep the enemies at bay, 'till all necessaries had been sent into the city. But that same day, coming to York with a guard of two hundred horse, he confered with the marquis of Newcastle, or rather signified to him, that he intended to fight, according to his Majesty's express orders. As Rupert was excessively haughty, he made not to the marquis any manner of apology upon the authority he assumed, in resolving to give battle, contrary to the opinion of that noble peer, who maintained it not to be any way requisite in the present juncture, and the rather, as he expected five thousand men, who were coming from the North to his assistance. Moreover, his Highness made no scruple to command the forces in York to be ready to join him next morning, in order to ingage; and all this without saying a word of it to the marquis; nothwithstanding, these forces had been by him levied, and all along commanded with great reputation: beside, this nobleman's birth and merit seemed to require a greater regard from his Highness. Possibly, it never entered the marquis's thoughts to desire a sight of his Majesty's express order, or else he believed it would be affronting the Prince to shew any doubt of such order. However this was, he told him, he was in all things ready to obey his Highness, who might dispose of his troops as he pleased, and for his own part, would be contented to charge in the battle as voluntier. His dissatisfaction was farther increased, when having asked Rupert, what service he would be pleased to command him, the Prince answered, he would begin no action upon the enemy 'till early next morning, and desired him to repose himself 'till then. Thus had Rupert the sole management of the intended battle, without consulting the marquis. Tho' he had ordered Newcastle's forces in York to join his onw army, it does not appear that he had assigned any command or post to that marquis; perhaps, because he said, he would be in the battle as a voluntier. It cannot be denied, this behavior was very severe to a nobleman who had constantly expressed for King Charles a zeal and affection not to be surpassed, nor perhaps equalled.

The siege raised. July 1. Ludlow. Warwick.

Rupert comes to York.

Treats the marquis haughtily, and resolves to fight. Rushworth, Vol. V. p. 632.

* Near 20,000 strong.

† About five miles from York.

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At night, the three parliament-generals, having considered that the place was relieved, and thinking Prince Rupert had no farther design than to lay in provisions, resolved on marching to Tadcaster, Cawood and Selby, as well to preserve the East-riding, as to hinder York from being thence furnished with provisions. Accordingly, they began their march early in the morning, the Scots leading the van: but about nine, they had intelligence, that Rupert was approaching with his army; and indeed he was advanced, with five thousand horse, very nigh their rear.

The parliament-generals retire. July 2. p. 632—634.

Prince Rupert forces them to ingage.

Hereupon they were obliged to draw up speedily, and call back their van, which made all possible haste to re-join them. Fortunately for them, the infantry, which his Highness had drawn out of York, could not come up with his army 'till noon, and this gave the Scots time to re-join the rest of their army, which they had left in the morning. The armies were both drawn up about two after noon: but there was between them a deep and large ditch, which neither cared to pass, for fear of giving the enemy too much advantage. For this reason, they stood viewing one another above two hours, each expecting the other to begin the charge.

Prince Rupert himself headed the left wing (1), consisting of five thousand horse. The right wing was commanded by sir Charles Lucas, with colonel Hurry, and the main body by general Goring. It appears not that the marquis of Newcastle had any command in this action. The parliament's right wing opposite to Prince Rupert, was led by sir Thomas Fairfax; the left by the earl of Manchester, assisted by his lieutenant-general Oliver Cromwell. In the main batallia, towards the right, was lord Fairfax, and general Leven towards the left. Finally, between six and seven in the evening, the parliament-generals gave the signal, and marched to the enemies. I shall not undertake to describe this battle, because, in all the accounts I have seen, I meet with so little order and clearness, that I cannot expect to give a satisfactory idea of it to such of my readers as understand these matters. I shall content myself with relating one remarkable circumstance, beside the success in general. The left wing of the King's army, commanded by Prince Rupert, was intirely routed by the parliament's right-wing, while the King's right-wing had the same advantage over the left of the parliament. The two victorious wings, after chacing their enemies, returned to the field of battle, and, I know not what by accident, met face to face, so that each stood on the same ground which the enemy possessed when the battle began. Here the fight was renewed, and maintained on both sides with great warmth and vigor, 'till at length night approaching, the King's cavalry were put to flight, and pursued as long as day would permit. It was probably then that Rupert's infantry were likewise routed. I say, probably, because in the description of this battle it does not appear what the foot did. But this is not the only instance wherein we are left in the dark, when we read descriptions of battles drawn by historians. They are generally made by persons who have not the least notion of military affairs, and who, by dweling on some frivolous circumstances,

Battle of Marston-moor. July 2. p. 632, 635. Clarendon, Vol. II. p 388. Ludlow. Manley.

Rupert's army routed.

(1) Rushworth (Vol. V. p. 633.) says, the Prince led the right wing, and sir Charles Lucas the left: and that the earl of Manchester and Cromwell commanded the left of the enemy. The King's forces consisted of 14,000 foot, and 9,000 horse, and about twenty-five pieces of ordnance. The parliament's army did not exceed that number. Oliver Cromwell was hard pressed by the Prince's horse, and wounded above the shoulders, but at length he broke thro'. Lord Holles affirms, that Oliver behaved, in this battle, in a very cowardly manner; and that those who did then most service, were, major-generals Lesley and Crawford, and sir Thomas Fairfax. Mem. p. 15.

pass

pass over those which might give the intelligent reader clear ideas. It suffices therefore to say, that the Prince's army was pursued within a mile of York, whither they retired in the night. Those peasants, who were commanded to bury the dead, gave out that they interred four thousand one hundred and fifty bodies. It was reported that three thousand of Rupert's men were killed: but the conquerors affirmed, they lost not above three hundred (1).

Rushworth. Vol. V. p. 635.

Tho' Prince Rupert had ever been victorious where he had commanded in chief, it is not very surprising that he should once be defeated; this is a misfortune incident to the greatest generals. But his resolution to retire with his army, on the morrow, must needs appear unaccountable. His cavalry had not suffered much, because they had taken to flight betimes, at least those of the left-wing, commanded by himself; and his foot were also in good condition, the greatest storm having fallen on the marquis of Newcastle's. He might therefore have defended York, and waited the King's order upon this fatal occurrence. So, this extraordinary resolution can scarce be imputed but to excess of shame and indignation, which hindered him from considering how prejudicial it would be to the King his uncle's affairs. He sent the marquis of Newcastle notice of his design, just as that nobleman was sending him word, that he was instantly going to quit the kingdom. They both put their resolutions in practise. The marquis repaired that very day to Scarborough, and imbarked for Hamburgh: the Prince left York, and marched towards Chester with the remains of his army. It is easy to guess why the marquis of Newcastle quited the King's service, after having been so unworthily treated by Prince Rupert. He doubtless believed he could not with honor resume his former command, having been deemed incapable to serve his Majesty on this important occasion: nay, very possibly, he imagined Rupert would not have behaved to him in so haughty and rude a manner, had he not thought he should be supported. However, all that Prince could afterwards produce in his vindication, was King Charles's above-mentioned letter, which he understood in a sense the King himself had never thought of (2). It may therefore be affirmed, that his commiting so many errors successively, was intirely owing to his extreme haughtiness.

p. 636, 637. Clarendon, Vol. II. p. 389.

York taken. July 15. p. 390. Rushworth, Vol. V. p. 637.

The parliament-generals improved their victory, and the dissension of their enemies. They returned to their stations before York, which was left to the discretion of sir Thomas Glemham, the governor, who, seeing himself unable long to resist, surrendered this important place upon honorable terms. They were no sooner in possession of York, but the three armies separated. Lord Fairfax, with his forces, remained at York, as governor. The earl of Manchester marched towards Lincoln, not to be remote, without necessity, from the associated counties, whose troops he commanded. The earl of Leven, with the Scotish army, marched Northward to join the earl of Calendar, who was advancing with a strong reinforcement from Scotland. When these forces were joined, he laid siege to Newcastle, which surrendered at discretion, towards the close of October (3). Thus Marston-moor battle lost King Charles all the North, which hitherto had given the parliament-forces a powerful diversion. But this was not the whole mischief this Prince had to apprehend. The three victorious armies menaced joining, in the heart of England, those of the earl of Essex and sir William Waller, and reducing at once all the places which were still in his power. This was the more to be dreaded as, when he heard of the defeat of his army at Marston-moor, he was himself marching to relieve the West, where Essex then was with an army which the royalists of those quarters were not able to withstand. This is what I am now to explain, and withal touch on what passed at Oxford, while the Northern armies were in action.

The three armies separate. p. 641.

Extraordinary preparations of the parliament, for the campain of 1644. March 26,30. Rushworth, Vol. V. p. 653.

The parliament, by their extraordinary preparations in the begining of the year 1644, seem to have intended a speedy conclusion of the war. Beside the armies of lord Fairfax and Scotland, and the earl of Manchester's which was paid by the Eastern counties, a new regulation was made, late in March, for the maintenance of seven thousand five hundred foot, and three thousand horse, to be commanded by the earl of Essex. At the same time, by another ordinance, the four Southern associated counties, viz. Kent, Sussex, Surrey and Hampshire, were to maintain three thousand six hundred foot, twelve hundred horse, and five hundred dragoons, under sir William Waller's command. These were not new armies; they subsisted before the regulation: but the business was to recruit them, complete the number fixed by parliament, and setle the necessary weekly defray of their subsistence.

Resolution to send Waller into the West:

Tho' sir William Waller was worsted at the battle of Roundway-down, the two houses, far from losing their esteem for him, resolved to send him into the West, with a force able to withstand Prince Maurice, who met with no farther opposition in those quarters. Charles, having notice of this design, resolved to indeavor, not only hindering Waller's march into the West, but also breaking the association of the four Southern counties, where he had many friends, and even hoped to procure an association of these counties in his favor. To that purpose, he gave lord Hopton an army, consisting of troops drawn from diverse garisons, and of two regiments of foot lately arrived at Bristol from Ireland (4). These forces were no sooner assembled, than lord Hopton posted himself at Winchester, where sir John Berkley brought him two regiments he had newly raised in Devonshire, and the King sent him a detachment of a thousand men, commanded by sir Jacob Ashley. All these troops united formed an army of four thousand foot, and fifteen hundred horse (5), with which he determined on marching into Sussex. Waller, who was then quartered about Farnham, assembled his forces and faced the enemy: but after a few slight skirmishes, he retired into Farnham castle, whence he took a journey to London, representing to the parliament his want of supplies, without which it would not be possible to perform what had been injoined him.

which Charles tries to prevent.

He sends Hopton Southward. p. 654. Clarendon, Vol. II. p. 361, 362.

Ibid. p. 363.

Hopton takes Arundel-castle.

Immediately after Waller's departure for London, lord Hopton marched with part of his army to attack Arundel-castle, which was surrendered upon terms. But hearing, some few days after, that

The Scots take Newcastle. p. 645.

(1) Upwards of 100 officers, and 1500 soldiers were taken, with twenty five pieces of ordnance, 130 barrels of powder, several thousands of arms, and about 100 colors. Whitelock, p. 94. Others say, there were about 4000 taken prisoners, and as many slain on the King's party; the whole of both armies amounted to near 9000 men. Commons War, p. 50.

(2) This letter was produced only to his friends, and after the King's death. Clarendon, Vol. II. p. 390.

(3) It was taken by storm, October 19, Rushworth, Vol. V. p. 650.——The earl of Manchester took also Sheffield castle, and some other places. p. 642.

(4) Under command of sir Charles Vavasor, and sir John Pawlet. Clarendon, Vol. II. p. 361.

(5) Rushworth says, That he and the earl of Forth had drawn together an army of thirteen or fourteen thousand men.

Waller

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Waller retakes it. Clarendon, Vol. II. p. 364, 365.

Waller was returned to Farnham with a ſtrong reinforcement, he rejoined the reſt of his army.

Waller's journey to London anſwered his expectation. Beſide a brigade of Londoners, under major-general Brown, he procured an order of parliament to the earl of Eſſex, to ſend him from his army a thouſand horſe, under conduct of ſir William Balfour. He was no ſooner returned to Farnham with theſe ſupplies, but he marched all night, and at day-break beat up of one lord Hopton's quarters, at Alton, and carried off priſoners colonel Boles's regiment of foot (1); a troop or two of horſe, which were in the ſame quarters, having timely taken to flight. Then he marched directly to Arundel-caſtle, and made the gariſon priſoners. Here the learned mr. Chillingworth was taken, and within few days died.

Battle of Alresford, wherein Hopton is defeated. March 29. p. 366, 367. Ruſhworth, Vol. V. p. 654.

King Charles, hearing of the ſupplies ſent Waller, diſpatched away a reinforcement to lord Hopton. The earl of Forth, his Majeſty's general (2), would go himſelf, but refuſed the command which lord Hopton offered to reſign to him. Hopton, having then an army about eight thouſand ſtrong, reſolved to give Waller battle, and begun his march with that intent, at the very time Waller was advancing towards him with the ſame reſolution. The two armies met between Farnham and Wincheſter, on Cheriton-down, near Alresford, where the battle was fought the twenty-ninth of March. Lord Hopton was defeated and forced to retire to Reading, and afterwards to Oxford (3). Waller marched to Wincheſter, and became maſter of the city, but did not think proper to beſiege the caſtle*, becauſe he had elſewhere more important affairs, as will ſoon appear. Lord Clarendon pretends, the loſs ſuſtained by Waller at Alresford hindered him from improving his advantage, and marching into the Weſt, as he had reſolved. But it may be affirmed, this was not what prevented his taking the Weſtern route: it was rather owing to ſome reſolves of the parliament, by whom he was recalled to London, after having diſmiſſed the auxiliary regiments of that city, and Kent, which were alſo come to join him.

* Which was part of his own patrimony. Clarendon, Vol. II. p. 376.

Reſolution to beſiege Oxford.

Both houſes, perceiving that, by the King's late loſs at Alresford, his army was diſcouraged and conſiderably leſſened; that moreover, they had ſufficient forces in the North to have nothing to fear from the marquis of Newcaſtle, who was ſhut up in York, reſolved to beſiege Oxford, where the King was with his army. So, having relinquiſhed, or ſuſpended, the deſign of ſending Waller into the Weſt, they labored, with all poſſible diligence, to put the two armies of Eſſex and Waller on the footing ſetled by their ordinance, that they might jointly act againſt Oxford.

His Majeſty had all along ſuppoſed Waller's deſign was to march Weſtwards. He had therefore aſſembled his forces at Marlborough, and afterwards poſted himſelf at Newbury, where he had remained ſome time, 'till he could better penetrate the intentions of his enemies. But having at length found the parliament had altered their meaſures, he came to Reading, and cauſed the fortifications to be demoliſhed, in order to ſtrengthen his army with the gariſon, conſiſting of two thouſand five hundred men. He alſo ordered Prince Rupert to join him: but afterwards permited him to relieve Latham-houſe, where the counteſs of Derby was beſieged. With the Reading gariſon, his army was increaſed to eight thouſand five hundred foot, and four thouſand horſe: but being ſtill ignorant of the enemy's drift, he judged proper to retire to Oxford with his whole army.

May 14. p. 370, 373. Ruſhworth, Vol. V. p. 667.

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Eſſex and Waller march towards Oxford. Clarendon, Vol. II. p. 373. Ruſhworth, Vol. V. p. 667. 668.

Mean while the parliament, who had for ſome time found means to take their reſolutions with more ſecreſy than before, perceiving Eſſex's and Waller's armies ready to march, ſent to each a ſupply of four thouſand two hundred of the London militia: ſo, Eſſex's army conſiſted of twelve thouſand foot, and three thouſand horſe; and Waller's of ſeven thouſand foot and fifteen hundred horſe and dragoons. Theſe two generals had orders to march ſeparately, and beſiege Oxford, in caſe Charles continued there; but if he went thence, Eſſex was ordered to follow him with his forces, and Waller to march into the Weſt, according to the firſt project. They departed London, the fourteenth and fifteenth of May, to put themſelves at the head of their reſpective armies, and forthwith ſteered their courſe towards Oxford. p. 668, 670.

Abington abandoned and poſſeſſed by Eſſex. Ibid. Clarendon, Vol. II. p. 374.

King Charles had poſted the greateſt part of his infantry at Abington, in order to ſtop the enemies, and have time to conſider what meaſures he ſhould take, in caſe they really intended to beſiege Oxford, which he ſtill queſtioned. As Abington could not be eaſily defended but on the Eaſt-ſide, and he was unwilling to run any unneceſſary hazard, he had ordered general Wilmot to make a vigorous defenſe, if attacked on that ſide, but if on the Weſt from Wantage and Farrington, to relinquiſh the place. But, whether the order was not clear and full, or for ſome other reaſon, Wilmot, at the enemy's approach*, immediately retired to Oxford, and the earl of Eſſex inſtantly entered Abington. His Majeſty, finding the ſiege of Oxford was reſolved, had but one way to hinder it, which was to defend the paſſes of the rivers Iſis and Cherwell, which run on the Weſt and Eaſt ſides of the city; and, to that end, he quartered his cavalry near the Iſis, and his infantry towards the Cherwell. As the parliament-armies motion intirely regard the ſituation of Oxford and the adjacent country; and as, without this knowledge, ſcarce any one particular would be intelligible, I ſhall not enter on a detail of circumſtances, which to me ſeem not abſolutely neceſſary, but content myſelf with ſaying, that Waller finally found means to gain the paſs at New-bridge over the Iſis, which inabled him to fall upon the rear of the King's infantry, who were defending the Cherwell (4). Charles thereupon drew all his forces into Oxford and to the North of that city, with thoughts of providing for the ſafety of his perſon, not judging it proper to ſuffer himſelf to be ſhut up. There was no time to loſe; for ſcarce were his Majeſty's troops retired, when Eſſex paſſed the Cherwell, at Goſworth-bridge, with his army. So that Prince, giving orders to his horſe, and a ſmall body of foot, to wait for him at a certain place, left Oxford the third of June, about nine at night, and ſafely paſſed between the two parliament-armies. He was out of all danger of purſuit before the news of his retreat reached the enemies, and at laſt got ſafe

* On the Eaſt-ſide. p. 376.

p. 376. Ruſhworth, Vol. V. p. 671. Charles quits Oxford with his cavalry. June 3. Ibid. Clarendon, Vol. II. p. p. 377.

(1) Colonel Boles had retired with his men into the church, but had not time to barricade the doors. So the enemies entering with him, his ſoldiers threw down their arms, and aſked quarter, which was alſo offered to the colonel, who refuſing it, was killed. Clarendon, Vol. II. p. 365.

(2) Lately created earl of Brentford.

(3) In this battle on the King's ſide, fell lord John Stuart, brother to the duke of Richmond, and ſir John Smith a Papiſt, brother to lord Carrington. Clarendon, Vol. II. p. 367.

(4) Lord Clarendon ſays, he might have brought over all his army, and fallen upon the King's rear; nor that he did. Vol. II. p. 376.

to

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to Worceſter, after having undergone much fatigue.

June 6. The parliament-generals drop the deſign of beſieging Oxford.

The two generals were extremely ſurpriſed, when they underſtood his Majeſty had eſcaped them: but it was too late to hope overtaking him. Mean while, the city of Oxford being well ſtored with proviſions and ammunition, and King Charles having left there almoſt all his infantry, they did not think fit to beſiege it, and the rather, as they had no orders ſo to do, except the King remained there. The parliament's intention was that, in caſe his Majeſty evacuated Oxford, Eſſex ſhould follow him with his army; and Waller, with his, take care of the Weſtern affairs: but the earl, for ſome unknown reaſon, reverſed this order, and would himſelf march into the Weſt: and when Waller urged the parliament's orders, Eſſex poſitively commanded him, as his general, to obey; whereto the other could make no reply: ſo the earl immediately began his march Weſtwards. The parliament were highly offended at Eſſex's diſobedience, and ſent him orders, which reached him at Saliſbury, to return, follow the King, and leave the Weſtern expedition to Waller. But the Earl, inſtead of complying, wrote to the commitee of war (1), with the reaſons of his conduct, ſubſcribing his letter, Your innocent, tho' ſuſpected ſervant, Eſſex. Whether both houſes were ſatisfied with the earl's reaſons, or deemed it proper not to inſenſe him at ſuch a juncture, they ſuffered him to purſue his route, which he did by ſlow and eaſy marches, 'till he entered Devonſhire.

Eſſex marches into the Weſt, contrary to orders. Clarendon, Vol. II. p. 378. Ruſhworth, Vol. V. p. 672.

p. 683. Clarendon, Vol. II. p. 379.

The Queen had, ſince April, been at Exeter, the capital of that county, where ſhe was delivered of Princeſs Henrietta, about a fortnight or three weeks before Eſſex's approach. As ſoon as ſhe heard of his entering Devonſhire, ſhe ſent and deſired a ſafe-conduct to retire to Briſtol (2). His ſaid lordſhip replied; if her Majeſty would pleaſe to go to London, he would have the honor to wait on her thither; but could not give her a ſafe-conduct to Briſtol, without the expreſs order of both houſes. Hereupon ſhe withdrew into Cornwal, and ſome time after went to France, with a convoy of warlike ſhips, ſent her by the Prince of Orange.

The Queen paſſes over to France. p. 369, 394. Ruſhworth. Vol. V. p. 664, 684.

July 14.

Prince Maurice had been, ſince the twentieth of April, before the little town of Lime, which made a more obſtinate defenſe than was expected. This and Plymouth, were almoſt the only places in the Weſt which ſided with the two houſes. It was therefore very neceſſary for the parliament to have, in thoſe parts, forces capable of reviving the courage of their friends, who had received no aſſiſtance ſince Maurice's arrival. At the approach of Eſſex, who was now advanced to Dorcheſter, his Highneſs raiſed the ſiege of Lime, and retired to Exeter. The ſame day, Eſſex poſſeſſed himſelf of Dorcheſter. Then, he detached ſir William Balfour, who took Weymouth, whither Eſſex inſtantly repaired. He had ſome thoughts of attacking Exeter, and actually took that route: but conſidering that Prince Maurice was there with his whole army, he was apprehenſive of loſing too much time in the ſiege, and halted ſome days at Chard, and thence marched to Tiverton. Hereupon, Maurice ſent a detachment from Exeter, with orders to ſecure Barnſtable: but the inhabitants ſhut the gates againſt them, and inſtantly wrote to the earl of Eſſex, to come and take poſſeſſion of the town, which was accordingly done by lord Roberts. Here was taken captain Howard, who (being formerly lieutenant to captain Pym) had deſerted to the King, with nineteen troopers; for which, being now tried by a council of war, he was condemned and executed. Upon this, Prince Maurice cauſed to be hanged Turpin, a ſea-captain, taken priſoner in attempting to relieve Exeter, when the earl of Stamford was therein beſieged. He being indicted for levying arms againſt the King, was by judges Heath, Forſter, Banks, and ſerjeant Glanvil, condemned, but hitherto reprieved, by reaſon of the conſequences. Both houſes were violently inſenſed at this repriſal, conſidering the difference between a priſoner of war, and a deſerter: wherefore, having in their cuſtody ſerjeant Glanvil, who who had lately quited the King's party, and returned to London, they ordered him to be impeached of high-treaſon. Soon after, the royaliſts hanged fourteen clothiers, at Woodhouſe in Wiltſhire (3), and the parliament cauſed execution to be done upon eight of the Iriſh, who had been taken priſoners in ſome action. Such are the ſad effects of civil wars. Theſe executions gave occaſion to the parliament, in Auguſt following, to erect a court-martial, to which were given very ſevere inſtructions, chiefly with reſpect to deſerters. About mid-July, Taunton-dean was taken for the parliament, by a party of the gariſon of Lime.

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Captain Howard executed for deſertion. Ruſhworth, Vol. V. p. 685. Captain Turpin hanged in revenge.

p. 685, 686. Ludlow.

I am for a while obliged to interrupt my narrative of the Weſtern affairs, to touch on what King Charles did after his happy eſcape from Oxford.

He arrived, the ſixth of June, at Worceſter with his little army; but ſtayed there only a few days, hearing Waller was marching that way. Leaving Worceſter, he made ſeveral marches and counter marches, to deceive the vigilance of his enemy, not being ſtrong enough to venture to expect him. At length, having made a ſhew of bending his courſe for Shrewſbury, Waller doubted not but his deſign was to join Prince Rupert, who was ſtill in thoſe quarters: for this was before the battle of Marſton-moor. He thought it therefore very important to march before, and poſt himſelf between the King and Shrewſbury, in order to hinder his joining the Prince. Charles was well pleaſed at having deceived Waller. So ſoon as he knew Waller expected him upon that route, he feigned to take it in good earneſt, but ſudddenly turning about, inſtead of continuing his march towards Shrewſbury, took the road to Oxford, and left Waller in his poſt without any poſſibility of overtaking him. When he came near Oxford, he was joined by the reſt of his army, left there when he quited that city. Then, no longer fearing Waller, ſince he was ſtronger than he, he went and quartered in Buckinghamſhire, without any other deſign than to give the enemy battle, if needful.

Charles's march after his flight from Oxford. p. 672.

Waller follows him. p. 674, 675, 686. Clarendon, Vol. II. p. 379, 381, 383.

Waller, thus circumvented, did however approach the King, and at length their armies were in ſight, with the river Cherwell between them. Waller drew up on a very advantageous ground, preſuming his Majeſty would paſs the river to attack him, and thereby give him opportunity to ingage with advantage. But Charles, to draw him from his poſt, feigned to march Northward, and accordingly advanced into Northamptonſhire, leaving a ſtrong guard at Cropedy-bridge, to hinder the enemies from paſſing, and following him in the rear. While on his march, he had

Cropedy-bridge fight. June 29. p. 384. Ruſhworth, Vol. V. p. 676. Whitelock.

Maurice raiſes the ſiege of Lime, and retires to Exeter. June 15. p. 665, 677, 682.

Eſſex's progreſs in the Weſt. p. 683, 684. Clarendon, Vol. II. p. 382, 383.

(1) A commitee of both kingdoms reſided at London, for carrying on the war. A commitee of the parliament was likewiſe almoſt conſtantly in the armies.

(2) She deſired at firſt a ſafe-conduct to go to Bath for her health. Ruſhworth, Vol. V. p. 684.

(3) One of theſe breaking his halter, deſired, that what he had ſuffered might be accepted, or elſe, that he might fight againſt any two for his life. But he was hanged up again. Ludlow, Vol. I. p. 120.

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intelligence, that a body of three hundred horſe was marching to join Waller, within two miles of the van of his army, and was told they might be eaſily cut off, if the army mended pace: whereupon orders were ſent to the van, and main body, to advance faſter. As ſoon as Waller perceived there was a large diſtance between Charles's rear, and the reſt of his army, he detached a thouſand horſe to paſs the river, at a ford a mile below, and himſelf, with fifteen hundred horſe, a thouſand foot and eleven pieces of cannon, attacked Cropedy-bridge, took it, and paſſed his troops: which done, he fell on the King's rear; but was repulſed, with loſs of many of his men, and part of his cannon. This is all can be gathered, with any clearneſs, from the accounts of this battle (1). The detachment, which I ſaid paſſed the ford, had much a like ſucceſs. Waller being thus baffled, and forced to repaſs the river, drew up his men on a hill, and there waited Charles's motions. As it was yet only three after noon, his Majeſty, believing the enemies were diſcouraged with their bad ſucceſs, ordered Cropedy-bridge, and the ford, to be attacked by two great detachments. One was worſted at the bridge with great loſs on Charles's ſide. The other gained the ford; but all could be done, was to maintain it, in vain expecting, 'till it was near duſk, that the firſt detachment would recover the bridge. Night coming on, they mutually retired, Waller remaining maſter of the two paſſes.

Clarendon, Vol. II. p. 386.

Ibid.

King Charles was ſo prepoſſeſſed with a notion, that the enemies army was utterly diſpirited, that he determined on offering them pardon by a herald, imagining it would be immediately accepted, and Waller quite abandoned. In this belief, he ſent Waller a trumpet, deſiring a ſafe-conduct for a gentleman to deliver a gracious meſſage from his Majeſty. Waller replied, he had no power to receive any meſſage without permiſſion from the parliament, to whom his Majeſty was to make application. The two armies faced each other for two whole days, ſtanding in the ſame poſture, when both drew off, each taking a different route. (2). To all appearance, Waller did not, after this loſs, think himſelf in a condition to go any more in queſt of the King, who was ſuperior to him in number. As it was about this time, the report of Prince Rupert's defeat at Marſton-moor was ſpread, Waller doubtleſs thought, there was no great neceſſity to hazard a ſecond battle, ſince the King would probably be not a little imbaraſſed. When he afterwards underſtood his Majeſty to be marching Weſtward, he gave himſelf ſtill leſs trouble as to any attempt that Prince might make, ſince it was the earl of Eſſex's buſineſs to get off as he pleaſed. There was not between them a ſufficient union, for Waller to be much concerned at what might happen to that general. Perhaps alſo, his not being able to follow his Majeſty, who was advancing againſt the earl, was the reaſon why he diſmiſſed all the London auxiliaries, which, added to his loſs at Cropedy, diſabled him from acting 'till re-inforced.

Ruſhworth, Vol. V. p. 687.

Charles marches Weſtwards. Clarendon, Vol. II. p. 387.

King Charles, who at the opening of this campain was ſtraitened, did within a month after find himſelf much at eaſe. Of the two armies which had attacked him, one was unable to hurt him, and the other was gone into the Weſt, where he himſelf was very ſtrong. Firſt, he was maſter of all the fortified towns, Plymouth excepted. Secondly, he had at Briſtol a large gariſon, part whereof might be drawn out on occaſion. Thirdly, almoſt all the gentry of the Weſtern counties were well-affected to him: there were only the lower claſs of people, who were divided between him and the parliament, but who yet were always ready to join with the ſtrongeſt. Finally, Prince Maurice had at Exeter, and in its neghborhood, four thouſand men, which ſuccor could be eaſily brought him by the North of Devonſhire, and the earl of Eſſex not be able to prevent it. All theſe conſiderations determined him to march Weſtward, to give Eſſex battle, if opportunity offered. He had ſcarce begun his march, when he received the ill news of what paſſed at York, which confirmed him in his reſolution. He perceived that, if he remained in the middle of England, where he had few friends or fortified towns, the three parliament armies, which were now ſeparated, would not fail to re-join, and then he ſhould be too weak to make head againſt their united forces.

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Soon as his Majeſty had thus reſolved, he thereof gave notice to Prince Maurice, that he might be ready to join him, and by the ſame expreſs ſent lord Hopton orders, to draw what men he could out of Wales, and lead them to Briſtol, that he might meet him on the way with thoſe troops, and as many more as could poſſibly be ſpared from that gariſon. So Charles, making eaſy marches, in order to give the Welſh troops time to join him, came the fifteenth of July to Bath, whence he two days after departed, and finally arrived at Exeter. When all the troops he ſummoned had joined him, he ſaw himſelf at the head of a body much more numerous than Eſſex's army.

p. 381.

Ruſhworth, Vol. V. p. 688.

His meſſage, to both houſes for peace, not anſwered. July 4. p. 687.

Five days after Cropedy-bridge fight, his Majeſty, being at Eveſham, cauſed to be drawn up a meſſage to the parliament for peace, a copy whereof was ſent to the earl of Eſſex, by the marquis of Hertford, to be communicated to both houſes; with intimation, that the French agent had the original to deliver, if required. This meſſage, directed "To the Lords and Commons of Parliament aſſembled at Weſtminſter," contained a general offer to treat of peace; and if commiſſioners ſhould be ſent him, he would grant them a ſafe-conduct. The two houſes, ever jealous of Charles, imagined ſome artifice lay concealed in ſending them only a copy of the meſſage, and that his aim was to ingage them to demand the original of the French agent. Beſide, they did not, by the ſuperſcription of this meſſage, conceive themſelves to be owned as the two houſes of parliament, and therefore fancied his Majeſty aimed at reſerving to himſelf the power of ſaying, that he did not acknowledge them for the real parliament of England (3); and indeed he ought not, according to his principles, ſince he had publiſhed againſt them the above-cited declaration. They therefore reſolved neither to take any notice of the meſſage, nor return any anſwer.

His ſpeech to the Somerſetſhire men. July 25. p. 688.

During Charles's ſtay at Bath, he had aſſembled the inhabitants of Somerſetſhire, to whom he made a ſpeech, exhorting them to arm in his favor, and furniſh him with money. He told them, "That

(1) On the King's ſide were ſlain ſir William Boteler, and ſir William Clark, two Kentiſh knights; and Lord Wilmot was wounded. Ruſhworth, Vol. V. p. 676. Whitelock (Mem. p. 93.) ſays, colonel Middleton being diſmounted, the royaliſts taking him to be one of their commanders mounted him again, wiſhing him to make haſte and kill a Round-head, by which means he eſcaped.

(2) Ruſhworth and Whitelock both ſay, the King drew off firſt, and then Waller marched over Cropedy-bridge. M. Rapin follows lord Clarendon's account.

(3) Our author being obſcure in this place, and having miſtaken the direction of the meſſage, we have rectified it from Ruſhworth.

"victory

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" victory was the only means left to reſtore peace " to the nation; that bleſſed peace which he had " ſo often ſought for from them at Weſtminſter, " and which they had ſcornfully rejected. But " (continued he) when I mention peace, I would " be underſtood to intend that peace, which is " builded upon ſuch foundations as are moſt likely " to render it firm and ſtable; wherein God's true " religion may be beſt ſecured from the danger " of popery, ſectaries, and innovations; the " crown may poſſeſs thoſe juſt prerogatives which " may inable me to protect and govern my " people according to law; and the ſubjects be " confirmed in thoſe rights which they have de- " rived from their forefathers, and which I have " granted them in parliament; to which I ſhall " always be ready to add ſuch new graces, as I " ſhall find moſt conducive to their happineſs. " This is the peace which I labor for, wherein I " may juſtly expect your beſt aſſiſtance with your " hearts, and hands, and purſes."

Remark.

In order to a clear underſtanding of this Prince's meaning, not only on this, but abſolutely on all other the like occaſions, it muſt be conſidered, the parliament denied not, that a King of England ought, according to the national laws, to injoy ſuch prerogatives as King Charles himſelf demanded: but they affirmed, it ought to be for the nation's welfare, and not for its deſtruction. They pretended, that Charles had abuſed theſe prerogatives, to deſtroy the ſubject's rights, and from thence drew this inference, that it was indiſpenſibly neceſſary to incapacitate him from abuſing them any longer; which could be effected only by depriving him of part of the prerogatives he had abuſed. They maintained only, that this Prince's bare word alone could not be relied on, and there needed a ſtronger ſenſe to ſecure the laws. King Charles, on his part, did not deny his having made ill uſe of his power: but he had repaired the miſchief he did, and proteſted, his intention was to govern thenceforwards according to the laws of the land. What therefore was the ground of this war? Why, the parliament would not truſt to the King's word; and the King refuſed to give other ſecurity. When therefore Charles ſo frequently offered peace, on condition he ſhould be reſtored to all his prerogatives, excepting thoſe he had departed from in this parliament, far from ſhewing, by theſe offers, that he was ſincerely deſirous of peace, he rather demonſtrated, that nothing could ſatisfy him but intire victory, whether by arms or treaty. Contrariwiſe, when the parliament ſeemed to wiſh for peace, but on condition that the King ſhould be diveſted of his prerogatives, was not this in reality to wiſh for war, ſince it was deſiring to ſecure by a treaty an advantage which their arms had hitherto rendered very uncertain? We muſt not therefore be miſ-led by a ſound of the word peace, which was, as appears, a very ambiguous term, and whereof both ſides, his Majeſty eſpecially, made parade to dazzle the people. I am in hopes this remark will be of uſe to explain many the like paſſages of this reign.

The earl of Eſſex enters Cornwal. June 26. Ruſhworth. Vol. V. p. 690, 691. Clarendon, Vol. II. 395.

When Eſſex heard of the King's approach, he called a council of war, to debate what was to be done in this emergency. His own opinion was, to return, and prevent Charles's penetrating farther into the country, and to give him battle if a favorable opportunity offered. He repreſented that, in Devonſhire or Somerſetſhire, as he ſhould not be ſtraitened in room or proviſions, he might either fight, or avoid it, as he ſhould judge requiſite. But lord Roberts of Truro (1), field-marſhal in this expedition, whoſe eſtate lay all in Cornwal, poſitively affirmed, that ſo ſoon as the army ſhould enter that county, the people would all declare for the parliament: that then it would be impoſſible for his Majeſty to come there, and the army might eaſily ſubſiſt, and be re-inforced with a great number of troops. On this aſſurance, which afterwards proved very falſe, lord Roberts, rather by a ſort of violence, than the ſtrength of his reaſonings, got it determined, that the army ſhould march into Cornwal.

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Charles follows him. p. 396. Whitelock. Ruſhworth, Vol. V. p. 691.

Purſuant to this reſolution, Eſſex entered that county the twenty-ſixth of July, after forcing the paſſage at Newbridge, which was bravely defended *. The ſame day, Charles came to Exeter (2), and, after a general muſter of his army, followed the earl, who found not in Cornwal what lord Roberts had made him expect. He notwithſtanding advanced to Lanceſton, and thence to Bodmin, where he wrote to the parliament, that he did not doubt, the King's deſign was to ſtraiten him for proviſions, and therefore earneſtly deſired, forces might be ſent into the Weſt, to lie upon the King's rear, and hinder him from executing his project. But as ſir William Waller was not ready to march, being then at London ſolliciting ſupplies for his army, all could be done was, to detach colonel Middleton, with two thouſand five hundred horſe and dragons (3), with orders to march Weſtwards.

* By ſir Richard Greenvil.

His letter to Eſſex. Auguſt 6. p. 691. Whitelock. Clarendon, Vol. II. p. 399, 400, 401.

Charles, perceiving Eſſex intangled in a country where he wanted proviſions for his army's ſubſiſtance, judged this a fair opportunity to gain him. He therefore wrote him a letter, perſuading him to free himſelf from his preſent ſtraits, by reſtoring peace to the kingdom, i. e. by declaring for ſuch a peace as his Majeſty required. Eſſex not returning any anſwer to this letter, Prince Maurice, and the earl of Forth, lately created earl of Brentford, the King's general, wrote to him two days after; and next day he received another epiſtle on the ſame ſubject, ſigned by many officers of the royal army. Finally he gave the earl of Brentford to underſtand, by a ſhort note, that he had no commiſſion to treat.

The King arreſts Wilmot. p. 383, 396, 397, 398.

About this time, lord Wilmot, lieutenant-general of the King's cavalry, was arreſted by his Majeſty's order; he having preſumed to adverti ſe Eſſex, that if he would enter into treaty, the officers of the King's army were ſo deſirous of peace, they would conſtrain his Majeſty to conclude it upon reaſonable terms. Wilmot's diſgrace bred ſome murmurs among the horſe-officers, by whom he was very much beloved: nay, they addreſſed Charles with a petition, requiring him to let them know of what crime that nobleman was accuſed. King Charles, at ſuch a juncture, was very ready to give them this ſatisfaction. Nevertheleſs, lord Wilmot was deprived of his poſt, which was given to lord Goring, after which, he had leave to retire beyond-

Auguſt 18. Ruſhworth, Vol. V. p. 693.

(1) So created 14 Jac. 1. The duke of Buckingham (as is ſaid in the ninth article of the impeachment againſt him) knowing him to be rich, forced him to take the honor, and pay him 10,000 l. for it. ——— Lord Clarendon (Vol. II. p. 395.) ſays, he was a man of impetuous diſpoſition, full of contradiction in his temper, and of parts ſo much ſuperior to any in the company, that he could too well maintain and juſtify all thoſe contradictions. Ludlow (Vol. I. p. 126.) adds, he perſuaded the earl to march into Cornwal, that he might have opportunity to collect his rents in thoſe parts.

(2) Where he found his young daughter, under the care of lady Dalkeith. Clarendon, Vol. II. p. 396.

(3) Whitelock ſays, that he was ſent with three thouſand horſe; and four thouſand were ordered to be ſent ſpeedily after him, p. 98.

ſea

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Clarendon, Vol. II. p. 396.

The earl of Eſſex greatly ſtraitened.

p. 400, 401. Ruſhworth, Vol. V. p. 699, &c.

ſea (1). It was generally believed in the army, that Wilmot's diſgrace was owing to ſome court-intrigue, and the King's private hatred of him, on account of the part he had acted againſt the earl of Strafford.

Eſſex too late perceived the vanity of lord Roberts's promiſes. So far were thoſe of Cornwal from riſing in his favor, that they contrariwiſe ran in crouds to join the royal army. The earl could have proviſions only by ſea, and in ſmall quantities, by means of a river which afforded him a communication with Plymouth (2). At length, ſir Richard Greenvil having brought Charles a ſupply of troops, it was, in a council of war, reſolved to make uſe of the ſuperiority of numbers, not to compel Eſſex to fight, but intirely to cut off his relief. This was happily effected, by means of a fort, run up on the ſide of that river whereby the enemies received their proviſions. Thus Eſſex, being reduced to the laſt extremity, after having held his ſtation near a month, reſolved to abandon his army, to avoid falling into the King's hands. But before he put in execution that deſign, he ordered ſir William Balfour to indeavor ſaving the cavalry, which he performed very fortunately, in a dark miſty night, by paſſing unobſerved thro' Charles's quarters (3). As ſoon as Eſſex knew his cavalry to be out of danger, he ſent to the King and demanded a parley; but before the anſwer was returned, he took ſhip with ſome officers and retired to Plymouth, leaving major-general Skippon to procure the beſt terms he could for his infantry.

He ſaves his cavalry and retires to Plymouth. Clarendon, Vol. II. p. 404. Ruſhworth, Vol. V. p. 699.

His Majeſty granting the parley deſired by the earl of Eſſex before his departure, a conference was held between ſome officers of both armies, where the following articles were agreed on (4).

p. 705.

I. That, on the morrow, being the ſecond of September, all the officers and ſoldiers under command of the earl of Eſſex, ſhall deliver up all their cannons and train of artillery, with all carriages, neceſſaries and materials thereunto belonging; and likewiſe all arms offenſive and defenſive, with all ammunition whatſoever, except only the ſwords and piſtols of all officers above the degree of corporals.

II. That, immediately after, all officers and ſoldiers ſhall march out of their quarters, to Leſtwithiel, with their colors, trumpets and drums; and that all officers above the degree of ſerjeants, ſhall take with them ſuch horſes and ſervants as properly belong to them, with all their bag and baggage, and waggons with their teems.

III. That they ſhall have a ſafe convoy of one hundred horſe, from their quarters, to Leſtwithiel, and thence in their march to Pool and Wareham.

IV. That in caſe they ſhall march from Pool to any other place by land, they ſhall not bear arms more than is allowed in the agreement, until they come to Southampton or Portſmouth.

V. That, all the ſick and wounded ſhould be left at Foy, 'till they can be conveniently tranſported to Plymouth.

VI. That, all the officers and ſoldiers ſhall be permited to receive ſuch money, proviſions, and other accomodations, as they ſhould be able to procure from Plymouth; to which end, they ſhall have a paſs for any twelve perſons, whom they ſhall ſend for the ſame.

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VII. That, there ſhall be no inviting of any ſoldiers, but that ſuch as will voluntarily come to his Majeſty's ſervice, ſhall not be hindered.

By this treaty, Charles properly gained only artillery, arms and ammunition. But tho' his having reduced this army to ſuch a condition was a good article enough, it would have been of abundantly greater importance to him, had he made the officers and ſoldiers priſoners of war: for the parliament wanted neither artillery, arms, nor ammunition to repair their army, which was in effect able, within five or ſix weeks, to give his Majeſty battle. It is to be preſumed, this Prince had good reaſon to be ſatisfied with this ſlight advantage.

Eſſex well received at London. Clarendon, Vol. II. p. 405.

Tho' the earl of Eſſex might have been juſtly reprimanded for the two errors he had been guilty of (in obſtinately purſuing his march to the Weſt, contrary to the order of both houſes, and in prepoſterouſly ſuffering himſelf to be decoyed into Cornwal) he was not inſulted for his misfortunes, but at his return was very courteouſly received. It was then no proper time to examine his conduct. The point was to recruit and arm the ruined army, as well as that of Waller; and accordingly both houſes applied themſelves to it with all poſſible diligence. They likewiſe ordered colonel Middleton to repair ſpeedily to Eſſex's army, and the earl of Manchester to march the ſame way with his forces.

Charles's meſſage to both houſes, with offers of peace.

King Charles, after having gained this advantage which to him appeared ſo very conſiderable, fancied that the terrified parliament would deſire nothing more than coming to ſome agreement. He plainly perceived, that ſuch a peace as he deſired was impracticable, while the parliament was proſperous. But he flattered himſelf with the hopes that, after ſo ſignal a misfortune, his adverſaries would joyfully accept his offers, and inſiſt no longer on terms he was fully reſolved not to grant. In this belief, he from Taviſtock diſpatched to both houſes a freſh meſſage, with offers of peace, and annexed to it a duplicate of his former one from Eveſham. This meſſage was ſo worded, that he ſeemed, thro' pure moderation, to offer, after his victory, to be content with having, by a peace, what he was in condition to obtain by force of arms. But if notice be taken of what I advanced above, to explain what is to be underſtood by the peace offered by this Prince, it will be found that, thro' exceſs of modeſty, moderation and affection for his people, he would be ſatisfied to obtain by a treaty what hitherto he had not been able to procure by arms: for that was the real meaning of his offer, tho' diſguiſed under the ſpecious name of peace. The parliament muſt have underſtood it in that ſenſe, ſince it was not regarded. Undoubtedly, the King himſelf did not believe he could deceive both houſes by the bare name of peace, after having ſo often experienced how much they were upon their guard in that reſpect. But theſe frequent offers of peace were properly deſigned to make impreſſion upon the people, who ſaw not into their real meaning.

Sept. 8. Ruſhworth, Vol. V. p. 712.

Charles attacks Plymouth, without ſucceſs. Ibid. Clarendon, Vol. II. p. 412.

The tenth of September, his Majeſty appeared

(1) Lord Goring was juſt come from Prince Rupert, with letters to the King, requeſting that Goring might be made general of the horſe in his room. So that our author miſtakes, in ſaying, he had Wilmot's poſt given him: for his Majeſty, the day after his arreſting him, told the officers of horſe, he had juſtly reſtrained Wilmot for the preſent, but had not taken away from him his command in the army. However Wilmot, when he ſaw his mortal enemy, Goring, put in the command over him, thought himſelf incapable of reparation, or full vindication, ſo deſired leave to retire into France, and had a paſs ſent him for that purpoſe. It ſeems, the earl of Brentford being grown old, the King deſigned to make Prince Rupert general. Clarendon, Vol. II. p. 398.

(2) The King lay about Leſkard, and Eſſex at Leſtwithiel, whence the river runs to Foy, of which place Eſſex was maſter.

(3) They broke thro' the King's quarters. Ludlow, Vol. I. p. 127. Manley, p. 74.

(4) See Whitelock's account of this affair (Mem. p. 100.) which he pretends is abſolutely impartial.

before

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before Plymouth (1), in hopes that, after his late victory, the gates would be opened to him. But having ſummoned it in vain, and even given ſome aſſaults, he was forced to retire, the ſeaſon not admiting his undertaking ſo important a ſiege, which would, probably have held him ſeveral months imployed. Beſide, his deſign was to march towards London, where he ſuppoſed all were in the utmoſt conſternation. Mean while, general Goring, with a detachment of the army, poſſeſſed himſelf of Barnſtaple.

Arrival of the Elector Palatine at London. Ruſhworth, Vol. V. p. 713.

I have had frequent occaſion to touch on the Elector Palatine's affairs, and to obſerve how much King James and his ſucceſſor neglected the intereſts, one of the King his ſon-in-law, and the other of the Elector his nephew. This Elector's whole dominions being in the hands of his enemies, he fled for refuge to the King his uncle, who gave him a penſion for his ſubſiſtence. Poſſibly, this penſion was ill paid ſince King Charles was ingaged in war with Scotland, and ſtill worſe, ſince the begining of this parliament. So the Elector, having attended his royal uncle 'till he retreated into the North, and ſeeing the war ready to commence, left him at York abruptly. He retired into Holland, and continued there 'till Auguſt 1644, when he ſuddenly paſſed over to reſide at London, under protection of the parliament. King Charles hearing this, wrote to him, to know the reaſon of ſo extraordinary a procedure. It does not appear what anſwer the Elector returned; but, ſeemingly, being at a loſs how to ſubſiſt, and conſidering the King his uncle was not able to entertain him, he believed he ſhould find more aſſiſtance in the parliament, which had ever expreſſed much affection and zeal for his houſe. He was not deceived in his expectations: for the parliament granted him a very honorable penſion, which was more regularly paid than the former one from his Majeſty (2). He afterwards deſired and obtained leave to hear the debates in the aſſembly of divines. Probably, as he did not care to be concerned in military affairs, he ſought to imploy his time in converſing with the learned, and improving himſelf in matters of religion.

The King writes to him. p. 714.

October 24.

His Majeſty determines on marching to London.

Charles was ſo fixedly poſſeſſed with the belief, that his victory could not but make a ſtrong impreſſion upon his peoples minds, that he reſolved on marching directly to London. He queſtioned not but his army would conſiderably increaſe by the way, and people abandon the two houſes when they ſhould ſee him advancing towards the metropolis. True, ſuch turns had been formerly ſeen in England, but very ſeldom, or never, in favor of Princes againſt whom the Engliſh believed they had cauſe of complaint. However, tho' Charles had given but too much occaſion to complain of his government, yet was he perſuaded he was beloved by the people, and imputed whatever they did againſt him to the artifices, calumnies, promiſes, threats and violences which were uſed to miſlead or compel them. In this belief, he imagined the people wanted only opportunity to free themſelves from the parliament's yoke, and that the preſent one, being very favorable, was not to be neglected. He therefore, the thirtieth of September, iſſued a proclamation, dated at Char, wherein he ſet forth, with what earneſtneſs and ſincerity he had always deſired and offered peace, which had been conſtantly rejected by both houſes: after which he ſaid; "That he had therefore re- "ſolved, with his army, to draw preſently to- "wards London, and his Southern and Eaſtern "counties, not looking upon theſe parts as ene- "mies to him, but as his poor ſubjects, op- "preſſed by power ('of which he was aſſured the "greater part remained loyal to him') and ſo "deſerving his protection; hoping that, at a "nearer diſtance of place, there might be begot "ſo right an underſtanding between him and "his people, that at length he might obtain a "treaty for peace, and a full and free conven- "tion in parliament, and therein make an end "of theſe unhappy differences, by a good accom- "modation; whereby his people might be ſetled "in the poſſeſſion of their rights and liberties. "And therefore he required his ſubjects, within "his own quarters, thro' or near which he ſhould "paſs, forthwith to prepare themſelves with the "beſt arms they could get, to be ready to join "him. He authoriſed likewiſe, as well the trained- "bands of London, as his ſubjects of the Eaſtern "and Southern counties, to chuſe their own com- "manders among thoſe gentlemen and citizens, "who were of approved loyalty, and lovers "of peace, requiring them at his approach to put "themſelves in arms, and aſſiſt in this expedi- "diton, and commanding them to ſeize ſuch "places of ſtrength as the rebels were poſſeſſed "of, and to apprehend the perſons of all ſuch "as ſhould hinder ſetling the peace of the king- "dom."

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All the effect this proclamation produced was, p. 717. that the inhabitants of Somerſetſhite, where the King then was, preſented him a petition, humbly beſeeching his Majeſty, "That they might have "liberty to wait upon him in perſon, and, at a "nearer diſtance of place, become petitioners to "both houſes, to imbrace his Majeſty's offers "of peace; and in caſe of refuſal, they promiſed "to ſpend their lives and fortunes in aſſiſting "him to compaſs, by the ſword, what by "fair means, could not be effected." But this was only a promiſed aid, and as yet too remote for Charles to make any uſe of it in the preſent expedition.

He meets with obſtructions in his march. Clarendon, Vol. II. p. 416, &c.

Had every thing happened as this Monarch had imagined; had the people flocked to his army; had he been chearfully ſupplied with all neceſſaries, very probably, he might have reached London before the parliament-forces could have been joined to form a new army. But his troops, inſtead of increaſing in their march, as he expected, daily diminiſhed by fatigues, by want of money, ſhoes, &c. and ſickneſs, which diſabled many of his followers from keeping pace with the army (3). He was obliged to make frequent halts in ſeveral towns, to wait for money and other neceſſaries, which he perceived would not be ſupplied when he ſhould be removed. His cavalry being diſcontented, as well at lord Wilmot's diſgrace, as at their having received no pay this campain, he

(1) Where lord Roberts, who went thither with the earl of Eſſex, was made governor, to whom lord Digby wrote, to perſuade him to ſurrender the town to the King. Ruſhworth, Vol. V. p. 713.

(2) He had, before his coming, ſent two letters to the parliament, declaring in the firſt, his ſatisfaction in the covenant, wiſhing them ſucceſs; and in the other, the great ſtraits he and his mother were in, for want of the ſtipend they formerly had, bemoaning the courſes his brother Prince Rupert took in fighting againſt the parliament. Upon his landing at Graveſend, a commitee of the commons attended him, and in May, 1645, the commons ordered him an allowance of 8000 l. per ann, 2000 l. whereof out of the King's revenue, and the reſt out of the eſtates of lord Cottington, and ſir Nicholas Criſpe. Whitelock, p. 85, 101, 145.

(3) When the King marched from Chard, his army conſiſted but of 5500 foot, and about 4000 horſe. Clarendon, Vol. II. p. 417.

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was forced to ſtay 'till the Eaſtern counties ſhould furniſh wherewithal to ſatisfy them, otherwiſe he durſt not advance. Theſe delays were the reaſon why he arrived not at Saliſbury 'till the fifteenth of October, ſix weeks after the advantage gained in Cornwal. Then it was that he altered his reſolution; and, inſtead of marching to London, contented himſelf with returning to his old quarters in and about Oxford: nay, this project could not be executed without difficulty, conſidering the meaſures his opponents had taken.

Clarendon, Vol. II. p. 418. Ruſhworth, Vol. V. p. 718.

The parliament forms a great army. p. 719.

During King Charles's march, the parliament was not idle. They had provied arms and clothes for the earl of Eſſex's infantry, and detached, in order to join him, the city-brigade, conſiſting of five thouſand men (1), beſide the neceſſary recruits. Sir William Waller was again in the field, his army being recruited and re-inforced, and now at Andover ready to march. Eſſex's cavalry, who fortunately eſcaped in Cornwal, were alſo come up, as well as thoſe ſent into the Weſt under colonel Middleton's conduct. Thus, the earl of Eſſex ſaw himſelf in condition to march, the ſeventeenth of October, in order to join ſir William Waller and the earl of Mancheſter, who was within diſtance. His Majeſty, having notice that Waller deſigned for Reading, advanced with all poſſible diligence towards Andover, to give him battle before he had joined the earl of Eſſex: nay, he fell on his rear and killed twenty or thirty of his men. But this could not hinder the junction of the three armies, which, on the twenty-firſt of October, was effected.

October 18.

Clarendon, Vol. II. p. 418, 419, 420.

While his Majeſty's enemies lay ſo near him, he, moſt unadviſedly, as it ſeems, detached from his army the earl of Northampton, with three regiments of horſe, to relieve Banbury-caſtle, which had been beſieged ſince July the nineteenth, and was now reduced to extremity. The earl ſucceeded in his expedition; but his Majeſty was like to pay dear for it, ſince, a few days after, he was forced to ingage, deprived of the aid of theſe three regiments. His deſign, as I obſerved, was only retiring to Oxford, there being no farther reaſon could induce him to purſue his march towards London. But he would firſt beſiege Dennington-caſtle, and therefore advanced to Newbury, diſtant but a mile from that caſtle, while the parliament army was at Reading. Next day, that army marched towards Newbury, where Charles fortified himſelf as beſt he could, and ſtationed his infantry in the intrenchments, while his cavalry were poſted in two adjoining open fields, and for ſome days there were frequent ſkirmiſhes between the two armies. At laſt, on the twenty-ſeventh of October, the parliament generals, having divided their forces into two bodies (2), attacked the King's intrenchments at two different quarters. The fight, which began about three or four in the afternoon, held 'till night, and was extremely ſharp, each ſide alternately repulſing its opponent. This is all can be gathered with any certainty from the accounts of this battle, except that, when night approached, the aſſailants forced part of the intrenchment, and took ſome pieces of ordnance: but night prevented their improving this advantage, and put a ſtop to this fierce conflict (3).

Ruſhworth, Vol. V. p. 721, 722.

Second battle of Newbury. October 27. p. 721. Clarendon, Vol. II. p. 421. Whitelock. Ludlow.

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Mean while Charles, fearing the enemy would next morning penetrate into his lines, withdrew that night, and marched to Wallingford, leaving his heavy cannon and baggage in Dennington-caſtle. The earl of Eſſex was not in the battle. He had quited the army ſome days before; whether on account of ſome ſudden indiſpoſition, or perhaps thro' diſcontent, not being able to agree either with the earl of Mancheſter, or ſir William Waller.

Charles retires in the night. Ruſhworth, Vol. V. p. 722. Clarendon, Vol. II. p. 423.

One might preſume that the parliament generals, who deemed themſelves victorious, ſhould have attacked Charles in his retreat, whereof they could not be ignorant, it being then full-moon. They however ſuffered him to march without purſuing him (4); ſo that he ſafely arrived at Oxford: nor was this their greateſt error. That Prince having left his cannon, ammunition, and baggage in Dennington-caſtle, they could have done nothing more advantageous than imploying their whole ſtrength to reduce that place. But they contented themſelves with ſummoning the governor (5); and, on his refuſal to capitulate, they remained quiet at Newbury without making the leaſt attempt. This negligence muſt have been owing to the diſſenſion between them, one blaming the other for being the cauſe that, with ſo ſuperior a force, the King's army was not intirely routed. This diſſenſion grew ſo high, that whatever was propoſed by the one, was ſure to be oppoſed by the other. We ſhall hereafter ſee ſtill worſe effects of their diſcord, and the revolutions it occaſioned.

Diſſenſions between the parliament generals. p. 424. Whitelock. Ruſhworth, Vol. V. p. 729.

Mean while his Majeſty, being informed of the diſcord between the parliament generals, and of their leaving Dennington-caſtle unattacked, very wiſely improved ſo favourable a juncture. Some days after his arrival at Oxford, he was joined by Prince Rupert, who brought him ſome cavalry. He drew a body of foot from the gariſon of Oxford, and other neighboring towns, and the earl of Northampton rejoined him with his brigade of horſe. By means of theſe ſupplies, he formed an army of ſix thouſand foot, and five thouſand horſe, with which he marched back towards Newbury, the ſecond of November. After the battle, the parliament-army had moved towards Oxford, but was returned to Newbury, on pretenſe that the ways were unpaſſable; but the main reaſon was, the generals could not agree, there being no commander in chief. They received ſome intelligence of his Majeſty's march; but would not believe it 'till they heard of his being within ſix miles of Dennington. Thereupon they reſolved to draw up, on the morrow, between Dennington and Charles's army. To that end, orders were given for all their cavalry to ren-

Charles returns to Dennington-caſtle, and carries off his cannon in ſight of the enemy. p. 729, 730. Clarendon, Vol. II. p. 424. Ludlow.

(1) Commanded by ſir James Harrington, being the red and blue regiments of trained-bands of London, the red regiment of Weſtminſter, the yellow regiment of Southwark, and the yellow regiment of auxiliaries of the Tower-hamlets. Ruſhworth, Vol. V. p. 719.

(2) All the general's horſe and foot; part of Mancheſter's horſe, and moſt of Waller's forces, with the city brigade, marched to Speen-hill; and the earl of Mancheſter's foot, and part of his horſe, continued in the field near Shaw. The horſe were commanded by ſir William Waller, and ſir William Balfour; the foot by ſerjeant major-general Skippon. Id. p. 721.

(3) After a long and hot diſpute (ſays Whitelock, Mem. p. 109.) the parliamentarians beat the King's forces from their works, and then from their ordnance, nine in number, in which atchievement they loſt a few men.——The parliament's army, according to lord Clarendon (Vol. II. p. 420.) conſiſted of about 16000 horſe and foot; and the King had not half that number. Whitelock (Mem. p. 108.) ſays, he had 8000 foot, and 500 horſe. Thomas Wentworth earl of Cleveland, of the King's ſide, was taken priſoner. The King loſt 3000 and the parliament 2500 men. Manley, p. 76, 77.

(4) Colonel Cromwell followed the body of the enemy two hours before day. Whitelock, p. 109. See Ludlow, Vol. I. p. 131.

(5) Threatening not to leave one ſtone upon another. To which the governor, ſir John Boys, made no other reply than, that he was not bound to repair it; but however would, by God's help, keep the ground afterwards. Clarendon, Vol. II. p. 424.

dezvous

dezvous early next morning, it not being poſſible to march that day by reaſon their quarters were too ſeparate and remote. But that very night, the King purſued his march to Dennington, and, drawing up his army between the caſtle and Newbury, waited in that poſture to obſerve what the enemy would attempt. Tho' the parliament army was likewiſe preſently after drawn up, the generals, having viewed the poſture and ſtrength of his Majeſty's, and held a council of war, judged it unſafe to ingage: ſo, after ſome ſkirmiſhes, the King having drawn out what he left at Dennington, marched back to Oxford, where he arrived the twenty-firſt of November. In his way thither, he ſent a detachment of his army to relieve the marquis of Wincheſter, who had been long beſieged in his own caſtle of Baſing: but this detachment found the ſiege already raiſed. Thus ended the campain of 1644, which proved not ſo fatal to King Charles as he had reaſon to fear, tho' however he loſt York and all the North.

Clarendon, Vol. II. p. p. 407, &c. 426. Ruſhworth, Vol. V. p. 732.

It is time now to ſpeak of ſome other occurrences of the year 1644, which had no immediate relation to the war, but of which the knowledge is no leſs uſeful and neceſſary than that of conflicts and battles, tho' they have no natural connection together, nor depend on each other.

Ordinance to forbear one meal per week. p. 748.

March twenty-ſixth, 1644, the parliament paſſed an ordinance, injoining every family * to forbear one meal per week, and contribute the value thereof for the public occaſions. This was properly laying a tax upon every family: for otherwiſe, very likely, the parliament did not much care whether this weekly meal was forborne or not, provided each perſon paid the ſum impoſed.

* Within the bills of mortality.

p. 749. April the thirteenth, a certain Oxford ſpy was executed in Palace-yard, Weſtminſter.

p. 750. The fifteenth ditto, it was voted by the commons, that the commitee of both kingdoms ſhould prepare propoſitions for peace, to be preſented to his Majeſty: not that they deſired then to enter into a freſh treaty with him; for, ſince the conferences at Oxford were broken off, nothing had paſſed to induce them to alter their plan. But herein they had a double view; firſt to let the public ſee, they pretended not abſolutely to reject peace, as they were charged by the King: ſecondly, they had thereby a pretenſe ready to propoſe a peace, in caſe they were forced to it by the misfortues of war during the campain. What confirms this to have been their chief aim, is, that theſe propoſitions, which after all were the ſame in ſubſtance with thoſe debated at Oxford, were not ſent up to their lordſhips 'till the nineteenth of Auguſt, at that very inſtant when the earl of Eſſex was decoyed into Cornwal, and not to his Majeſty 'till the twentieth of November.

Parliament reſolves kept more private.

To the year 1644 the war affairs were ſo publicly debated in parliament, that Charles was acquainted with the reſolutions there taken before they began to be put in execution. But, this year, the managers thought fit to give the commitee of both kingdoms, who were charged with thoſe matters, more power than before, that they might give their orders, and cauſe them to be executed, without being obliged to communicate their reſolutions to both houſes. I know not whether this was by expreſs vote, or by mere uſurpation, the commitee knowing they ſhould at leaſt be avowed by the leading members, in caſe it was attempted to call them to account. A conſiderable advantage indeed was hereby gained, in that the reſolutions became more private, and the King had not ſo good information; but, on the other hand, the commitee had by it a power which might be of very dangerous conſequence: and therefore ſeveral members complained, that the moſt important affairs were not communicated, but that the direction and management was reſerved, by the commitee, to themſelves alone. The time for which they had been appointed being about to expire, the commons paſſed an ordinance, for the continuance of the commitee three months longer, and ſent it up to the peers: but their lordſhips, inſtead of paſſing this ordinance as ſent by the commons, added a clauſe to increaſe the number of this commitee, with five lords and ten commoners. * Indiſputably, King Charles's private friends uſed their indeavors to increaſe the number of the commitee, in hope of being able to gain ſome one to inform them of what ſhould be there tranſacted. But the commons, foreſeeing the conſequence of their addition, refuſed their conſent to it, and deſired the peers, that they would paſs the ordinance without any amendment. Their lordſhips declining to do it for ſome time, the commons found means to get the lord-mayor and common-council of London to petition them, among other matters, that the commitee of both kingdoms might be continued as it was (1). Then the lords, perceiving that, ſince London interpoſed, their reſiſtance would be fruitleſs, paſſed the ordinance four days after. The declarations of the city of London were a curb frequently uſed by the commons to ſtop the career of Charles's partiſans, when, by their cabals, they were laboring to diſturb their deliberations, or to ſow diſcord between the two houſes. Beſide it would have been dangerous, as well as unjuſt, to diſoblige that great city, by whom the charges of the war were chiefly borne, and experience had ſhewn, that the city had infallible expedients to ſupport their friends in parliament. The hiſtorians of the two parties are in different ſentiments on this ſubject. The royaliſts pretend, that the generality of Londoners were for his Majeſty, and would gadly have accepted the peace he was pleaſed to offer them, but were over-awed by their magiſtrates, of whom a great majority were devoted to the parliament. Contrariwiſe, the parliamentarians affirm, that the number of Londoners who were for the King came far ſhort of that of his enemies, and that the commotions ſometimes in the city, whether to demand peace, or to diſturb the parliament's debates, were no other than the effect of cabals among ſome private perſons, who ſecretly adhered to the King, and indeavored to ſow diſſenſion between the parliament and city: and that all this manifeſtly appears in the ill ſucceſs of their reiterated attempts.

Differences between both houſes about the commitee. May 7. p. 751.

* Of their own nomination.

May 16. Ruſhworth, Vol. V. p. 710.

May 20.

There was, in the above-mentioned London petition, another article of no leſs importance. Very many members of both houſes, as I obſerved, had deſerted the parliament, before and after the war commenced. Some had taken this courſe thro' affection to the King, and in order to ſerve him in his army; others by his expreſs command; ſeveral thro' fear of puniſhment, for attempting to force the parliament to a peace; and perhaps, ſome to avoid being expoſed to the outrages of the London populace. By the retreat of theſe members, that faction which oppoſed his Majeſty was become ſo ſuperior in both houſes, that no man durſt any longer contradict whatever they thought proper to move. Indeed, it would have been very fruitleſs for the King's new friends in the parliament to attempt ſupporting his intereſt.

Ordinance againſt ſucb members as had deſerted. June 29. p. 714.

(1) This perſon, ſays Whitelock (Mem. p. 88.) was ſuſpected by the general's friends, to be ſet on foot by his enemies, and jealouſy grew among the grandees of the parliament.

Charles

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Charles had therefore perceived, that his policy in diminiſhing the number of members in both houſes, inſtead of being advantageous, had contrariwiſe proved very prejudicial to him; for, by that means, the reſolutions againſt him paſſed in parliament with abundant leſs difficulty. His enemies were now freed from reſtraint, and met with no farther oppoſition. The commons, perceiving that, from time to time, ſome of theſe members returned to London, thought not proper to admit them into the houſe, purſuant to a vote paſſed long before on that ſubject. They were apprehenſive, if ſuch members were admited, the King might in time ſend them ſo great a number, as would ſuffice to obſtruct their deliberations. Mean while, to juſtify their refuſal to admit them, they ſo managed that, one article of the petition, preſented them by the common-council of London, was; "That none "of the members who had deſerted the parliament ſhould be received, without ſatisfaction "firſt given to both houſes for their future fidelity." In purſuance of this deſire, it was declared ſoon after, by an ordinance; "That ſuch "peers as had deſerted, or ſhould deſert the parliament, ſhould not be re-admited without the "conſent of both houſes; and that whatſoever "member of the houſe of commons had ſo offended, "or ſhould ſo offend hereafter, and adhere to thoſe "who were levying war againſt the parliament, "were and ſhould be abſolutely diſabled from "ſiting in the houſe of commons." By this means, ſuch as might deſign returning to the parliament, for the King's ſervice, had ſufficient warning, that their artifice would be without effect.

The earl of Leiceſter returns to London. Ruſhworth, Vol. V. p. 715.

The earl of Leiceſter, who about this time left Oxford, and returned to London, was not of the number of thoſe who forſook the King to do him ſervice. He had too much reaſon to be diſſatisfied with that Prince, for amuſing him two years ſucceſſively, under color of ſending him into Ireland, and for finally nominating the marquis of Ormond lord-lieutenant. This earl was however ordered into cuſtody on his arrival at London; but, in all appearance, it was only to ſhew, that the new ordinance was intended to be rigorouſly executed.

Embaſſy from the ſtates-general. p. 716.

In January 1643-4, the ſtates-general of the United Provinces ſent embaſſadors into England, to offer their mediation, whereof the two houſes made no great account, knowing what credit the Prince of Orange, the King's ſon-in-law, had in theſe provinces: beſide, the embaſſadors, who were all ſuppoſed to be the Prince of Orange's creatures, refuſed to acknowledge the two houſes at Weſtminſter for the parliament of England. At length, theſe embaſſadors, after ſeveral journies to Oxford, and attempts to perſuade the parliament to accept their mediation without the previous acknowledment required, fully owned the two houſes for the parliament of England, and preſented a memorial to offer their mediation. It muſt be obſerved, this was done the day after hearing of Prince Rupert's defeat at Marſton-moor. As they had long delayed this acknowledgment, both houſes in their turn left them ſome time without any anſwer, being doubtleſs willing to intimate to them, that they looked not on this mediation as ſufficiently impartial. Wherefore, the tenth of December, they demanded a public audience, which was granted, and whereat they again offered their maſters mediation. Both houſes replied, that they readily accepted the ſtates mediation: but had already ſent propoſitions to the King for a treaty of peace, of which they were to wait the ſucceſs: that moreover, the two kingdoms of England and Scotland being united together by a ſolemn covenant, they could do nothing without the Scots concurrence, which would require ſome time. Thus they evaded thoſe offers of the ſtates-general, not believing ſuch a mediation could be for their advantage.

July 6.

p. 720.

CHARLES I An' 1644.

In July, it was ordered by the houſe of commons, that the fine impoſed by the ſtar-chamber on mr. Denzil Holles, for his aſſerting the liberties of his country in parliament, ſhould be repaid him out of the King's revenue.

Holles's fine repaid him. July 23. Ruſhworth, Vol. V. p. 722.

In October, an ordinance of both houſes was publiſhed, commanding, that no quarter ſhould be given to any of the Iriſh taken in arms againſt the parliament.

Ordinance againſt the Iriſh. p. 729.

In November, lord Macguire, and Mac Mahone, were brought upon their trials. They were apprehended, at Dublin, the very day they were to ſurpriſe the caſtle, and ſent to England, where they had been ever ſince confined in the Tower. They had found means to break priſon, and conceal themſelves in a houſe in London: but, unfortunately, hearing a woman crying oyſters in the ſtreet, one of them put his head out of window to call her, and was that inſtant eſpied by a ſervant of ſir John Clotworthy, who knew him, and immediately gave notice to the lieutenant of the Tower. They were both ſeized again, and ſoon after condemned and executed.

Trial of lord Macguire, and Mac-Mahone. p. 729, 741. State Try.

Since the famous William Laud, archbiſhop of Canterbury, had been impriſoned near the cloſe of 1640, I have had but little occaſion to ſpeak of him. It is time now to relate his tragical cataſtrophe. He was by the commons accuſed of high-treaſon, December the eighteenth, 1640, and thereupon commited to the cuſtody of the black-rod. The twenty-ſixth of February following, the articles of impeachment were brought in againſt him, and then he was ſent to the Tower. There he remained 'till October the twenty-third, 1643, when the commons having added ten freſh articles to the impeachment, he was by the lords ordered to anſwer, the thirtieth ditto. It would be too tedious to ſpecify all the petitions he preſented, and all the expedients wherewith his counſel furniſhed him, in order to get his ſentence defered. It ſuffices to ſay, that he gained time 'till the eleventh of November, 1644, on which day he ſpake ſeveral hours together in his own defenſe. But, whether the commons were apprehenſive their proofs were not ſufficient for his condemnation, or the delays conceded him by the peers gave them cauſe to think they were inclined to ſave his life, they uſed the ſame method as in the earl of Strafford's caſe, I mean a bill of attainder, which paſſed their houſe that very day the prelate made his defenſe before their lordſhips, with but one diſſenting vote. The bill being ſent up to the lords, they acquainted the commons, that, indeed they found the archbiſhop guilty of the charge, as to matters of fact, but deſired ſome farther ſatisfaction in point of law, whether the matters amounted to treaſon. Hereupon the commons imparted to them the reaſons, whereby they pretended to prove him guilty of that crime. January the fourth, their lordſhips paſſed the bill of attainder, whereby it was ordained, he ſhould ſuffer death as in caſes of high-treaſon; and, on the ſixth, both houſes ordered, he ſhould be executed the tenth. On the ſeventh, the lords, at a conference, informed the commons of a pardon to the archbiſhop from his Majeſty, dated the twelfth of April, 1643; but it was over-ruled and rejected. The ſame day the archbiſhop, ſeeing there was no remedy, petitioned the lords, that the manner of his execution might be changed to beheading: he likewiſe requeſted, that ſome of his chaplains might be permited to be with him before, and at his death. Their lordſhips very readily granted his two requeſts, but the commons refuſed both, and ſent him two miniſters whom he did not aſk for, with one of thoſe he deſired.

Laud's condemnation and execution. Ruſhworth, Vol. V. p. 736, &c. Heylin. Wharton. Prynne.

Clarendon, Vol. II. p. 441.

Charles I An' 1644.

Jan. 10. 1644-5.

desired. Next day, he presented a second petition to be beheaded, seting forth, that he was a divine, bishop, privy-counsellor, and peer; whereupon the commons were at length prevailed with. When on the scaffold, he made a pretty long speech; wherein he, among other matters, insinuated, that "he suffered for not forsaking the temple of God, "to follow the bleatings of Jereboam's calves;" alluding to the schism of the Presbyterians. He said, —— "He had ransacked every corner of his "heart, and thanked God, he had not found any "sins there deserving death, by the known laws "of the land. The King had been traduced by "some for laboring to bring in Popery; but, upon "his conscience, he knew him to be as free from such "a charge as any man living, and held him to be "as sound a Protestant, according to the religion "established by law, as any person in the kingdom. "He protested, he never indeavored the subver-"sion of the laws of the realm, nor ever any "change of the Protestant religion into Popish "superstition. He had never been an enemy to "parliaments, but did indeed dislike the mis-"government of one or two ——." After he had prayed, the executioner did his office at one blow. His friends were suffered to take his body and bury it in Alhallows-Barking church. Such was the end of this famous prelate, who, let his favorers say what they please, was one of the chief authors of the troubles which afflicted England: first, by supporting with all his power the arbitrary principles which the court, for several years labored, to establish: secondly, by a too rigid observance of trifles in the divine service, and by forcing all people to a conformity with his innovations. All can be said in his favor is, that he believed in his own conscience this rigidness was necessary.

The liturgy abolished. Jan. 4. 1644-5. Rushworth, Vol. V. p. 785.

The same day their lordships passed the bill of attainder against Laud, they also passed an ordinance, abolishing the book of Common-prayer, and establishing the Directory, which had been framed by the assembly of divines. Hereby the church of England was by public authority rendered completely Presbyterian, to the great satisfaction of the Scots, and many of the principal members of both houses. This was but a bad preparative for the peace which was now negociating, and whereof I have hitherto defered making mention, not to interrupt my narrative.

The Treaty at Uxbridge. p. 787. Dugdale's View. Clarendon, Vol. II. p. 442, &c.

King Charles, as has been often seen, sent message upon message to the two houses with overtures of peace; and doubtless he would have granted it very willingly, had they been as ready to receive it in his sense: but they perfectly knew what they were to understand by the word peace. Beside, at the very time his Majesty offered to treat with both houses, he carefully avoided using any term which might intimate his acknowledging them to be a parliament. It was necessary therefore, if they desired to treat with him, either that he should expresly own them as such, or that they should treat as private persons without authority. But, supposing they could have resolved to do so, what would such a treaty have signified? This was the pretense used by both houses, during the campain of 1644, not to answer the King's invitations. Mean while, as his Majesty talked loudly of his often repeated offers, to persuade people of his sincere desire of peace, and of the parliament's refusal, both houses resolved to oblige him to explain more clearly what he understood by peace, that the people might examine whether he offered sufficient security: for, as I observed, this was the sole point in dispute. The treaty at Oxford, where two propositions only were debated, not having fully cleared this matter, the two houses thought it would be for their advantage to induce Charles, by a second treaty, to declare positively, that he would give no other security than his bare word. They hoped this would suffice to efface whatever impressions his re-iterated offers might have made on peoples minds.

Motives of the two houses in proposing a peace.

Charles I An' 1644.

The parliament send propositions to his Majesty. Rushworth, Vol. V. p. 787. Whitelock, p. 112.

During the campain, it was no proper season for such a negociation, by reason of the variety of accidents war produced. It was not 'till November the twentieth, two days after King Charles's return from Oxford, that the two houses tendered him the propositions which had been prepared last summer. They had sent to desire a safe-conduct for their commissioners, which his Majesty had granted, but only as to private persons, without a sillable to denote his considering them as the parliament's commissioners. Tho' the two houses were far from being pleased with such a pass, they however accepted it, and their commissioners repaired to Oxford, where Charles arrived a day before. At their first audience, that Prince asked them, whether they had power to treat? They answered, no; their commission was only to receive his Majesty's answer in writing. Charles replied, Then a letter-carrier might have done as much as you. Seemingly, he had expected that the two houses would treat with him, without his owning them for the parliament of England, wherein he was greatly deceived. He heard the propositions read with great attention and patience, and then receiving them from their hands, told them, he would give them his answer.

Private conferences between Charles and two of the parliament's commissioners. p. 113. Rushworth, Vol. V. p. 788.

The earl of Lindsey, who was with his Majesty at Oxford, having sent his compliments to Holles and Whitelock, they two, with the other commissioners consent, returned his civility by a visit. They found him indisposed, and in bed; yet he received them in presense of several noblemen then with him. Presently after, his Majesty came in, and had with them a long conference. He told them, "He knew that they were both desirous of "a peace, and wished that all the rest of the "members were of their opinion; and therefore "(said he) out of the confidence I have of you "two, I ask your advice, what answer will be "best for me to give at this time to your proposi-"tions, which may probably farther such a peace "as all good men desire?" Whitelock answered, "The best and most satisfactory answer, I hum-"bly believe, would be your Majesty's presense "with your parliament, and which I hope might "be without danger to you." The King perceiving they did not care to speak their minds before so much company, said, "I desire you two to go "into the next room, confer a little together, and "set down in writing what you apprehend may "be fit for me to return in answer to your "message." Whereupon they withdrew into another room, and, by Holles's intreaty, Whitelock wrote down what was their sense in this matter, and what might be fit for the substance of his Majesty's answer: but this he did not in his usual hand, and without subscribing any name. The paper thus written being left upon the table, the King went in, and took it up immediately. No person was present, neither did the King admit any others to hear the discourse which passed between him and them. It cannot be denied, it was very extraordinary for these commissioners to confer in private with the King, unknown to their collegues, to whom they imparted nothing of what passed between his Majesty and them. Accordingly not long after, lord Savil, lately created earl of Sussex, who was in the earl of Lindsey's chamber when Charles came in, and who returned afterwards to the parliament, accused them publicly of their having held private conferences with the King: but as he was not able to prove what he advanced, the

Whitelock, p. 114, 154. Holles's Mem. p. 38.

matter

CHARLES I An' 1644.

matter went no farther. What I have been ſaying remained a ſecret, 'till Whitelock publiſhed it in his memorials, and even there we do not find the contents of the paper written by himſelf (1). It is not however impoſſible to vindicate theſe two commiſſioners, who doubtleſs, having ſome knowledge of the combination then on foot, and which I ſhall hereafter touch on, wiſhed a peace might be concluded before the project was put in execution. To all appearance, in order to promote a peace, they counſelled his Majeſty to grant the parliament certain articles, otherwiſe they foreſaw a pacification would be impracticable; but that Prince thought not fit to follow their advice.

The King's anſwer. Whitelock, p. 115. Ruſhworth, Vol. V. p. 789.

Next day, Charles ſent his anſwer ſealed up to the commiſſioners; but they denied the receiving it, except they had alſo a copy. This his Majeſty at firſt refuſed; but finally complied. The ſubſtance of it, was only to demand a ſafe-conduct for the duke of Lenox and earl of Southampton, to carry his anſwer to the propoſitions. As this paper was not directed to any perſon, nor the parliament ſo much as named in it, the commiſſioners made ſome ſcruple about taking it. They were however prevailed with, on the ſuppoſition that both houſes would be at liberty to make of it what uſe they pleaſed. This paper being read at a conference of both houſes, the exceptions againſt the form and want of directions were warmly debated; but it was at length carried, to lay aſide all objections, and ordered, that the earl of Eſſex ſhould write to Prince Rupert as follows: "That if his Majeſty will di-

The two houſes demand being owned for the true parliament.

"rect 'To the Parliament of England aſſembled at "Weſtminſter, and to the Commiſſioners of the "Kingdom of Scotland,' they would with all rea-"dineſs grant a ſafe-conduct for the duke of "Richmond and the earl of Southampton." King Charles was extremely loth to do this; but the affair being debated in his council, none oppoſed it but himſelf. Nevertheleſs, he could not be prevailed on, 'till after he was furniſhed with this expedient; viz. privately to make againſt it a proteſtation; which ſhould be recorded. After that, Prince Rupert's anſwer being worded as both houſes deſired, the ſafe-conduct was ſent to Oxford.

Charles conſents with difficulty, p. 790.

p. 801. Dugdale's View. p. 748.

The two peers ſent from Charles being come to London, delivered his Majeſty's anſwer to both houſes, dated the thirteenth of December, containing only, that whereas he found it very difficult, before a full debate, to return a poſitive anſwer to their propoſitions, if the two houſes would appoint commiſſioners, he would nominate the like number to treat with them, at any place ſhould be agreed on. As King Charles had ſaid, a common letter-carrier might have done the office of thoſe commiſſioners who brought the propoſitions, ſo it might be aſked, where was the neceſſity of imploying two chief perſons of his court and council to carry this anſwer to both houſes. But, in all appearance, this Monarch's aim was to get information, by means of theſe two lords, and his London friends, of ſome particulars wherewith he was not fully acquainted (2). Howſoever this be, not to dwell too long upon preliminaries, not abſolutely neceſſary, it ſuffices to ſay, that they agreed on the following articles: viz. That the commiſſioners of both parties ſhould meet at Uxbridge: that the conferences ſhould begin the thirtieth of January, 1644-5, and ſhould laſt twenty days: that the propoſitions, as well on the King's as the parliament's ſide, ſhould be reduced to theſe three heads, Religion, the militia, and Ireland: that religion ſhould be treated upon three days together, then the militia three days more, and after that Ireland as many; which done, the affairs of religion ſhould be reſumed for three days, then the buſineſs of the militia, and laſtly, Ireland for the ſame time. The King's commiſſioners were, the duke of Richmond, marquis of Hertford, earl of Southampton, earl of Kingſton, earl of Chicheſter, and eleven others, among whom was ſir Edward Hyde, chancellor of the exchequer, afterwards earl of Clarendon (3). Thoſe for the parliament were twelve, the chief whereof were the earls of Northumberland, Pembroke, Saliſbury, and Denbigh (4): and for Scotland the principal were, the earl of Loudon, lord chancellor of Scotland, and the marquis of Argyle (5). I intend not to recite the particulars of this negociation, which was tranſacted by papers and anſwers in writing, but ſhall content myſelf with mentioning the principal matters. The King's propoſitions were in ſubſtance the ſame with thoſe he had given at Oxford, without any alteration as to the ſenſe. The parliament's were not much different from their Oxford ones, but fuller and more extenſive, and therefore I judge proper to inſert them.

CHARLES I An' 1644.

Ruſhworth, Vol. V. p. 802, 803, 805, 807.

Propoſitions of the Parliament, and Scotiſh commiſſioners.

"I. THAT all oaths, declarations and pro- Ruſhworth, Vol. V. p. 796. Dugdale.
"clamations, againſt both or either of the "houſes of the parliament of England, and the "late convention of eſtates in Scotland, be de-"clared null, and ſuppreſſed.

"II. That his Majeſty may be pleaſed to ſwear "and ſign the late ſolemn league and covenant, "and that an act of parliament be paſſed for in-"joining the taking thereof by all the ſubjects of "the three kingdoms.

"III. That the bill be paſſed for the utter abo-"liſhing and taking away all archbiſhops, biſhops, "&c. and the reſt of the hierarchy, out of the "churches of England and Ireland, and dominion "of Wales, with ſuch alterations concerning the "eſtates of prelates, as ſhall agree with the articles "of the late treaty, of the date at Edinburg, the "twenty-ninth of November, 1643, and joint de-"claration of both kingdoms.

"IV. That the ordinance concerning the calling "and ſiting of the aſſembly of divines, be con-"firmed by act of parliament.

"V. That reformation of religion, according "to the covenant, be ſetled by act of parliament, "in ſuch manner as both houſes ſhall agree upon, "after conſultation had with the aſſembly of

"divines;

(1) Our author having made ſome miſtakes in his account of this buſineſs, particularly in ſaying, Holles wrote the paper, we have corrected them from Whitelock.

(2) Had M. Rapin conſulted Whitelock, he would have found his conjecture confirmed. He ſays, both houſes deſired of the duke of Richmond, and earl of Southampton, a liſt of their retinue, to the end no affront might be offered them; but chiefly to diſcover ſuch as came to town with theſe lords, under pretenſe of being of their retinue, when they were not, but came to do ill offices to the parliament. He adds, they were civilly treated, whereas at Oxford, he and the reſt had been ſcurvily uſed. Whitelock, p. 118.

(3) The other ten were, lords Capel, Seymour, Hatton and Culpepper; ſecretary Nicholas, ſir Richard Lane, ſir Orlando Bridgman, ſir Thomas Gardiner, mr. John Aſhburnham, mr. Jeoffery Palmer; with dr. Laney, dr. Sheldon, for religious affairs.

(4) The other eight were, viſcount Wenman, Denzil Holles, William Pierepont, ſir Henry Vane, jun. Oliver St. John, Bulſtrode Whitelock, John Crew, Edward Prideaux.

(5) The other Scotiſh commiſſioners were, lord Maitland and Balmerine, Johnſon, Erſkin, Dundas, Smith, Kennedy, Barclay, with mr. Alexander Henderſon, moderator.

" divines; and forasmuch as both kingdoms are " mutually obliged, by the said covenant, to in- " deavor the neareſt conjunction and uniformity " in matters of religion, that ſuch unity and uni- " formity in religion, according to the covenant, " as after conſultation had with the divines of both " kingdoms, now aſſembled, ſhall be jointly " agreed upon by both houſes of the parliament of " England, and by the church and kingdom of " Scotland, be confirmed by acts of parliament of " both kingdoms reſpectively.

" VI. That, for the more effectual diſabling Je- " ſuits, Prieſts, Papiſts and Popiſh recuſants, from " diſturbing the ſtates, and eluding the laws, and for " the better diſcovery and ſpeedy conviction of re- " cuſants, an oath be eſtabliſhed, by act of parlia- " ment, to be adminiſtered to them; and refuſing " the ſaid oath, being tendered in ſuch manner as " ſhall be appointed by the ſaid act, to be ſuffi- " cient conviction in law of recuſancy.

" VII. An act of parliament for education of " the children of Papiſts by Proteſtants in the Pro- " teſtant religion.

" VIII. An act for the true levying of the " penalties againſt them.

" IX. That an act be paſſed in parliament, where- " by the practiſes of Papiſts againſt the ſtate may " be prevented, and the laws againſt them duly " executed, and a ſtricter courſe taken to prevent " the ſaying or hearing maſs in the court, or any " other part of the kingdom.

" X. The like for the kingdom of Scotland, " concerning the four laſt preceding propoſitions.

" XI. That the King do give his royal aſſent,

" 1. To an act for the due obſervation of the " Lord's day.

" 2. And to the bill for the ſuppreſſion of inno- " vations in the worſhip of God.

" 3. And to the bill againſt the injoying of plu- " ralities and non-reſidency.

" 4. And to the following acts, for the reform- " ing and regulating of both univerſities, of the " colleges of Weſtminſter, Wincheſter and Eaton.

" 5. For the ſuppreſſion of interludes and ſtage- " plays.

" 6. For the taking the accounts of the kingdom.

" 7. For relief of ſick and maimed ſoldiers, and " of poor widows and children of ſoldiers.

" 8. For raiſing monies, for the payment and " ſatisfying of the public debts and damages of the " kingdom.

" 9. For taking away the court of Wards and " Liveries, &c.

" 10. For taking away all tenures by homage, " and all fines, licenſes, ſeiſures and pardons for " alienation: and that his Majeſty will pleaſe to ac- " cept, in recompenſe hereof, one hundred thou- " ſand pounds per annum;

" And give aſſurance of his conſenting, in the " parliament of Scotland, to an act ratifying the " acts of convention of the eſtates of Scotland, " called by the council and conſervatory of peace, " and the commiſſioners for the common burdens, " aſſembled the twenty-ſecond day of June, " 1643, and ſeveral times continued ſince.

" 1. That the perſons who ſhall expect no " pardon, be only theſe following Rupert; and " Maurice, count Palatines of the Rhine; James " earl of Derby; John earl of Briſtol; William " earl of Newcaſtle; Francis lord Cottington; " John lord Pawlet; George lord Digby; Edward " lord Littleton; William Laud, archbiſhop of " Canterbury; Matthew Wren, biſhop of Ely; " ſir Robert Heath, knight, &c. and all ſuch " others as, being proceſſed by the eſtates for " treaſon, ſhall be condemned before the act of " oblivion be paſſed.

" 2. All Papiſts and Popiſh recuſants, who " have been, are, or ſhall be actually in arms, or " voluntarily aſſiſting againſt the parliaments or " eſtates of either kingdom.

" 3. All perſons who have had any hand in the " ploting, deſigning, or aſſiſting the rebellion in " Ireland.

" 4. That the members of either houſe of par- " liament, who have deſerted the parliament, and " concured in the votes at Oxford, may be re- " moved from his Majeſty's counſels, and be re- " ſtrained from coming within the verge of the " court, and that they may not, without the con- " ſent of both kingdoms, bear any office, or have " any imployment concerning the ſtate or com- " mon-wealth.

" 5. That, by act of parliament, all judges and " officers towards the law, common or civil; and " likewiſe all biſhops, clergymen, and other eccle- " ſiaſtical perſons, who have deſerted the parlia- " ment, ſhall not be capable of any preferment " or imployment.

(N. B. Then follow ſeveral articles, regulating the confiſcation of the goods, and the fines of ſuch delinquents as were not actually excepted in the pardon.)

" XII. That an act be paſſed, whereby the debts " of the kingdom, and the perſons of delinquents, " and the value of their eſtates may be known; " and appointing in what manner the confiſcations " above-mentioned may be levied.

" XIII. That an act be paſſed, in the parlia- " ment of both kingdoms reſpectively, for con- " firmation of the treaties paſſed betwixt the two " kingdoms.

" XIV. That an act of parliament be paſſed, " to make void the ceſſation of Ireland, and to " ſetle the proſecution of the war in that kingdom.

" XV. That an act be paſſed, in the parlia- " ment of both kingdoms reſpectively, for eſta- " bliſhing the joint declaration of both kingdoms, " bearing date the thirtieth of January, 1643.

" XVI. That, by act of parliament, the ſub- " jects of the kingdom of England may be ap- " pointed to be armed, trained and diſciplined in " ſuch manner as both houſes ſhall think fit; the " like for the kingdom of Scotland.

" XVII. That an act of parliament be paſſed, " for ſetling the admiralty and forces at ſea, and " for raiſing monies for maintenance of the ſaid " forces, and of the navy, as both houſes of par- " liament ſhall think fit; the like for the king- " dom of Scotland.

" XVIII. And an act for ſetling all forces, both " by ſea and land, in commiſſioners, to be nomi- " nated by both houſes of parliament.

(N. B. Here follow the powers which thoſe com- miſſioners were to have.)

" That the commiſſioners of both kingdoms " may meet as a joint commitee, 1. To preſerve " the peace betwixt the kingdoms. 2. To prevent " the violation of the articles of peace. 3. To " raiſe and join the forces of both kingdoms, to " reſiſt all foreign invaſion. 4. To order the war " of Ireland.

" XIX. That his Majeſty give his aſſent to " what the two kingdoms ſhall agree upon, in " proſecution of the articles of the large treaty, " which are not yet finiſhed.

" XX. That all peers, made ſince the day when " Edward lord Littleton, then lord-keeper of the " great-ſeal, deſerted the parliament, and whereon " the ſaid great-ſeal was conveyed away, being the " twenty-firſt day of May, 1642, and who ſhall " hereafter be made, ſhall not ſit or vote in the " parliament of England, without conſent of both " houſes.

" XXI. That

" XXI. That the deputy, or chief governor, " or other governors of Ireland, as alſo all the " great officers of the crown of England, be nomi- " nated by both houſes of parliament.

" XXII. That the education of his Maje- " ſty children be in the Proteſtant religion, and " that their tutors and governors be choſen by " the parliaments of both kingdoms, and that " if they be males, they be married to ſuch only " as are of the Proteſtant religion; if they be " females, they may not be married but with the " advice and conſent of both parliaments.

" XXIII. That his Majeſty will give his royal " aſſent to ſuch ways and means as the parliaments " of both kingdoms ſhall think fit, for uniting " Proteſtant Princes, and for the intire reſtitution " of Charles Lodwic Prince Elector Palatine, to " his electoral dignity and dominions, provided " that this extend not to Prince Rupert, or Prince " Maurice, or the children of either of them.

" XXIV. That, by act of parliament, the con- " cluding of peace or war with foreign Princes " and ſtates, be with advice and conſent of both " parliaments.

" XXV. That an act of oblivion be paſſed, " in the parliaments of both kingdoms reſpective- " ly, relative to the qualifications in the propoſi- " tions aforeſaid.

" XXVI. That the members of both houſes of " parliament, or others who have, during this par- " liament, been put out of any place or office for " adhering to the parliament, may either be re- " ſtored thereunto, or otherwiſe have recompenſe " for the ſame.

" XXVII. That the armies may be diſbanded, " at ſuch time and in ſuch manner as ſhall be " agreed upon by the parliaments of both king- " doms.

" XXVIII. That an act be paſſed, for granting " and confirming the charters, cuſtoms, &c. of " the city of London, notwithſtanding any Non- " uſer, Miſuſer, or Abuſer. That the militia of " the city of London, and of the pariſhes with- " out, may be in the ordering and government of " the lord-mayor, aldermen and common-council.

" That the Tower of London may be in the " government of the city of London, and the " chief officer and governor thereof, from time to " time, be nominated and removeable by the " common-council.

" That the citizens, or forces of London " ſhall not be drawn out of the city, into any " other parts of the kingdom, without their " own conſent, and that the drawing of their " forces into other parts of the kingdom, in theſe " diſtracted times, may not be examples for the " future.

" And for prevention of inconveniencies, which " may happen by the long intermiſſion of common- " councils, it is deſired, that there be an act, that " all by-laws and ordinances already made, or " hereafter to be made, by the lord-mayor, alder- " men and common-council, touching the calling, " continuing and regulating of the ſame, ſhall be " as effectual in law as if the ſame were parti- " cularly inacted by the authority of parliament: " and that the lord-mayor, aldermen and common- " council may add to, or repeal the ſaid ordinan- " ces, from time to time, as they ſhall ſee cauſe.

" That ſuch other propoſitions as ſhall be made " for the city for their farther ſafety, welfare and " government, and ſhall be approved of by both " houſes of parliament, may be granted and con- " firmed by act of parliament."

If, after peruſing theſe propoſitions, it ſhould be aſked, what authority the two houſes intended to leave their Sovereign, ſuppoſing he had accepted them, it would be difficult to anſwer. They pretended, as appears very plainly, to leave him only the empty title, and inveſt themſelves with the whole ſovereignty, and that not by artifice, but openly and publicly. Their principle was, that the Sovereign having, by breach of his oaths, and of that truſt by the people repoſed in him, rendered himſelf unworthy to hold the reins of government, the ſupreme authority was to return to its original fountain, i. e. to the people repreſented by both houſes. Accordingly, they pretended not, that the juſtice or injuſtice of the propoſitions ſhould be debated in the Uxbridge treaty; for it would have been ridiculous to aſſign but twenty days for ſuch examination; but they gave them as conditions from which they would not recede, and which the King was to imbrace or reject. For this reaſon, Charles's commiſſioners indeavored in vain to enter into a diſcuſſion of the propoſitions. All they thereby gained was, that the parliament's commiſſioners offered to demonſtrate verbally, in private conferences, that the propoſitions were very juſt. After that, pretending to have urged ſatisfactory arguments, they coldly demanded their aſſent, tho' his Majeſty's commiſſioners were far from being convinced by the reaſons alleged. This method of proceeding puzzled Charles's agents, who had prepared many arguments, objections and difficulties againſt the propoſitions, and determined to find fault with every expreſſion. For, after all, King Charles was no more deſirous of a peace than the two houſes, as will inſtantly appear, and in reality, a pacification was in a manner quite impracticable, conſidering the contrariety between the principles whereon the two parties founded their reſpective claims. To ſay all in few words, the parliament's commiſſioners departed not from a ſingle tittle of what was contained in the propoſitions.

CHARLES I AN' 1644.

Firſt, with regard to religion, the need both houſes ſtood in of Scotland, and the covenant made between the two nations, allowed them not to queſtion the juſtice of that covenant, which had been now ſworn to in both kingdoms. Accordingly, it may be affirmed, their commmiſſioners defended this article very weakly: for, to prove the neceſſity of the alterations made in religion, and in church diſcipline, the confirmation whereof they demanded, the beſt argument they alleged was the covenant itſelf. True, in ſome conferences their miniſters were ordered to ſpeak, and indeavor to ſhew that epiſcopacy was not 'Jure Divino:' but this did not prove the abſolute neceſſity of deſtroying it in England. All their reaſonings were grounded on the pretended miſchiefs it had occaſioned. But when his Majeſty's commiſſioners propoſed ſuffering epiſcopacy to remain, and reforming its abuſes, the reaſons urged in oppoſition thereto, by the parliamentarians, not to agree to it, were really childiſh.

The militia article, which included the ordering the kingdom's forces, cuſtody of places, nomination to great poſts, &c. the parliament could not depart from without owning, they were making war very wrongfully; ſince they pretended to do it, only in order to obtain ſuch ſecurities as they believed they had right to demand. If, by a treaty, they ſhould have accepted the King's word as ſufficient ſecurity, every one would have perceived they might have avoided the war, by accepting that ſecurity which the King had conſtantly offered before the rupture. It muſt however be confeſſed, this article might very juſtly have been deemed a proper ſubject for a treaty: but the parliament ſeems to have adhered ſo ſtrenouſly to this article of the militia, purely to lay invincible obſtacles to a peace: for it may be affirmed, that neither party deſired it, except greater advantages could be procured by a treaty than by arms.

As

Charles I An' 1644.

As for Ireland, the two houſes thought they had, upon this article, ſuch great advantage, that they were glad to expoſe the King to uſe lame arguments in his defenſe. Nothing is therefore more certain, than that it was not properly with deſign to make peace the two houſes ſent their commiſſioners to Uxbridge: their ſole aim was to ſhew their party, that they were determined to ſupport the changes they had made in church-government, and the eſtabliſhment of Preſbytery: to ſhew the public that King Charles, when he ſo frequently offered peace, offered only a peace moſt deſtructive and dangerous to the nation; in a word, to confirm the people in their ſuſpicions, that his Majeſty did not proceed as he ought in the affairs of Ireland.

King Charles, on his part, was no more inclined to ſeek expedients for a peace than the two houſes. If he ſent his commiſſioners to Uxbridge, it was; 1. Becauſe, having ſo often expreſſed his earneſt deſire to treat, he could not decently recede, when he was, as I may ſay, taken at his word. 2. He knew, it had been moved in parliament to purſue the war more vigorouſly than ever, and that in order to do ſo more ſucceſsfully, ſuch alterations in the army were contriving as could not but be greatly to his diſadvantage. He hoped therefore, by means of the Uxbridge treaty to retard the execution of that project, as well as the parliament's preparations. 3. He queſtioned not but the unreaſonable demands of both houſes would produce for him a good effect among the people, becauſe they would clearly perceive, that the parliament's aim was utterly to deſtroy the church of England's worſhip, practiſed ever ſince the reformation; to aſſume to themſelves the ſovereignty under color of curbing the regal power, and in ſhort, to alter the government's eſtabliſhed conſtitution both in church and ſtate. But, tho'. he had conſented to treat upon the parliament's propoſitions, he was however reſolved never to conſent to the abolition of epiſcopacy, or diminution of Kingly authority, nor to deprive himſelf of the aid he expected to receive from Ireland, by a peace with the rebels, except he was firſt ſure of peace in England.

What has been advanced, touching the ſmall inclination of both parties to peace, wants no proof with reſpect to the parliament: their propoſitions, their commiſſioners procedure, and the ſhort ſpace they aſſigned for the treaty, are clear evidences. As for the King, there are ſtill more convincing proofs. Firſt, there is not the leaſt likelihood that, in his ſituation, if he had really and ſincerely reſolved to labor for peace, he would have been willing, I will not ſay to accept, but at leaſt to liſten to propoſitions which tended to leave him only the empty title of King, and to deprive him abſolutely of the exerciſe of royalty. Had he been priſoner in the parliament's hands, harder terms could ſcarce have been propoſed to him: and in effect, when that misfortune befel him afterwards, his conquerors made very few additions to theſe terms propoſed to him at Uxbridge, when he was yet in condition to defend himſelf. Secondly, theſe intentions I aſcribe to his ſaid Majeſty, with regard to peace, are proved by ſundry papers, found in his cabinet, a few monhs after, at Naſeby-fight, and which the parliament got printed and publiſhed. I thence give here ſome extracts, becauſe they relate to my preſent theme, the Uxbridge treaty. I own, it is not impoſſible theſe papers may have been curtailed, ſophiſticated, or forged by the publiſhers: but a bare poſſibility, without other proofs, would not be ſufficient to take away all credit from theſe letters, whoſe originals the parliament boaſted were in their poſſeſſion: beſide, the impartial reader can-not there find any thing repugnant to King Charles's genius and character, or to the ſtate of this Prince's affairs.

Charles I An' 1644.

Directions for my Uxbridge commiſſioners.

Firſt, concerning religion.

" IN this, the government of the church (as I " ſuppoſe) will be the chief queſtion, wherein " two things are to be conſidered; conſcience and " policy. Ruſhworth, Vol. V. P. 887, &c.

" For the firſt, I muſt declare unto you, that I " cannot yield to the change of the government " by biſhops, not only as I fully concur with the " general opinion of Chriſtians in all ages, as being " the beſt; but likewiſe, I hold myſelf particularly " bound, by the oath I took at my coronation, " not to alter the government of this church, from " what I found it. And as for the church's patri-" mony, I cannot ſuffer any diminution or alie-" nation of it, it being, without peradventure, " ſacrilege, and likewiſe contrary to my corona-" tion-oath. But whatſoever ſhall be offered for " rectifying of abuſes, if any have creeped in, or yet " for the eaſe of tender conſciences (ſo that it in-" damage not the foundation) I am content to hear, " and will be ready to give a gracious anſwer " thereunto.

" For the ſecond; as the King's duty is to pro-" tect the church, ſo it is the church's to aſſiſt the " King in the maintenance of his juſt authority; " wherefore my predeceſſors have been always " careful (eſpecially ſince the reformation) to keep " the dependency of the clergy intirely upon the " crown, without which it will ſcarcely ſit faſt " upon the King's head: therefore you muſt do " nothing to change or leſſen this neceſſary de-" pendency.

" Next concerning the militia. After conſcience, " this is certainly the fiteſt ſubject for a King's " quarrel: for without it the Kingly power is but " a ſhadow, and therefore upon no means to be " quited, but to be maintained according to the " ancient known laws of the land. Yet becauſe " (to attain to this ſo-much-wiſhed peace by all " good men) it is in a manner neceſſary, that " ſufficient and real ſecurity be given for the per-" formance of what ſhall be agreed upon, I permit " you, either by leaving ſtrong towns, or other " military force to the rebels poſſeſſion (until arti-" cles be performed) to give ſuch aſſurance for " performance of conditions, as you ſhall judge " neceſſary for to conclude a peace; provided al-" ways, that you take (at leaſt) as great care, by " ſufficient ſecurity, that conditions be performed " to me, and to make ſure that, the peace once " ſetled, all things ſhall return into their ancient " channels.

" As for Ireland, I confeſs they have very " ſpecious, popular arguments to preſs this point, " the gaining of no article more conducing to " their ends than this; and I have as much reaſon, " in both honor and policy, to take care how to " anſwer this, as any. All the world knows the emi-" nent, inevitable neceſſity which cauſed me to " make the Iriſh ceſſation; and there remains yet " as ſtrong reaſon for the concluding that peace; " wherefore you muſt conſent to nothing to hinder " me therein, until a clear way be ſhewed me, " how my Proteſtant ſubjects there may, pro-" bably at leaſt, defend themſelves, and that I ſhall " have have no more need to defend my conſcience " and crown from the injuries of this rebellion."

Memorials for ſecretary Nicholas, concerning the treaty at Uxbridge.

Oxford, Feb. 1644.

" I. FOR religion and church-government, I " will not go one jot farther than what is " offered by you already.

" II. And

CHARLES I An' 1644.

" II. And ſo for the militia, more than what " ye have allowed by me; but even in that you " muſt obſerve, that I muſt have free nomination " of the full half; as if the total number of Scots " and all be thirty, I will name fifteen. Yet if " they (I mean the Engliſh rebels) will be ſo baſe " as to admit of ten Scots to twenty Engliſh, I " am contented to name five Scots, and ten Eng- " liſh; and ſo proportionably to any number ſhall " be agreed upon.

" III. As for gaining of particular perſons, be- " ſide ſecurity, I give you power to promiſe them " rewards for performed ſervices, not ſparing to " ingage for places, ſo they be not of great truſt, " or be taken away from honeſt men in poſſeſſion; " but as much profit as you will. With this laſt " you are only to acquaint Richmond, Southamp- " ton, Culpepper and Hyde."

The Queen to the King.

Paris, Jan. 6. Dec. 27, 1644-5.

" —— I Underſtand that the commiſſioners are " arrived at London. I have nothing to " ſay, but that you have a care of your honor, and " that, if you have a peace, it may be ſuch as " may hold; and, if it fall out otherwiſe, that you " do not abandon thoſe who have ſerved you, " for fear they do forſake you in your need. " Alſo, I do not ſee how you can be in ſafety with- " out a regiment of guards; for myſelf, I think " I cannot be, ſeeing the malice which they have " againſt me, and my religion, of both which I " hope you will have a care; but, in my opi- " nion, religion ſhould be the laſt thing upon " which you ſhould treat: for if you do agree upon " ſtrictneſs againſt the Catholics, it would diſ- " courage them to ſerve you; and if afterwards " there ſhould be no peace, you could never ex- " pect ſuccours either from Ireland, or any other " Catholic Prince; for they would believe you " would abandon them, after you have ſerved " yourſelf."

His Majeſty's letter to the Queen.

Dear Heart, Oxford, Dec. 1644.

" —— KNOW (as a certain truth) that all, " even my party, are ſtrangely impa- " tient for peace, which obliged me much the " more, at all occaſions, to ſhew my real intentions " to peace: and likewiſe, I am put in very good " hope (ſome hold it a certainty) that if I ſhould " come to a fair treaty, the ring-leading rebels " could not hinder me from a good peace. Firſt, " becauſe their own party are moſt weary of the " war, and likewiſe for the great diſtractions " which at this time moſt aſſuredly are among " themſelves, as Preſbyterians againſt Indepen- " dents in religion, and general againſt general in " point of command. Upon theſe grounds a " treaty being moſt deſirable (not without hope of " good ſucceſs) the moſt probable means to pro- " cure it was to be uſed which might ſtand with " honor and ſafety. Among the reſt (for I will " omit all thoſe which are unqueſtionably conceal- " able) the ſound of my return to London was " thought to have ſo much force of popular rhe- " toric in it, that upon it a treaty would be had; " if refuſed, it would bring much preju- " dice to them, and be advantageous to me; " yet, leſt fooliſh or malicious people ſhould " interpret this as to proceed from fear or " folly, I have joined conditions with the propoſi- " tion (without which this ſound will ſignify no- " thing) which thou wilt find to be moſt of the " chief ingredients of an honorable and ſafe peace. " Then obſerve, if a treaty at London, with com- " miſſioners for both ſides, may be had without " it, it is not to be uſed, nor in caſe they will " treat with no body but myſelf; ſo that the con- " ditions ſave any aſperſion of diſhonor, and the " treating at London the malignity which our " factious ſpirits here may infuſe into this treaty, " upon this ſubject. This I hope will ſecure thee " from the trouble which, otherwiſe, may be " cauſed by falſe malicious rumors; and tho' I " judge myſelf ſecure in thy thoughts from ſuſ- " pecting me guilty of any baſeneſs, yet I held " this account neceſſary, to the end thou may " make others know, as well as thyſelf, this " certain truth, that no danger of death or miſery " (which I think much worſe) ſhall make me do " any thing unworthy of thy love. —— I con- " clude, by conjuring thee, as thou loveſt me, that " no appearance of peace, nor hopeful conditions " of mine, make thee neglect to haſten ſuccor for " him, who is eternally thine."

CHARLES I An' 1644.

To the Queen.

Jan. 1, 1644.

" —— I Shall now tell thee, that the rebels are " ingaged into an equal treaty, and that " the diſtractions of London were never ſo great, " or ſo likely to bring good effect, as now. Laſt- " ly, that thy aſſiſtance was never more needful, " never ſo likely as now to do good to him, " who is eternally thine."

To the Queen.

Dear Heart, Oxford, Jan. 2, 1644.

" —— AS for my calling thoſe at London a " parliament, I ſhall refer thee to " Digby for particular ſatisfaction; this is in gene- " ral: if there had been but two (beſide myſelf) of " my opinion, I had not done it; and the argument " which prevailed with me was, That the cal- " ling did no ways acknowledge them to be a " parliament. Upon which condition and con- " ſtruction I did it, and no otherwiſe; and accord- " ingly it is regiſtered in the council-books, with " the council's unanimous approbation."

To the Queen.

Dear Heart, Oxford, Jan. 22, 1644.

" —— I Believe thou wilt approve of my choice " of treaters; and for my propoſitions, " they differ nothing in ſubſtance (very little in " words) from thoſe which were laſt.

" Now upon the whole matter, I deſire thee to " ſhew the Queen and miniſters there, the impro- " bability that this preſent treaty ſhould produce " a peace, conſidering the great ſtrange difference " (if not contrariety) of grounds that are betwixt " the rebels propoſitions and mine, and that I can- " not alter mine, nor will they ever theirs, until " they be out of hope to prevail by force, which a " little aſſiſtance by thy means will ſoon make " them ſo; for I am confident, if ever I could " put them to a defenſive (which a reaſonable ſum " of money would do) they would be eaſily brought " to reaſon."

The Queen to the King.

My dear Heart, Paris, Jan. $\frac{27}{17}$, 1644.

" TOM Elliot, two days ſince, hath brought " me much joy and ſorrow; the firſt, to " know the good eſtate in which you are, the " other, the fear I have that you go to London. " I cannot conceive where the wit was of thoſe who " gave you this counſel; unleſs it be to hazard " your perſon to ſave theirs. But, thanks be to " God, to-day I received one of yours by the em- " baſſador of Portugal, dated in January, which " comforted me much to ſee that the treaty ſhall " be at Uxbridge. For the honor of God, truſt

" not

CHARLES I An' 1644.

" not yourſelf in the hands of theſe people; and if " you ever go to London, before the parliament " be ended, or without a good army, you are " loſt. I underſtand, that the propoſitions for the " peace muſt begin by diſbanding the army: if " you conſent to this, you ſhall be loſt, they hav- " ing the whole power of the militia: they have " done, and will do whatſoever they will. I re- " ceived yeſterday letters from the duke of Lorrain, " who ſends me word, if his ſervice be agreeable " to you, he will bring you ten thouſand men. " Dr. Goffe, whom I have ſent into Holland, " ſhall treat with him in his paſſage upon this buſi- " neſs, and I hope very ſpeedily to ſend good news " of this, as alſo of the money. Aſſure yourſelf, " I will be wanting in nothing you ſhall deſire, " and that I will hazard my life, that is, to die " by famine, rather than not to ſend to you. Send " me word always by whom you receive my letters; " for I write both by the embaſſador of Portugal, " and the reſident of France. Above all, have " a care not to abandon thoſe who have ſerved " you, as well the biſhops, as the poor Catho- " lics. Adieu."——

The King to the Queen.

Jan. 30.

" ——THE treaty begins this day. I de- " ſire thee to be confident, that I ſhall " never make a peace by abandoning my friends, " nor ſuch a one as will not ſtand with my honor " and ſafety."——

To the Queen.

Dear Heart, Oxford, Feb. $\frac{15}{25}$. 1644.

" ——AS for our treaty, there is every day " leſs hopes than other, that it would " produce a peace; but I will abſolutely promiſe " thee, that, if we have one, it ſhall invite thy " return; for I vow that, without thy company, I " can neither have peace nor comfort within myſelf. " The limited days for treating are now almoſt ex- " pired, without the leaſt agreement upon any one " article; wherefore I have ſent for inlargement of " days, that the whole treaty may be laid open " to the world; and I aſſure thee, that thou " needeſt not doubt the iſſue of this treaty; for " my commiſſioners are ſo well choſen (tho' I ſay " it) that they will neither be threatened nor diſ- " puted from the grounds I have given them, " which, upon my word, is according to the little " note thou ſo well remembereſt, and in this not " only their obedience but their judgments con- " cur.——

" In ſhort, there is little or no appearance, but " that this ſummer will be the hoteſt for war of any " that hath been yet; and be confident that, " in making peace, I ſhall ever ſhew my con- " ſtancy in adhering to biſhops, and all our friends, " and not forget to put a ſhort period to this " perpetual parliament. But as thou loveſt me, " let none perſuade thee to ſlacken thine aſſiſtance " for him, who is eternally thine."

C. R.

To the Queen.

Dear Heart, Oxford, Feb. 19. 1644.

" I Cannot yet ſend thee any certain word con- " cerning the iſſue of our treaty, only the un- " reaſonable ſtubborneſs of the rebels gives daily " leſs hopes of any accommodation this way; " wherefore I hope no rumors ſhall hinder thee " from haſtening, all thou may, all poſſible aſ- " ſiſtance to me, and particularly that of the duke " of Lorrain's, concerning which I received yeſter- " day good news from dr. Goffe, that the Prince of " Orange will furniſh ſhiping for his tranſporta- " tion, and that the reſt of his negociations goes " hopefully on.——

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" As for truſting the rebels, either by going to " London or diſbanding my army before a peace, " do no ways fear my hazarding ſo cheaply or " fooliſhly; for I eſteem the intereſt thou haſt in " me at a far dearer rate, and pretend to have a " little more wit."——

To the Queen.

Dear Heart, Oxford, March 5. 1644.

" NOW is come to paſs what I foreſaw, the " fruitleſs end (as to a preſent peace) of this " treaty; but I am ſtill confident, that I ſhall find " very good effects of it: for beſide that my com- " miſſioners have offered, to ſay no more, full " meaſured reaſon, and the rebels have ſtucken " rigidly to their demands, which I dare ſay had " been too much tho' they had taken me pri- " ſoner, ſo that aſſuredly the breach would light " foully upon them. We have likewiſe at this " time diſcovered, and ſhall make it evidently ap- " pear to the world, that the Engliſh rebels (whe- " ther baſely or ignorantly will be no very great " difference) have, as much as in them lies, tranſ- " mited the command of Ireland from the crown " of England to the Scots, which, beſide the re- " flection it will have upon theſe rebels, will clearly " ſhew, that reformation of the church is not the " chief, much leſs the only end of the Scotiſh re- " bellion.

" But it being preſumption, and no piety, ſo to " truſt to a good cauſe, as not to uſe all lawful " means to maintain it; I have thought of one " means more to furniſh thee with, for my aſſiſtance, " than hitherto thou haſt had: it is, that I give " thee power to promiſe, in my name (to whom " thou thinkeſt moſt fit) that I will take away all " the penal laws againſt the Roman-Catholics in " England, as ſoon as God ſhall make me able to " do it, ſo as by their means, or in their favors, I " may have ſo powerful aſſiſtance as may deſerve " ſo great a favor, and inable me to do it. But " if thou aſk what I call that aſſiſtance, I anſwer, " that when thou knoweſt what may be done for " it, it will be eaſily ſeen if it deſerve to be ſo " eſteemed. I need not tell thee what ſecreſy this " buſineſs requires; yet this I will ſay, that this is " the greateſt point of confidence I can expreſs to " thee, for it is no thanks to me to truſt thee in " any thing elſe but in this, which is the only " thing of difference in opinion betwixt us: and " yet I know thou wilt make as good a bargain " for me, even in this, I truſting thee (tho' it con- " cerns religion) as if thou wert a Proteſtant, the " viſible good of my affairs ſo much depending " on it."——

To the Queen

Dear Heart, Oxford, March 13. O. S.

" WHAT I told thee, laſt week, concern- " ing a good parting with our lords and " commons here, was on Monday laſt handſomely " performed. And now, if I do any thing un- " handſome or diſadvantageous to myſelf, or " friends, in order to a treaty, it will be merely " my own fault; for I confeſs, when I wrote laſt, " I was in fear to have been preſſed to make ſome " mean overtures to renew the treaty (knowing there " were great laborings to that purpoſe) but now I pro- " miſe thee, if it be renewed (which I believe it will " not, without ſome eminent good ſucceſs on my ſide) " it ſhall be to my honor and advantage; I being " now as well freed from the place of baſe and mu- " tinous motions (that is to ſay, our mungrel par- " liament here) as of the chief cauſers, from whom " I may juſtly expect to be chidden by thee, for

" having

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" having ſuffered thee to be vexed by them; " Wilmot being already there, Percy on his way, " and Suſſex within few days taking his journey " to thee.———

I ſhall make no other remark on theſe letters, than that they evidently ſhew the peace, which King Charles ſeemed to deſire ſo earneſtly, was a mere empty ſound which had nothing real, but as taken in his private ſenſe of the word. I have, on the other ſide, made appear, that the two houſes were not more inclined to peace. Wherefore I hope my readers will not take amiſs my declining to enter into a long detail of the conferences at Uxbridge, where both parties ſought rather to amuſe the public, than expedients to accommodate matters. I ſhall therefore reſt ſatified with briefly relating, how far the two parties condeſcenſion reached towards concluding that peace they ſeemed to wiſh for ſo ardently.

Upon the article of religion, Charles's commiſſioners, after many diſputes, finally conſented to theſe particulars, viz.

The King's commiſſioners offers, with regard to religion. Ruſhworth, Vol. V. p. 818. Dugdale's View. p. 780.

" 1. That freedom be left to all perſons, of " what opinion ſoever, in matters of ceremony, " and that all the penalties of the laws and cuſtoms " which injoin theſe ceremonies be ſuſpended (1).

REMARK (1) Since the penal laws were not to be aboliſhed, but only ſuſpended, it followed that the Preſbyterians could rely on that freedom no longer than it was out of the King's power to deprive them of it.

" 2. That the biſhop ſhall exerciſe no act of " juriſdiction or ordination, without the conſent " and counſel of the preſbyter, who ſhall be cho- " ſen * out of the graveſt and moſt learned mini- " ſters of that dioceſe (2).

* By the clergy of each dioceſe.

REM. (2) It was not declared what perſons were to elect the preſbyter. If it was the biſhop, this conceſſion amounted to little or nothing (a).

" 3. That the biſhop keep his conſtant reſidence " in his dioceſe, except when he ſhall be required, " by his Majeſty, to attend him on any occaſion, " and that (if he be not hindered by the infirmities " of old age or ſickneſs) he preach every Sunday " in ſome church within his dioceſe (3).

REM. (3) This was no more than the biſhop's duty, and it was not for his Majeſty's honor to let this be conſidered as condeſcenſion to promote a pacification.

" 4. That the ordination of miniſters ſhall be " always in a public and ſolemn manner, and " very ſtrict rules obſerved, concerning the ſuffi- " ciency and other qualifications of thoſe men " who ſhall be received into holy orders; and the " biſhop ſhall not receive any into holy orders, " without the apppobation and conſent of the pref- " byters, or the major part of them.

" 5. That competent maintenance and proviſion " be eſtabliſhed, by act of parliament, to ſuch vica- " rages as belong to biſhops, deans and chapters, " out of the impropriations, and according to the " value of thoſe impropriations of the ſeveral " pariſhes (4).

REM. (4) One of the Preſbyterians main points urged againſt the church of England was, that the churches were ill ſerved, becauſe the biſhops, deans and chapters, merely for cheapneſs, commited the cure of thoſe which belonged to them to inſufficient preachers. This abuſe ought certainly to have been reformed, without making it one of the pacific conditions.

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" 6. That, for the time to come, no man ſhall " be capable of two parſonages, or vicarages, with " cure of ſouls.

" 7. That, towards ſetling the public peace, one " hundred thouſand pounds ſhall be raiſed, by act " of parliament, out of the eſtates of biſhops, deans " and chapters, in ſuch manner as ſhall be thought " fit by the King and two houſes of parlia- " ment, without the alienation of any of the ſaid " lands (5).

REM. (5) By the treaty between the parliament and Scotland, biſhops, deans and chapters lands were aſſigned for payment of the Scotiſh forces. King Charles, by this conceſſion ſeemed to agree, that a hundred thouſand pounds ſhould be raiſed upon thoſe lands; but in ſuppoſing alſo the neceſſity of his ſaid Majeſty's conſent for ſo applying that ſum, the Scots could not be ſure he would agree to its being aſſigned to them.

" 8. That the juriſdiction in cauſes teſtamen- " tary, decimal, matrimonial, be ſetled in ſuch " manner as ſhall ſeem moſt convenient, by the " King and both houſes of parliament (6).

REM. (6) This conceſſion ſignified nothing, for ſince Charles did not mean to give up his negative vote in parliament, to ſay that, after the peace, this article ſhould be ſetled by the King and both houſes, was as much as to ſay, there ſhould not be therein any alteration but what the King pleaſed.

" 9. That one, or more acts of parliament be " paſſed for regulating viſitations, and againſt " immoderate fees in eccleſiaſtical courts, and the " abuſes by frivolous excommunications, and all " other abuſes in the exerciſe of eccleſiaſtical juriſ- " diction, in ſuch manner as ſhall be agreed upon by " his Majeſty, and both houſes of parliament (7).

REM. (7) This pretended conceſſion is like the former; for, after the peace ſhould be made, it would be ſtill in the King's breaſt to give, or withhold, his aſſent to the reformation of abuſes; whereas the point was to ſetle what ought to have been reformed.

When theſe conceſſions are compared with the parliament's demand, that epiſcopacy ſhould be aboliſhed, it is no wonder the parliament's commiſſioners were not ſatisfied. Accordingly, without loſing time in diſputing upon theſe articles, they rejected them as inſufficient, and offered not in the leaſt to qualify their demand.

Touching the militia, Charles's commiſſioners, after long diſputing, and alleging various arguments, to ſhew the injuſtice of depriving his Majeſty of one of his crown's moſt eſſential prerogatives, and the inconveniencies which would thence infallibly ariſe, were willing to grant:

Offers about the militia. Ruſhworth, Vol. V. p. 827. Dugdale's View. p. 796.

" That all the forces of the kingdom, both by " ſea and land, ſhould be put into the hands of " twenty commiſſioners; ten to be named by the " King, and ten by the two houſes, and that the ſame " ſhould be done in Scotland. But they would " not conſent, the commiſſioners for Scotland " ſhould be joined with thoſe for England, ſo as " to form one commitee: or that the firſt ſhould " in any manner meddle with the affairs of Eng- " land." Upon theſe conditions, they offered, that his Majeſty ſhould be content, this commiſſion ſhould continue for three years; but ſtill the power of theſe commiſſioners was firſt to be ſetled; wherein occured many great difficulties.

(a) This remark was needleſs, being occaſioned by M. Rapin's omiting the words [by the clergy of each dioceſe] which are in the conceſſion. See Ruſhworth, Vol. V. p. 818.

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The parliament's commiſſioners would not agree, that his Majeſty ſhould nominate ten of thoſe who were to be intruſted with the militia. Their reaſon was that, the point being to give the people ſecurity, they would have none, if half the commiſſioners were of the King's nomination: nay, rather it would be a means to re-kindle the war; there being no likelihood that theſe commiſſioners, thus equally divided, would ever agree, ſince they would be of directly oppoſite principles. Moreover, proceeding on the foundation of a union between England and Scotland, and on the dangers being common to both kingdoms, they perſiſted to demand, that the commiſſioners of both kingdoms ſhould act in common. On theſe two conditions they agreed, that the commiſſion ſhould hold no more than ſeven years, after having long contended for a time limited. Thus the negociation, upon this, ſucceeded no better than upon the preceding article.

About Ireland. Ruſhworth, Vol. V. p. 843.

As to Ireland, the commiſſioners came not to any concluſion. The parliamentarians would have the ceſſation to be void, and that thenceforwards, neither peace nor truce ſhould be made without the conſent of both houſes. The royaliſts, knowing his Majeſty's mind, that he would not only maintain the ceſſation, but even deſigned to make peace with the Iriſh, were far from conſenting to the parliament's demand: ſo, the whole diſpute turned upon this point, whether the King had power to conclude a ceſſation, without the two houſes privity and concurrence; ſome affirming, others denying it. On each ſide, the ſame arguments were frequently repeated, with mutual reproaches for ſeveral proceedings; and almoſt all the facts alleged by one ſide, were denied by the other; ſo that neither party made any conceſſion.

p. 851, &c.

After a negociation of eighteen days, upon the three articles I have been mentioning, Charles's commiſſioners required that, his Majeſty's propoſitions, particularly thoſe concerning the ceſſation of arms, and his return to the parliament, might be conſidered. The other commiſſioners anſwered, that, when the two houſes ſhould ſee the treaty like to ſucceed, they would conſent to its prolongation. The two remaining days were imployed, by the King's commiſſioners, in trying to obtain that point: but they could not prevail. It muſt be recollected, that Charles's drift was to gain time, for two main reaſons. Firſt; as he was perſuaded that, the people, while they had any hope of peace, would not eaſily be induced to find the parliament neceſſary ſupplies for continuing of the war, and ſo the two houſes preparations would be retarded. Secondly; he rightly judged, the parliament would not ſeriouſly think of executing their project, concerning the army, while there ſhould be any expectation of peace. The two houſes, perceiving Charles's intention, avoided the ſnare, and the conferences brake off on the twenty days expiration.

p. 865.

The treaty breaks off.

The houſe of commons, or rather a new party which had been there formed, waited only for this rupture, to execute a project which I juſt mentioned, but whereon neceſſarily I muſt here be ſomewhat more particular, ſince the execution of this project ſerves for foundation to all the ſucceeding events.

State of King and parliament.

Before the parliament was aſſiſted by Scotland, the war had not been abundantly to its advantage. The ſucceſſes of the two firſt campains were ſo far from anſwering expectation, that to all appearance, without aſſiſtance from the Scots, they would have been forced to make ſuch a peace as King Charles wanted. If, in the third, that Prince had loſt all the North, he had made himſelf amends, by gaining near all the Weſtern counties, and, after the ſecond battle of Newbury, he was ſtill at Oxford in condition to face his oppoſers. The Scotiſh army, which, having ſubdued all the North, was advancing towards the middle of England, was therefore what made the balance incline to the parliament's ſide, and what was ſeemingly to give them a ſuperiority in the fourth campain, for which both ſides were preparing. This aid came very ſeaſonably, to eſtabliſh the affairs of the Preſbyterians, who were then in a manner omnipotent in the parliament, and diſpoſed of all juſt as they pleaſed. They were the men who had moſt conduced to ingage the kingdom in a war, and called in the Scots, becauſe they could not hope to execute their deſigns, unleſs the parliament's arms were victorious. But before I proceed, it will be abſolutely neceſſary to make known theſe Preſbyterians, who 'till then ſeemed to make but one and the ſame party, tho' in reality they conſiſted of two, very different from each other, both in principles and intereſts.

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Notwithſtanding all my ſedulity, I have not been able preciſely to find out the firſt riſe of the Independent ſect, or faction. Thus much is certain, their principles were very proper to put the kingdom in a flame, as they did effectually. With regard to the ſtate, they abhored monarchy, and approved only a republican government. As to religion, their principles were contrary to thoſe of all the reſt of mankind. They not only were averſe to epiſcopacy, and eccleſiaſtical hierarchy; but would not even indure ordinary miniſters in the church. They maintained, that every man might pray in public, exhort his brethren, interpret the ſcriptures, according to the talents wherewith God had indowed him; whereas, very frequently, miniſters were ordained without proper indowments, while thoſe of many laics remained uſeleſs for want of external ordination. So with them every one prayed, preached, admoniſhed, interpreted ſacred writ, &c. without any other call than what he himſelf drew from his zeal, and ſuppoſed gifts, and without any other authority than the approbation of his auditory (1).

Different origin of the Independents with regard to religion and civil government.

I cannot exactly tell, whether this ſect, or faction, was intirely formed at the begining of this parliament, or whether it ſprang up during the ſeſſions: but I fancy there is a diſtinction to be made upon this ſubject. I conjecture, that the ſect was already formed, with reſpect to civil government, and aroſe from the principles of deſpotiſm, which the Kings James and Charles labored to eſtabliſh; but that, with regard to religion, it was formed during this parliament. What I build my conjecture on is this: When the long parliament commenced, the Engliſh church had only two known parties, viz. Epiſcopalians, or Church-of-England men, and Preſbyterians. The name of Independent was utterly unknown, and thoſe ſtiled afterwards, Independents, were certainly united with the Preſbyterians, and made up a very conſiderable part of them. Yet were they different from the other Preſbyterians, as they propoſed for their end to convert the monarchy into a common-wealth, which cannot be imputed to the Preſbyterians in general. It is very true, the Preſbyterians were for humbling regal power, and leaving the King only a ſhadow of ſovereignty; but they preſerved a ſort of attachment to the name of King, and at leaſt ſome external reſpect for royalty. If we examine the propoſitions

They join at firſt the Preſbyterians.

(1) For the origin, &c. of this ſect, ſee Collier's Eccleſ. Hiſt. Vol. II.

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they preſented to Charles, at ſeveral times, we ſhall find them all erected on this baſis. They reſembled the Scots, who cannot juſtly be charged with deſigning to aboliſh monarchy, tho' they purpoſed to reduce it within very narrow limits. The Independents, after having lent their utmoſt aſſiſtance to a bridge kingly power, in hopes thereby to attain their end, the Engliſh monarchy's ruin, at length found they ſhould not be able, without the greateſt difficulty, to accompliſh their deſign. The reaſon was, becauſe neither the Engliſh nor Scotiſh Preſbyterians had any inclination to ſet up a republic, and becauſe their whole clergy, who had a great influence in that party, were of the like principles. They judged therefore, it would be very advantageous to them, to deſtroy the clergy's authority, by intimating their being unneceſſary, and their vocation eſtabliſhed on no good foundation. Then it was the Independent ſect began to be formed, with regard to religion; for there are no ſigns of it, 'till towards the cloſe of 1644. This I acknowledge to be mere conjecture, which may be rejected if any thing more plauſible occurs.

It is therefore no wonder that, from the begining of this parliament, the Independents had earneſtly contributed to put it out of the King's power to preſerve his authority otherwiſe than by a war, and to ruin the church of England. It is rather to be conſidered, that this was the natural conſequence of their principles, and a very proper means to conduct them to their ends. Humbling the King and ruining the church of England, were the two points which were neceſſarily to be gained, before the eſtabliſhment of a republic was attempted. It was not therefore proper they ſhould ſeparate from the Preſbyterians, while theſe latter concured with them in their deſign to gain theſe two principal points. For that reaſon, they readily conſented to call in the Scots, and made no ſcruple to approve the covenant, and whatever elſe was required by the Scots. The buſineſs then was, to be able to make head againſt Charles, who had, by the good ſucceſs of his arms, acquired ſome ſuperiority. This was the common intereſt of both Preſbyterians and Independents, who would have been equally ruined had the royaliſts prevailed.

The Independents begin to undermine the Preſbyterians power. Clarendon, Vol. II. p. 465.

Mean while, the Scotiſh army, in ſtrengthening alike both Preſbyterians and Independents againſt their Sovereign, did withal confirm to theſe firſt the ſuperiority they had for ſome time injoyed. So long as this ſuperiority laſted, it was in a manner impoſſible for the Independents to compaſs their views: wherefore they judged it abſolutely neceſſary to undermine the great power of the Preſbyterians, not openly, for fear of being cruſhed before they had well laid their meaſures, but ſecretly and by artifice. To that purpoſe, the leaders of this party, as Vane, Cromwell, Tate, Haſlerig, with ſome others, began to make themſelves very popular, and to expreſs a great zeal for the public, in order to gain the peoples affection. They every where had their emiſſaries, who moſt ſeduloufly exagerated the errors commited ſince the war began, as well in the civil as military adminiſtration, and inſinuated, they were intirely to be aſcribed to the private views of many parliament-members, who, poſſeſſing all the places and offices, were very unmindful of terminating the nation's troubles: that ſome of the generals had deſignedly miſſed opportunities of fighting with advantage, and that, in ſhort, the majority dreaded nothing ſo much as ſeeing theſe diſturbances terminated, either by the ſword or a pacification.

To favor theſe ſpreading rumors, Cromwell, at the end of this campain, repaired to the parliament, and publicly charged the earl of Mancheſter with not having done his duty at Newbury-fight, and Dennington-caſtle; inſinuating, he was afraid of puting a too ſpeedy end to the war (1). The earl anſwered by a memorial, which he laid before their lordſhips; and Cromwell thought not fit to proſecute his accuſation, which properly was no other then a preparative towards the execution of a deeper project.

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Cromwell accuſes the earl of Mancheſter in parliament. p 431. Ruſhworth, Vol. V. p. 732, &c.

This open procedure of Cromwell raiſed a ſuſpicion, that he was one of the chief authors of thoſe rumors which tended to make people jealous of the parliament: nay, in a conference held at the earl of Eſſex's, it was debated whether or no Cromwell ſhould be arreſted; but as the proofs appeared not altogether clear enough, it was reſolved to wait 'till he ſhould have laid himſelf more open. Very poſſibly, ſome perſon preſent at this conference informed him of what paſſed, which put him on haſtening to execute the project formed by himſelf and his aſſociates.

Deſign of arreſting him laid aſide. Id. Vol. VI. p. 2. Whitelock, p. 116.

This project was, to exclude all the members of parliament from injoying any office or command, military or civil. It is certain that, from the war's begining, the parliament in diſtributing places had not forgot their own members, or rather to ſpeak truly, every good imploy was poſſeſſed by a member of one or other houſe. Hence aroſe two great inconveniencies. The firſt; that as, ſince the rupture with his Majeſty, both houſes had ruled arbitrarily, ſuch members as had poſts in the army had there ſo great influence, that none durſt oppoſe their motions, or take notice of their faults or miſdemeanors, which by that means were always unpuniſhed. This had finally, at the end of laſt campain, bred thoſe diſſenſions between the generals, which proved ſo prejudicial to the common cauſe. The ſecond inconvenience was; that it was undeniably the parliament's members particular intereſt to prolong the war; ſince terminating the troubles, whether effected by a deciſive battle, or a treaty, would ſtrip them of their imploys. This project was therefore founded upon reaſons very plauſible, and apt to make impreſſion on the people: but withal, it was of great advantage to the Independents, in that the Preſbyterian party's power would be conſiderably leſſened, and they had ſo well laid their meaſures, that they were almoſt ſure the vacant poſts would be filled with men of their own kidney. This was the more feaſible, as hitherto the Independents not having yet pulled off their maſk, it was not eaſy to diſcover who were ſuch, they being ſtill confounded with the Preſbyterians.

The parliamentn's partiality in diſtributing imploys, &c.

Project of the Independents.

To execute this grand ſcheme, the Independent leaders reſolved to make in parliament two motions. The firſt; to put the army under a new model; i. e. to form new regiments of horſe and foot out of the preſent troops, ſo that there would be ſtill the ſame officers and ſoldiers, but new bodies otherwiſe compoſed than before. The ſecond; that the parliament ſhould paſs an ordinance, excluding the members of either houſe from injoying or executing any office or command, civil or military. The firſt was founded on the neceſſity of rooting out factions and cabals, which might be formed in the ſeveral bodies of the army. The ſecond, on the neceſſity of demonſtrating to the public, that the parliament was not influenced by private views, but prefered the common good to their own members particular intereſts: but the Preſbyterian members thereby loſt at once all their poſts and credit in the army. This was the true

Whitelock.

(1) In that accuſation it was ſaid, that, "Since the taking of York, the earl had declined whatever tended to farther advantage upon the enemy; neglected, and ſtudiouſly ſhifted off opportunities for that purpoſe." Ruſhworth, Vol. V. p 732

reaſon

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reaſon of the Independents proceedings, which however they carefully concealed. The other reaſons were ſo plauſible, that they queſtioned not their being very agreeable to the people, who were already diſpoſed to approve them: and therefore it was preſumed few members would venture to contradict them, for fear of raiſing a ſuſpicion of their acting from ſelfiſh motives.

Ludlow. Ruſhworth, Vol. VI. p. 3.

December the ninth, 1644, theſe motions were made in the houſe of commons, when the Uxbridge treaty was preparing. The managers of this affair moved, to take into conſideration the kingdom's then condition, the reaſons why the war laſted ſo long, and the conſequences of the Uxbridge treaty, in caſe it was unſucceſsful. This motion being approved, the houſe voted themſelves into a grand commitee, to debate theſe points. A general ſilence being kept for ſome time, Oliver Cromwell at length riſing, ſpake to the following purport: viz.

Cromwell's ſpeech to the houſe of commons. p. 4.

"That it was now a time to ſpeak, or for ever "to hold the tongue: the important occaſion "being no leſs than to ſave a nation out of a "bleeding, nay almoſt dying condition, which "the long continuance of this war had already "brought it into; ſo that, without a more ſpeedy, "vigorous and effectual proſecution of the war, "caſting off all lingering proceedings, like ſoldiers "of fortune beyond ſea, to ſpin out a war, we "ſhall make the kingdom weary of us, and hate "the name of a parliament. For what do "the enemy ſay? Nay, what do many ſay, who "were friends at the begining of this parliament? "Even this; That the members of both houſes "have got great places and commands, and the "ſword in their hands; and, what by intereſt in "parliament, what by power in the army, will "perpetually continue themſelves in grandure, and "not permit the war ſpeedily to end, leſt their own "power ſhould determine with it. This I ſpeak "here, to our own faces, is but what others do "utter abroad, behind our backs. I am far from "reflecting on any; I know the worth of thoſe "commanders, members of both houſes, who are "yet in power: but if I may ſpeak my conſcience, "without reflecting upon any, I do conceive, if "the army be not put into another method, and "the war more vigorouſly proſecuted, the people "can bear the war no longer, and will inforce you "to a diſhonorable peace. But this I would re-"commend to your prudence, not to inſiſt upon "any complaint or over-ſight of any commander "in chief, upon any occaſion whatſoever; for as "I muſt acknowledge myſelf guilty of over-ſights, "ſo I know they can rarely be avoided in mili-"tary affairs: therefore waving a ſtrict inquiry into "the cauſes of theſe things, let us apply ourſelves to "the remedy, which is moſt neceſſary; and I hope, "we have ſuch true Engliſh hearts, and zealous "affections towards the general weal of our mother "country, as no members of either houſe will "ſcruple to deny themſelves, and their own private "intereſts, for the public good; nor account it "to be a diſhonor done to them, whatever the "parliament ſhall reſolve upon in this weighty "matter."

Motion to exclude all members from poſts. Ibid. Clarendon, Vol. II. p. 435, 436, 466.

Cromwell was ſeconded by others who, like him, ſpake in generals, without making any particular propoſition. Finally, meſſ. Zouch, Tate and ſir Henry Vane moved expreſly, to have all members of parliament excluded from commands and offices. This motion was long debated, and at length approved by a majority of voices, and a commitee was appointed to prepare an ordinance to that purpoſe. Two days after, this ordinance was brought into the houſe, and it was reſolved, that the eighteenth of this month ſhould be ſet apart for a faſt, to implore a bleſſing on this affair, as well as on the intended new model of the army, which had been alſo voted, tho' I find not on what day. The fourteenth ditto, this ordinance was again taken into conſideration, and canvaſſed very ſeriouſly on both ſides. The eighteenth, the faſt was kept, and next day the ordinance paſſed the houſe of commons. It was termed 'the Self-denying Ordinance,' becauſe the houſe, in paſſing it, renounced their own advantages.

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It is approved. Another for new modeling the army. Decemb. 11.

The ſelf-denying ordinance paſſes the commons. Ruſhworth, Vol. VI.. p. 7.

This affair however was not finiſhed 'till their lordſhips had approved this ordinance, to which they were no way diſpoſed: contrariwiſe, at a conference with the commons, they urged ſeveral reaſons againſt it. Hereupon, the thirteenth of January, the whole houſe of commons went up to the peers with a meſſage, to preſs them to paſs the ſelf-denying ordinance. Nevertheleſs, it was by them that very day rejected (1).

The lords reject it. January 13. Whitelock. Manley.

Notwithſtanding this, the commons proceeded in forming a new model of the army, which they voted ſhould conſiſt, in the whole, of twenty-one thouſand men, viz. ſix thouſand horſe, a thouſand dragoons, and fourteen thouſand foot: that the horſe ſhall be devided into ten regiments; the dragoons into ten ſingle companies; and the foot into ten regiments, of at leaſt twelve hundred men each. That ſetled, they appointed for general ſir Thomas Fairfax, ſon of lord Fairfax, who commanded in the North. Next they paſſed an ordinance for taking money for the maintenance of the army which was to ſerve under the new general, and ſent it up (January 18) to the lords for their concurrence (2). Their lordſhips ſcrupled conſenting to ſeveral articles which related to nominating the principal officers: but, as but few peers were preſent, they were told, they would do themſelves unſpeakable prejudice, if they pretended to oppoſe the commons reſolutions, and in ſhort, that their concurrence was not neceſſary. In all appearance, this induced their lordſhips to paſs the ordinance (February 15) without any amendments (3).

The commons form the new model. Whitelock. Ruſhworth, ubi ſupra.

They make ſir Thomas Fairfax general. January 21. Ibid. Sprigge. Clarendon, Vol. II. p. 439.

The lords conſent to it. Ruſhworth, Vol. VI. p. 8.

The nineteenth of that month, ſir Thomas Fairfax, being conducted to the houſe by four members, was complimented by the ſpeaker. After that, he delivered a liſt of the colonels he had appointed, by virtue of a clauſe in his commiſſion, among whom not one was a parliament-member. On this occaſion, there was likewiſe ſome difference between the two houſes: but, after ſeveral conferences, the lords approved that liſt, March the eighteenth.

Fairfax gives in a liſt of the new colonels. p. 13.

It is approved.

Thus was the new model completed; and tho' the ſelf-denying ordinance had been thrown out by their lordſhips, the commons had now, by impowering the general to nominate the army-officers, obtained the excluſion of parliament-members from all military imploys. This made them hope, it would not be impoſſible to cauſe their ordinance to paſs: and in effect, it was (March 31.) ſent up to the peers for their conſent, tho' they had already refuſed it. Then, the earls of Eſſex, Denbigh, and Mancheſter, perceiving it would be in vain to

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The commons finally get paſſed the ſelf-denying ordinance.

Eſſex, Denbigh, and Mancheſter ſurrender their commiſſions. April 2.

(1) And here, ſays Whitelock (Mem. p. 123.) firſt began to increaſe the great difference between the two houſes of parliament, which ſwelled to ſo great height, as will be ſeen afterwards.

(2) This was to be done by the monthly ſum of 44955 l. to be raiſed by aſſeſment proportionably throughout the kingdom, every county being rated ſuch a ſum. Ruſhworth, Vol. VI. p. 8.

(3) The lords did not paſs this ordinance 'till April 1. p. 14.

ſtrive

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Rushworth, Vol. VI. p. 15. Clarendon, Vol. II. p. 486.

Remarks on the commons procedure.

ſtrive againſt the ſtream, and that their houſe was not in condition to oppoſe the commons, ſurrendered their commiſſions, and received the thanks of both houſes (1). Next day, the third of April, their lordſhips paſſed the ſelf-denying ordinance; and thus terminated this affair, which had been four months depending (2).

If we reflect, with what earneſtneſs the commons proceeded in the ſelf-denying ordinance, one is at firſt apt to believe, either that the number of Independents was very ſuperior in the houſe, or that the members were very diſintereſted: but neither of theſe was the caſe. The Preſbyterians ever preſerved a ſuperiority of number, which became ſtill greater by the members excluded from their poſts, who, not being imployed in the army, or elſewhere, increaſed their party in the parliament. As to the diſintereſtedneſs of the members, it is not to be imagined, that men who had thitherto expreſſed ſuch a greedineſs, as to monopoliſe, if I may ſo ſay, and ingroſs to themſelves all places of truſt and profit, ſhould thus ſuddenly change from black to white, and ſincerely deſire to relinquiſh them. But the caſe was, they were attacked on their weak ſide, and ſo could vindicate themſelves only by ſhewing a diſintereſtedneſs, which might at leaſt make it doubtful whether it was thro' ſelfiſhneſs that they had ingroſſed to themſelves all the poſts and offices. The Independents, before they diſcovered their deſign, had taken care to prepoſſeſs the people with many plauſible reaſons, why both houſes were in danger of being utterly deſerted, if they undertook to juſtify their conduct, and maintain their partiality. This certainly was what occaſioned the ordinance's paſſing, tho' it was manifeſtly deſigned to ruin the Preſbyterian party: for tho' their ſuperiority of number in the parliament ceaſed not, the Independents knew that, by having the army on their ſide, it would be in their power to obey the parliament no farther than they pleaſed. Accordingly, they bent their whole efforts this way, immediately when matters were regulated as they had projected. The new general was ſuppoſed a zealous Preſbyterian, and therefore the parliament had been allured to

Cromwell's power over the new general.

chuſe him: but Cromwell had over him ſuch influence, that he made him do whatever he pleaſed. He had artfully perſuaded him, that his ſole view was the welfare of religion, and his country's good, and thereby prepared him to receive his counſels, and repoſe in him intire confidence: for tho' the Independent party began to ſhew themſelves openly enough, they did not yet pretend to form a party ſeparate from that of the Preſbyterians, and it was more than a year before they appeared quite unmaſked. Cromwell eſpecially, more than any other

Cromwell's diſſimulation. Holles. Mem.

of thoſe ſectarians, put on the appearance of a rigid Preſbyterian, and ſeemed to intend only the firm eſtabliſhment of Preſbytery. This was neceſſary to preſerve the confidence of the new general, and make him act according to his views, without diſcovering the end whereto he deſigned to conduct him: but it was not yet time to divulge his ſcheme. Two things only, abſolutely neceſſary for the advantage of his party, yet remained. One was, in new modeling the army, to order it ſo, that ſuch officers as the Independents preſumed they could confide in, might keep their commiſſions, and thoſe whom they conſidered as their enemies, might be caſhiered: for, as three armies were to be reduced into one, many officers would of courſe be diſmiſſed. The other point was, to proſecute the war more vigorouſly than ever, and more ſtrenouſly to labor at diſabling his Majeſty. It is evident, the Independents project could not be executed otherwiſe than by Charles's deſtruction: this was neceſſarily to be ſuppoſed; and conſequently, all hazards were to be run, to put a ſpeedy concluſion to the war, as nothing could to them be more prejudicial than its continuance.

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So ſoon as ſir Thomas Fairfax had received his commiſſion from both houſes, he came to Windſor, his head quarters, and diſpatched thence commiſſioners to every place where the parliament had troops, to form new regiments, and diſcharge the ſupernumerary officers. Undoubtedly, theſe commiſſioners, who were moſtly general-officers, had private inſtructions concerning ſuch officers as they were either to retain or diſmiſs; and Cromwell had framed in great meaſure theſe inſtructions, tho' he appeared not to be concerned. The parliament undertook this reform in a very dangerous ſeaſon; viz. in the month of April, when his Majeſty was preparing to take the field. If unhappily they had met with reſiſtance in the troops, as many apprehended, and if this change had occaſioned revolts, which might eaſily have happened by inſtigation of the diſbanded officers, they would have been without an army at the begining of a campain, and conſequently unable to ſtand againſt the royaliſts: but with pleaſure they learned, that all was effected with great tranquillity, and their orders every where implicitly obeyed.

General Fairfax forms the new army. April 3. Rushworth, Vol. VI. p. 16. Holles. Sprigge.

General Fairfax remained at Windſor all April, not being able ſooner to finiſh what was wanting to prepare the army for action. During this interval, he received a letter from the commitee of both kingdoms, informing him, that the King had ſent to Prince Rupert, to join him with two thouſand horſe. He was therefore ordered to diſpatch a party of cavalry towards Oxford, to obſtruct this junction: and, as the ſelf-denying ordinance was not to take place 'till after forty days, viz. on the thirteenth day of May, the commitee particularly recommended the charge of his ſervice to lieutenant-general Cromwell.

Cromwell detached towards Oxford. Idem. Rushworth, Vol. VI. p. 23, 24.

Cromwell, departing Windſor the twenty-fourth of April, met, near Iſlip-bridge, with a brigade of his Majeſty's cavalry, and utterly routed them (3). Then he marched to ſir Thomas Cogin's, at Blechington, where ſecretary Windebank's ſon held a gariſon for the King, and very magiſterially ſummoned that colonel, who immediately ſurrendered. The King was ſo inſenſed at his cowardice, that he had him condemned by a council of war, and afterwards ſhot to death. Cromwell gained ſome other advantages in thoſe quarters; but was repulſed in aſſaulting Farrington.

Exploits of Cromwell. p. 24. Sprigge.

Colonel Windebank ſhot by Charles's order. p. 25, 26.

After the earl of Eſſex's diſaſter in Cornwall, the parliament was very weak in the Weſt. They had in Dorſetſhire only Poole, Lime, and Weymouth; in Devonſhire, Plymouth alone, and that beſieged; and in Somerſetſhire, only Taunton, cloſely inveſted by ſir Richard Greenvil, and in great diſtreſs. Both houſes, apprehenſive of loſing this important place, ſent their general expreſs orders to march with his whole army, and raiſe the ſiege, not conſidering that the mid-land counties would be left defenſeleſs, juſt when his Majeſty was taking the field. Mean while, Fairfax, in obe-

The royaliſts beſiege Taunton. Clarendon, Vol. II. p. 491, &c.

Fairfax ordered to relieve it. Rushworth, Vol. VI. p. 25, 27.

(1) And to ſweeten the earl of Eſſex (as Whitelock expreſſes it, p. 121.) an order was made for the better payment of 10000 l. per annum, formerly granted him out of delinquents eſtates.

(2) Here ended (ſays the ſame memorialiſt, p. 140.) the firſt ſcene of our tragic civil wars, in the exit of this brave perſon Eſſex, who being ſet aſide, and many gallant men his officers with him, the King's party looked upon the new army, and new officers, with much contempt, and the New Model was by them, in ſcorn, called the New Noddle.

(3) Her Majeſty's ſtandard was taken, with two hundred priſoners. Ruſhworth, Vol. VI. p. 24.

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dience to the orders, began his march the thirtieth of April, and on the ſeventh of May was beyond Saliſbury.

He is recalled, May 6.

The commitee of both kingdoms, having intelligence, that the King was, on the ſeventh of May, to head his army, perceived their error in ſending all their forces into the Weſt, and leaving all the mid-land parts of England quite naked. They therefore haſtily poſted away to their general a poſitive order, which reached him at Blandford, to return, and ſend only a party to relieve Taunton. Fairfax inſtantly obeyed; and, detaching colonel Welden, with about five thouſand foot and eighteen hundred horſe, to Taunton, returned back to Newbury, where he halted a few days to refreſh his troops.

and ſends a party to relieve Taunton. May 8. Ruſhworth, Vol. VI. p. 28.

The ſiege of Taunton raiſed, and renewed. May 12. Ibid. and p. 29. Clarendon, Vol. II. p. 510.

On approach of the party ſent to Taunton, ſir Richard Greenvil raiſed the ſiege of that place, which could not have been relieved more ſeaſonably, ſo cloſely was it preſſed. But ſoon after, general Goring entered Somerſetſhire with three thouſand horſe, given him by his Majeſty when he heard Fairfax was marching to the Weſt. Then, Greenvil joining him, they went together, and again laid ſiege to Taunton, wherein were ſhut up all by whom it had been relieved.

His Majeſty marches to beſiege Cheſter. Ruſhworth, Vol. VI. p. 29.

During theſe motions of the parliament's forces King Charles (May the ſeventh) took the field * and marched towards Cheſter, to relieve that town, beſieged by ſir William Brereton (1). But by the way he heard the ſiege was raiſed; and, having nothing more to do there, marched to Leiceſter, which he took by ſtorm, the thirtieth of May.

* About 8000 ſtrong.

He takes Leiceſter by ſtorm. p. 35. Faifax beſieges Oxford. May 22. p. 33.

Mean while the parliament, perceiving his Majeſty was marching towards Cheſter, ſent general Fairfax orders to beſiege Oxford. Accordingly, Fairfax approached that city, and began the ſiege. But within few days, both houſes, hearing that Leiceſter was taken, apprehended Charles's deſign was to enter the Eaſtern aſſociated counties, and therefore ordered their general to raiſe the ſiege of Oxford, and purſue his Majeſty. Fairfax therefore marched away on the ſeventh of June. As, in all probability, a battle would very ſuddenly inſue, he wrote to requeſt the parliament, that they would diſpenſe with Cromwell's abſenſe from the houſe, and order his repairing to the army, to command the cavalry; which was readily granted. Thus Cromwell, who had been one of the moſt forward to paſs the ordinance for excluding parliament-members from all offices and poſts, civil and military, was the only perſon who held both his ſeat in parliament, and his command in the army. This would be a very honorable diſtinction for him, were there not room to ſuſpect it was owing to his own intrigues.

He raiſes the ſiege, and approaches the King. p. 36, 40. Sprigge.

Cromwell's abſenſe diſpenſed with, by order of the houſe. p. 39. Clarendon, Vol. II. p. 486, 487. Holles's Mem.

The King marches. Ruſhworth, Vol. VI. p. 29, 36, 41. Clarendon, Vol. II. p. 501, 504, 506.

During all this, his Majeſty was in great perplexity. He was informed of the ſiege of Oxford, but did not yet know it was raiſed, and that the enemy was marching directly towards him. This made him reſolve to move towards Oxford, in order to relieve a city of ſuch importance to him. To that end, he incamped at Harborough, whence he diſpatched a courier to general Goring, ordering him to come and join him with all poſſible ſpeed. Here it was he received intelligence, that Fairfax was drawn off from Oxford, and had been repulſed with great loſs, in the attack he made upon Borſtal houſe †. His troops, as uſual, were ſo elated at this news, that they imagined the enemies to be in the utmoſt conſternation, which ought to be improved by immediately giving them battle. The King himſelf was prepoſſeſſed with this notion, which made him contemn his enemies, and unfortunately induced him to advance to Daventry, in Northamptonſhire, in a belief it would be always in his power to fight when he pleaſed, and that his enemies would never dare to attack him. Otherwiſe, he might have retired to Leiceſter, and there quietly expected the three thouſand men, which colonel Gerrard was to bring him from Wales, and Goring's three thouſand horſe from the Weſt. As to Goring, a certain accident happened, which very much conduced to haſten a battle. Fairfax had ſent to Oxford a perſon who, pretending to ſerve the King, had managed ſo artfully, that ſecretary Nicholas had intruſted him with a pacquet to general Goring, who was before Taunton. This man having diſcharged his commiſſion, Goring thought he could not imploy, to carry his Majeſty a letter, a more truſty meſſenger than the perſon ſent him by ſecretary Nicholas. He gave him therefore a diſpatches for the King, wherein he told his Majeſty, that he hoped to be maſter of Taunton in a ſhort time: conjuring him not to ingage, but to ſtand on the defenſive; for he did not queſtion, in twelve or fourteen days, to join him with the forces under his command. Charles knew nothing of this letter, which was brought to Fairfax; but it convinced the parliament-generals of the abſolute neceſſity of fighting, before this aid joined his Majeſty.

† In Buckinghamſhire. Ibid.

Goring's letter to the King intercepted. Ruſhworth, Vol. VI. p. 49.

Fairfax reſolves to fight.

Purſuant to this reſolution, Fairfax continued to advance towards the King, who, being better informed of the number and deſigns of his enemies, reſolved on retiring to Leiceſter. To that purpoſe, he began his march towards Harborough, where his van arrived while the reſt of the army was yet above two miles behind. That ſame night, he heard the enemies were within ſix miles of Harborough, and indeed general Ireton, Cromwell's ſon-in-law, had now fallen upon ſome of the King's quarters, and taken ſeveral priſoners. Thereupon it was reſolved, at a council of war held in the night, to march back and meet the enemy, conſidering the impoſſibility of going to Leiceſter, without expoſing the rear to certain deſtruction. So the King, returning in the morning, met the parliamentarians, who, on news of his march, had drawn up near Naſeby. Here was fought that fatal battle which decided the quarrel between King Charles and his parliament.

Charles in the ſame reſolution. Clarendon, Vol. II. p. 506.

Ruſhworth, Vol. VI. p. 41. Whitelock.

June 14.

Naſeby fight. June 14. Clarendon, Vol. II. p. 507, &c. Ruſhworth, Vol. VI. p. 42, &c. Whitelock. p. 150. Sprigge.

Prince Rupert commanded the right wing of the King's army, and ſir Marmaduke Langdale the left. Sir Jacob Aſtley (2) led the main body of infantry, and King Charles himſelf headed the reſerve of cavalry (3). On the parliament's ſide, the right wing of horſe was commanded by Cromwell, the left by Ireton. General Fairfax, and major-general Skippon, were at the head of the main body, the firſt on the right, and the other on the left (4).

Rupert began with charging the left wing, commanded by Ireton, and, after a long conflict, wherein he met with great reſiſtance, brake that body of cavalry, put them to flight, and chaſed

(1) It was Prince Rupert who adviſed the King to march into the North of England. The reſt of his council were for his marching into the Weſt. See Clarendon, Vol. II. p. 501, 502.

(2) Lately created lord Aſtley of Reading.

(3) Tho' M. Rapin quotes Ruſhworth, he has followed the diſpoſition of the army, as related by Clarendon. For both Ruſhworth and Whitelock ſay, the King commanded the main body himſelf, ſir Jacob Aſtley, with the earl of Lindſey, the right hand reſerve, and lord Bard, and ſir George L'iſle the left. Ruſhworth, Vol. VI. p. 42. The King's forces, according to lord Clarendon's computation, were in all but about 7500 men. Vol. II. p. 506.

(4) The reſerves were brought up by colonels Rainſborough, Hammond, and Pride. Ruſhworth, ubi ſupra.

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the fugitives almoſt to Naſeby (1). In his return, he loſt ſome time in trying to poſſeſs himſelf of the parliament's artillery: he even ſummoned the the train; but they being well defended with firelocks and a rear guard, and he without infantry, he could not execute his deſign.

At the ſame time, Cromwell was ingaged in a very obſtinate fight with ſir Marmaduke Langdale, but at length the King's cavalry took to flight, and were purſued about a quarter of a mile. After that Cromwell, leaving a party of horſe to oppoſe the King's in caſe they ſhould rally, returned with ſpeed to the field of battle, where his aſſiſtance was greatly wanted by his friends.

The parliament's foot were ingaged with the King's, and began to be preſſed in ſuch a manner, that they were in great diſorder. Cromwell, who was returned victorious, changed the face of the battle, by charging in flank the King's infantry, who could not ſtand ſo vigorous a ſhock. Fairfax and Skippon took advantage of this aſſiſtance to rally their troops, who had been roughly handled at the begining of the battle (2), and at laſt, the King's foot were ſo routed, that there was no poſſibility of rallying them.

Mean while, Prince Rupert not being yet returned from the chaſe, his Majeſty, with his reſerve of horſe, was unable to charge Cromwell, who was ſtronger than himſelf, and was alſo rejoined by the party he had left behind. As ſoon as Rupert was returned with his victorious cavalry, and had joined the reſerve, the King uſed his utmoſt indeavors to perſuade them to charge once more the enemy's horſe, not queſtioning that, if he could once rout them, he ſhould eaſily trample down the infantry. But he could not prevail with them to make a ſecond charge (3). This is not to be wondered at, ſince it could not be done without manifeſt danger. Fairfax, Skippon and Cromwell, without loſing time in purſuing Charles's diſperſed infantry, had ſpeedily rallied their troops. They faced the King's cavalry, and prepared to receive, or charge them. So, to renew the fight, his Majeſty muſt, with a ſingle wing of horſe, and his ſmall body of reſerve, have fallen upon the enemies army, which wanted only the wing which had been routed. This the cavaliers clearly perceived, and was what hindered them from obeying the King's orders. At the ſame time, ſomething occured, which made them take to flight, or furniſhed them with a pretenſe. The earl of Carnewarth, obſerving his Majeſty, notwithſtanding the unwillingneſs of his own troops, bent on charging the enemies, rode up to him and ſaid, 'Sir, will 'you go upon your death in an inſtant?' And withal, laying hold on the King's bridle, turned his horſe to the right. The King's cavalry ſeeing his Majeſty's horſe turned, without knowing the cauſe, took occaſion to diſband, and rode off on the ſpur, without looking behind. So, Charles was likewiſe obliged to retire, and leave his enemies maſters of the field (4). All his infantry were ſo diſperſed, that the enemies took as many priſoners as they pleaſed. He loſt his whole train of artillery, all his bag and baggage, with his cabinet, wherein were his moſt ſecret papers and letters, which the parliament were ſo cruel as to print and publiſh, particularly his letters concerning the Uxbridge treaty, whereof the reader has before ſeen ſome extracts. After this he was never more able to bring into the field any conſiderable army. It is ſaid, there were not ſlain on the King's ſide above ſix hundred men, but among them were more than a hundred and fifty officers; and beſide the enemy took upwards of five thouſand priſoners.

Clarendon, Vol. II. p. 508.

Charles intirely routed.

His cabinet of papers, taken. Ibid.

Rushworth, Vol. VI. p. 44. Ludlow.

His Majeſty and Prince Rupert, that ſame day, retreated by Leiceſter to Aſhby de la Zouch, whence, after a few hours refreſhment, they continued marching with their cavalry in very great diſorder to Hereford, where they parted. Rupert haſted to Briſtol, to prepare the city for a ſiege, there being great likelihood it would quickly be attacked. The King retired into Wales, and made ſome ſtay at Ragland-caſtle, not deſpairing of being able to form another army in thoſe parts. The reaſon is unknown why, contrary to all appearance, he was bent on raiſing a new army in Wales, and the neighboring counties, inſtead of marching into the Weſt with his horſe, where he had a ſtrong body of troops, under the command of Goring and Greenvil, with which he might have long continued the war.

He retires into Wales, Ibid. Clarendon, Vol. II. p. 509, 522. and Prince Rupert to Briſtol.

Mean while, Fairfax advanced towards Leiceſter, which ſurrendered by capitulation, four days after the battle of Naſeby. Then, he marched with all ſpeed to the Weſt, whither it was very neceſſary to lead the army, as well to relieve Taunton and the party there ſhut up, as to reduce to the parliament's obedience thoſe Weſtern counties, which were all for his Majeſty. At the army's approach, Goring raiſed the ſiege of Taunton, and in few days was defeated at Langport by Fairfax, who killed many of his men, took twelve hundred horſes, and fourteen hundred priſoners (5). This victory was followed with the taking of Bridgewater, Bath and Sherburn, after which Fairfax laid ſiege to Briſtol.

Leiceſter ſurrenders to Fairfax; June 17. Rushworth, Vol, VI. p. 50. who marches into the Weſt. p. 51. Taunton relieved, and Goring defeated, p. 54, 65. Clarendon, Vol. II. p. 517, &c. Whitelock, p. 158.

It was univerſally expected that, as uſual, Prince Rupert would perform wonders in defenſe of this city, which was ſtrongly gariſoned (6) and well ſtored with all proviſions and ammunition: nay, his Highneſs had ſent the King word, he hoped to hold out at leaſt four months. Nevertheleſs, the parliament-army approaching the lines drawn about the place, and repulſing ſeveral ſallies, Rupert on the very firſt ſummons agreed to capitulate. Fairfax came near the lines, the twenty-third of Auguſt, and the capitulation was ſigned the tenth of September, before the beſiegers had approached the walls. When his Majeſty underſtood Prince Rupert had ſurrendered Briſtol in this manner, he was ſo inraged, that he ordered him, by a letter, to depart the kingdom, and revoked all his commiſſions. The Prince publiſhed a manifeſto, in vindication of his conduct: but he did not ſufficiently demonſtrate the neceſſity of ſurrendering ſo haſtily a place of ſuch importance (7).

Fairfax beſieges Briſtol: Auguſt 22. which ſurrenders upon terms. Sept. 11. Rushworth, Vol. VI. p. 65, 88. Clarendon, Vol. II. p. 532. Charles diſmiſſes Prince Rupert. p. 536. Rushworth, Vol. VI. p. 69.

Immediately after the reduction of Briſtol, Fairfax marched again to the Weſt, as well to relieve

Fairfax's progreſs in the Weſt. p. 89. Sprigge.

(1) Ireton had his horſe killed under him, and run thro' the thigh, wounded in the face with a pike, and made priſoner, but found means to eſcape upon the turn of the battle. Whitelock, p. 150.

(2) Fairfax had his helmet beat off, but however, rode up and down bare headed. See Idem, p. 151.

(3) See lord Clarendon's remark on this head. Vol. II. p. 508.

(4) Whitelock (Mem. p. 151.) ſays, that on the parliament's ſide were wounded and ſlain above a thouſand officers and common ſoldiers; and that the King ſhewed himſelf this day a couragious general, keeping cloſe with his horſe, and in perſon rallying them to hot incounters.

(5) The ſame memorialiſt (p. 159.) ſays, nineteen hundred priſoners, and two thouſand horſes were taken.

(6) The gariſon was ſaid to be nine hundred horſe, two thouſand five hundred foot, and fifteen hundred auxiliaries. Idem. p. 167.

(7) He came afterwards to the King at Newark, to vindicate himſelf. See Clarendon Vol. II. p. 554. And in November, obtained a paſs from the parliament to go beyond ſea. Whitelock, p. 178, 179.

Plymouth,

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Plymouth, which was ſtill inveſted (1), as to bring over to the parliament all thoſe counties. But to prevent the miſchiefs incurred by the earl of Eſſex, laſt year, for want of free intercourſe with London, he ordered Cromwell, with a party of horſe, to take thoſe places which might obſtruct ſuch communication. He alſo detached colonel Rainſborough to beſiege Berkley-caſtle, the only gariſon Charles held between Gloceſter and Briſtol. He went himſelf to Bath, where he remained 'till his orders were executed.

Sept. 21. Ruſhworth, Vol. VI. p. 90.

Cromwell with his party appeared before the caſtle of the Devizes, in Wiltſhire, ſituate in the road of traffic between London and the Weſtern counties. The governor made a ſhew of defending himſelf, but however capitulated on the morrow.

Sept. 23.

That ſame day, Cromwell detached colonel Pickering, who became maſter of Laycock-houſe, where was a gariſon of the King's. After that, Pickering rejoined the army, as did Rainſborough, Berkley-caſtle having been ſurrendered upon articles.

p. 91. Clarendon, Vol. II. p. 479--487, &c.

September the twenty-ſixth, the general called a council of war, where it was reſolved, that the army ſhould march farther Weſtward. But as the Prince of Wales was in thoſe parts, with Goring's, Greenvil's, and ſome other troops, which all together made a conſiderable body, the general was apprehenſive of meeting many difficulties in this expedition, and therefore thought it incumbent on him to ſecure the communication with London. To that purpoſe, he again detached Cromwell, with orders to indeavor taking the caſtle of Wincheſter, and then Baſing-houſe, which had been twice beſieged in vain.

Ruſhworth, Vol. VI. p. 91.

Cromwell, with his accuſtomed promptneſs, marching directly to Wincheſter, took the city and caſtle upon articles. A complaint being made, by ſome of the gariſon, that they were plundered at their marching out, he cauſed ſtrict inquiry to be made after the offenders, of whom ſix were found and condemned to die. After lots caſt for their lives, he whoſe lot it fell on was executed; and the other five were ſent to ſir Thomas Glemham, governor of Oxford, to be puniſhed as he pleaſed; but the governor ſent them back with due acknowledment of Cromwell's juſtice and courteſy.

p. 92.

p. 93.

From Wincheſter, Cromwell advanced to Baſing, a ſeat of the marquis of Wincheſter, which having fortified, he there kept gariſon for the King (2). As he refuſed to ſurrender, he was ſo ſuddenly and briſkly aſſaulted, that the place was carried by ſtorm, and himſelf taken priſoner and ſent to London. After that, Cromwell attacked Langford-houſe *, which ſurrendered upon articles.

p. 94. * Near Saliſbury.

Ibid.

Octob. 15.

In this interim Fairfax, purſuing his march into the Weſt, came before Tiverton. It was reſolved at a council of war to ſtorm the place: but while they were conſulting how to order the attack, a round-ſhot happened to break the chain of the draw-bridge, which falling down, the ſoldiers, without waiting for orders, poſſeſſed themſelves of the town.

Ditto 19.

p. 95.

Ditto 28.

After that, the army marched towards Exeter, the capital of Devonſhire. But as this place was ſtrong and well gariſoned, and the ſeaſon not proper for ſo important a ſiege, they reſolved on a blocade, 'till it could be inveſted in form.

The Prince of Wales aſſembles forces in the Weſt. Ibid.

While the general was imployed in ordering the blocade, which held 'till December, and in building neceſſary forts on the Eaſt ſide of the Ex, the Prince of Wales had time to aſſemble all his Majeſty's forces in thoſe parts, with the Corniſh militia, and form an army eight thouſand ſtrong. Fairfax, hearing the enemies were preparing to march againſt him, reſolved to prevent it, by advancing towards them. He made ſuch ſpeed that he ſurpriſed a brigade of their cavalry, commanded by lord Wentworth, and took between three and four hundred horſes. This obliged the King's generals to proceed with more caution, raiſe the blocade of Plymouth to ſtrengthen their army, and paſs the Tamar, in order to retire into Cornwal.

Fairfax marches towards him. Jan. 8. Ruſhworth, Vol. VI. p. 96.

The Prince retires into Cornwal.

The Prince's retreat into Cornwal gave Fairfax opportunity to attack Dartmouth, a ſea-port of great conſequence, which he took by ſtorm, the ſeaſon not allowing him to beſiege it formally.

Fairfax takes Dartmouth. Jan. 18.

After all theſe advantages, Fairfax returned to Exeter, and finiſhed the blocade of that city. Soon after, he left the command of it to ſir Hardreſs Waller, and went himſelf to meet lord Hopton, who was marching to the relief of Exeter, at the head of ſeven or eight thouſand men. General Goring being withdrawn into France, the Prince of Wales had given the command of his army to lord Hopton. Fairfax approaching the enemies, had intelligence that lord Hopton was intrenched in Torrington, to oblige him either to attack him thus advantageouſly poſted, or to keep the field in a very rainy ſeaſon, in a country which had few villages to ſhelter his army from the weather. Fairfax, having weighed the inconveniencies of leaving the enemies thus intrenched, reſolved to attack them. To that end, he advanced within a mile of Torrington, and poſſeſſed himſelf of ſome poſts, with deſign to ingage on the morrow. But Hopton's troops attempting, in the night, to diſlodge the parliamentarians, and theſe latter receiving aſſiſtance from the army, the battle began inſenſibly, and held 'till near morning. Finally, after a long conflict in the dark, lord Hopton's intrenchments were forced, and himſelf obliged to retire with his cavalry, and only four or five hundred of the four thouſand foot he had before the ingagement. Thus all his infantry were ſlain, taken, or ſo diſperſed that it was not poſſible for ſuch as got away to rejoin their general, who was retired into Cornwal (3).

He complets the blocade of Exeter: p. 99. Sprigge. Clarendon, Vol. II. p. 438, &c. 559. Ruſhworth, Vol. VI. p. 100.

and defeats lord Hopton at Torrington. Feb. 18. 1645 6. p. 99. Clarendon, Vol. II. p. 563.

Fairfax, after this freſh victory, judged his main buſineſs was utterly to deſtroy the enemy's cavalry which had eſcaped from Torrington, conſiſting of three thouſand, and prevent their joining his Majeſty. Inſtead therefore of returning to Exeter, he determined on marching into Cornwal with his whole army. He ſet out the twenty-third of February, and ſeizing the paſſes of the river Tamar, left there ſtrong guards, as alſo in all places where he thought the enemies might attempt paſſing, if they intended, as was very likely, to join the King. Lord Hopton, finding Fairfax advanced, and not being able to fight him, quited Bodmin, where he had poſted himſelf, and retired farther Weſtward. Fairfax ſtill advanced, taking all poſſible care to guard every paſs by which the enemy might eſcape him.

He follows him into Cornwal. Febr. 18. p. 564. Ruſhworth, Vol. VI. p. 103, 104. Sprigge.

The parliament-army's approach made the Prince of Wales reſolve to ſecure his perſon by retiring into Scilly, where he ſafely arrived (4). Mean

The Prince of Wales retires to Scilly. p. 104, &c. Clarendon, Vol. II. p. 565.

(1) And had been ſo for two years. Whitelock, p. 126.

(2) He had withſtood ſeveral ſieges, declaring, that if the King had no more ground in England than Baſing-houſe, he would adventure as he did, and hold it out to the laſt extremity. For which reaſon the houſe was called Loyalty. Ruſhworth, Vol. VI. p. 93.

(3) There were not above five hundred ſlain, the greateſt part were diſperſed. Among the colors taken was lord Hopton's own, with this Motto, "I will ſtrive to ſerve my ſovereign King. Idem, p. 103.

(4) The King his father, by two letters dated Nov. 7, and Dec. 7. ordered him, as ſoon as he ſhould find himſelf in a probable danger of falling into the enemies hands, to retire into Denmark, or ſome other place beyond ſea. Clarendon, Vol. II. p. 546, 547. The Prince, April 16, 1646, imbarked for Jerſey, where he landed next day, and thence paſſed into France. Vol. III. p. 3, 4.

while

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while, lord Hopton was extremely imbaraſſed, and the more, as thoſe of Cornwal, who before were devoted to the King, began to alter their minds, and even voluntarily offered general Fairfax their aſſiſtance to ſtop up their paſſes, and hinder the King's forces from eſcaping. Finally, the parliament-army approaching Truro, where Hopton had his head-quarters, Fairfax ſent to proffer him honorable terms, in caſe he would capitulate. While he waited his anſwer, he ſtill advanced towards the enemies, and beating up one of their quarters, took three hundred horſes. But to avoid being unneceſſarily circumſtantial, I ſhall content myſelf with briefly ſaying, that Hopton, ſeeing himſelf ſurrounded on all ſides, and deſpairing to eſcape, agreed to capitulate. By this treaty, ſigned the fourteenth of March, it was ſtipulated; That all the forces under lord Hopton's command ſhould be diſbanded *, with leave to go beyond ſea, or to their homes: that all the horſes and arms ſhould be delivered to general Fairfax; and upon performance thereof, each trooper ſhould receive twenty ſhillings, or his horſe: that paſſes ſhould be given to ſuch as deſired to go beyond ſea, on their promiſing never more to bear arms againſt the parliament of England (1). This treaty conſiſts of diverſe other articles, which it is needleſs to ſpecify, as they concerned only the manner how the treaty was to be executed. Lords Hopton and Culpepper withdrew to Scilly, before the treaty was ſigned. Thus was Charles's army in the Weſt intirely diſperſed. This accompliſhed, Fairfax returned before Exeter, which was ſurrendered, upon articles the ninth of April, 1646. With this city's reduction ended his Weſtern expedition, which could not be more glorious to him, than advantageous to the parliament, having left his Majeſty neither towns nor forces in all thoſe quarters.

Hopton's army capitulates. March 14. Ruſhworth, Vol. VI. p. 110, &c. Sprigge. Clarendon, Vol. II. p. 566.

* Within ſix days.

Ruſhworth, Vol. VI. p. 261---265.

Exeter ſurrendered to Fairfax. Sprigge. p. 236.

It is now time to examine what paſſed in other parts of England while the parliamentarians were imployed in reducing the Weſtern counties.

What was done by the Scots in England, in 1645. Ruſhworth, Vol. VI. p. 118, 120.

The Scotiſh army, having taken Newcaſtle in October, 1644, divided into two bodies, one whereof beſieged Carliſle, which ſurrendered upon articles in June, 1645.

The other part of their army dared not ingage in a ſiege, becauſe the marquis of Montroſe, who ſerved the King in Scotland, having had great ſucceſs there, it was to be feared, Charles would think of ſending him reinforcements: wherefore the Scots always kept in a readineſs to oppoſe it. This became ſtill more neceſſary after Naſeby-fight, there being great likelihood of his Majeſty's reſolving to join Montroſe, with his cavalry; beſide the Scots, by keeping thus in the middle of England, prevented the King from making new levies in thoſe parts. At length, after taking Carliſle, the two bodies being re-joined, they beſieged Hereford, about the end of July: but after having in vain puſhed that ſiege more than a month, they raiſed it early in September. Their general, the earl of Leven, publiſhed on this occaſion, a ſort of apology, wherein was ſaid, among other particulars, that, for ſix or ſeven months, they had received but one month's pay: that they had been promiſed to be ſuplied with all things neceſſary for a ſiege; in which they had been extremely diſappointed, ſince they had received but three pieces of cannon, with fifty ball to each: that they had ſcarce any cavalry; and being informed the King was marching towards them with three thouſand horſe, it was impoſſible to continue the ſiege: laſtly; that general Leſley was obliged to go into Scotland, with his whole party of horſe and dragoons, to oppoſe Montroſe.

They beſiege Hereford: p. 122. but in vain. p. 123.

After the ſiege at Hereford was raiſed, the Scotiſh army retired into Yorkſhire, loudly enough complaining of being quite neglected. Hereupon the parliament aſſigned them thirty thouſand pounds, provided they appeared before Newark * and ordered that the Eaſtern aſſociation ſhould pay them fourteen hundred pounds weekly. The Scots agreeing to theſe terms, the ſiege of Newark was begun about the cloſe of October, 1645, and laſted 'till May, 1646.

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They ſit down before Newark. Ruſhworth, Vol. VI. p. 126.

* On the firſt of November.

In July, Pontfret-caſtle was ſurrendered to the parliament; and, four days after, that of Scarborough alſo capitulated, having maintained a long ſiege, whereat ſir John Meldrum loſt his life.

Pontfret and Scarborough caſtle ſurrendered. p. 118.

I left King Charles in Wales after the battle of Naſeby, where he was imployed in ſeeking means to raiſe a new army. As to the diſpoſing of his perſon, it was ſcarcely poſſible he ſhould come to any reſolution, before he knew how his enemies deſigned to proceed after their victory: but when he ſaw general Fairfax, with his army, ingaged in the Weſtern counties, he departed from his retreat with his cavalry, three thouſand ſtrong. As the parliament had but very few forces in the mid-land parts, his Majeſty came without danger to Lichfield, and thence entering the aſſociated counties, he took Huntington, where he met with a great booty, after which he went to Oxford. He departed thence in three days, taking with him what forces could be ſpared, and marched to Camden.

Charles quits Wales. p. 116. Clarendon, Vol. II. p. 534.

He takes Huntington. Aug. 24.

Ditto 28.

The parliament, judging Charles's deſign was to relieve either Briſtol or Hereford, both beſieged at once, gave orders to major-general Pointz and colonel Roſſiter to aſſemble what forces they could, and diligently attend his Majeſty's motions. Accordingly, they drew together about two thouſand horſe, and poſted themſelves between the King and Oxford. But, at the ſame time, the Scots having voluntarily raiſed the ſiege of Hereford, King Charles marched thither, where he continued 'till the twentieth of September. Here he received news of the ſurrender of Briſtol.

Comes to Hereford. Ruſhworth, Vol. VI. p. 116, 117.

Clarendon, Vol. II. p. 535.

About this ſame time, colonel Jones, with adjutant-general Louthian, who ſerved the parliament, beſieging Beeſton-caſtle, drew off thence on a ſudden a party of thirteen hundred men, and went to ſurpriſe Cheſter, in which they partly ſucceeded: but as they had not ſufficient forces to become maſters of the whole city, they were content to keep what they had, expecting ſir William Brereton, who was to bring them a ſupply. As the King then expected from Ireland a body of troops, which could land only at Cheſter, this city was of ſuch great conſequence to him, that he immediately marched to diſlodge the enemies from that part they had in their power. He was no ſooner on his march, but Poyntz cloſely followed, and overtook him within two miles of Cheſter, which obliged him to turn againſt his purſuers. The fight at firſt was pretty obſtinate; but as his Majeſty had five thouſand men and the enemy barely two thouſand, Poyntz was briſkly repulſed, and put into great diſorder. Mean while, juſt as the King deemed himſelf abſolutely victorious, Jones and Louthian, with eight hundred followers, arrived and, falling upon the King's rear, forced them to face about. This gave Poyntz time to rally his diſordered troops, and then charge the royaliſts, who being thus at

The King marches to the relief of Cheſter. p. 549. Ruſhworth, Vol. VI. p. 117.

Ibid. Whitelock. Clarendon, Vol. II. p. 550.

He is routed;

(1) They who ſtayed in England, as well foreigners as others, were to bind themſelves for ever; but ſuch as went beyond ſea only for three years, not to bear arms againſt the parliament. Ruſhworth, Vol. VI. p. 114.

once

once attacked before and behind, were at length utterly routed, ſix hundred men being killed on the ſpot, and a thouſand taken priſoners. There fell on his Majeſty's ſide, the earl of Lichfield, and ſome other officers of quality. It was with great difficulty that Charles, with the remnant of his army, got into Wales, where he continued ſome time *, after which, with a party about three thouſand ſtrong, he came to Newark, in Notinghamſhire. There he ſtayed 'till, fearing to be beſieged by the Scots, who were approaching, he went away by night, and ſafely arrived at Oxford, the ſixth of November, there not being left any other remedy than to make peace with the parliament.

and retires into Wales. Ibid. * At Denbigh-caſtle.

Gets to Oxford. Ruſhworth, Vol. VI. p. 118.

But this peace was not to be procured eaſily. His Majeſty, in the then ſituation of his affairs, would willingly have conceded part of what he had before refuſed; but cared not to yield all. The parliament, on their ſide, were willing to make peace, like conquerors, and by agravating the terms, inſtead of rendering them more tolerable.

His London friends put him in hope of peace. Clarendon, Vol. II. p. 572, &c.

Mean while, nothwithſtanding the difficulties which were naturally to occur in the concluſion of a peace, Charles's friends at London made him hope, that the diſſenſions between the Preſbyterians and Independents might turn to his advantage. It was intimated to him; That the Preſbyterians were inraged to ſee the Independent party daily increaſe in number and ſtrength, and that it was not doubted but, if he could obtain liberty to come up thither and treat perſonally with the two houſes, the Preſbyterian members would find means to conclude a peace, in order to be freed from this yoke of the Independents: that the city of London was almoſt wholly Preſbyterian; that his Majeſty had there alſo many friends, and if the parliament expreſſed a diſpoſition for peace, which was very likely, it would not be in the Independents power to prevent its being concluded. This was all extremely well; but they ſhould have firſt explained how and in what ſenſe the word Peace was to be underſtood. Very ſeemingly, the parliament, or Preſbyterian party, which ſtill prevailed, would very gladly have conſented to a peace, had Charles been willing to grant two points, which were by them conſidered as abſolutely neceſſary; viz. the abolition of epiſcopacy, and ſufficient ſecurity for performance of his promiſes: for in theſe alone conſiſted the parliament's ſcheme for a peace. But this was not that Monarch's aim. His conſtant meaning was, to make ſuch a peace as he deſired, and which I have often explained and ſpecified. True, in his preſent circumſtances, he was willing, with regard to the ſecurity, to grant ſomething more than what he had yet offered: but nothing could prevail with him to conſent to the abolition of epiſcopacy. So, by ever preſerving the ambiguity in the term Peace, he imagined, if he could obtain liberty to come and treat at London with the two houſes, it would not be impracticable, with the help of his friends, to force the parliament to make peace with him according to his own ſenſe of the word, tho' nothing was farther from the intention of both houſes.

He in vain attempts bringing the parliament to a peace. p. 573, &c. Ruſhworth, Vol. VI. p. 215, 216.

In this belief, the fifth of December, he demanded of the two houſes a ſafe-conduct for the duke of Richmond, the earl of Southampton, John Aſhburnham and Jeffery Palmer, eſqs. who were to bring propoſitions for a peace.

The fifteenth ditto, he renewed his demand, complaining of his having received no anſwer.

The twenty-ſixth, he ſent them a third meſſage, wherein he ſaid:

"That, conceiving the former treaties had "hitherto proved ineffectual, chiefly for want of "power in thoſe perſons who treated, as likewiſe, "becauſe thoſe from whom their power was derived "could not give ſo clear a judgment as was "requiſite: if therefore he might have the ingage- "ment of the two houſes at Weſtminſter; the "commiſſioners of the parliament of Scotland; "the mayor, aldermen, common-council, and mi- "litia of London; of the chief commanders in "ſir Thomas Fairfax's army, as alſo of thoſe in "the Scots army, for his free and ſafe coming to, "and abode in London, or Weſtminſter, for the "ſpace of forty days; he would come and have "a perſonal treaty with the two houſes of parlia- "ment at Weſtminſter, and the commiſſioners of "the parliament of Scotland, upon all matters "which might conduce to the reſtoring peace and "happineſs to his kingdoms.

"He declared beforehand, that he was willing "to commit the great truſt of the militia, for ſuch "time, and with ſuch powers, as were expreſſed "in the paper delivered, by his commiſſioners, at "Uxbridge, to thirty perſons he named: but if "this did not ſatisfy the parliament, then he of- "fered to name the one half, and leave the other "to the election of both houſes."

Before the two houſes received this laſt meſſage, they had ſent the following anſwer to the two firſt:

"That, finding former treaties had been made Decemb. 25. "uſe of for other ends, under the pretenſe of peace, p. 217. "and had proved dilatory and unſucceſsful, they "could not give way to a ſafe-conduct, accord- "ing to his Majeſty's deſire. But both houſes "of the parliament of England, having under "their conſideration propoſitions and bills for the "ſetling a ſafe and well-grounded peace, which "were ſpeedily to be communicated to the com- "miſſioners of the kingdom of Scotland, did re- "ſolve, after mutual agreement of both king- "doms, to preſent them with all ſpeed to his "Majeſty."

To this Charles replied, the twenty-ninth of December. He complained, that a ſafe-conduct was denied for the perſons he intended to ſend. He inſiſted on his demand of a perſonal treaty, and deſired an anſwer to his meſſage of the twenty-ſixth. He ſaid, he ſhould never have thought of coming to London, if it was not his ſincere intention to make peace.

The fifteenth of January, 1645-6, he ſent to both houſes another meſſage, wherein he complained of not having been anſwered. He ſaid, "That what "he earneſtly deſired was peace, and the means, "his perſonal preſenſe at Weſtminſter; where the "government of the church being ſetled, as it was "in the time of Queen Elizabeth, and King James, "and full liberty for the eaſe of their conſciences "who would not communicate in that ſervice eſta- "bliſhed by law, and likewiſe for the free and "public uſe of the directory to ſuch as ſhould deſire "to uſe the ſame; and all forces being agreed to "to be diſbanded: his Majeſty would then forth- "with join with his two houſes of parliament, in "ſetling ſome way for payment of the public "debts, to his Scotiſh ſubjects, the city of Lon- "don, and others. And having propoſed a fair "way for ſetling the militia, he would indeavor, "upon debate with his two houſes, ſo to diſpoſe "of it, as likewiſe of the buſineſs of Ireland, as "might give them and both kingdoms ſatiſ- "faction: not doubting alſo, but to give good con- "tentment to his two houſes of parliament in the "choice of the lord-admiral, the officers of ſtate, "and others."

The thirteenth of January, 1645-6, two days p. 219. before the date of this laſt meſſage, both houſes had returned their anſwer to that of the twenty-ninth of December, viz.

"That

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" That there had been a great deal of innocent " blood of his ſubjects ſhed in the war, by his " Majeſty's commands and commiſſions.

" That there had been Iriſh rebels brought over " into both kingdoms, and indeavors to bring " over more, as alſo forces from foreign parts.

" That his Majeſty was in arms in thoſe parts, " and the Prince at the head of an army in the " Weſt; there were alſo forces in Scotland againſt " that parliament and kingdom, by his commiſ- " ſion; and the war in Ireland was fomented and " prolonged by his Majeſty.

" That, until ſatisfaction and ſecurity was firſt " given to both kingdoms, his Majeſty's coming " to the parliament could not be convenient, nor " by them aſſented unto.

" That they could not apprehend it a means " conducing to peace, that his Majeſty ſhould " come to his parliament for a few days, with any " thoughts of leaving it, eſpecially with intentions " of returning to hoſtility againſt it.

" That his Majeſty deſired the ingagement not " only of his parliaments, but of the lord-mayor " of London, &c. which was againſt the privi- " leges and honor of parliaments, thoſe being " joined with them who were ſubject and ſubor- " dinate to their authority.

" That the only way for obtaining a happy and " well-grounded peace was, for his Majeſty to " give his aſſent to thoſe propoſitions which ſhould " be ſent to him.

" That there was not ſo much as any mention " of Scotland."

Jan. 17. Ruſhworth, Vol. VI. p. 220.

The King, in a reply to this anſwer, ſtrongly complained of the aſperſions caſt on him by both houſes, and reproached them in his turn. He inſiſted on their anſwer to his meſſage of the fifteenth of December, ſaying, " No rational man could " think their laſt paper to be any anſwer to his " former demands."

But the twenty-fourth ditto, he ſent a farther reply to every particular article of that anſwer. The ſubſtance whereof was:

1. " That a great deal of innocent blood had " been ſhed."

That is the very reaſon why he preſſeth that there ſhould be no more (1).

REMARK (1) The meaning of this objection of both houſes was, that there having been much blood ſpilled in the war, it was reaſonable the authors thereof ſhould be puniſhed, and that the King continuing to protect them, it was neceſſary to proſecute the war 'till he ſhould be obliged to deliver them to juſtice. So, Charles's general reply upon this article anſwered not the objection.

2. " That he had cauſed ſome Iriſh to repair to " his aſſiſtance." He anſwered, that thoſe whom they called Iriſh, were indeed (for the moſt part) ſuch Engliſh Proteſtants as had been formerly ſent into Ireland by the two houſes, and unable to ſtay there any longer by the neglect of thoſe who ſent them thither, who ſhould have better provided for them (2).

REM. (2) The objection related not to ſuch Engliſh forces as his Majeſty had ſent for from Ireland. The two houſes were far from giving thoſe ſoldiers the name of Iriſh. But they underſtood thoſe Iriſh Papiſts whom this Prince entertained in his army, and particularly ten thouſand ſuch, whom the earl of Glamorgan was to bring over. Charles feigned not to comprehend the two houſes meaning, and anſwered their objection thus evaſively.

3. " That the Prince was at the head of an " army." Charles replied: It was no great wonder, ſince there was yet no peace.

4. " That he deſired to come to his parliament " but for a few days." He anſwered by proteſting, that he ſought that treaty to avoid future hoſtility, and procure a laſting peace (3).

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REM. (3) The parliament did not at all queſtion it. But they thought he would come to London only to compel, by means of his friends, both houſes to make ſuch a peace as he deſired. So, this general anſwer was not at all ſatisfactory.

5. " That the ingagements which his Majeſty " had deſired for his ſecurity, were a breach of " privilege." His Majeſty replied; That whoſoever ſhould call to mind the particular occaſions which inforced him to quit London and Weſtminſter, would judge his demand very reaſonable, and neceſſary for his ſafety. But he no way conceived, how the lord-mayor, aldermen, &c. of London, were either ſubject or ſubordinate to the authority of the two houſes.

6. " That he had made no mention of Scot- " land." He anſwered; That was included in his former, and had been particularly mentioned in his latter meſſage of the fifteenth.

Laſtly, He deſired a poſitive anſwer to his former meſſages.

The twenty-ninth of January, Charles ſent another meſſage to both houſes, wherein he expreſly diſavowed the earl of Glamorgan, concerning any treaty with the Iriſh rebels. And ſaid, " That earl having made offer unto him to raiſe " forces in the kingdom of Ireland, and to con- " duct them into England for his Majeſty's ſer- " vice, he had granted him a commiſſion to that " purpoſe, and to that purpoſe only; but that he " had no commiſſion at all to treat of any thing elſe, " without the privity and directions of the lord- " lieutenant: and this clearly appeared by the lord- " lieutenant's proceedings with the ſaid earl, who " had orders to call him to account (4). p. 222.

REM. (4) The diſguiſe his Majeſty uſed on this occaſion, will manifeſty appear in what is preſently to follow, touching this treaty.

Charles added, " That if the two houſes would " admit his repair to London for a perſonal treaty, " ſpeedy notice ſhould be given him thereof, and " a ſafe-conduct, with a blank ſent for a meſ- " ſenger to be immediately diſpatched into Ire- " land, to ſtop the concluſion of the peace; the lord- " lieutenant being impowered to treat and con- " clude it.

" That he would leave the management of the " buſineſs of Ireland wholly to the two houſes, " and make no peace there but with their conſent, " in caſe his indeavors in the treaty ſhould be " bleſſed with ſucceſs.

" That if his perſonal repair to London ſhould " be admited, and a peace thereon inſue, he " would then leave the nomination of the perſons " to be intruſted with the militia wholly to his " two houſes, with ſuch power and limitations as " were expreſſed in the paper delivered, by his " Majeſty's commiſſioners, at Uxbridge, the ſixth " of February, 1644-5.

" That if the peace ſucceeded, he would be " content, that ' pro hac vice,' the two houſes " ſhould nominate the admiral, officers of ſtate, " and judges, to hold their places during life, or " ' quamdiu ſe bene geſſerint,' to be accountable " to none but the King and the two houſes of par- " liament.

" That, as for matter of religion, he intended, " that all Proteſtants ſhould have the free exer- " ciſe of their religion according to their own " way.

" That, upon the concluſion of peace, there " ſhould be a general act of oblivion and free " pardon.

" And this to extend to Scotland.

This Prince had never before made ſuch advances,

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vances, and yet all his efforts to obtain a ſafe-conduct were ineffectual. The two houſes were ſo perſuaded of his ability in the choice of his expreſſions, which were commonly ambiguous, and capable of a different ſenſe from what appeared at firſt ſight, that they could not reſolve to treat with him upon his own propoſitions: beſide, they doubted not, but the overture of a perſonal treaty was deſigned for a ſnare, to force them to ſuch a peace as he wanted. They therefore returned not to his ſeveral meſſages any other anſwer than what has been ſeen. So, this ſort of negociation, of which his Majeſty expected a happy event, only left matters juſt as they were.

Charles's project to make peace with the rebels. Ruſhworth, Vol. VI. p. 238. Cox, Part II. p. 134.

Both houſes, as we have ſeen, reproached King Charles, that he was indeavoring to bring Iriſh troops into England. His Majeſty did not diſown it; but denied his giving the earl of Glamorgan power to treat with the rebels upon any other article. This was literally true; but his Majeſty took care not to diſcover the whole extent of this article, and yet both houſes were perfectly informed of it, as in the ſequel will appear. To underſtand fully the objection and anſwer, it will be neceſſary to relate what paſſed in Ireland upon this ſubject. This is not one of the leaſt curious points of Charles I's reign, tho' lord Clarendon has thought fit to paſs it over in ſilence.

Ruſhworth, Vol. V. p. 895, 920. * Murrough O'Brien.

The ceſſation King Charles had made with the Iriſh rebels, had not intirely ſuſpended hoſtilities in that iſland. Lord Inchiquin * who commanded in Munſter for the parliament, and major-general Monroe, who was at the head of the Scots in Ulſter, had refuſed to accept the ceſſation (1). On the other hand, thoſe Engliſh troops which Charles had drawn from Ireland, had been intirely ruined and diſperſed in England. Thus had his Majeſty reaped no advantage by this ceſſation, the motives whereof he had concealed with all poſſible care. He had pretended, he was indiſpenſibly obliged to conclude it, in order to ſave the Engliſh from the utter deſtruction they were threatened with by the rebels ſuperiority, and the parliament's neglect to ſend ſupplies into Ireland: but when theſe Engliſh forces were ſeen paſſing over into England, it was eaſy to perceive the true reaſon of that ceſſation.

King Charles, not having reaped all the advantage he expected from this artifice, deſiſted not from his deſign of making uſe of the Iriſh to continue war with the parliament. Contrariwiſe, he projected a pacification with the rebels, in order to imploy, not only the other Engliſh troops yet in Ireland, but alſo a good body of Iriſh, whom he intended to ſend for into England. He ordered therefore the marquis of Ormond, lord-lieutenant of Ireland, to negociate this pacification, wherein however occurred difficulties ſeemingly inſurmountable. To make peace with the Iriſh, thoſe people were neceſſarily to be ſatisfied in point of creed: but this his Majeſty could not do, without breaking thro' all his proteſtations with regard to his ardent zeal for the Proteſtant religion, and without, in ſome meaſure, confirming the ſuſpicions of thoſe who believed him concerned in the Iriſh rebellion. In a word, he could not take this ſtep, without relinquiſhing the Iriſh Proteſtant's intereſt, and giving the Papiſts ſuch advantages, as would render them greatly ſuperior to their antagoniſts. The intereſts of England were likewiſe to be abandoned, and the dominion ſhe had ever injoyed over Ireland, ſince the conqueſt of that kingdom, was to be in a manner quite forfeited: nay, he was in danger, by ſuch a procedure, to loſe many friends in England. They who were ſincerely attached to him, and perſuaded that he acted upon motives of juſtice and religion, muſt have opened their eyes, had they ſeen him manifeſtly betray the intereſt of England, and the Proteſtant religion, by concluding with the Iriſh ſuch a peace as they demanded. Theſe were great difficulties which could only be ſurmounted by one of theſe methods: either by perſuading the Iriſh to rely on his general promiſes, that he would content them at a better juncture, and when it was more in his power; or elſe, coloring, with ſome ſpecious pretenſe, the favors he ſhould be obliged to grant them for a peace. With regard to the firſt of theſe methods, his Majeſty forgot nothing he judged apt to induce the Iriſh to truſt to his promiſes, and herein the marquis of Ormond was long imployed, without any effect: the Iriſh were immoveable, and would not be ſatisfied with words only. The ſecond method was ſtill more impracticable: for what color could be put upon his intire relinquiſhing both religion's and England's intereſts?

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Mean while, as this Prince was in hopes that, with the ſuccors from Ireland, he ſhould be able to give law to the parliament, and then not be obliged to uſe any farther ceremony, he reſolved not to deprive himſelf of ſuch a ſingular advantage, but to grant the Iriſh whatever they demanded. Nevertheleſs, to avoid the prejudice ſuch a procedure might create him in England, he choſe to conclude a private peace with the Iriſh, without ſolemnity, or the intervention of the lord-lieutenant, and bind himſelf to have it effectually executed, 'till it ſhould be in his power to ratify it ſolemnly; wherewith the Iriſh were content.

To this purpoſe, while the marquis of Ormond was ſeemingly laboring, with great earneſtneſs, to make a peace with the rebels, by trying to perſuade them to deſiſt from part of their demands, the earl of Glamorgan, authoriſed by his Majeſty, was treating with them ſecretly, and more effectually. He granted them, on the King's behalf, all their demands, on condition they would furniſh him with ten thouſand men, who ſhould paſs into England, under the ſaid earl of Glamorgan's conduct. But as this earl's bare promiſe was not a ſufficient ſecurity for the Iriſh, King Charles ſent him full powers, viz.

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Ruſhworth. Vol. VI. p. 239, 240, 243.

"CHARLES by the grace of God, of England, Scotland, France and Ireland, King Defender of the Faith, &c. To our truſty, and and right well-beloved couſin, Edward earl of Glamorgan, greeting. We, repoſing great and eſpecial truſt and confidence in your approved wiſdom and fidelity, do, by theſe (as firmly as under our great-ſeal, to all intents and purpoſes) authoriſe, and give you power, to treat and conclude with the confederate Roman-Catholics in our kingdom of Ireland, if upon neceſſity any be to be condeſcended unto, wherein our lieutenant cannot ſo well be ſeen, as not fit for us, at the preſent, publicly to own. Therefore we charge you to proceed according to this warrant, with all poſſible ſecreſy; and for whatſoever you ſhall ingage yourſelf, upon ſuch valuable conſiderations, as you in your judgment ſhall deem fit, we promiſe, on the word of a King, and a Chriſtian, to ratify and perform the ſame which ſhall be granted by you, and under your hand and ſeal; the ſaid confederate

p. 925.

(1) Lord Inchiquin refuſed accepting it, becauſe he could not obtain the preſidency of Munſter. See Borlaſe, p. 146.

" Catholics

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" Catholics having, by their ſupplies, teſtified their " zeal to our ſervice. And this ſhall be, in each " particular, to you a ſufficient warrant."

Given at our court at Oxford, under our ſignet, and royal ſignature, the twentieth day of March, in the twentieth year of our reign, 1644.

Remark. The date of this warrant is remarkable; for it was at a juncture when King Charles's affairs did not ſeem abſolutely to require his imploying the Iriſh Papiſts. In the preceding campain he had gained a ſignal advantage over the earl of Eſſex, with all the Weſtern counties. He had fought a battle at Newbury, which had not procured his enemies any real advantage, and had contrariwiſe, in the affairs of Dennington, manifeſted his belief of not having had any reaſon to fear them. It was juſt after the treaty of Uxbridge, where he did not think himſelf under a neceſſity of making any conceſſions. In a word, it was at a time when the parliament, by reaſon of the indifferent ſucceſs of their arms, were laboring to new-model their army. It cannot therefore be ſaid, that his Majeſty was driven by deſpair to have recourſe to the Iriſh for aſſiſtance. We may rather very readily perceive, it was ſolely to augment the ſuperiority he then had over the parliament.

By virtue of this warrant, the earl of Glamorgan concluded a treaty with the Popiſh biſhops, touching eccleſiaſtical benefices. This was a preliminary treaty, whereon thoſe prelates made the inſuing inſtruments: viz.

" Whereas, in theſe articles touching the clergy-" livings, the right honorable the earl of Glamor-" gan is obliged, in his Majeſty's behalf, to ſe-" cure the conceſſions in theſe articles by act of " parliament: We, holding that manner of ſe-" curing thoſe grants, as to the clergy-livings, to " prove more difficult and prejudicial to his Ma-" jeſty than, by doing thereof, and ſecuring thoſe " conceſſions otherwiſe, as to the ſaid livings, " the ſaid earl undertaking and promiſing, in " the behalf of his Majeſty, his heirs and ſuc-" ceſſors, as hereby he doth undertake to ſetle the " ſaid conceſſions, and ſecure them to the clergy, " and their reſpective ſucceſſors, in another ſecure " way, other than by parliament, at preſent; 'till " a fit opportunity be offered for ſecuring the " ſame, do agree, and condeſcend thereunto: and " this inſtrument, by his lordſhip ſigned, was before " the perfecting thereof intended to that purpoſe as " to the ſaid livings, to which purpoſe we mutually " ſigned this indorſement. And it is farther intended, " that the Catholic clergy ſhall not be interrupted " by parliament, or otherwiſe, as to the ſaid livings, " contrary to the meaning of theſe articles."

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The earl likewiſe annexed the ſubſequent oath, or proteſtation: viz.

* Somerſet. " I Edward, * earl of Glamorgan, do proteſt " and ſwear, faithfully to acquaint the King's moſt " excellent Majeſty with the proceedings of this " kingdom, in order to his ſervice, and to the " indearment of this nation, and punctual per-" formance of what I have (as authoriſed by his " Majeſty) obliged myſelf to ſee performed; " and in default, not to permit the army intruſted " to my charge to adventure itſelf, or any con-" ſiderable part thereof, until conditions from his " Majeſty, and by his Majeſty be performed."

Sept. 3. 1645. GLAMORGAN.

Subſtance of the treaty between the earl of Glamorgan, and the confederate Iriſh Catholics.

Charles I An' 1645.

IT was ſaid, in the begining of the treaty, that much time had been imployed in meetings and debates betwixt James marquis of Ormond, lord-lieutenant of Ireland, and the commiſſioners of the Catholic council of Kilkenny, for the treating and concluding a peace; and thereupon many difficulties ariſing, the earl of Glamorgan was intruſted and authoriſed by his Majeſty, to grant and aſſure to the ſaid confederate Catholics farther grace and favors, which the ſaid lord-lieutenant had not as yet, in that latitude as they expected, granted unto them. In purſuance therefore of his Majeſty's authority, under his ſignature royal and ſignet, bearing date, at Oxon, the twelfth day of March, in the twentieth year of his Majeſty's reign.—" It is accorded and agreed, between the " ſaid earl of Glamorgan, for and on the behalf " of his Majeſty, and Richard lord viſcount " Mountgarret, preſident of the ſupreme council " at Kilkenny, Donnough lord viſcount Muſkerry, " &c. commiſſioners appointed by the confederate " Roman Catholics:

" I. That all the profeſſors of the Roman " Catholic religion in Ireland ſhall injoy the free " and public uſe and exerciſe of their religion.

" II. That they ſhall hold and injoy all the " churches by them injoyed within that kingdom, " or by them poſſeſſed at any time, ſince the " twenty-third of October, 1641, and all other " churches in the ſaid kingdom, other than ſuch " as are now actually injoyed by his Majeſty's " Proteſtant ſubjects.

" III. That all Roman Catholics ſhall be ex-" empted from the juriſdiction of the Proteſtant " clergy, and that the Roman Catholic clergy " ſhall not be puniſhed or moleſted for the exer-" ciſe of their juriſdiction over their reſpective " Catholic flocks.

" IV. That the following act ſhall be paſſed in " the next parliament to be holden in Ireland. [Here is inſerted the form of an act for ſecuring all his Majeſty's conceſſions to the Catholics.]

" V. That the marquis of Ormond, or any " others, ſhall not diſturb the profeſſors of the " Roman Catholic religion in the poſſeſſion of the " articles above ſpecified.

" VI. The earl of Glamorgan ingages his Ma-" jeſty's word for the performance of theſe articles.

" VII. The public faith of the kingdom ſhall " be ingaged unto the ſaid earl by the commiſ-" ſioners of the confederate Catholics, for ſending " ten thouſand men, by order of the general aſ-" ſembly at Kilkenny, armed one half with muſ-" quets, and the other half with pikes, to ſerve his " Majeſty in England, Wales, or Scotland, un-" der command of the earl of Glamorgan."

Signed the twenty-fifth of Auguſt, 1645.

Moreover, the Iriſh commiſſioners ingaged their word, and the faith of the ſupreme council of Kilkenny, that two thirds of the clergy's revenues ſhould be imployed, for the ſpace of three years, towards the maintenance of thoſe ten thouſand men, the other third being reſerved for the eccleſiaſtics ſubſiſtence.

This treaty, tho' made very ſecretly, was however diſcovered by a very extraordinary accident. The archbiſhop of Tuam, preſident of Connaught, going to Ulſter about ſome affairs, met with a body of Iriſh troops marching to beſiege Sligo, whom, whether for ſecurity ſake, or ſome other deſign, he joined. (1) When they came near Sligo, the Octob. 17. Ruſhworth, Vol. VI. p. 239.

(1) He attended the army at this time, to viſit his dioceſe, and put in execution an order for the arrears of his biſhoprick, granted by the council of Kilkenny. Ruſhworth, Vol. VI. p. 239.

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garison made a sally, charged the troops which were come to form the siege, utterly routed them, and killed the said archbishop. In his pockets were found, attested and signed by several bishops, authentic copies of the fore-mentioned treaty, and of Charles's warrant to the earl of Glamorgan, all which were remited over to the English parliament.

Rushworth, Vol. VI. p. 240. Ludlow. Vol. I. p. 163.

The marquis of Ormond, lord Digby (then in Ireland) and some others, having soon heard that the secret was discovered, found no better expedient to clear his Majesty than to arrest Glamorgan, for having, in a presumptuous manner worthy of severe punishment, exceeded his orders, and concluded a treaty with the Irish. This is what King Charles also insinuated in his message to both houses, of the nineteenth of January, 1645-6.

Vol. VI. p. 246, 249.

Rushworth in his collections has inserted two intercepted letters of the earl of Glamorgan, one to his countess, dated in January, acquainting her that his imprisonment gave him not much uneasiness. In the other, of the twenty-sixth of February, directed to his Majesty, he told him, that he was at Waterford, providing ships to transport six thousand foot immediately, and that four thousand more were to follow them by May (1). However these troops never came to England; probably by reason of the change in his Majesty's affairs, which were in a very bad posture after the battle of Naseby. All his towns were taken one after another. The Scots were now before Newark, and general Fairfax, having reduced all the West to the parliament's obedience, was preparing to besiege the King in Oxford.

The French court sends Montreuil over to London. Clarendon, Vol. II. p. 577.

King Charles being in this melancholy situation, the court of France sent Montreuil into England, under pretext of making peace between King and parliament: but their real intention was, that Montreuil should indeavor to get a private agreement between his said Majesty and the Scots (2). This could not be effected without Charles's utterly abandoning the bishops, and consenting to the establishment of Presbytery in England. The court of France, and the Queen of England, hoped this project would succeed with greater facility, as it was agreeable to good policy, and the King's interests. That Prince would thereby have gained, not only the Scots, who had a strong army in England, but likewise the city of London, and the majority of parliament-members, who, generally speaking, insisted on the other points in dispute, only to obtain this the more easily. This was properly the sole means of balancing or surmounting the great power of the Independents, who were in a manner omnipotent in the army. Had King Charles taken this course, it would indisputably have turned greatly to his advantage: whereas, at the time it was proposed to him, he was absolutely destitute of all remedy: but his zeal for episcopacy would not suffer him to accept any such overture, and he told Montreuil, he would never consent to it. About the same time, his Queen sent over sir William Davenant, to persuade her royal consort to join with the Presbyterians, as the sole means of freeing himself from his calamitous condition. The moment Davenant offered to speak, he commanded him to be silent, and never more appear in his presense.

He counsels King Charles to join the Presbyterians.

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His Majesty rejects the proposal. p. 579, 580. and Vol. III. p. 24.

Mean while Montreuil, being at his arrival in England possessed with a notion, that King Charles would not refuse the course which was to be proposed to him, had made some overtures to the Scotish commissioners residing in London, and found them inclinable to treat with his said Majesty: but after he had several times spoken and written to his Majesty, he found him immoveable. The Scots, on their part, being no less inflexible, constantly refused promising that Prince any kind of assistance, except he consented to the abolition of episcopacy. (3)

Montreuil's negociation between King Charles and the Scots. Idem, Vol. II. p. 579, 580.

While the affair was delayed by this difficulty, and Montreuil gone to the Scotish army before Newark, to labor for some medium favorable to Charles, Fairfax was advancing with his army, so that his Majesty was in danger of being inclosed in Oxford. This Prince's chief concern then was, to deliver himself from this imminent danger. Tho' he had 'till that very instant demurred upon going to the Scotish army, on account of the above difficulty, he saw however no other remedy when the danger approached. The Scotish officers had made him some general promises, seemingly founded on their hopes of his final consenting to their demands. He notified to them his intention of repairing to their army, and they promised to receive him and provide for his safety. Doubtless, he had not time to make a more particular treaty: at least, it is not to this day known, upon what terms King Charles put himself into the Scots hands, nor on what conditions they received him. Howsoever it was, his Majesty, not having a moment to spare, did, in order to avoid being shut up in Oxford, depart privately, and got to the Scotish army, the fifteenth of May, 1646 (4).

Idem, Vol. III. p. 1, 13.

Ibid. p. 14.

Charles goes to the Scotish army. p. 17.

This Prince had, on the thirteenth of April, imparted to the marquis of Ormond his design of throwing himself into the arms of the Scots, by a letter containing these words: "Having lately "received very good security, that we, and all "who do, or shall adhere to us, shall be safe "in our persons, honors and consciences in the "Scotish army; and that they shall really "and effectually join with us, and with such as "will come in to us, and shall imploy their armies "and forces to assist us to the procuring of a happy "and well grounded peace —— If it shall please

An' 1646.

Rushworth, Vol. VI. p. 268.

(1) See in Rushworth (Vol. VI. p. 104.) the manner how this letter to the King, with lord Digby's narrative of his proceedings against the earl of Glamorgan, &c. came to the parliament's hands. —— This discovery proved extremely detrimental to his Majesty's affairs.

(2) Lord Clarendon (Vol. II. p. 579.) affirms, that the Scots were under terrible apprehensions of being disappointed of all their hopes, by the prevalence of the Independent army, and therefore wished for nothing more than opportunity to make a firm conjunction with the King.

(3) The Scots produced a writing, signed by the Queen, wherein were such expressions as did not please the King, and made him look upon that negociation, as rather a conspiracy against the church, between the Catholics and Presbyterians, than as an expedient for his restoration or preservation. Clarendon, ubi supra.

(4) According to lord Clarendon (Vol. III. p. 17.) the King was not resolved, when he left Oxford, whether he should go to London, or the Scots army. He says, the King went away the twenty seventh of April, attended only by John Ashburnham, groom of his bed chamber, and one mr. Hudson, a divine, who understood the by-ways. It was nine days after his leaving Oxford before it was known where the King was. It seems, the King had wasted that time in several places, purposely to be informed of the condition of the marquis of Montrose, and to find a secure passage to get to him, which he exceedingly desired. — Hudson, upon his examination, said, that the King crossed the country, was at Henley, Brentford, and Harrow on the Hill, where he stayed some time, and was almost persuaded to come to London; and then he went to St. Albans, and so to Harborough, in Leicestershire, where the French agent was to have met him, with some horse, to conduct him to the Scots army, but came not; from thence the King went to Stamford, where he lay one night; and from thence to Downham, in Norfolk, where he stayed at a petty ale-house, from April the thirtieth, to May the fourth; that he passed sometimes by the name of Hudson's tutor, sometimes doctor, and sometimes as Ashburnham's servant. Whitelock, p. 209. Rushworth, Vol. VI. p. 267. Heath, p. 99,

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" God that we come ſafe thither, we are reſolved " to uſe our beſt indeavor, with their aſſiſtance, " and with the conjunction of the forces under the " marquis of Montroſe, and ſuch of our well- " affected ſubjects of England as ſhall ariſe for us, " to procure, if it may be, an honorable and " ſpeedy peace."

Rushworth, Vol. VI. p. 272.

Ormond ſent a copy of this letter to general Monroe, who commanded the Scots troops in Ireland, and Monroe communicated the ſame to the commiſſioners of the parliament in Ulſter, by whom copies of the letter, as printed at Dublin, were ſent over to both houſes, and it was read in the houſe of commons, on Saturday, June the ninth. Hereupon, on the inſuing Monday, the Scotiſh commiſſioners delivered a declaration to the houſe of peers, poſitively denying, that their army had made with the King any treaty to aſſiſt him. Thus we ſee, on one ſide, King Charles affirming he had received very good ſecurity that the Scots would declare for him; and, on the other, the commiſſioners of Scotland denying that their army had made any treaty with that Prince to aſſiſt him.

Very ſeemingly, the Scotiſh commiſſioners, and the general-officers of their army, had given Montreuil hope they would declare for the King, but on condition he would renounce epiſcopacy; without which condition it is not eaſy to conceive that thoſe commiſſioners or officers ſhould have made ſuch a promiſe, which was not in their power; ſince they could not ingage contrary to the expreſs tenor of the covenant, and without poſitive orders from thoſe who governed Scotland. Wherefore it muſt have been only hopes, and thoſe conditional, which King Charles prepoſterouſly took for aſſurances, and which poſſibly Montreuil, as well as he, had ſo confounded. It is true, lord Clarendon cites a paper

April 1. Clarendon, Vol. III. p. 14.

ſigned by Montreuil, wherein he ſays, " I do pro- " miſe, in the name of the King and Queen (my " maſter and miſtreſs) and by virtue of the powers " I have from their Majeſties, That if the King of " of Great-Britain ſhall put himſelf into the Scotiſh " army, he ſhall be there received as their natural " Sovereign, and ſhall be with them in all freedom of " his conſcience and honor.——And that the Scots " ſhall imploy their armies and forces to aſſiſt his " Majeſty in the recovery of his juſt rights, &c.".

But it muſt be obſerved, there is not in this paper a ſingle word to prove Montreuil's being impowered to make this promiſe, either by the commiſſioners, or the general-officers, or the parliament of Scotland: nay, it does not ſo much as appear that he was accepted for mediator in this affair; that beſide, he could not ingage the authority of the King and Queen-regent of France to make ſuch a promiſe, except he was furniſhed with a treaty, which however has never appeared. The above-cited noble hiſtorian intimates, that Montreuil had the

p. 14, 15.

word of the principal officers of the Scotiſh army, but that afterwards, finding them grown cold, he wrote to his Majeſty, diſſuading him from venturing his perſon among them. In reality, it is hard to conceive how Montreuil ſhould ſign ſuch a promiſe without being authoriſed. But, contrariwiſe, is it likely that, if he had been authoriſed by a treaty, or other warrant, he would not have mentioned it in his paper?

But what ſeems ſtill more impoſſible is, that the Scots ſhould promiſe without condition, as this ingagement intimates, contrary to the tenor of the covenant between the two nations, ſince King Charles would not ever hear ſpeak of aboliſhing epiſcopacy. There muſt therefore have been ſome miſtake in the negociation carried on by Montreuil's mediation, and both King and mediator muſt have taken for poſitive aſſurances, promiſes which were conditional only, as appears in Charles's letter to the marquis of Ormond, and the Scots ſolemn denial. Howſoever this be, Montreuil was recalled and diſgraced, and, as there is reaſon to believe, it was for ingaging the words and honors of the King his maſter, and the Queen-regent, upon ſo trifling a foundation. Lord Clarendon (poſſibly to prevent his royal maſter's being blamed for puting himſelf into the Scots hands too haſtily, and without good ſecurity) ſays, this envoy's diſgrace was an artifice of cardinal Mazarine, who had a mind to conceal the inſincerity of the court of France. I muſt confeſs, the meaning of theſe words ſurpaſſes my comprehenſion: but if it be fact, that Montreuil was not authoriſed to promiſe what he did, as it does not appear he was, I ſee not any occaſion to ſeek for other cauſe of his diſgrace.

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Clarendon, Vol. III. p. 12, 16.

King Charles being come to the Scotiſh army (1), which had been before Newark ever ſince November, the general repreſented to him, that it would be proper, for the ſafety of his perſon, for the army to march Northward, near the borders of Scotland: but as this could not be attempted, he ſaid, before Newark was reduced, he deſired him to order the town to ſurrender. His Majeſty, prevailed on by this reaſon, gave orders to lord Bellaſis, the governor, to ſurrender Newark, which was done accordingly; and immediately after the army began to march, and, with the King, arrived at Newcaſtle.

Charles orders Newark to be ſurrendered to the Scots; May 6 p. 18. Whitelock. Rushworth, Vol. VI. p. 269. who carry him to Newcaſtle. May 7.

May the eighteenth, Charles diſpatched a meſſage to both houſes, recommending to them the ſpeedy ſetling of religion, and their taking, in order thereto, the advice of the divines of both kingdoms, aſſembled at Weſtminſter.

His Majeſty's meſſage to both houſes. p. 274.

Concerning the militia, he agreed, that the two houſes ſhould, during ſeven years, nominate all the commiſſioners for that truſt, and after the expiration of that term, a regulation ſhould be made by the King and both houſes.

He offered the like for the kingdom of Scotland.

Concerning the wars in Ireland, he ſaid, in general, he would do whatever was poſſible for him to give full ſatisfaction therein.

In a poſtſcript, he offered to diſband his forces at Oxford, and conſent that the fortifications of that city ſhould be demoliſhed, provided honorable terms were granted to the gariſon; which done, he would give like orders to the reſt of his gariſons.

Next day, his Majeſty wrote to the city of London, acquainting them, that he was ready to comply with the parliament in every thing.

He writes to the city of London. Ibid.

June the tenth, he preſſed the two houſes by another meſſage, to ſend their propoſitions for peace, that he might give them all juſt ſatisfaction; and again deſired the liberty of repairing to London, and there treating with them perſonally (2).

Second meſſage.

(1) The parliament received, on May 6, intelligence of the King's repairing to the Scots army, and thereupon immediately voted, that his Majeſty ſhould be ſent to Warwick-caſtle. Ruſhworth, Vol. VI. p. 268.

(2) The parliament, in their debates about the propoſitions for peace to be ſent to the King, voted, That ſir Thomas Fairfax ſhould be made a baron, and have 5000 l. per ann. ſetled on him; and his father made earl. Oliver Cromwell a baron, with 2500 l. per annum. The earls of Northumberland, Eſſex, Warwick, and Pembroke, be made dukes. The earls of Saliſbury and Mancheſter, marquiſes. Lord Roberts, Say, Willoughby of Parham, Wharton, and Howard, earls. Mr. Holles, a viſcount. Sir Henry Vane, ſen. a baron. Sir William Waller, a baron, with 2500 l. per ann. Sir Arthur Haſlerigg and ſir Philip Stapleton, barons, with 2000 l. per ann. each. Sir William Brereton, to have 1500 l. and Skippon, 1000 l. per annum. Whitelock, p. 181, 182.

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Rushworth, Vol. VI. p. 300.

The twenty-fifth ditto, the Scotish commissioners presented a memorial to the parliament, whereby they consented, that the propositions for peace, which had been communicated to them, should be sent to the King, with protestation however, that they were not all agreeable to their sentiments. They desired also, that money might be sent to their troops, both in England and Ireland; their accounts stated; and all armies speedily disbanded.

The Scots deny their having made any treaty with his Majesty. p. 303.

Mean while, the Scotish army at Newcastle, understanding its being reported at London, that they had made a treaty with his Majesty, to assist him against the parliament, published a declaration, protesting, it was always their intention to maintain the covenant between the two kingdoms, and that they abhorred all public and private ways tending to violate the same, or to create a misunderstanding between the two nations. At the same time, they

p. 304.

presented a petition to the King, beseeching him to take a speedy course for setling religion in England, according to the example of the best reformed churches, and for establishing the privileges and liberties of his kingdoms: expressing their great grief for his not having yet authorised and signed

p. 305.

the covenant (1). They also prayed him to comply with the counsels of his parliament. To this petition Charles returned a general answer, without entering into particulars.

June 18. p. 306---308.

The general-assembly of the Scotish kirk wrote likewise to the parliament of England, the city of London and assembly of divines, to desire them to promote the work of reformation, according to the tenor of the covenant.

The Scotish army voted no longer necessary. p. 306, 309. Whitelock, p. 215.

July six, the house of commons voted, that England had no farther need of the Scotish army, and that the commissioners of Scotland should be desired to withdraw their forces.

Some days after, the two houses sent (2) propositions for peace to his Majesty, at Newcastle, which were little different from those debated at Uxbridge, and wherefore I think it not necessary to repeat them. I shall content myself with citing the thirteenth article, being a new addition to the former claims of both houses concerning the militia:

Propositions of the two houses to his Majesty. July 11. Rushworth, Vol. VI. p. 311.

"That, during the space of twenty years, the "two houses of parliament alone shall have power "to arm, train and discipline the militia; and "that neither the King, nor his successors, shall, "during the said space of twenty years, exercise "any power over them.

"The like for the kingdom of Scotland, if the "estates of the parliament there shall think fit.

"That monies be raised for the maintenance of "the said forces for land-service, and of the navy, "as the lords and commons shall, during the said "space of twenty years, think fit; and that the "said forces be imployed, ordered and disposed as "the two houses shall appoint, and not otherwise: "that they shall have power, 1. To suppress all "forces raised without their authority and consent. "2. To suppress all foreign forces, who shall invade "any of the English dominions. 3. To conjoin "the forces of England with those of Scotland.

"That, after the expiration of the said twenty "years, no person, under any pretense whatsoever, "shall any way dispose of the English forces, with-"out consent of both houses.

"That, after the said twenty years, if any bills "are passed by the lords and commons, for the "safety of the kingdom, and the royal assent is "not given to them within such time as the house "of peers shall judge convenient; that such bills "shall nevertheless be as valid, to all intents and "purposes, as if the royal assent had been given "thereunto."

Rushworth, Vol. VI. p. 319.

The parliament's commissioners presented these propositions to his Majesty, on the twenty-fourth of July, and, as they declared to him, were limited not to stay above ten days at Newcastle; Charles gave them his answer, on the first of August, viz.

His answer. p. 320. Clarendon, Vol. III. p. 27.

"That the propositions tendered to him did "import so great alterations in government, both "in the church and kingdom, that it was very dif-"ficult for him to return a particular and positive "answer to them, before a full debate, wherein "those propositions, and the necessary explanation, "true sense and reasons thereof, were rightly "weighed and understood; which he found the "commissioners were not authorised to admit, nor "able to give him. That he desired to come to "London with freedom, honor and safety, where "he might have those doubts cleared, and those "difficulties explained to him." Farther assuring them: "That, as he could never condescend to "what was absolutely destructive to that just "power which, by the laws of God and the land, "he was born unto, so he would chearfully grant "and give his assent to all such bills as should "be really for the good and peace of his people, "not having regard to his own in particular."

The Scots press him to accept those propositions. p. 28. Rushworth, Vol. VI. p. 319. Whitelock,

Before King Charles delivered his answer to the parliament's commissioners, the earl of Loudon, lord-chancellor of Scotland, made a speech, persuading him to accept the propositions. His reasons were the stronger and more pressing, as drawn from the necessity his Majesty lay under. But Charles thought not proper to take his advice. This answer, being read in parliament, the twelfth of August, occasioned excessive joy to those who wished not for peace (3).

The Scotish army offer to return home. Rushworth, Vol. VI. p. 322.

This same day, the Scotish commissioners presented to the peers a memorial, offering to send their army into Scotland, on reasonable satisfaction for their pains, hazards, charges and sufferings. They also said, since his Majesty had not agreed to the propositions presented him, it was necessary to consult with them what was to be done, as well concerning the King's person, as the peace and safety of the two kingdoms. Both houses returned them thanks, and appointed a commitee to examine their accounts.

Disputes concerning arrears due to the Scots. p. 323---326. Ludlow. Vol. I. p. 174. Holles's Mem. p. 64, 66. Whitelock,

The account of the arrears, which they delivered in some days after, amounted to two millions. The parliament disputed several articles, and deducted such sums as had been already paid. The Scots allowed the justice of some of these deductions,

(1) Not as our author wrongly has it, viz. They prayed him to sign the covenant. See the petition in Rushworth, as cited in the margin.

(2) By the earls of Pembroke and Suffolk, with four commoners. See Whitelock, p. 214.

(3) A little after the King's coming to Newcastle, a Scotish minister preached boldly before; him and when his sermon was done, called for the fifty-second Psalm, which begins, "Why doest thou, tyrant, boast thyself, thy wicked works to "praise." Whereupon his Majesty stood up, and called for the fifty-sixth Psalm, which begins, "Have mercy, Lord, on me "I pray, for men will me devour." The people waved the minister's Psalm, and sung that which the King called for. Whitelock, p. 230.——While the King was at Newcastle, Henderson came and much importuned his Majesty, to pass the propositions; but his Majesty affirming, he could not in conscience consent to several things therein, especially to the change of church-government, from the ancient order of episcopacy, several papers passed between his Majesty and him, which shewed the King's great abilities in those controversies, being at a time when he could not have the assistance of any of his chaplains. Henderson returning to Edinburg, died soon after, on August 31. He was, says Whitelock, a person of a sober conversation and good learning. This writer (p. 221.) adds, "some said he died of grief, because he could not persuade the King to "sign the propositions." He was more moderate, says Rushworth (Vol. VI. p. 321.) than many of them.

but

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but could not agree to others (1). Finally, after many debates, the Scots offered to accept of a ſum in groſs, for a full diſcharge of their arrears. Hereupon they were aſked, what ſum they demanded; and at firſt they inſiſted on five hundred thouſand pounds. The houſe of commons offered two hundred, and afterwards three hundred thouſand pounds. At length the Scots abating a hundred thouſand pounds of their demand, it was agreed to allow them four hundred thouſand, half whereof they were to receive on their leaving England, and the reſidue at certain ſpecified times. This is the fatal bargain, whereby it is pretended, the Scots ſold King Charles to the parliament of England, becauſe indeed they delivered him up ſome months after: but it muſt be obſerved, that this is only a ſuſpicion, a bare conjecture; and, if be true that the Scots, when they agreed on this ſum of four hundred thouſand pounds, obliged themſelves to give up the King, which I will neither affirm nor deny, they at leaſt acted with ſo much addreſs, that there appeared no expreſs proof of it. No treaty, no paper concerning this affair, ever reached the public's knowledge. This ſum was promiſed them for arrears due to their army, from the eighteenth of January 1643-4, to the eighteenth of September 1646. If it could be proved that, in all that time, the Scotiſh army had been regularly paid, according to the treaty between both nations, and that no arrears were due to them, this would, unanſwerably, be a confirmation of the ſaid ſurmiſe. But this proof is very difficult: for if, on one ſide, the Scots, to mount the debt to five hundred thouſand pounds, inſerted in their accounts ſeveral unjuſt articles, which ought to have been abated, the Engliſh, on their ſide, acted with no leſs injuſtice, in offering to make unfair deductions. This appears by the particulars of accounts brought in by both parties, which are to be ſeen in Ruſhworth's collections. Nay, had the Engliſh been deſirous to conceal the ſecret motive of this bargain, they certainly ſhould not have diſputed the debt, ſince nothing would have been properer to remove the ſuſpicion of their giving the Scots this ſum to ingage them to deliver up the King, than manifeſting the ſame to have been really due to them for arrears.

Agreed to allow them 400,000 l.

Warwick. Coke. Remark on that common ſaying, That Scots ſold their King.

Ruſhworth, Vol, VI. p. 323, 324, 326.

Another remark.

Another, and no leſs important remark may be made on this ſubject. What has rendered deteſtable this pretended ſale of King Charles's perſon, is that Prince's tragical cataſtrophe, whereof it was the occaſion: but it muſt be conſidered as having been ſo only by accident. Nothing was at that time farther from the thoughts both of parliament and Scots, than taking away the King's life. The Independents, mortal enemies to King, Scots and Preſbyterians, where the men who, by means of the army, twice took away his Majeſty from the parliament, and cut off his head, at the very inſtant when both parliament and Scots were heartily laboring to reſtore him, as will appear in the ſequel. If therefore this imaginary ſale, ſuppoſing it real, was the occaſion of King Charles's death, we may affirm it was innocently ſo, and its effects ought not to be imputed to the parliament, ſuch as it then was; ſince it is certain, neither both houſes, nor Scots, did at that time carry their views ſo far, nor could poſſibly foreſee what afterwards happened: but, as I obſerved, it cannot any how be proved, that the Scots did indeed ſell King Charles to the Engliſh. We ſhall immediately be brought acquainted with the reaſons why the Scots would not take charge of his Majeſty's perſon.

Early in September, duke Hamilton, who had been releaſed out of Michael's-Mount caſtle, in Cornwal, upon the parliament's taking that place, came to Newcaſtle, with ſome other Scotiſh commiſſioners, and earneſtly preſſed the King to accept the propoſitions for peace. Had the Scots, by a ſecret treaty, bargained to give up this Prince to the parliament, ſuch a procedure ſeems acting to their own detriment; ſince his compliance would have voided their bargain with the Engliſh, and deprived them of the ſtipulated reward.

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Hamilton preſſes his Majeſty to yield to the propoſitions. Ruſhworth, Vol. VI. p. 327. Burnet's Mem. Ham. p. 285.

His Majeſty by way of replication told the duke, and his collegues, "That he only deſired to be "heard, but could not obtain his deſire. That "he did not give a denial to the propoſitions, but "only deſired to be rightly informed of what was "demanded, and that his reaſons might be heard."

Charles's anſwer. Ruſhworth, ubi ſupra.

In another anſwer, given them next day in writing, he ſaid, "He ſhould be content to reſtrain "epiſcopal government to ſome few dioceſes, as "Oxford, Wincheſter, Briſtol, Bath and Wells, "and Exeter; leaving all the reſt of England fully "to the Preſbyterian government, with the ſtricteſt "clauſes they ſhould think upon againſt Papiſts "and Independents." In a poſtcript, he required them, "to give a particular account of this offer "to the general-aſſembly in Scotland; aſſuring "them, that he would punctually make good his "laſt letter to them: and hoped, that they, as "church-men, would not preſs him to comply with "what was againſt his conſcience, 'till he ſhould "have leiſure to be better informed."

p. 328. Burnet's Mem. p. 285, 286.

This reply was a plain intimation that, when the King ſaid he deſired 'to be heard,' it was only a pretenſe to have liberty of repairing to London, and there geting, if poſſible, the propoſitions altered. We ſee alſo by this anſwer, that he conſidered the affair of church-government as the principal and moſt difficult point. In a word, his offer ſhews he was very hard preſſed, ſince he agreed that Preſbytery ſhould be eſtabliſhed throughout the whole realm, excepting only ſome dioceſes.

Some time after, he ſent duke Hamilton a letter, telling him, that the two houſes thought of geting him into their hands, by ſaying, they did not intend to make him a priſoner, but only to give him an honorable guard; but, for his part, he would not be left in England, when the Scotiſh army retired, without a viſible force upon his perſon. Probably therefore, when he demanded leave for going to London to treat in perſon with both houſes, he meaned, that he ſhould be left at perfect liberty (2). Perhaps, he deſigned to eſcape into France, or elſewhere. But how could he imagine, he ſhould be left at perfect liberty, on the bare preſumption that a negociation with him would be ſucceſsful?

p. 289. Ruſhworth, Vol. VI. p. 329.

Conferences about diſpoſing the King's perſon. Octob. 1. Ibid.

At laſt, on the eighteenth of September, it was voted, that the King's perſon ſhould be diſpoſed of as both houſes of parliament thought proper: but as he was not actually in their power, they appointed a commitee to confer thereon with the Scotiſh commiſſioners.

In one of theſe conferences, lord Loudon, chancellor of Scotland, indeavored to ſhew, that one of the two kingdoms had no more right than the other to diſpoſe of the King's perſon, becauſe he was equally King of both, and that moreover they were united in the ſame intereſt by their covenant. The Engliſh commiſſioners replied, That the King being in England, it belonged to the Engliſh to diſpoſe of his perſon; and tho' he had retired to the

p. 342, &c. Octob. 6.

(1) They acknowledged the receipt of but 700,000 l. in monies, proviſions, aſſeſſments, quarters, and otherwiſe. See Ruſhworth, Vol. VI. p. 323.

(2) His words in the letter to Hamilton are, "Unleſs I may remaina free-man, and that no attendant be forced upon me, upon "any pretenſe whatſoever." See Idem. p. 329.

Scotiſh

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Scotiſh army, this army being only auxiliaries, and in the pay of England, it was the ſame as if he had retired to the parliament's army, whereof the Scotiſh forces were a part.

Octob. 6.

In another conference, the ſame earl ſtrongly continued to aſſert the principle advanced by him in the former; viz.

Ruſhworth, Vol. VI. p. 331.

"That the diſpoſing of his Majeſty's perſon "did belong to both kingdoms, and therefore, "that he ought not to be diſpoſed of by any "one of the kingdoms, but by joint advice of "both." He explained the word 'diſpoſe,' which was liable to be miſunderſtood: and ſaid; "He "meaned thereby, either that his Majeſty ſhould "be put under reſtraint, or be at freedom with "honor and ſafety. As for the way of reſtraint "he ſaid, he looked upon it as a remedy more "dangerous than the diſeaſe, and as a means to "draw the war of foreign Kings upon the nation, "(eſpecially the Prince being in other kingdoms) "rather than to quiet the troubles at home. And "therefore he concluded, that he would lay aſide "the way of reſtraint, and ſpeak of the way "which might be with freedom, honor and ſafety; "and that could be no other, but that his Ma"jeſty ſhould go into Scotland, or come to his "parliament, or ſome of his houſes about Lon"don. His going into Scotland, he obſerved, "was full of danger and inconvenience to both "kingdoms: for the Iriſh, banded with a crew "of malignants, poſſeſſed the mountains and high"lands, which were the ſtrong-holds, and never "conquered parts of that kingdom: that they "had not laid down their arms, but kept in a "body together; and they were ſo near Ireland, "as the forces of the rebels there might in two "or three hours ſpace come over and join with "them; and Scotland not being able to keep "and entertain armies long, the King being there "might raiſe ſuch forces in that kingdom, as "might make way quickly into England: and "therefore his Majeſty's going into Scotland "being of moſt dangerous conſequence to both "kingdoms, he offered to their lordſhips conſi"deration for his Majeſty's coming to London, or "ſome of his houſes thereabouts." The principal reaſon whereon he grounded his opinion, was the ſame which Charles himſelf had alleged. "That "he had not refuſed his aſſent to the propoſitions, "but only deſired to have his doubts cleared, and "difficulties explained."

But there was in this reaſoning a material defect, which muſt have been viſible to all: and that is, the chancellor ſuppoſed, that his Majeſty ſhould not be put under any reſtraint, but left at full liberty in Scotland, at London, or ſome of his houſes; which certainly was very far from the thoughts of him who ſpake of the Scots, and of the Engliſh parliament. Lord Loudon therefore, in building on ſo bad a foundation, could not expect his reaſoning ſhould be conſidered as of much weight, had he not been to deal with men whoſe intereſt it was to feign they thought it very ſolid.

Nothing ſeems apter to confirm the ſuſpicion of the Scots being ingaged to deliver up King Charles to the parliament, than this artifice of lord Loudon: for, tho' he ſuppoſed, his Majeſty would be in one of his houſes with honor and ſafety, he knew the contrary, and that the parliament would be maſter of his perſon. Conſequently it was the very ſame as delivering him to the parliament, the condition that he ſhould be there with honor and ſafety being only dazzling terms, to which both houſes might always give what ſenſe they pleaſed. But this muſt be conſidered not as a real proof, but a bare conjecture, which even ſeems to be deſtroyed by what ſoon after occurred. The commiſſioners of Scotland having got printed a narrative of what paſſed at theſe conferences, with the ſpeeches to prove that England had no more right than Scotland to diſpoſe of the King's perſon, the commons were thereat ſo highly offended, that they ordered all the copies to be ſeized, and the printer impriſoned. They alſo drew up a long anſwer to the Scots account, and ſent it to the Scotiſh commiſſioners, who refuſed receiving it, as coming only from one of the two houſes; but the commons had it printed and publiſhed. If it be true that the Scots had ingaged to ſurrender his Majeſty to the parliament for the ſum of four hundred thouſand pounds, nothing was more prepoſterous than this diſpute, which was attended with great acrimony, except it be ſuppoſed, that both houſes and the Scotiſh commiſſioners had concerted to act this ſort of farce.

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Whitelock. Ruſhworth, Vol. VI. p. 336.

This diſpute, real or feigned, obſtructed not the Scotiſh army's preparations to return home. But as they were to touch the two hundred thouſand pounds, before their march began, they might have continned ſtill ſeveral weeks in England, had not the city of London ingaged to advance that ſum. It was however upon two conditions: 1. That the lenders ſhould have 8 l. per cent. intereſt for their money: 2. That the payment of the principal ſhould be ſecured out of the receipts of the grand exciſe, and the ſale of biſhops lands (1). For this reaſon, both houſes made haſte to ſequeſter theſe lands, and appoint a commitee to expoſe them to ſale (2).

p. 326, 327.

p. 373, &c. Whitelock.

The tenth of December, the parliament of Scotland took into conſideration what was to be done with the King's perſon. After great debates, it was finally reſolved, that the commiſſioners reſiding at London ſhould, from the Scotiſh parliament, demand of both houſes; that the King might return to London with honor and ſafety: that they ſhould declare to them, that the parliament of Scotland was reſolved to ſupport monarchy in the perſon of King Charles, and his juſt title to the crown of England. This reſolution ſeems directly contrary to any ingagement to give up that Prince to the parliament.

Debates in Scotland about the King's perſon. Reſolution of the parliament thereupon. Ruſhworth, Vol. VI. p. 390. Burnet's Mem. p. 294, &c. 306.

But next day, the commiſſioners of the general-aſſembly preſented to the parliament a paper, intitled, 'A ſolemn and ſeaſonable Warning to all "Eſtates and Degrees of Perſons throughout the "Land;" wherein they repreſented the heinous crime of forſaking the covenant, and indeavoring a breach with England. They maintained, that ſuch projects were infuſed into ſome by the devil, and that they who attempted to ſow diviſion between the two nations, and violate the covenant, which was their chief ſtrength, could not but be enemies to the ſtate. Then, as to the diſpoſal of the King's perſon, they ſaid, that ſo long as his Majeſty did not approve in his heart, and ſeal with his hand, the league and covenant, he could not be

The general-aſſembly oppoſe it. Ruſhworth, Vol. VI. p. 391.

(1) The other condition was, That ſuch as had formerly contributed, upon the propoſitions, for horſe, monies, and plate, might advance the like ſum upon this propoſition, and be ſecured as above. Ruſhworth, Vol. VI. p. 326.——At the ſame time that the biſhops lands were given in a ſecurity for the repayment of the foreſaid ſums, the whole order of archbiſhops and biſhops was aboliſhed by an ordinance the 9th of October.

(2) Money come in ſo faſt upon thoſe ſecurities, that the whole ſum of 200,000 l. was made up by the 27th of November. And on the 16th of December, it was ſent out of London in thirty-ſix carts. p. 389.

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received in Scotland without expoſing the kingdom to freſh troubles: that, on the other hand, to diſpoſe of the King's perſon without the parliament of England's conſent, was openly breaking the covenant, and incurring the guilt of perjury: that it was very true, they were ingaged by the covenant to defend the King's perſon; but it was no leſs true, that the end of the union between the two nations, was to ſetle religion in both kingdoms, according to the tenor of the covenant; and that theſe two ingagements could not be ſeparated: that for theſe reaſons, they deſired freſh indeavors might be uſed, to prevail with his Majeſty to give ſatisfaction to both kingdoms, that he might return to his parliament of England, as a reconciled Prince to ſatisfied ſubjects, in order to eſtabliſh a happy peace.

The parliament alter their reſolution. Whitelock, p. 390.

This paper being read in parliament, the matter was again taken into conſideration, and at length, after a ſtrong debate, it was reſolved, "That his "Majeſty ſhould be deſired to grant the whole "propoſitions; and, in caſe of refuſal, the certi"fications given to his Majeſty ſhould be put in "execution, namely, to ſecure the kingdom with"out him;" and it was declared, "That the "kingdom of Scotland cannot lawfully ingage "themſelves for his Majeſty; he not taking the "covenant, ſatisfying as to religion, &c. Nor "would they admit him to come into Scotland, "unleſs he gave a ſatisfactory anſwer to the whole "propoſitions, lately preſented him in the name "of both kingdoms (1)"

Charles's meſſage to both houſes for a perſonal treaty. Dec. 20. Ruſhworth, Vol. VI. d. 393.

Charles, having notice of this reſolution, ſent a meſſage to both houſes at Weſtminſter, deſiring again to come to London, or any of his houſes thereabouts, upon the public faith and ſecurity of his parliament and the Scotiſh commiſſioners, that he ſhould be there with honor, freedom and ſafety, in order to have his doubts cleared, and difficulties explained: aſſuring them, that he would moſt willingly condeſcend to them in whatſoever ſhould be really for their good and happineſs; conjuring them to conſider it was their King who deſired to be heard, which if refuſed to a ſubject by a King, he would be therefore deemed a tyrant.

Dec. 22. Ibid.

Upon this meſſage, the peers voted, that his Majeſty might come to Newmarket, there to remain with ſuch attendants about him as both houſes ſhould appoint: but the commons voted, that Holmby-houſe, in Northamptonſhire, would be the fiteſt place for him; whereto their lordſhips conſented. Then it was reſolved, "That his coming "to Holmby ſhould be with reſpect to the ſafety "and preſervation of his Majeſty's perſon, and in "defenſe of the true religion, according to the "covenant (2).

Dec. 25. Whitelock.

Ruſhworth, Vol. VI. p. 393. Clarendon, Vol. III. p. 29.

The fifth of January, 1646-7, a commitee of both houſes was appointed to go down and receive his Majeſty from the Scots (3). For tho' both houſes had declared his being at Holmby with honor and ſafety, they did not mean to leave the manner to his choice; and, whatever expreſſions they might uſe, it was to be in effect a real impriſonment.

Some days after, both houſes received from the parliament of Scotland this ſubſequent declaration: viz.

The Scotiſh parliament's declaration. Jan. 16. Ruſhworth. Vol. VI. p. 395.

"THAT the King's Majeſty came to their "quarters before Newark, and profeſſed he "came there with a full and abſolute intention to "give all juſt ſatisfaction to the joint deſires of both "kingdoms, and with no thought either to con"tinue this unnatural war any longer, or to make "diviſion betwixt the kingdoms; but to comply "with his parliaments, and thoſe intruſted by "them, in every thing for ſetling of truth and "peace; and that he would apply himſelf totally "to the counſels and advices of his parliament: "which he did not only profeſs verbally, to the "commitee of eſtates with the Scotiſh army, but "alſo, in his ſeveral letters and declarations under "his hand, to the commitee of eſtates of Scot"land, and to the two houſes of parliament of "England reſpectively. In confidence whereof, "and of the reality of his intentions and reſolu"tions, which he declared did proceed from no "other ground than the deep ſenſe of the bleed"ing condition of his kingdoms; the commitees "of the kingdom of Scotland, and general of"ficers of the Scotiſh army, declared to himſelf, "and to the kingdom of England, their receiving "his royal perſon to be on theſe terms (which is "truth, notwithſtanding what may be ſuggeſted "or alleged to the contrary, by any within or "without the kingdoms) and repreſented to him, "that the only way to his own happineſs and "peace of his kingdoms, under God, was to make "good his propoſitions of peace (which after ſe"rious and mature deliberation were agreed upon) "tendered to him, in the name of both his king"doms, for his royal aſſent thereunto; but alſo, "the chief judicatories of this kingdom, both "civil and eccleſiaſtical, made their humble and "earneſt addreſſes to his Majeſty, by ſupplica"tions, letters and commiſſioners for that end; "and did freely repreſent all the prejudices and "inconveniencies of the delay or refuſal of his "aſſent, and, in particular, that this kingdom "would be neceſſitated to join with the kingdom of "England, conform to the league and covenant, "in providing for the ſecurity of both kingdoms, "and ſetling the government of both, as might "conduce moſt to the good of both. And the "parliament of Scotland, being now to retire their "army out of England, have again, for their farther "exoneration, ſent commiſſioners, to repreſent "their renewed deſires to his Majeſty, with the "danger which might inſue by his delay, or re"fuſal to grant the ſame; and that, 'till then, "there was danger to the cauſe, to his Majeſty, "to this kingdom, and to the union betwixt both "kingdoms, by his coming to Scotland; and that, "therefore, there would be a joint courſe taken "by both the kingdoms, concerning the diſpoſal "of his perſon. And conſidering that his Ma"jeſty, by his anſwer to the propoſitions of "peace in Auguſt laſt, and alſo by his late meſ"ſage ſent to the two houſes, and by his warrant "communicated to the eſtates of this kingdom, "hath expreſſed his deſires to be near his two "houſes of parliament: and ſeeing alſo the parlia"ment of England have communicated to the "Scotiſh commiſſioners at Newcaſtle, and by "them to this kingdom, their reſolution, that "Holmby-houſe, in the county of Northampton, "is the place which the two houſes think fit for "the King to come unto, there to remain with "ſuch attendance about him as both houſes ſhall "appoint, with reſpect had to the ſafety and pre"ſervation of his royal perſon, in the preſerva"tion and defenſe of the true religion and liberties "of the kingdoms, according to the covenant.

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(1) It was carried but by two votes in the Scotiſh parliament, That the King ſhould not come into Scotland. Whitelock, p. 236.

(2) It was put to the queſtion, whether theſe words, 'according to the covenant,' ſhould be paſſed, and it was carried in the affirmative. p. 232.

(3) See the names of this commitee in Ruſhworth, Vol. VI. 394. —— They were attended by nine hundred horſe. Whitelock, p. 237.

"Therefore,

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" Therefore, and in regard of his Majeſty's not " giving a ſatisfactory anſwer to the propoſitions as " yet, and out of their earneſt deſire to keep a " right underſtanding betwixt the kingdoms, to " prevent troubles within the ſame, to ſatisfy the de- " ſire of his Majeſty, of the two houſes of the parlia- " ment of England, and of this kingdom, for his " reſidence in ſome of his houſes near the parlia- " ment of the kingdom of England, the eſtates of " the parliament of the kingdom of Scotland do " declare their concurrence for the King's Ma- " jeſty's going to Holmby-houſe, or ſome other " of his houſes in or about London, as ſhall be " thought fit, there to remain until he give " ſatisfaction to both his kingdoms in the propo- " ſitions of peace, and that in the interim there " be no harm, prejudice, injury, nor violence " done to his royal perſon: that there be no " change of government other than hath been theſe " three years paſſed: and that his poſterity in " no ways be prejudiced in their lawful ſuc- " ceſſion to the crown and government of theſe " kingdoms."

Charles delivered to the commitee, and conducted to Holmby. Ruſhworth, Vol. VI. p. 398.

January the twenty-third, the parliament's commiſſioners came to Newcaſtle, and on the thirtieth ditto his Majeſty was delivered to them. That very day, the Scotiſh army began to march towards Scotland, and the King arrived at Holmby, the ſixteenth of February.

Preſbyterians and Independents begin to ſeparate.

Hitherto, the Preſbyterians and Independents had acted as in concert, becauſe it was equally advantageous to them, or rather neceſſary, that Charles ſhould be diſabled from hurting both. When that Prince was reduced to his then condition, in the hands of a parliament, conſiſting of two factions which had equally conſpired his ruin, theſe factions, which had 'till then ſeemed united, began to be openly divided, each plainly perceiving this was the critical juncture to make their own benefit of the advantages gained in common upon the vanquiſhed Sovereign. The Preſbyterians were ſuperior in the parliament, and in London: but the Independents were, as I may ſay, lords of the army, and thereby their faction was grown very conſiderable. The Preſbyterians grand affair was therefore to diſband the army, under color of its being unneceſſary, ſince the war was ended; and the Independents grand buſineſs was, to prevent this diſbanding, which could not but be fatal to their party. It is certain, the parliament, being almoſt wholly Preſbyterian ſeriouſly thought of diſcarding the Independents, and particularly the general officers of that faction. As they were obliged to ſend forces to Ireland, their project was to take for that ſervice, out of the foot, horſe and dragoons, ſuch as ſhould be willing to go thither, form them into companies, and give them officers in whom they could confide. After that, their intent was to diſband the whole reſidue of their army, retaining only as many as ſhould be neceſſary for the garriſons. Had this project ſucceeded, the Independent party would have been irrecoverably ruined: but the parliament had to deal with perſons too ſubtil to give them time to take all their meaſures. Oliver Cromwell, a man of uncommon reſolution, capacity, and profound diſſimulation, was then at the head of the Independents, tho' he ſtill affected paſſing for a ſtanch Preſbyterian. He frequented the Preſbyterians preachings with a ſeemingly extraordinary devotion. He, Preſbyterian-like, much uſed ſcripture-phraſes, and uttered not a word which might betray him to be Independent, either in perſuaſion or politics. In ſhort, he had found means to perſuade general Fairfax, that his ſole aim was to promote God's glory, religion's, and the kingdom's welfare. He had in the army a great number of officers, who acted merely by his directions; ſo that while he did all, he ſeemed to do nothing. Among theſe officers were his ſon-in-law Ireton, Rainſborough, Fleetwood, Lambert, Harriſon, with ſeveral others, who took care to ſtrengthen the Independent party, by means of many ſubalterns, who labored at gaining proſelytes among the ſoldiers, and were ſo many emiſſaries in every regiment. Cromwell was member of parliament (1), and withal lieutenant-general of the army, notwithſtanding the ſelf-denying ordinance, from which he had been exempted. After the war was over, he conſtantly attended the houſe, and thereby might be informed of the project againſt the army, or rather againſt the Independent party in general. He ſeemed to approve the meaſures deſigned by the commons, viz. of forming an army in Ireland (2), and diſbanding the other forces: but at the ſame time, by means of his emiſſaries, he raiſed in the army a ſpirit of diſcontent and mutiny. This was the more eaſy, as the officers and ſoldiers found themſelves on the point of being diſcarded, and as moſt were little able to reſume their quondam profeſſions, after four or five years paſſed in warfare. There were in the army many officers who, before the wars, had been only mean plebeans or mechanics, and ſaw with great regret they were going to be reduced, to quit their imploys which gave them authority, and return to their priſtine occupations, and be mixed as before with the populace. Theſe men, as well as thoſe gained by the Independents, were ready for any undertaking, to avoid being obliged to change a courſe of life they had now led for ſome years. Cromwell therefore, and the officers of his party, improving this diſpoſition, diligently inſpired the army with diſcontent againſt the two houſes, wherein they ſucceeded but too well (3).

Clarendon, Vol. III. p. 32, &c.

Cromwell's diſſimulation.

Ruſhworth, Vol. VI. p. 452, &c.

He inſpires the army with diſcontent, when to be diſbanded.

Heath. Coke. Clarendon, Vol. III. p. 35, &c.

The firſt ſpark of this flame appeared in March, 1647, juſt when the parliament thought very ſeriouſly of executing their above-hinted project. The commons had notice, that ſome officers of the army had prepared a petition, to be preſented to general Fairfax, and communicated in parliament. In this petition was deſcribed the unhappy condition moſt of the officers and ſoldiers would be in, when the army ſhould be diſbanded. The articles deſired were: " Indemnity for actions as " ſoldiers. Satisfaction for arrears. No preſſing " for horſe or foot. Relief of widows and " maimed ſoldiers. Pay 'till diſbanded." This petition flew from regiment to regiment, and certain officers appeared extremely diligent to procure ſubſcriptions. Hereupon the commons ſent general Fairfax orders to make ſtrict inquiry after the authors of this petition, and put a ſtop to the conferences held in the army to ſow diſcord and diviſion. His ſaid excellency replied, That, in obe-

Project of a petition from the army.

p. 33, &c.

Order of the commons to Fairfax, concerning the petition. Ruſhworth, Vol. VI. p. 445.

That general's anſwer.

(1) For the town of Cambridge.

(2) The forces voted for that ſervice were ſeven regiments of foot, three thouſand horſe, and twelve hundred dragoons, and 40,000 l. Whitelock, p. 217. About this time, colonel George Monk took the covenant, and, ingaging in the parliament's ſervice, was ſent into Ireland. Idem. p. 227.

(3) The earl of Eſſex's death, which happened on the fourteenth of September, 1646, made it eaſier for Cromwell to carry on his deſigns. For doubtleſs, had Eſſex lived, he would have given a check to the fury which was going to prevail. Lord Clarendon (Vol. III. p. 33.) ſays, that it was reported he was poiſoned; and that Cromwell and his party were wonderfully exalted with his death. On the twenty-ſeventh of November following, the earl's horſe and effigies were cut to pieces and defaced in Weſtminſter-abbey; and the like barbarous action was done to Camden's tomb there. Whitelock, p. 228.

dience

Charles I An' 1646.

dience to the houſe's order, he had aſſembled the officers, and queſtioned them about the petition: that they had expreſſed a deep ſenſe of their unhappineſs, in being miſunderſtood in their clear intentions, which, as they had proteſted, were no other than, by way of petition, to repreſent to him, their general, thoſe inconveniences which would neceſſarily befal moſt of the army after diſbanding; but withal had aſſured him, they would wholly acquieſce in whatſoever he ſhould judge reaſonable to offer, or the houſe to grant, on their behalf. He added, That, for the houſe's better information, he had ſent lieutenant-general Hammond, colonel Hammond, colonel Lilburn, lieutenant-colonel Pride, and lieutenant-colonel Grimes, who, he hoped, would give a full and candid account of the whole matter.

Declaration of the commons, publiſhed at the head of eachregiment. Whitelock. Ruſhworth, Vol. VI. p. 447.

Accordingly, theſe officers were examined before the houſe; after which, the ſpeaker, at their diſmiſſion, told them what ſenſe the houſes had of the petition, and deſired their care for ſuppreſſing this, or any other afterwards of a like nature (1). That very day, the houſe ordered Fairfax, to publiſh a declaration, at the head of every regiment, importing, that the petition tended to put the army into a mutiny, and obſtruct the relief of Ireland, and that the promoters thereof ſhould be proceeded againſt as enemies to the ſtate, and diſturbers of the public peace (2).

The army's diſcontent increaſes. Ibid.

The commons could not have taken a ſtep more agreeable to thoſe who had formed the project of ſowing diviſion between the parliament and army. This declaration gave the officers and ſoldiers occaſion to complain openly, "That they, who had "fought for the liberty of the ſubjects of England, "were denied the liberty of the ſubject to petition, "tho' it were to their general, and merely in "things relating to them as ſoldiers, meddling neither with church nor ſtate affairs, and withal, "ſubmiting it to the general's judgment, for approbation or correction, as he ſaw cauſe."

The parliament ſends a commitee to form the army for Ireland. p. 451, 452.

Mean while the two houſes, intending to execute their reſolution of ſending forces into Ireland, in the manner they had projected, appointed a commitee for that purpoſe, and gave them power to form the regiments of this army, and commiſſion ſuch officers as they ſhould judge proper. At the ſame time, they reſolved to incourage thoſe who voluntarily offered to ſerve in Ireland, and ordered the commiſſioners ſpeedily to execute their charge.

The army diſinclined to obey them. p. 457. Whitelock. Holles.

Theſe commiſſioners (3) repairing to Saffron-Walden, the general's head-quarters, gave notice to the officers to aſſemble next day. Then the earl of Warwick, chief of the commitee, made a ſpeech, exhorting them to accept of the terms offered by the two houſes. When he had done ſpeaking, colonel Lambert anſwered, in the name of all the officers, and deſired to know, what ſatisfaction ſhould be given them concerning four articles, viz. arrears, indemnity, maintenance in Ireland, and conduct? Sir John Clotworthy replied, That the parliament had taken care of all, except the point of indemnity, for which an ordinance would be ready in a few days. The officers demanded what generals were to command them in Ireland? It was anſwered, Skippon and Maſſey, were named for general and lieutenant-general: but for other commanders, the parliament had not yet come to any reſolution. Then the officers cried out with one voice, that if the command was given to Fairfax, Cromwell, and Skippon, they were ready to march. The commiſſioners, ſeeing the officers inſiſted on what was not agreeable to the parliament's intentions, deſired ſuch as would liſt in the ſervice of Ireland, to come to their lodgings in the town, where they would give them farther ſatisfaction; but very few went thither. Alſo then, the reſt prepared a declaration, which was preſented to the commiſſioners, wherein they ſaid, "They had reaſon to complain, that they "had received no poſitive anſwer to their deſires. "That however, thoſe who in their own perſons "did not ingage for Ireland, would be ready to "promote the ſervice: that if the ſame conduct, "under which the army had been ſo proſperous in "England, was continued, it would conduce much "to their perſonal ingagement in the ſervice of "Ireland. That this was the general ſenſe of the "officers of the army."

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Declaration of the officers. Ruſhworth, Vol. VI. p. 459.

General Fairfax, who had hitherto appeared exceſſively zealous for the parliament's intereſt, ordered the officers who were diſpoſed to ſerve in Ireland, to draw out as many of their men as would ingage in that ſervice. But the number was very ſmall, and the parliament was informed, there were officers who took great pains to diſſuade the ſoldiers from this ſervice, and cheriſh the army's diſcontent (4).

p. 460, 468.

At length, their boldneſs was ſuch, that ſome of the principal officers ſcrupled not to appear at the head of the mutineers, in a declaration preſented to both houſes. They ſaid, "That the miſrepreſen-"tations of their harmleſs intentions to the houſe, "having occaſioned hard thoughts, and expreſſions "of the houſe's diſpleaſure againſt them, they hum-"bly craved leave to offer ſome reaſons to clear "their proceedings in thoſe paſſages, in their peti-"tion, which they found moſt obvious to exceptions, "whereby they hoped to make it evident, that the "means they uſed, and the method they took, "was, as they conceived, moſt orderly and inoffen-"ſive; proceeded not in the leaſt from diſtemper, "and aiming in no meaſure to put conditions on "the parliament; and from hence might be diſ-"covered the corruptions of thoſe mens hearts, "who have been the evil inſtruments of occaſion-"ing the late declaration againſt them. And,

An' 1647. Another declaration, April 27. p. 469.

"1. For the liberty of petitioning, they hoped, "the honorable houſe of commons would never "deny it unto them, there being not any thing "more eſſential to freedom; and particularly, ſince "they had juſtified and commended it, in their de-"claration of the 2d of November, 1642, in theſe "words: 'It is the liberty and privilege of the "people, to petition unto us for the eaſe and re-"dreſs of their grievances and oppreſſions, and we "are bound in duty to receive their petitions.'

"2. They preſented not their petition to the

(1) Whitelock (p. 242.) obſerves upon this occaſion, That this way of petitioning by multitudes of hands to the parliament, which was formerly promoted by ſome of both houſes, as a means to carry on their deſigns at that time, began now to be made uſe of, and returned upon them, to their great trouble and danger.

(2) Our author here confounds two different matters. What he ſays was publiſhed at the head of the regiments, was only a declaration and vote of both houſes, of the 30th of March. But the declaration ſent the general to be publiſhed to the regiments, was to require them "to deſiſt from going on in that petition they were about to preſent to him." Ruſhworth p. 446, 447.

(3) The earl of Warwick, lord Dacres, ſir William Waller, ſir John Clotworthy, and major-general Maſſey.---The eſtabliſhment agreed on by the commons then was, officers of horſe: A colonel 12s. a day, and for four horſes 8s. A captain 10s. and two horſes 4s. A lieutenant 5s. 4d. and one horſe 2s. A provoſt-marſhal 3s. 4d. and two Men 4s. Corporals and trumpeters, each 2s. 6d. Foot officers: a captain 8s. a day. A lieutenant 4s. An enſign 2s. 6d. Serjeants, drummers, corporals, each 1s. p. 454.

(4) About five thouſand horſe and dragoons were ordered to remain in pay in England, for defenſe of the kingdom. Holles's Mem. p. 74.

"houſe,

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" houſe, but with the approbation, and by the " mediation of their general, and conſequently, " that it could not be repreſented as ſeditious.

" 3. The report of their forcing ſubſcriptions, was " not true: for the petition had taken its firſt riſe " from among the ſoldiers, and the officers had in- " gaged but in the ſecond place to regulate the ſol- " diers proceedings, and remove, as near as they " could, all occaſion of diſtaſte.

" 4. They were forced to deſire an act of in- " demnity for ſuch actions as they had commited " during the exigency of the war, not warrantable " by law, ſince they were liable to be indicted for " them in time of peace.

" 5. As to their deſiring the royal aſſent, they " never intended thereby to leſſen the parliament's " authority; but only uſed it as a provident cau- " tion for their future ſafety. And they obſerved, " that the parliament itſelf had, by offering pro- " poſitions, judged the deſiring the King's aſſent " convenient.

" 6. As to the deſire of their arrears, neceſſity " inforced them thereto: that their wages had " been hardly earned, and the deſire of them could " not argue them guilty of the leaſt diſcontent, or " intention of mutiny.

" 7. For what concerned the relief of Ireland, " they thought it hard, that thoſe who had volun- " tarily ſerved in the wars, and left their parents, " trades and livelihoods, and, without any com- " pulſion, ingaged of their own accords, ſhould, " after all their free and unwearied labors, be forced " and compelled to go out of the kingdom."

This declaration was ſigned by Thomas Hammond, lieutenant-general of the ordnance, ſeven colonels, ſeven lieutenant-colonels, ſix majors, and a hundred and thirty others, captains and ſubalterns.

Vote to diſband the army. Ruſhworth, Vol. VI. p. 468.

The ſame day this declaration was preſented in parliament, the commons voted, that the army ſhould be diſbanded, and the ſoldiers have ſix weeks pay when diſmiſſed.

Petition of ſome regiments of horſe. April 30. Clarendon, Vol. III. p. 33. Whitelock, p. 245.

Some days after, major-general Skippon, who was to command in Ireland, and had taken his ſeat in the houſe (notwithſtanding the ſelf-denying ordinance, which was no longer regarded) made report, that a letter was preſented to him, the day before, by ſome troopers, in the behalf of eight regiments of horſe, and produced it, which was immediately ordered to be read. Theſe regiments complained of the many late ſcandals, and falſe ſuggeſtions, againſt the army and their proceedings, and alleged the reaſons why they could not ingage in the ſervice of Ireland, under the intended general's conduct. The [three] troopers, who brought the letter, were called in and examined, concerning the meaning of ſome expreſſions in the petition; to which they replied, That the letter being a joint act of thoſe ſeveral regiments, they could not give a punctual anſwer, being only agents; but if they might have the queries in writing, they would carry them to the regiments, and return their anſwers.

Ruſhworth, Vol. VI. p. 474.

Votes in favor of the army. Ibid. Whitelock.

Tho' theſe officers declaration was in itſelf very reaſonable, it looked however more like inſolently accuſing the parliament, than ſubmiſſively apologiſing. This convinced the commons, that the evil was greater than at firſt imagined; wherefore they paſſed ſeveral votes to give the army ſome ſatisfaction, and to hinder the increaſe of their diſcontent. At the ſame time, Skippon, Cromwell, Ireton, and Fleetwood, were ordered to acquaint the army with what the houſe intended to do for the troops, and that a conſiderable ſum was preparing for their pay, before they were diſbanded. Hitherto the commons ſeem not to have penetrated into the army's real aim in their complaints, but hoped to appeaſe them by ſome condeſcenſion.

New commiſſioners.

Thoſe commanders, whom the parliament ſent, being come to the army, and aſſembling the officers, read to them the votes paſſed in their favor; after which, Skippon made a ſpeech, to ingage them to ſerve under him in Ireland. The officers anſwered, as this affair concerned the ſoldiers as well as officers, it was neceſſary to inform them of it, in order to know their reſolution.

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Anſwer of the officers to thoſe commiſſioners. Ruſhworth, Vol. VI. p. 484, 488. Whitelock. p. 247.

Mean while the parliament, ardently deſiring to diſband their forces, after that army which was to ſerve in Ireland had been formed, ordered that, before they were diſbanded, a fortnight's pay ſhould be added to the ſix weeks, formerly voted, and that ſix weeks pay more ſhould be given to thoſe who would ingage for the ſervice of Ireland.

The troopers and ſoldiers being informed of what the generals, ſent by the parliament, had reported to the officers, anſwered, That, as the whole army was concerned, they deſired to diſcuſs the affair in a commitee, choſen by themſelves out of every company and troop, who ſhould report the deſires of each regiment to a commitee of general officers; to be by them contracted into a method, and, when agreed, communicated to both houſes, as the ſenſe of the army. It is eaſy to perceive, in this anſwer, a ſecret direction of ſome of the malecontents, who intended by this means to be maſters of the ſoldiers reſolutions, and compoſe in the army a ſort of parliament, in oppoſition to the two houſes. This demand, whereof perhaps very many foreſaw not the conſequences, being granted, the ſoldiers choſe two out of every company, who were ſtiled Agitators, rather Adjutators, to debate upon the matters which were to be brought before the council of officers, called, the Council of War, conſiſting of generals, colonels, lieutenant-colonels, majors and captains. Among the agitators few or none were above enſign's degree. Theſe two councils were afterwards continued, to the parliament's exceeding detriment, and great advantage of the Independent chieftains, who eaſily found means to admit only ſuch as were devoted to them, or not of ſufficient ability to penetrate their deſigns.

The ſoldiers deſire to conſult among themſelves. Ruſhworth, Vol. VI. p. 485.

It is granted. They ſet up the council of agitators. Ibid. Clarendon, Vol. III. p. 33. Whitelock.

The parliament perſiſt in their deſign to diſband the army. Ruſhworth, Vol. VI. p. 491.

However, both houſes perſiſted in their reſolution to diſband the army, excepting thoſe who would ingage to ſerve in Ireland. To effect this with more facility, it was ordered, That their arrears ſhould be ſpeedily audited, and good ſecurity given them for what ſhould remain undiſcharged on diſbanding: that none, who had voluntarily ſerved in the wars, ſhould be preſſed for any ſervice beyond ſea: that an ordinance ſhould be drawn, to make proviſion for widows, maimed ſoldiers, and orphans. This done, both houſes ſetled the manner of diſbanding the army; viz. that the regiments ſhould be diſbanded at different times and places, and that money, to diſcharge what was promiſed them, ſhould be ſent to the ſeveral rendezvous. But they openly complained of the intention to pay them only two months arrears on diſbanding, when no leſs than fifty ſix weeks pay was behind.

p. 493.

The army openly complain. p. 497. Whitelock.

Soon after, the general called a council of war, at Bury, whereat were preſent more than two hundred officers, and communicated to them the votes of both houſes, adviſing them to a compliance with the parliament's ordinance. But the officers replied, they looked not on that ordinance as ſatisfactory to the ſoldiers; 1. Becauſe eight weeks pay was but a very inconſiderable part of what was due to them. 2. Becauſe no viſible ſecurity was given for their arrears. 3. Becauſe nothing was done for their vindication; and they, being declared enemies and ſent home, might hereafter be proceeded againſt as enemies, except the declaration was recalled.

Reaſons why the votes are thought unſatisfactory. Ruſhworth, Vol. VI. p. 497.

Alſo at this council was produced and read a petition, which had that morning been preſented to general Fairfax, in name of the private ſoldiers of the army, complaining, " That it was intended to

The ſoldiers threaten. p. 498.

Charles I An' 1647.

"disband them without redreſſing their grievances, "and in a ſtrange, unheard of manner, one regi- "ment apart from another, which poſture could "not but render them ſuſpicious to the kingdom. "And therefore they deſired the general would be "pleaſed to appoint a rendezvous for the army, and "uſe his utmoſt indeavors, that they might not be "diſbanded before their grievances were heard, and "fully redreſſed; which if not done, they ſhould "be neceſſitated, tho' unwillingly, to do things "which might be prevented, by granting their "juſt deſires."

Fairfax contracts the army's quarters. Ruſhworth, Vol. VI. p. 497, 498.

The council of war, having examined this petition, believed, or feigned to believe, it was abſolutely neceſſary to take notice of it, for fear, if they ſaw all their deſires rejected, they ſhould rendezvous without their officers. It was therefore reſolved, that the quarters of the army ſhould be contracted, to prevent diſorders, and for the greater readineſs to ſuppreſs them. It was manifeſt, the deſign of this petition, and the council of war's reſolution, was to break the parliament's meaſures. It had been reſolved to ſeparate the army, and diſband them at different times and places, in order to do it more eaſily; and contrariwiſe, the army had contracted their quarters, ſo that they could very ſpeedily rendezvous, without any poſſibility of being prevented by the parliament.

The parliament recal their commiſſioners, May 30. p. 499. Whitelock.

General Fairfax failed not acquainting both houſes with the reſult of what had paſſed in the council of war, intreating them to proceed with caution, that the army might not be inſenſed, and a rupture inſue, which could not but be extremely dangerous. He likewiſe wrote that day to the ſpeaker of the commons, that he was exceſſively uneaſy about the army's diſpoſition, and heartily wiſhed ſome means could be found to appeaſe the diſtractions, which was not in his power: that he was forced to make many conceſſions, to prevent worſe inconveniencies.

and project dividing the army. Ibid. and p. 500.

Hereupon the two houſes recalled their commiſſioners (who were already gone to diſband the army) and ſent for the money which had been lodged in ſeveral places for payment of the ſoldiers: but three thouſand five hundred pounds, which was conveying to London, was, by colonel Rainſborough's men, ſtayed at Woodſtock. It was very evident, the army was unwilling to be diſbanded; but the parliament, not being in a condition to command obedience, were forced to wait 'till a more convenient ſeaſon, without however abandoning their deſign.

Ibid. Whitelock.

Their intention was to divide the army, under color of the neceſſity of ſending forces into Ireland; and, to ingage the ſoldiers, it was voted, that a month's pay ſhould be given gratis to all who would quit their regiments, and ſerve in Ireland. They hoped, by this means, to form a body of forces equal, if not ſuperior to thoſe who refuſed obedience, wherein they were greatly deceived. Mean while, to give the army ſome ſatisfaction, it was ordered by the commons, That the ſubordinate officers and ſoldiers ſhould have all their arrears, deducting for free quarters, according to the accuſtomary regulations: that the commiſſion officers ſhould have one month's pay more added to the two months arrears formerly voted: laſtly, that the declaration, againſt thoſe who drew up the firſt petition, ſhould be razed out of the houſe's journal (1). But all this ſufficed not to

Ruſhworth, Vol. VI. p. 501, 502. Holles's Mem.

Clarendon, Vol. III. p. 35.

content the army, who were reſolved not to be ſatisfied. The directors of theſe proceedings were intirely for keeping up this army, in order to be able to oppoſe the Preſbyterians, who were ſuperior in the parliament. So the reaſons alleged by thoſe officers and ſoldiers being only pretenſes, had even all their demands been complied with, others would have been deviſed to prevent their diſbanding; and indeed it will preſently appear that, leſt all their deſires ſhould be granted, they added new ones, which the parliament could not concede.

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The diviſion between the parliament and army increaſes. Holles's Mem. Ruſhworth, Vol. VI. p. 505, &c. Ludlow, Vol. I. p. 190.

It was eaſy to perceive, that every thing tended to a breach between the houſes and their ſoldiery. The parliament accuſed the army of mutiny and ſedition (2); and theſe pretended that thoſe, under color of ſending ſuccors to Ireland, meditated forming a new army, to become maſters of the kingdom when the old one ſhould be caſhiered, or to kindle a freſh war in caſe the troops refuſed to obey. But theſe contending parties were far from being upon any equality. The army had the ſword in their hands, and tho' ſome officers and ſoldiers had quited their regiments for the ſervice of Ireland, their number was inconſiderable (3): all the reſt remained united, and were ſupported by moſt of the generals, who, bearing no good-will to the parliament, privately cheriſhed the diſcontent. The two houſes had no forces to compel the army to obedience, and therefore were terribly imbaraſſed. They durſt not drive thoſe armed bands to extremities; and contrariwiſe they evidently ſaw that the diſcord was fomented bythe leading Independents, who fought the parliament's deſtruction, for fear the parliament ſhould deſtroy them, as indeed both houſes intended.

This therefore was a critical juncture; the point being to know who ſhould be maſter, the parliament, or the Independent faction. But theſe latter had on their ſide the army, and that alone balanced the power and authority of both houſes. So well had they taken their meaſures, by means of the agitators, that the army was become a ſort of republic, where the private ſoldiers ſuffrages were upon a level with thoſe of the generals; nay, the ſoldiers deemed not themſelves obliged to follow or to aſk the advice of their officers. Hence aroſe confuſion, which was ſuffered to prevail. All was tranſacted in name of the army, a looſe term, implying ſometimes the council of war alone, ſometimes the council of agitators, then both councils together, and now the agitators of ſome particular regiments. In this latter ſenſe muſt be underſtood the enterpriſe performed, in the army's name, by the agitators of ſome regiments of horſe, of forcibly carrying off King Charles from Holmby-houſe, to Newmarket (4).

Charles forcibly carried away from Holmby. June 4. Clarendon, Vol. III. p. 36. Heath. Herbert's Mem. Ruſhworth, Vol. VI. p. 503, 513, 545, 549. Ludlow. Vol. I. p. 191. Holles's Mem.

To execute this deſign, they pitched on cornet Joyce, one of the agitators of his regiment, who, from a taylor before the war, was become a commiſſion officer, and had ſignaliſed himſelf by his bravery. Joyce, being put at the head of fifty horſe, marched directly to Holmby, and came there by night, after the King was in bed. Having ſecured the avenues, he went up, with two or three more, to his Majeſty's chamber, and cauſed the door to be opened. That Prince riſing, inquired of him his meaning. Joyce anſwered, he would conduct him to the

(1) Here (ſays Whitelock Mem. p. 250.) the parliament began to ſurrender themſelves and their power into the hands of their own army.

(2) Some moved, That the petitioning ſoldiers might be declared traitors. Others reſolved to ſecure Cromwell, but he being advertiſed of it, went to the army. Ludlow, Vol. I. p. 190.

(3) Not above fifteen hundred, or two thouſand. See Holles's Mem. p. 76, and Ruſhworth, Vol. VI. p. 447, &c.

(4) Ludlow (Vol. I. p. 191.) gives this reaſon for ſeizing his Majeſty.——That the agitators were afraid, thoſe who had ſhewed themſelves ſo forward to cloſe with the King out of principle, upon any terms, would, for their own preſervation, receive him without any, or rather put themſelves under his protection; that they might the better ſubdue the army, and reduce them to obedience by force.

army;

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army; they having received certain advice, there was a deſign to convey him away by force. The King aſked him, whether he had the general's orders? He replied, no; but that he was authoriſed by the army: and, as he had a piſtol in his hand, ſufficiently intimated, it was by that he was chiefly impowered (1). The parliament's commiſſioners, who were at Holmby to take care of his Majeſty, would have oppoſed this violence: but that Prince's guard refuſed to make any reſiſtance; and the troops which were in the neighboring villages, to relieve that guard daily, would not come. Finally, after many diſputes, all the King could obtain was to ſtay 'till morning. That ſame night he wrote a few lines, which he intruſted with the earl of Dumfermling, to acquaint the two houſes, he was carried away from Holmby againſt his will, and that they ſhould not give any credit to what he might afterwards ſubſcribe to, while he was under reſtraint. Next morning, he went into the coach, and was conducted by Joyce, who carried him that night to colonel Montague's, and next day to Newmarket.

Is conducted to Newmarket. Whitelock. Ruſhworth,

While all this paſſed, general Fairfax having appointed a rendezvous of the army, at Newmarket, for the fourth and fifth of June, the ſeveral regiments addreſſed him with a petition, complaining of the votes paſſed in parliament, the twenty-firſt and twenty-fifth of May, as not ſatisfactory; for theſe reaſons.

The army's petition to Fairfax. p. 505.

"1. That eight weeks arrear, to be paid at diſ-
"banding, was but a mean reward for all their
"labors, and a very ſlender ſupply to carry them
"to their homes, and ſet them up again in their
"former callings and conditions.

"2. That, in the orders given for ſtating their
"accompts, they found no conſideration or regard
"had of their arrears, incurred in the former army
"commanded by the earl of Eſſex, which to moſt
"of them were much greater than thoſe under the
"New Model.

"3. That three ſhillings per week was to be
"abated to foot ſoldiers for quarters, which was
"more than they ſhould have paid for themſelves,
"if they timely had their pay.

"4. That there was no proviſion, or allowance,
"made in relation to any quarters diſcharged by
"them.

"5. That, contrary to cuſtom, no trooper was
"capable of allowance for arrears, unleſs he deli-
"vered in his horſe and arms.

"6. That the viſible ſecurity, for what arrears
"ſhould not be paid at diſbanding, appeared to
"them inſufficient.

"7. That the ordinance voted, to exempt from
"preſſing, for the ſervice of Ireland, ſuch as had
"ſerved as voluntiers in the army, was defective;
"becauſe, after their diſcharge, it was very diffi-
"cult for them to obtain a teſtimonial of their
"paſſed ſervices.

"8. That the ordinance for maintenanc e of
"maimed ſoldiers, &c. had not yet paſſed in par-
"liament.

"9. That the ordinance for indemnity ſeemed to
"make but ſlender proviſion for their ſafety.

"10. That no reparation had been made to
"thoſe officers of the army, who had been, at
"ſeveral times, ſent for to attend the parliament
"as delinquents, tho' they had been found inno-
"cent.

"11. That there had been yet nothing de-
"clared, by the parliament, to clear them, as to
"their right of petitioning.

(This article contained alſo very heavy complaints againſt the parliament's arbitrary power.)

"12. That the declaration made againſt the
"army was yet ſtanding in force.

"13. That nothing had yet been done towards
"the diſcovery or cenſure of thoſe who had
"wronged the army, and abuſed the parliament,
"ſo as to procure the proceeding againſt them,
"with relation to their petition."

It is eaſy to perceive, theſe complaints were but mere pretenſes, or at leaſt, had not the army reſolved to be diſſatisfied on any terms, theſe differences might poſſibly have been adjuſted. But this was only a preparative to what they had determined on. Next day, June the fifth, the officers and ſoldiers ſubſcribed a paper, which they intitled, 'A ſolemn Ingagement,' whereby they conſented to diſband, when required by the parliament, but on condition, "That they ſhould firſt
"have ſuch ſatisfaction, in relation to their griev-
"ances, and ſuch ſecurity, as to their perſons, as
"ſhould be agreed unto by a council, to conſiſt
"of thoſe general officers (who had concurred with
"the army) with two commiſſion officers, and
"two ſoldiers, to be choſen for each regiment;
"and declared that, without ſuch ſatisfaction, and
"ſuch ſecurity, they would not willingly diſband,
"nor ſuffer themſelves to be diſbanded or di-
"vided."

Ingagement ſigned by the army. Ruſhworth, Vol. VI. p. 510.

This ingagement was ſeconded with petitions from the inhabitants of the counties of Eſſex, Suffolk and Norfolk, intreating the general, not to ſuffer the army to be diſbanded 'till all matters relating to the government were ſetled.

June the ſeventh, both houſes received from the general a letter, acquainting them, that the ſoldiers at Holmby had brought the King thence by conſent; having thought proper to ſecure his perſon, thro' apprehenſion of forces gathering to fall upon them and force him out of their hands: that, as ſoon as he knew it, he ſent colonel Whaley's regiment to guard his Majeſty; after which, for prevention of danger, he had ſent two regiments more to reinforce colonel Whaley: that Whaley had deſired the King and the commiſſioners, in his name, to return to Holmby; but his Majeſty was not willing to go back: that, upon this, he had ſent ſir Hardreſs Waller, and colonel Lambert, to deſire the commiſſioners to think of returning to Holmby; but that the commiſſioners refuſed to act in diſpoſing of the King. He affirmed moreover, That neither himſelf, nor the officers about him, nor the body of the army, were concerned in removing the King; proteſting, that it was his, as well as the army's deſire, to ſtudy ſetling a firm peace: that they had no intention to oppoſe Preſbytery, or ſet up the Independent government, but to leave all to the wiſdom of the parliament, without advancing any particular party or intereſt.

The general's letter about carrying off his Majeſty. p. 545. Whitelock.

It is ſtrangely unaccountable, that the King ſhould be removed from Holmby, by fifty troopers, without any orders from general Fairfax, or the officers about him, and without conſent of the body of the army; and that the general officers ſhould ſuffer him to be in the center of the army's quarters, without inquiring after thoſe who gave, or thoſe who executed ſuch orders. This evidenced its containing ſome myſtery, which was not thought proper ſhould be diſcovered to the parliament, and that Joyce knew he ſhould be protected, if called to account. On the other hand, notwithſtanding King Charles had notified to both houſes, that he was

Idem. Ruſhworth, Vol. VI. p. 504, 515.

(1) The King requiring Joyce to ſhew his commiſſion, he ſhewed the ſoldiers who attended him. Whereupon the King ſaid, "Believe me, your inſtructions are written in a very legible character." Warwick's Mem. p. 299.——There being five hundred proper men on horſeback, ſays Whitelock, p. 251.

unwillingly

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unwillingly removed (1), it appears, by the general's letter, that his Majeſty conſented to it, and would not return to Holmby, when in his power. All this ſeems ſuperlatively myſterious, and I believe the public was never fully informed of what paſſed before Charles's removal. What followed makes it conjectured, that ſome of the general officers believed it abſolutely neceſſary for their intereſt to have his Majeſty in their power, at a time when they believed there was reaſon to fear the parliament would ſtrike up ſome agreement with him; and that they cauſed him to be taken from Holmby by perſons without warrant, well knowing, they ſhould be powerful enough to prevent this affair's being ſtrictly ſcrutiniſed. Poſſibly, King Charles himſelf was privy to it; ſince he was unwilling to return to Holmby, and appeared, for ſome time much more at eaſe in the army's hands, than while in thoſe of the parliament.

Votes of the commons. Ruſhworth, Vol. VI. p. 550.

The commons, ſeeing the army maſter of his Majeſty's perſon, and no way diſpoſed to diſband, reſolved at leaſt, by their votes, to ſhew the public, that the imputations laid to their charge by the army were groundleſs, and that they were not ſwayed by ſelfiſh motives. So, June the tenth, they confirmed the ſelf-denying ordinance, and declared void all places held by members of parliament. They voted, "That the lands and eſtates "of all members of the houſe ſhould be liable to "the law for the payment of their debts." They appointed a day to hear informations againſt members, and ordered, that no member ſhould hereafter receive any reparation for damages, 'till the public debts were firſt ſatisfied.

The army marches towards London. p. 552, 553.

However, the army began to march, and advanced to St. Albans, within twenty miles of London. At the ſame time, general Fairfax ſent to both houſes the reſult of the late council of war, at Newmarket, and intreated them to think of ſome way to ſatisfy the troops.

Complaints of the army againſt certain members. p. 552, 554. Clarendon, Vol. III. p. 38.

The army's approach, caſt both the parliament and city into the utmoſt conſternation, and an ordinance was paſſed, to inable the commitee of the London militia to raiſe horſes. They ſeemed to intend to put themſelves in a poſture of defenſe againſt the army. Within a few hours after, the city received a letter, ſigned by Fairfax and all the other general officers, complaining, That certain members of parliament indeavored to ingage the kingdom in a new war, as having no other way to protect themſelves from the puniſhment they juſtly deſerved. Adding, that they deſired no alteration in the civil government, nor in the leaſt to hinder the ſetling of Preſbyterianiſm, neither did they intend any evil to the city, if they appeared not to aſſiſt that wicked party, who would imbroil them and the kingdom: that they were ready to remove at a farther diſtance, if they were aſſured, that a ſpeedy ſetlement of things was in hand: that, if after all, the city ſhould be ſeduced to take arms againſt the army, ruin and deſtruction would inſue.

The parliament labor to divide the army; June 11. Ibid. Ruſhworth, Vol. VI. p. 553, 555.

This letter was communicated to the parliament, who wrote to deſire general Fairfax, that the army might not come within twenty-five miles (2) of the city; but it was already advanced to St. Albans. That very day, the commons ordered, that the ſum of ten thouſand pounds ſhould be paid to ſuch officers and ſoldiers as ſhould leave the army and ingage in the ſervice of Ireland; wherewith the army was highly diſpleaſed, plainly perceiving the parliament's deſign was to divide them.

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Next day, on a falſe rumor of the army's near approach to London, the magiſtracy of that city ordered all the trained-bands to aſſemble, on pain of death: but preſently after the order was revoked; however, ſoldiers were liſted by order of parliament.

and put themſelves in a poſture of defenſe. June 12. p. 557.

In this interval, the common-council of London ſent to the general officers a reply, wherein they ſaid, That the city intended no evil to the army, but only to defend the parliament and themſelves againſt any unlawful violence: that they did not take arms with intent to hinder the army's obtaining their juſt demands: that, on the contrary, they had preſented their addreſſes to the parliament for the obtaining thereof; and only requeſted, they would demand no more than what ſhould be juſt and reaſonable.

The common-council's letter to the general. Ibid.

That ſame day, the parliament ſent commiſſioners to the army, to know what were their deſires. The general anſwered, in letters to both houſes, That the army offered, for a month's pay, not to draw their quarters nearer to London, without firſt giving thereof notice to the parliament's commiſſioners. p. 560.

Mean while, the army continued to render themſelves formidable, as well by their propinquity, as their demands, which daily roſe higher. They at firſt proteſted, they would not interfere in any thing not immediately relating to themſelves, and that their intention was to leave the care of the government to the wiſdom of both houſes: but, when they found the parliament gave way, and wanted power or reſolution, they advanced one ſtep farther, and, by a declaration, addreſſed to both houſes, demanded:

The army's declaration. June 14. p, 566. Whitelock.

"1. That the houſes might be purged of ſuch "members as, for their delinquency, or for cor- "ruptions, or undue elections, ought not to ſit "there.

"That thoſe perſons who had appeared againſt "the army, might ſpeedily be diſabled from do- "ing the like; and, for that purpoſe, might be "made incapable of being the ſoldiers judges, "when diſbanded.

"3. That ſome determinate period of time "be ſet for the continuance of that and future par- "liaments, beyond which none ſhould continue; "that the members of the houſe might not have "the temptation or advantage of unlimited power "to perpetuate injuſtice or oppreſſion, but might "be in a capacity to taſte of ſubjection as well "as rule.

"4. That parliaments might not be adjourn- "able or diſſolvable, any other ways, than by their "own conſent.

"5. That the right and freedom of the people "to preſent petitions to the parliament might be "cleared and vindicated.

"6. That the large powers given to commitees, "or deputy lieutenants, might be taken away, or "regulated.

"7. That the kingdom might be righted and "publicly ſatisfied, in point of accounts for the "ſums which had been levied and paid.

"8. That, after public juſtice was firſt ſatisfied, "by ſome few examples on delinquents, a general "act of oblivion ſhould be paſſed."

After theſe demands, the army proteſted, "That

(1) At a conference, June the fifteenth (ſays the laſt cited Memorialiſt, in the ſame page) between the Scotiſh commiſſioners, and the commitee of both houſes, lord Dumfermling acquainted them, that the King commanded him to tell them. "That his "Majeſty was unwillingly taken away by a party of the army, and that he deſired both houſes to maintain the laws of the "land; and that tho' his Majeſty might ſign many things in this condition, yet he would not have them believed, 'till farther "notice from him."

(2) Whitelock ſays, fifteen miles. Mem. p. 252.

"their

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" their design was not to overthrow Presbytery, " and establish the Independent government: but " they only desired, that there might be some ef- " fectual course taken, that such who, upon con- " scientious grounds, differed from the established " forms, might not for that be debared from the " common rights, liberties, or benefits belonging " equally to all, while they lived soberly and in- " offensively towards others, and peaceably and " faithfully towards the state."

The army accuses eleven members. June 16. Whitelock, p. 566. Holles's Mem. Clarendon, Vol. III. p. 44. Ludlow. Rushworth, Vol. VI. p. 576.

One may readily perceive, the army no longer contented themselves with medling in their own affairs, but wanted to have a share in the civil government. The house of commons contained very able heads, who penetrated the Independents views, and would have baffled them, had they been supported with power. To this end it was, they had projected the forming, out of the old, a new army for Ireland, and to cashire all the other forces. This project tended directly to the Independent party's destruction. Accordingly, Cromwell and his associates used all their best efforts to countermine their adversaries artifices, by inspiring the army with discontent, and cherishing it in the manner we have specified. In short, having tried the parliament, they believed themselves strong enough to give a bolder stroke, in using always the army's name, which they had moulded to their purposes. To this end, they caused it to be resolved, in a council of war, that the army should prefer a charge against the ablest and most powerful members of the commons, who in a manner governed and directed the house; being those whom the Independent party had most to apprehend. This resolution taken, the army deputed some officers to carry to the parliament, in their name, a charge against eleven members; viz. Holles, Stapleton, Lewis, Clotworthy, Waller, Maynard, Massey, Glyn, Long, Harley, and Nichols.

Articles of their accusation.

The general articles of their charge were:

" 1. That the persons above-named had, in a " violent and arbitrary manner, infringed the " rights and liberties of the nation, and indea- " vored, by indirect and corrupt practises, to de- " lay and obstruct justice.

" 2. That the army, being until the middle of " March last in a very orderly condition, and ready, " either quietly to have disbanded, or else to have " ingaged in the service of Ireland, those mem- " bers had indeavored, by false informations, to " beget misunderstandings and jealousies in the par- " liament against the army.

" 3. That whereas the parliament might have " had, out of the army, a force intirely sufficient " for the reduction of Ireland, those persons had " attempted to pull the army in pieces, and put " the kingdom to the trouble and expense of rais- " ing a new force for that service.

" 4. That they had diverted the forces ingaged " for the service of Ireland, and indeavored to " apply them to carry on desperate designs of their " own in England; and had also raised new forces, " under pretense to guard the parliament, and pri- " vately lifted officers and soldiers, for imbroiling " the kingdom in a new and bloody war.

" 5. That they had invited and incouraged di- " verse reformades, with other officers and soldiers " tumultuously to gather together at Westminster, " to affright and assault the members of parlia- " ment."

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The very next day, the army sent propofals to the commons, wherein they desired:

The army's demands. Whitelock, p. 253.

" That the persons impeached might be forth- " with suspended from siting in the house.

" That there might be a month's pay imme- " diately sent to the army.

" That if the officers and soldiers of the army, " who had ingaged for Ireland, or those who had " deserted the army and come to London, had " since then received more than a month's pay, " there might be so much more money sent down " to the army.

" That during the debate and transaction, be- " twixt the parliament and army, about raising " and lifting new forces, the parliament would not " suffer any new forces to be raised within the " kingdom."

These demands strangely imbarassed both houses. They could not reject them without furnishing the army with a pretense to march for London, where was nothing ready to oppose them; and, by conceding, gave them occasion to make farther demands. This perplexity was the greater, as several counties seconded the army, and pretended, it was absolutely necessary to continue them, to stop the progress of that arbitrary power which the parliament assumed. We have already seen, that the counties of Essex, Suffolk and Norfolk had, in some measure, declared for the army. Those of Bucks and Hertford followed this example, and Glamorganshire openly complained, by deputies sent purposely, that the people were oppressed by the parliament and by their commitees setled in the several counties (1).

Some counties side with the army. Rushworth, Vol. VI. p. 520, 559, 573, 575, 578.

Both houses hereupon thought proper to divert this impending storm, by giving satisfaction to the army, in order to remove all pretense of complaint; for it was easy to perceive that was what they wanted. It was therefore resolved, That the order for lifting forces, and the permission given to the commitee of the London militia, to augment the trained-bands, should be void: that the army should have a month's pay, and the general be required to remove it forty miles from London. Some days after, a month's pay was also granted to the Northern forces; and, to let the army see there was no design to disband them, the parliament passed an ordinance for raising sixty thousand pounds per month for their maintenance, and for the service of Ireland (2). Lastly, the house of commons wrote to general Fairfax, that they were ready to receive from him any particular charge against the eleven accused members.

The parliament resolve to satisfy the army. June 16. p. 574, 575, 581. p. 582. p. 584. Whitelock.

This condescension might have produced peace between the parliament and army, had peace been what the army desired. But instead of being obliged to the parliament for this compliance, they were rather insensed at it, as being sensible that its design was only to break their measures, by taking away all pretense of complaint. They would have been better pleased, that all their demands had been denied, in order to have a plausible excuse to be their own carvers. They were afraid the parliament, by indeavoring to gain time, would privately take measures, the effects whereof would not appear perhaps 'till it should be too late to prevent them. Wherefore, far from being contented, they presented to the parliament a remonstrance, whereby they sufficiently discovered their disinclination to any sort of agreement. This remonstrance contained these complaints of the officers and soldiers:

The army not contented. June 23.

(1) It was strange (says Whitelock Mem. p 254.) to see, how several counties, and the citizens of London, began to make all their application to the general and the army, omiting the parliament, and all looked upon the army in the chief place, and were afraid of doing any thing contrary to them.

(2) This monthly sum was raised, by rating each county at so much. Essex paid the sum of 4547 l. 9 s. 5 d. See Rushworth, Vol. VI. p. 582.

Other demands of the army. Rushworth, Vol. VI. p. 585.

"That they had yet received no answer or resolution about the eleven accused members." This point they largely insisted upon, and pretended, "they could not expect they should be called to "account, so long as they continued in such "power, both in the house, and in all the com- "mitees of the highest trust, as they actually "did.

"That the army was commmanded to forty "miles distance from London, and his Majesty's

June 15. "person demanded immediately to Richmond- "house, within eight miles of London, to put his "Majesty within reach of those mens power.

"That it was industriously published, that his "Majesty was kept a prisoner in the army, and "barbarously and uncivilly used; but all sug- "gestions of that sort were most false.

Lastly, after many complaints of public and private grievances, they said, "that they should "be inforced, by the parliament's affected delays, "to take extraordinary courses to put things to a "speedy issue, unless by Thursday next they re- "ceived assurance and security on the following "articles:

"1. That the declaration, inviting men to de- "sert the army, may be recalled and annulled.

"2. That the army may be presently paid up, "equally to those who have deserted it.

"3. That his Majesty's coming to Richmond "may be suspended; and, in the mean time, no "place may be appointed, for his Majesty's resi- "dence, any nearer to London, than the parlia- "ment will allow the army's quarters to be.

"4. That the members charged may be forth- "with suspended the house.

"5. That those who have deserted the army "may be instantly discharged, and receive no "more of their arrears 'till the army be first sa- "tisfied.

"6. That both parliament and city may be "freed from those multitudes of reformades, "and other soldiers, who flock together about "London.

"7. That all listings, or raisings of new forces "may be effectually suppressed.

"8. That the perplexed affairs of the kingdom, "and those concerning the army, may be put into "some speedy way of setling and composure (1)."

Both houses send deputies to treat with the army. p. 593.

It was visible the army sought a pretext to quarrel, and it was their interest to break very speedily, for fear secret measures might be taken against them; so it was the parliament's business to gain time. To that purpose, they impowered their commissioners in the army to treat with them upon all points in dispute.

The eleven members desire leave to absent themseves. June 25. p. 592, 593.

Mean while, the commons voted, "That, by "the law, no judgment can be given to suspend "the eleven members from siting in the house, "upon the papers presented from the army, be- "fore the particulars be produced, and proofs "made." But a good expedient was found to molify this refusal, viz. that the parties accused should, of their own accord, desire leave to absent themselves from the house; which was granted, and the army remained satisfied.

Fairfax writes to the city. June 26. Ibid.

About this time, the army drawing a little nearer London, probably with design to awe the parliament, general Fairfax wrote to the lord-mayor and aldermen, that they had nothing to fear from the army, who had no ill intention against the city. And in effect it was in a council of war resolved, That there should be no farther advance of the army than to Uxbridge.

The parliament content the army. Clarendon.

Certain it is, that very many, both in city and parliament, wished to see a breach between the two houses and army. Some, doubtless, imagined such a rupture would be very advantageous to the King, and that one or other of the two parties would join with, and be directed by him: nay, even his Majesty flattered himself with these hopes. The army shewed great regard for him, and some of the officers even hinted to him, they were laboring for his restoration. For this reason, the two houses judged it very necessary to avoid a breach, which could not but produce many pernicious effects. Both houses therefore voted, that they considered the army commanded by general Fairfax, as their army, and would make provision for their maintenance. It was farther ordered, that they should have a month's pay, and no officer or soldier should quit the army without license from that general; that all reformades should remove from London, and his Majesty reside no nearer London than the camp. These votes being communicated to the army, they seemed therewith so well pleased, that they resolved to remove from London, to shew they intended to use no force upon the parliament; and the head-quarters were appointed at Wickham.

Rushworth, Vol. VI. p. 595, 597. p. 596. Whitelock.

Plot at London against the army. Idem.

While both houses were indeavoring to content the army, a conspiracy was forming in London, to compel the parliament to take other measures, and oppose the army (2). It mortified the Presbyterians to see the Independents gain so much ground, and they censured both houses for thus meanly complying with the army. The magistrates of London came into this combination, as well as the most zealous Presbyterian parliament-members, who had not been able to hinder the late votes for preventing a breach with the army. The managers of this plot had sent private agents into Scotland to desire assistance: nay, it was whispered in London, that Scotland was about declaring against the army.

Rushworth, Vol. VI. p. 597. 627.

Petition of the common-council to the parliament. July 2. p. 597. Whitelock.

The first step taken by the conspirators, was to present to the parliament a petition, from the common-council of London, wherein they expressed some suspicion of their procedure. This was doubtless, in order to have a pretense to complain more openly afterwards; and to begin to lessen the peoples pre-possession in favor of the parliament. In this petition, the city complained of the arbitrary power exercised by the parliament's commitees, as well as of the ill-management of the public money, and desired:

"1. That present command be given, that no "officer of war, or soldier, do enter London, "under pretense of receiving their arrears.

"2. That such officers and soldiers as are already "paid, if their usual habitation and imployment "have been within London, be injoined forthwith "to betake themselves to their calling; and such "as have dwellings in the country, be required to "depart within two days after publication.

"3. That all who have been in arms against "the parliament, be injoined upon pain of impri- "sonment, within twenty-four hours after publica- "tion, to repair to their several habitations.

"4 That such commanders and soldiers as have "come in from the army, and received their mo-

(1) In these declarations and transactions of the army, colonel Ireton was chiefly imployed, or took upon him the business of the pen. And having been bred in the Middle-Temple, and learned some grounds of the law of England, and being of a working and laborious brain and fancy, he set himself much upon these businesses, and was therein incouraged and assisted by lieutenant-general Cromwell, his father-in-law, and by colonel Lambert, who had likewise studied in the Inns of Court, and was of a subtil working brain. Whitelock, p. 254.

(2) It was chiefly carried on by the eleven members and their friends. One Cosens, alderman of Newcastle, was imployed to negociate with the Scots. Whitelock, p. 257. 261.

"nies,

" nies, may be otherwiſe diſpoſed of as the parliament ſhall think fit.

" 5. That all perſons whatſoever, who are poſſeſſed of any monies or goods belonging to the public, may be injoined to bring the ſame, within one month after publication, into ſome public treaſury.

" 6. That all revenues be managed, under ſuch commiſſions, and by ſuch perſons as, notwithſtanding any privilege of parliament, may be held to ſuch rules as are, or ſhall be preſcribed therein.

" 7. That the parliament would, for the preſent, lay aſide all buſineſſes of leſſer conſequence, and improve their time and utmoſt indeavor, that ſuch laws may be prepared for his Majeſty's concurrence, as may ſetle the government of the church, ſecure the people from all unlawful and arbitrary power whatſoever in futuro, and reſtore his Majeſty to his juſt rights and authority, according to the covenant.

" 8. And, that the people may be better ſecured to injoy the intended effects of ſuch laws as ſhall be ſo made with the royal aſſent; that eſpecial care be taken, that all officers of ſtate, and other miniſters of juſtice, may be perſons of honor, of conſiderable intereſt, and of known integrity.

" 9. That the parliament would pleaſe to provide for carrying on the affairs in Ireland.

" 10. That, by juſt and good means, the correſpondence with Scotland may be maintained and preſerved.

" 11. That the houſe of commons would pleaſe to give order for a ſpeedy examination of all unlawful elections, and returns of the members thereof.

" 12. That ſome ſpeedy courſe may be taken, for the deciding all cauſes formerly determinable in the court of admiralty.

" 13. That ſatisfaction being made, by delinquents, an act of oblivion may be paſſed."

To inſenſe the Londoners againſt the army, it was rumored, that they deſigned to declare for the King (1). Nay, a pamphlet was diſperſed in London, intitled, "Heads preſented by the Army to the King's Majeſty." But the army diſowned it by a public declaration.

Whitelock. p 258. Ruſhworth, Vol. VI. p 602, 610.

The parliament having impowered their commiſſioners to treat with the army, they nominated, on their part, Cromwell, Ireton, Fleetwood, Rainſborough, Harriſon, ſir Hardreſs Waller, Rich, Lambert, Hammond, and major Rainſborough, all Independents, and heads of that party in the army. It appears by memoirs, inſerted in Ruſhworth's Collections, that the army's commiſſioners would not begin to treat, before the parliament ſhould have granted ſome things they demanded, and really performed them. They complained, that the parliament ſeemed indeed, by their votes, to comply with the army's deſires, but delayed to put them in execution. The parliament's commiſſioners indeavored, on their ſide, to avoid having theſe points conſidered as granted preliminaries, and inſiſted on their being part of the negociation.

Difference between the parliament and army commiſſioners. p. 603, &c. 626.

p. 608, &c. 633.

This evidences that the parliament ſought to gain time, and ſeemed inclined to give the army ſatisfaction, purely becauſe it could not be avoided. Moſt of the commons were Preſbyterians, and conſequently were vexed to ſee themſelves obliged to ſtoop to the Independents, who were maſters of the army. Among the Preſbyterian members, not a few of them, being men of ſanguine conſtitutions, would gladly have hazarded a breach with the army, rather than be forced to receive law from them: but the reſt, indeed more in number, tho' no leſs enemies to the Independents, thought it more adviſeable to have patience, and try to amuſe the army 'till ſome aid might be ſecured, rather than furniſh them with a pretenſe for marching to London, and of ruining at once the Preſbyterian party and parliament. Accordingly, theſe prevailing in both houſes, all things ſeemed tending towards a pacification, which could not but be fatal to the Preſbyterians: however, there was no way to avoid it. For this reaſon, the parliament prohibited the reformade-officers entering London for two months, and gave very ſtrict orders againſt liſting ſoldiers, which was privately doing in the city.

Ruſhworth. Vol. VI. p. 595.

Different ſentiments in the houſes. Clarendon, Vol. III. p. 37.

Mean while, the project of raiſing forces in London, to oppoſe the army, ſtill continued, tho' with the utmoſt ſecreſy, and the agents in Scotland cauſed much to be expected from the Scots, as being concerned to ſupport the Preſbyterian party. But the authors of this project could ſcarce in reality flatter themſelves, that the aſſiſtance of Scotland could be ready in time, ſince the parliament and army were on terms of accommodation. They found therefore, they were either to break off this accommodation, or reſolve to ſee all their hopes vaniſh, and ſuffer Preſbytery to be trampled on by the Independents. To ſucceed in the deſign of preventing a pacification between the parliament and army, they found no better way than to excite the people to compel both houſes to alter their meaſures. They got therefore the apprentices, and London-mob, to preſent petitions, That the Preſbyterian government might be firmly eſtabliſhed: the inſolence of ſectaries curbed: the army paid off and diſbanded; and other particulars of a like tenor, deſtructive of the projected agreement.

Progreſs of the conſpiracy. Whitelock.

Clarendon, Vol. III. p. 47. Ruſhworth, Vol. VI. p. 614---619.

On the other hand, the Northern forces, and cavalry quartered at Notingham, publiſhed declarations of their adherence to the army commanded by general Fairfax.

Northern forces adhere to the army. July. 15. p. 621---625.

About this time, the commons, at the army's inſtigation, ordered thoſe four regiments which came from the army, under pretenſe of ingagement for Ireland, but remaining ſtill in England, to be diſbanded. They permited likewiſe the eleven accuſed members to go beyond ſea, for ſix months, inſinuating to them by this permiſſion, that they would do well to take this courſe ſpontaneouſly: but as, very ſeemingly, they were deeply concerned in the London-conſpiracy, if not its authors, they thanked the houſe for this favor, without being in haſte to take the benefit of it (2).

The commons grant the eleven members ſix months abſenſe. p. 628.

Mean while the army, hearing ſomething more than ordinary was hatching at London, and that ſuccors from Scotland were talked of, ſent a petition to both houſes, with theſe farther demands: " That a declaration be publiſhed againſt bringing in any foreign forces: " that the army be paid up equal with the deſerters thereof, and put into a conſtant courſe of " pay: that the commitee of the London militia, " which had been changed by ordinance of the " fourth of May laſt, be reſtored, and the militia

The army's petition to the parliament. p. 629. Clarendon, Vol. III. p. 46. Whitelock.

(1) Many of the chief in the army gave out, That the intention of the officers and ſoldiers was, to eſtabliſh his Majeſty in his juſt rights. Ludlow, Vol. I. p. 195.

(2) Holles, Stapleton and Long, went to France. Ruſhworth (Vol. VI. p. 628.) ſays, that the eleven members, finding the army declared, the proceeding upon particular proofs, to make good the charge, would probably take up much time, and hinder the ſetling of greater matters, petitioned the houſe that they might abſent themſelves for ſix months, to go about their particular affairs, or, if they deſired it, beyond ſea.

" of

" of that city ſpeedily returned into thoſe hands " who formerly gave large teſtimonies of their " fidelity to the parliament and kingdom." Hereupon the parliament declared, that whoſoever ſhould bring in foreign forces, without the conſent of both houſes, ſhould be deemed traitors. It was alſo voted that the militia of London ſhould be reſtored to the old commiſſioners; and an ordinance was paſſed for that purpoſe. To underſtand this article, it muſt be obſerved that, in the begining of laſt May, both houſes, perceiving ſome motions in the army, thought proper to ſecure the London militia, and put it into ſuch hands as they could confide in. To that end, they paſſed an ordinance, the fourth of May, for chuſing a commitee of that city's militia, by which means none were admited into this commitee, or any office of the militia, but Preſbyterians, intirely devoted to the party. This change it was which both houſes repealed, at the army's requeſt, and reſtored the former commiſſioners.

Rushworth, Vol. VI. p 631, 632, 634 Whitelock.

Clarendon, Vol. III. p. 46. 47. Rushworth, Vol. VI. p. 472, 478.

The Preſbyterian party, who had great credit in London, and poſſeſſed all the poſts, could not, without exceſſive regret, behold the parliament's condeſcenſion to the army, i. e. the Independents. They ſaw that faction increaſe daily, and in condition to give law to the parliament itſelf. For this reaſon, the ſtanch Preſbyterians, ſeconded by the city common-council, ſtrictly ingaged to aſſiſt each other, and with their whole power oppoſe the army, on a ſuppoſition, that the army intended to ſubvert what had been hitherto done towards ſetling the kingdom's tranquillity. Their ingagement, publicly ſubſcribed in London, ran thus: viz.

A ſolemn Ingagement of the Citizens, Commanders, Officers, and Soldiers of the Trained-bands, and Auxiliaries, the young Men, and Apprentices of the Cities of London and Weſtminſter, Sea-Commanders, Seamen, and Watermen; together with diverſe others, the Commanders, Officers, and Soldiers, within the Lines of Communication, and Pariſhes mentioned in the Weekly Bills of Mortality.

p. 639.

" WHEREAS we have entered into a " ſolemn league and covenant, for reformation and defenſe of religion, the honor and " happineſs of the kingdom, and the peace and " ſafety of the three kingdoms of England, Scotland, and Ireland; all which we do eminently " perceive to be indangered, and like to be deſtroyed: we do therefore, in purſuance of our " ſaid covenant, oath of allegiance, oath of every " freeman in the cities of London and Weſtminſter, " and proteſtation, ſolemnly ingage ourſelves, and " vow unto God Almighty, that we will, to the " utmoſt of our power, cordially indeavor, that " his Majeſty may ſpeedily come to his own houſes " of parliament, with honor, ſafety and freedom " (and that without the nearer approach of the " army) there to confirm ſuch things as he has " granted, in his meſſage of the twelfth of May " laſt, in anſwer to the propoſitions of both kingdoms; and that by a perſonal treaty with his " two houſes of parliament, and the commiſſioners " of the kingdom of Scotland, ſuch things as are " yet in difference may be ſpeedily ſetled, and in a " firm and laſting peace eſtabliſhed. For the " effecting hereof we do proteſt and re-oblige ourſelves, as in the preſenſe of God the ſearcher of " all hearts, with our lives and fortunes, to indeavor what in us lies, to preſerve and defend his " Majeſty's royal perſon and authority, the privileges of parliament, and liberty of the ſubject, " in their full and conſtant freedom, the cities of " London and Weſtminſter, lines of communication and pariſhes mentioned in the weekly bills " of mortality; and all others who ſhall adhere " with us to the ſaid covenant, and oath of allegiance, oath of every freeman of London and " Weſtminſter, and proteſtation: nor ſhall we by " any means admit, ſuffer, or indure any neutrality in this common cauſe of God, the King " and kingdom, as we do expect the bleſſing of " God Almighty, whoſe help we crave, and wholly devolve ourſelves upon in this our undertaking."

No ſooner had the two houſes notice of this ingagement, but they publiſhed, by beat of drum and ſound of trumpet, a prohibition to ſign it. Contrariwiſe, general Fairfax loudly complained to the parliament's commiſſioners, and deſired to put a ſpeedy ſtop to the agitations in London, which tended to rekindle the war. At the ſame time, he ordered a ſtrict inquiry to be made in the army after all cavaliers, who had borne arms for the King, or were ſuſpected to be of his party, with a command to diſmiſs them inſtantly.

The parliament forbids ſigning it. July 24. Rushworth, Vol. VI. p. 635, 636, 639.

For two or three days there was a great commotion in London: aſſemblies were held, ſoldiers liſted, and orders given them to be ready on the firſt notice. The common-council received two petitions, one from a great number of ſubſtantial citizens, the other from the young men and apprentices (1), to deſire, " That, the militia " might be continued, as ſetled by ordinance " of the fourth of May." Thereupon the common-council repreſented to the commons, in a petition, " That, having taken notice of the " pleaſure of both houſes for conſtituting, by " ordinance dated the twenty-third of July, a " new commitee for the militia of the city " of London, and for determining a former " ordinance for the ſame, dated the fourth of May " laſt, they could not but call to mind, how far " both houſes of parliament had formerly honored " the city, when they firſt eſtabliſhed the commitee for the militia, to take the ſenſe of this " court before they finally reſolved thereupon; " which confidence the petitioners are not conſcious to themſelves to have forfeited. And " next being ſenſible, what a general diſtemper " this ſudden change hath already made, and is " like to make, in the city, they could not but " earneſtly pray, that the militia, which was " eſtabliſhed by ordinance of the fourth of May " laſt, may be reſtored."

Commotions in London. p. 640, 642. Two petitions concerning the militia. Whitelock. Clarendon, Vol. III. p. 47. Ludlow. Vol. I. p. 206.

The parliament was not a little imbaraſſed in the preſent juncture, conſidering the impoſſibility of contenting at once the army and the city, whoſe deſires were diametrically oppoſite. It is certain, moſt of the members were Preſbyterians, and conſequently ill-affected to the army. Had it been in their choice, they would have declared againſt and diſbanded the army, anſwerably to their intention. But ſince the army's approach to London, the wiſeſt, who were the majority, had thought proper to comply, not ſeeing how the army could be oppoſed, if they proceeded to violence, whereof there was a great probability: however, a good number of others were for hazarding all, rather than the Independents ſhould be ſeen triumphing. Mean while, theſe latter privately cheriſhed the commotions in the city, imagining the aſſiſtance they might receive from London was ſufficient to reſiſt all attempts of the army. This was likewiſe the opinion of the

Perplexity of the parliament.

(1) Among whom were ſeveral of the Independents belonging to the army. Holles, p. 145.

common-

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common-council, the populace, and ſome general-officers, as Waller, Poyntz and Maſſey, who were removed by the new model, and were then in London. The only point therefore was to induce the parliament to join with them, and take vigorous reſolutions againſt the army: but, as there was no likelihood of prevailing by fair means, it was reſolved to imploy force.

The apprentices, &c. petition the parliament; Ruſhworth, Vol. VI. p. 642.

To that end, July the twenty-ſixth, a great number of apprentices, with other youths, repaired to Weſtminſter, and preſented to the houſe of commons a petition, praying:

1. That the ordinance, of the twenty-third of July, for change of the militia of London, be immediately repealed.

2. That the city may be vindicated againſt a late pretended declaration, that thoſe are traitors who ſhall act to get ſubſcriptions, and that it may be revoked.

3. That both houſes do preſently make an order, for calling in all abſent members, eſpecially the eleven late accuſed ones, againſt whom there has been nothing proved to this day.

and conſtrain both houſes to grant their deſires. Whitelock. p. 261. Ludlow. Vol. I. p. 206.

Theſe demands were ſuch that, conſidering the then juncture, it was no wonder both houſes imployed ſome time in debating. But thoſe without, growing impatient, and perceiving theſe debates were intended only to amuſe them, made a great noiſe in the outer rooms. Some thundered at the commons door. Others threw in ſtones at the windows of the peers houſe. In a word, they gave very intelligible tokens of their being bent on not ſuffering the houſes to riſe before they had received ſatisfaction. At laſt both houſes, ſeeing it would be in vain to reſiſt ſuch a multitude, who threatened to tear them piece-meal, voted, "That "the ordinance of the twenty-third of July, for "ſetling the militia of London, and the declara- "tion of the twenty-fourth, to the ſame intent, "be null and void." This done, the commons adjourned 'till next day: but the thronging populace conſtrained the ſpeaker and members to reſume their places, and inſiſted on their voting, That the King ſhould come to London; which they did accordingly. On the morrow both houſes, being met, adjourned to the thirtieth.

July 26. Ruſhworth, Vol. VI. p. 643.

p. 644.

Fairfax's letter to the city. p. 645.

On the twenty-eighth, the common-council received a letter from general Fairfax, expreſſing his good-affection and tender care of the city, but withal, his great diſlike of the petition, and the means uſed to promote it. At the ſame time, many young men and others attended the common-council, declaring their readineſs to ſupport the juſt privileges of the city *. A letter was hereupon diſpatched away to his ſaid excellency, and ſix commiſſioners appointed to follow next morning. In this letter, "They declared their inclination to "peace, intreating him, that the army might not "advance, nor intermeddle with the rights and "privileges of the city conceiving that their "ſtrengthening the city for the ſafety thereof, "was no juſt cauſe to provoke the ſoldiers. And "as for the petition, the parliament had already "declared their ſenſe of it, and therefore it was "needleſs for them to do it, and the rather for "that it had never been formally preſented to "them."

* Againſt all oppoſers.

The common council's anſwer. Ibid. Whitelock.

Londoners put themſelves in a defenſible poſture. Ruſhworth, Vol. VI. p. 646.

Mean while the common-council, having received intelligence that the army was advancing towards London, gave orders that the trained-bands ſhould go to their works, and that all who were able to bear arms ſhould appear, next morning at ſeveral places.

Both houſes meeting the thirtieth of July, the two ſpeakers appeared not, which obliged them to chuſe others (1). With the ſpeakers, a good number of members of both houſes were alſo departed London, it not being known whither. The abſenſe of theſe members, who were all the army's friends, rendered ſo ſuperior the adverſe faction, that this very day the commons voted, That his Majeſty ſhould come to London: that the militia of the city ſhould have full power to raiſe ſuch forces as they ſhould think fit for the defenſe thereof: that they ſhould chuſe a commander in chief to be approved by the houſe, and ſuch commander to preſent other officers, to be approved by the militia. This reſolved, the commitee made choice of major-general Maſſey to command in chief, and ordered, that all reformades, and other officers, ſhould next day appear in St. James's fields, to be inrolled, and the forces already liſted to be regimented.

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The two ſpeakers abſent themſelves.

Votes of the commons to reſiſt the army. p. 646. Clarendon, Vol. III. p. 47. Holles.

Maſſey made commander in chief. Whitelock.

Alſo that day, the common-council received a letter from general Fairfax, dated the day before, wherein he ſpake very ſharply of the late tumult, and of the violence upon the parliament. He ſaid, the guard ſent from London did not only neglect their duty, but that diverſe of the common-council ſtrongly incouraged the ſeditious: that they had not kept their word with the army, which, on their aſſurance to ſecure the parliament from any attempt, had removed to that diſtance from the city: that he could not but look on them as accountable to the kingdom, for the preſent interruptions of the hopeful way of peace and ſetlement of the nation, if, by their care and induſtry, the chief actors in the late tumults were not detected and given up to juſtice.

General Fairfax's letter to the city. Ruſhworth, Vol. VI. p. 647. Clarendon, Vol. III. p. 47.

Contrariwiſe, the city publiſhed their apology, by way of declaration or manifeſto, laying down, "The army's ſurpriſing his Majeſty at Holmby, "without its being known by what authority, and "under what pretenſes; and their keping his royal "perſon ever ſince, notwithſtanding his ſurpriſal "was diſowned by the general, for himſelf and "all the officers about him, and for the body of "the army. That the privileges of parliament "had been violated by the army's cauſing the "eleven members to withdraw, and by interpoſing "in the militia of London, which was ſubject to "no other cogniſance but of the King and parliament." This manifeſto included alſo ſundry other particulars which inſinuated, that the army's ill deſigns were but too evident. They concluded with proteſting, that "they ſincerely deſire a happy "and ſpeedy peace. by the ſetlement of true re- "ligion; by re-eſtabliſhing his Majeſty's juſt "rights; by upholding all lawful privileges of a "free parliament; by maintaining the fundamental laws of the land; by reſtoring the ſubject "to his juſt liberty; and by freeing this long-oppreſſed kingdom from all taxes, and the inforced "free-quarters towards the maintenance of an army, which hath long had no viſible enemy to incounter."

London's declaration againſt the army. Ruſhworth, Vol. VI. p. 648.

Both houſes alſo wrote to Fairfax, That, tho' he had given them no account of the motion of his army, yet they underſtood, he had ordered his forces to march towards London, on pretenſe of defending the houſes from the danger of tumults; upon which account, they thought fit to let him know; that, as they could not but have a deep ſenſe of the undue liberty which ſome apprentices and others had taken, to violate the freedom of parliament, ſo they doubted not but the ſenſe of ſo

Both houſes order Fairfax to remove the army farther from London. July 30. p. 654.

(1) The peers choſe lord Grey of Werk; and the commons, mr. Henry Pelham, a counſellor of Lincoln's-Inn. Ruſhworth, Vol. VI. p. 646. There then remained above a hundred and forty members in the houſe of commons. Clarendon, Vol. III. p. 47.

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great an offenſe would at laſt ſtrike thoſe who were acceſſary thereto with a deteſtation of any ſuch practiſes for the future. And that, as the houſes could not imagine theſe diſorders had the allowance of the city of London, ſo they had ſince received full ſatisfaction, by the ſtrict orders publiſhed by the common-council, for preventing and ſuppreſſing of tumults, and by their declaration, that they ſhould ſit with freedom, and ſecurity from any diſturbances for the future. And therefore they ſaw no cauſe to command the army to come to their aſſiſtance; but rather judged (by the diſtractions raiſed at the news thereof) that the army's approach was like to produce great miſchiefs, and caſt the whole kingdom into confuſion. That for prevention of theſe dangers, they had ſent him expreſs order to withdraw his army, requiring him to give exact obedience thereto.

Vote to receive the eleven members. Ruſhworth, Vol. VI. p. 647, 652.

Likewiſe this day, the commons voted, that the eleven accuſed members ſhould be received into the houſe. Accordingly, on the morrow, moſt of them came and took their places (1).

Preparations in the city. p. 652, 655.

On the thirty-firſt, both houſes publiſhed an ordinance, inabling the commitee of the London militia to puniſh ſuch as did not repair to their colors, and to chuſe a major-general, or any other officer, for the forces raiſed, or to be raiſed within the city of London; and Maſſey, Waller and Poyntz were imployed in forming companies and regiments.

The army marches towards London. Vol. VII. p. 750.

Notwithſtanding both parliament and city made great preparations, thoſe of the army were not under any apprehenſion. They knew, that two or three days were not ſufficient to diſcipline troops levied haſtily in the city, and inable them to face a victorious army twenty thouſand ſtrong, well ſupplied with arms, ammunition and ordnance. They continued therefore their march to the general rendezvous, on Hounſlow-heath, within twelve miles of London. Mean while, general Fairfax delivered to the parliament's commiſſioners certain propoſals, to be negociated between both houſes and the army, for ſetling the kingdom's peace. At the ſame time, he put into their hands a declaration, by the council of war, wherein the officers ſaid, Tho' the late violence done to the parliament rendered all proceedings in the way of treaty vain and hopeleſs, 'till the parliament ſhould be reſtored to a condition of freedom, yet they had thought good to make this public tender of propoſals to the conſideration of this kingdom, wherein all men might ſee the integrity of their intentions, and the bottom of their deſires. Theſe propoſals related intirely to the public, without any mixture of the army's private views.

Fairfax gives the commiſſioners propoſals for peace, with a declaration. p. 731, 738.

The two ſpeakers and other abſent members, recur to the army's protection. p. 750, 754. Whitelock, p. 262. Clarendon, ubi ſupra.

Mean while, the two ſpeakers, and other members of both houſes, in all ſixty-ſix, who had abſented themſelves, came to the general, deſiring his protection, and ſaying that, as there was no free ſiting for them in the parliament, they had quited the houſes for fear of being torn in pieces by the mob. Nothing could be more agreeable to the army than this requeſt, which (without being obliged to ſeek other pretext) ſufficiently authoriſed their marching for London, to re-inſtate the members ſuppoſed to be driven from parliament by the populace. Thenceforward, they would not any more acknowledge the two houſes as a parliament, but ſhewed the ſpeakers and members who attended them the ſame reſpect they would have done to the parliament itſelf.

Reaſons of the ſpeakers conduct.

It was not a little ſtrange, that zealous Preſbyterians, ſuch as were moſt of the abſented members, ſhould have recourſe to the protection of the army againſt the efforts of their brethren, in both houſes and the city, to prevent the Independents from trampling on Preſbytery. In my opinion, the moſt probable reaſon for ſuch conduct is, that theſe members fancied their brethren and the common-council of London were taking wrong meaſures, and would be infallibly cruſhed by the army. It was therefore very natural for men in this belief, to try if they might avoid being involved in the ruin wherewith their party was menaced, and chuſe rather to continue diſguiſing their ſentiments, as they had done for ſome time, than ſupinely to be expoſed to ſuch imminent calamities as they apprehended. To this may be added, that among theſe members were ſome Independents, who earneſtly labored to perſuade the reſt to this courſe, as we are informed by Ludlow (in his Memoirs) who was of this number and party. Lord Clarendon gives another reaſon, which ſeems not ſo natural. He pretends, theſe members believed the army deſigned to reſtore King Charles to all his rights; and, ſeeing there were not forces ſufficient to hinder it, they were willing to avoid the effects of that Prince's vengeance, by concurring with the army in his reſtoration. But beſide that the event ſhewed the Independents had no ſuch intention, it is certain they had not hitherto expreſſed it, except ſome few civilities paid his Majeſty, ſince he was in their hands, are to be conſidered as real proofs of this intention. Moreover, this army had juſt given a ſenſible proof, that their deſign was not to reſtore the King to all his rights, by the propoſals lately delivered to the parliament's commiſſioners, whereby the royal prerogatives were intirely ſubverted, as in the ſequel will appear.

Clarendon, Vol. I. p. 207, &c. Vol. III. p. 48.

Howſoever this be, the army improved the deſertion of theſe members to juſtify their advance towards London, and to ſhew that their aim was only to prevent a new war, which the members at Weſtminſter, and the common-council of London, were diſpoſed to exite. To this purpoſe, they publiſhed a manifeſto, containing the reaſons of their marching to London; of which manifeſto here follows the ſubſtance: viz.

The army's manifeſto. Ruſhworth, Vol. VII. p. 744.

"That the army was formerly led, by the "grounds then declared, to advance towards the "city of London: but having received from the "parliament and city ſome hopes of ſatisfaction, "they yielded a ſpeedy compliance to their de"ſires for their removal to a farther diſtance. And "being in this ſecure way, and laboring after the "ſudden ſetlement of the kingdom, they had even "brought to perfection particular propoſals, to "be ſent to the parliament, for a final concluſion "of all their troubles: but the kingdom's enemies, "being moſt vigilant to fruſtrate thoſe good in"tentions of theirs, had indeavored to caſt the "kingdom into a new and bloody war: and for "that end had procured the under-hand liſting of "ſeveral reformades, and others, and contrived a "wicked and treaſonable combination; as it was ſuf"ficiently manifeſted by a declaration paſſed there"upon by both houſes of parliament, the twenty"third of July laſt, for prevention of the diſturb"ances which were like to inſue thereupon; from "which kind of diſorders the city had been well "preſerved, during the ſpace of almoſt four years, "while the militia was in the old commiſſioners "hands, whereby it appeared, there was cauſe "for the army to intreat the parliament, that the

(1) It was likewiſe declared, that the ordinance of the 19th of July, which put under the command of ſir Thomas Fairfax all the land forces, did not give him any power over the trained bands, gariſons, &c. And this declaration was ordered to be printed and publiſhed in London, by ſound of trumpet. Whitelock, p. 262.

militia

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" militia might be returned into the hands it was " in before.

" That thoſe old commiſſioners of the militia, " were not only perſons without all exception, but " alſo men of whom the kingdom had had above " four years experience in the faithful diſcharge of " their truſt, and who were always moſt deſirous " of a peace. Yet on a ſudden this truſt, which they " long had ſo faithfully diſcharged, was taken " out of their hands, and put into the hands of " others, ſome whereof had been very cool in the " ſervice of the parliament; and this was preſſed, " and in a manner forced upon the parliament, " with the utmoſt importunity. Theſe things " miniſtered great cauſe of ſuſpicion, that the alte- " ration of the militia was in order to make the " terms of peace and agreement with the King " more ſuitable to the private undertakings of " ſome men, than to the public welfare of the " whole kingdom. But this deſign diſcovered " itſelf more clearly, in that, at the ſame time, " the alteration of the London militia was ſet on " foot, the ſame perſons with as much earneſtneſs " preſſed for diſbanding the army, before any thing " was ſetled for the ſecurity and liberty of the " kingdom. At the ſame time, the common- " council was new modeliſed, a lord-mayor choſen " who might ſute with the preſent deſign, and " diverſe perſons were left out of the common- " council and militia of eminent deſerts and fide- " lity, and others brought into their rooms, who " had either teſtified ill affection, or little affection " to the parliament and their cauſe. That the " honor of the parliament was continually trampled " under foot, and their authority affronted by " every rabble of women, apprentices, reformades " and ſoldiers, 'till at length it was riſen to the " height of monſtrous violence againſt the parlia- " ment, that they might ſet themſelves on work, " and the kingdom on fire again. That, at length, " the deſign appeared open-faced, and tho' the " militia was made the principal ground of the " quarrel, yet the preſſing ſo much the King's " coming to London, to confirm the ſame, ſhewed " that the militia was deſired but in order to " that deſign, and to force the parliament to ſuch " terms of peace as they pleaſed.

" That the intereſt of the common-council, in " their change of the militia, was claimed as the " birth-right of the city of London; but ſuch a " claim could not juſtly be held up againſt both " houſes of parliament: for then who ſhould be " maſter of the parliament's freedom and reſolu- " tions? And who ſhould be maſter of the birth- " rights of the whole kingdom, when there ſhould " be no army on foot?

" That the army, diſcerning how intimate ſome " of the new militia were with ſome of the eleven " accuſed members, and how forward they were " to comply and act with them in their indeavors " to raiſe a new war, found it neceſſary to deſire, " That the militia might be put into the hands " wherein it was formerly, that the army being " ſecured by that means from danger, might with " the more confidence retire farther from the city: " which, according to their deſire, being reſtored " again into the hands of the old commiſſioners, " ſeveral petitions were preſented to the common- " council of the city of London, in the name of " the apprentices and others, importing their " deſires, that the militia of the city might " continue in the hands of the former com- " miſſioners, according to the ordinance of the " fourth of May laſt; hereupon the common- " council of the city preſented their petitions to " both houſes for changing the militia, wherein the " houſe of lords refuſe to alter their reſolutions; " the houſe of commons anſwered, they would take " it into conſideration the next morning; not- " withſtanding which, the city and kingdom could " not be ignorant, with what rage and inſolency " the tumult of apprentices the ſame day forced " both houſes; they blocked up their doors, " threatening them, if they granted not their " deſires; and in this outragious manner con- " tinued at the houſe eight hours together; after " which, the houſe riſing, the ſpeaker, and " many members going out, they forced them back " again into the houſe. And during the time of " that violence, Weſtminſter-hall and the Palace- " yard were filled with reformades, and other " ill-affected perſons deſigned to back them. Af- " ter that, the houſes being adjourned, the ap- " prentices printed and poſted a paper in ſeveral " places of the city, requiring all their fellows to " be early at the parliament next morning, for that " they intended to adjourn by ſeven of the clock, " and that for a month. Thus the ſpeakers, with " many of the members, were driven away from " the parliament. All men therefore might judge " of the juſtneſs of the cauſe the army had ingaged " themſelves in: and if, after ſo much blood and " treaſure expended, all they were to hope for, " and reſt in, was only what the King had granted " in his meſſage, of the twelfth of May laſt, what " muſt become of the kingdom? (1).

" Laſtly, the army declared, that they would " ſtand by all ſuch members of either houſe of " parliament, as were forced to abſent themſelves " from Weſtminſter, and uſe their utmoſt and " ſpeedy indeavors, that they might with freedom " and ſecurity ſit there again. They likewiſe de- " clared againſt the choice of a new ſpeaker, " and againſt all orders, votes, or reſolutions " forced from the houſe, on the twenty-ſixth of " July laſt, and ſuch as ſhould be paſſed 'till thoſe " members were reſtored again: that they thought " themſeves bound to bring to condign puniſh- " ment the authors and fomenters of the violence " done to the parliament, and expected that the " people of London would deliver up to them the " eleven members impeached. But if any in the " city ſhould ingage themſelves to protect thoſe " members, and ſo put the kingdom again into a " war, the blood muſt be laid to the account of " ſuch perſons.

" And whereas ſome had poſſeſſed the minds of " men, that they gaped only after the plun- " der of the great and wealthy city of London; " they declared from their hearts, that they abhor- " red the thought thereof: but as they were in- " formed, that the city of Weſtminſter, and the " borough of Southwark, were brought into a " hard condition, by claiming a right not to be " ſubjected to the militia, without their own con- " ſent, they promiſed to aſſiſt them for the ob- " taining of their juſt deſires and immunities.

" That, when theſe things were duly ſetled, " they ſhould be as ready to aſſure unto the King " his juſt rights and authority, as any who pre- " tended it never ſo much."

Next day, the army being drawn together on Hounſlow-Heath (2), the common-council of London began to fear the danger to which the city would

The common-council alter their reſolution.

(1) This intirely deſtroys the reaſon of the members abſenting themſelves, alleged by lord Clarendon. Rapin.

(2) At this rendezvous were preſent about fourteen lords; the ſpeaker, and about a hundred members of the houſe of commons. The army conſiſting of twenty thouſand horſe and foot, being drawn up in battalia with reſerves, the general, accompanied

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and try to appeaſe the army. Auguſt 3. Ruſhworth, Vol. VII. p. 743, 751.

would be expoſed, if the army ſhould force the lines, which was but too likely, and this apprehenſion cauſed them to take more moderate reſolutions (1). So, taking occaſion from the army's late declaration, they wrote to general Fairfax, that underſtanding, by the declaration, that the army's intention was only to reſtore the abſent members to their places in the parliament, the city was ready to concur with them in their deſign. That accordingly, he ſhould find all ports and paſſes open, and for removing all miſunderſtanding, they had recalled their late declaration. His excellency replied, That he wiſhed all the forts on the Weſt-ſide of the city were delivered to him; and he was immediately gratified. After that, he wrote to the common-council, That the preſerving the parliament's privileges, and ſecuring the members from violence, had been the ſole cauſe of his near approach to their city.

The forts about London delivered up to Fairfax. p. 752. Whitelock.

He comes to London and reſtores the ſpeakers and other members. p. 756. Clarendon, Vol. III. p. 51.

The ſixth of Auguſt, the general, preceded by ſome regiments of horſe, and attended by the two old ſpeakers, and the members who had abſented, came to Weſtminſter, and alighted at ſir Abraham Williams's, in New-Palace-Yard. He ſtayed there ſome time, while the two ſpeakers (2), and the other members repaired to their reſpective homes.

He is conſtituted governor of the Tower, and thanked. Ruſhworth, Vol. VII. p. 757, 758, 759. Whitelock.

Preſently after, their lordſhips paſſed an ordinance for making general Fairfax conſtable of the Tower, with power to nominate a deputy; whereto the commons agreed: after that, the general was deſired to come to the parliament, where he received the thanks of both houſes. Alſo that day, the parliament ordered, that the twelfth ſhould be a day of Thankſgiving to the Almighty, for reſtoring the members of both houſes to their juſt privileges, "without the effuſion of blood," and that a gratuity of a month's pay ſhould be given to the non-commiſſioned officers and ſoldiers for this ſignal ſervice. The following days were imployed in approving and ratifying what the army had done.

Both houſes approve the army's procedure.

But this was not all. The peers made two demands, which the commons ſtrongly oppoſed.

Diſpute between lords and commons. Ruſhworth, Vol. VII. p. 759, &c. 784.

The firſt was, the making null all acts, done from the twenty-ſixth of July, to the ſixth of Auguſt. The commons were ready to give their conſent, provided it was without declaring them illegal. This diſpute held 'till the twentieth, when the commons paſſed at length the ordinance demanded by the peers, but with this reſtriction: "That no "perſon ſhall be impeached or puniſhed, for his "acting by, or upon the ſaid votes, orders, or "ordinances, unleſs he ſhall be found guilty of "contriving or abeting the viſible force put upon "the parliament, or of entering into, or promoting the late ingagement for bringing the "King to London, upon the terms and conditions "expreſſed in his Majeſty's letters, of the twelfth "of May laſt.

p. 778, 782.

Their lordſhips ſecond requeſt was, that it ſhould be declared, the parliament was not free from the twenty-ſixth of July, to the ſixth of Auguſt, and that the members who aſſembled at Weſtminſter, in the ſpeakers abſenſe, ſhould be expelled the parliament and puniſhed. This queſtion, being debated a whole day in the houſe of commons, was carried in the negative, by three voices only. (3). The lords inſiſted upon this point merely thro' compliance to the army, who, by a remonſtrance to the parliament, had made the ſame demand, declaring, they could not ſuffer ſuch members, as ſat and voted during the ſpeakers abſenſe, to intrude themſelves into the parliament, before they had given ſatisfaction to their reſpective houſes. Nevertheleſs this affair was carried no farther. Only ſeven lords (4), with the lord-mayor, ſeveral aldermen, and ſome officers of the militia, were accuſed of high-treaſon, for being concerned in the tumult of the twenty-ſixth of July, which was termed, "intending to excite a new war."

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Whitelock. Ruſhworth, Vol. VII. p. 770, 782.

Sept. 8. p. 804, 806. Whitelock.

The King's ſtate and condition.

He is flattered by the army. Clarendon, Vol. III. p. 38, 51, &c. Ludlow. Vol. I. p. 194, 195.

While all this paſſed between the parliament and army, his Majeſty was not only very ſerene, but even entertained great hopes from this diviſion, flattering himſelf, that the army would declare for him. Their civilities ſeemed to promiſe him a happier ſtate than when in the parliament's hands. Three of his chaplains (5) were allowed to come to him, and celebrate divine ſervice after the church of England's rituals, and all his old ſervants and domeſtics had liberty to ſee and ſpeak with him. Berkley, Aſhburnham, Capel, nay even the marquis of Ormond, who at laſt ſurrendered Dublin to the parliament, ſaw him as often as they pleaſed, in public or private, and the two firſt were actually in his ſervice. The Scotiſh commiſſioners, reſiding at London, frequently viſited, and expreſſed a great deſire to ſerve him. As they knew the Independents to be their faction's avowed enemies, they began to perceive it was their intereſt to join with his Majeſty againſt their common adverſaries. Mean while, the courteſies ſhewed this Prince, were but the effect of Cromwell's and his aſſociates policy (6). They were not ignorant how the parliament and city of London ſtood affected to them, and were perſuaded that, after all, the Preſbyterians would chuſe rather to accommodate matters with Charles, than be ſpectators of the Independents triumph. It was to prevent this union, that they had cauſed the King to be removed, from Holmby, to a place where his perſon was in their power, without either the general officers, or the body of the army appearing in the buſineſs. On the other hand, his Majeſty was by them extremely careſſed, and even put in hopes of a ſpeedy agreement with the army, as well to divert him from the thoughts of uniting with the parliament, as to deprive the Preſbyterians of all hope of ſuch union. In every declaration and remonſtrance of the army, there was always ſomething inſerted to expreſs their deſire, that the King might be reſtored to his juſt rights: but it was ever with this reſtriction, "When the affairs of the

panied with theſe lords and commoners, and other gentlemen, rode along, and took a view of the army, from regiment to regiment, who received them with great acclamations of the ſoldiers, crying, 'Lords and Commons, and a free Parliament.' The Prince Elector Palatine came alſo and viewed the army, being received by the general with great reſpect. Whitelock, p. 263. Ruſhworth, Vol. VII. p. 750.

(1) When a ſcout came in, while the city militia and common-council were ſiting, and brought news, 'That the army made 'a halt,' or other good intelligence, they cried, 'One and All.' But if the ſcouts brought intelligence, that the army advanced nearer to them, then they would cry as loud, 'Treat, Treat, Treat.' At laſt they agreed to ſend the general a ſubmiſſive letter. Whitelock. p. 263.

(2) The earl of Mancheſter for the lords, and Lenthall for the commons.

(3) The queſtion put was, "Whether it ſhould be declared, what was done, from the twenty-ſixth of July to the twenty-"ſixth of Auguſt, to be forced, and that ſiting no free parliament?" Which was carried in the negative. The other part of the queſtion, as put by our author, was not debated at this time.

(4) The earl of Suffolk, lords Willoughby of Parham, Hunſdon, Mainard, Berkley, with the earls of Lincoln and Middleſex. Warwick, p. 268.

(5) Four were allowed to come to him; dr. Sheldon, Morley, Sanderſon and Hammond. See Clarendon, Vol. III. p. 38.

(6) The ground of their civilities was, to ingage him and his cavaliers to their ſide, after they had made the Parliament, the Scots, and the city of London, their enemies. Ludlow, Vol. I. p. 194.

"government

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" government ſhould be fully ſetled," i. e. in the manner they deſired; and they knew it would then be eaſy to find occaſion to quarrel with that Prince, and retract what they ſeemed to promiſe him.

He conceives great hopes, but is over-reached by Cromwell. Ludlow. Vol. I. p. 198, 205. Clarendon, Vol. III. p. 40, &c.

Charles was deceived by this policy. As he ſaw himſelf courted by both parties, he imagined they could not be without him, and that he ſhould quickly be able to incline the ſcale to which ſide he pleaſed: nay, he fancied, for ſome time, that the two parties would accept him for mediator. In this imagination he expreſſed a regard for both, and told them alternately, tho' with great ſecreſy, he would be guided by their counſels. However, as he bore the Preſbyterians a mortal averſion, he was abundantly more deſirous to join with the army, if they would but have granted him tolerable conditions, as they made him expect. Nevertheleſs, he gave ear to the propoſals of the Scotiſh commiſſioners, to put himſelf under the protection of the Preſbyterians and Scots, and thereby hoped to be ſafe, howſoever the conteſts between the parliament and army, might terminate. Mean while, he ſuffered himſelf to be amuſed by Cromwell and Ireton, who, on pretenſe they were ſuſpected by both houſes, ſeldom viſited him, yet acquainted him with their intentions, by means of ſome officers, who could converſe more freely with him, or his confidents. Tho' he was treated with great civility, he was narrowly watched, and at the very time he thought himſelf arbiter of the two parties, was really a priſoner. Since his removal from Holmby, he had followed the motions of the army, and reſided ſometimes in a town, and ſometimes at a country-ſeat, according as the general officers thought propereſt. Finally, when the army had their rendezvous on Hounſlow-heath, in order to march for London, he was conducted to Hampton-court (1).

Rushworth, Vol. VII. p. 767, &c.

Ludlow, Vol. II. p. 212.

After the army prevailed, his Majeſty had leſs reſpect ſhewed him. Clarendon, Vol. III. p. 55, 57.

The revolution, which happened within a few days, and which brought both houſes in ſubjection to the army, proved fatal to this captive Monarch. He ſoon had cauſe to be convinced, that Cromwell and Ireton had only amuſed him with vain hopes. The army was no ſooner maſter of the parliament and city, but his Majeſty ſaw himſelf not only neglected, but even treated much more rudely than ever. The ſame reſpectful difference was no longer ſhewed him, and his guards would ſcarce ſuffer his ſervants to confer with him in private. In ſhort, he was left a long while at Hampton-court, without mention of any accommodation, while his words, his actions, and the perſons who came to viſit him, were carefully obſerved: nay, the Scotiſh commiſſioners were hindered from ſeeing him, of which they complained, but fruitleſly. But before I proceed to ſpeak of Charles, and his circumſtances, it will be neceſſary to recite what paſſed in the army and parliament, while that Prince was left at Hampton-court almoſt forgoten, tho' he ſerved ſometimes for pretenſe to ſeveral papers which appeared.

Rushworth, Vol. VII. p. 737.

When the army determined on oppoſing the parliament's deſign to diſband them, they pretended, they would medle only in their own affairs, without concerning themſelves with the government of church or ſtate. The demand of arrears was at firſt the only point whereon they founded their refuſal of being caſhiered. After that, finding it was not impoſſible to give them ſatisfaction upon that article, they demanded reparation for their honor, and a full vindication from the pretended crimes whereon the parliament had grounded their declaration againſt the authors of the firſt petition. Then they required, that the parliament ſhould ſolemnly declare, it was the privilege of the ſubject, and of the army in particular, to preſent petitions. After which, they formed the councils of war, and agitators, who, not content with requiring matters relating to the army, inſerted in their remonſtrances ſundry articles concerning the government. Laſtly, his Majeſty was removed from Holmby by the army's authority, as was pretended, tho' general Fairfax affirmed, that neither himſelf, the other general officers, nor the body of the army, were privy to it; and by this ſame authority, how chimerical ſoever it appeared, was King Charles held reſtrained within the army's quarters.

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As ſoon as the army had that Prince in their power, they pretended a right of ſetling the national government with both houſes. They nominated commiſſioners to treat on that head with thoſe of the parliament. Finally, juſt as they were preparing for their march to London, general Fairfax delivered to the parliament's commiſſioners propoſitions from the army, to ſetle the government, of which not ſo much as one related to the army's particular concerns. The propoſitions were theſe:

Articles propoſed by the Army, to be treated on by the Parliament's Commiſſioners.

" I. THAT (things hereafter propoſed being provided for by this parliament) a " certain period may, by act of parliament, be ſet " for the ending of this parliament, ſuch period to " be put within a year at moſt, and in the ſame " act proviſion to be made for the ſucceſſion and " conſtitution of parliaments in futuro, as followeth: Aug. 1. p. 731.

" 1. That parliaments may biennially be called, " and meet at a certain day.

" 2. Each biennial parliament to ſit a hundred " and twenty days certain, and no parliament to " ſit more than two hundred and forty days, from " their firſt meeting, or ſome other limited num- " ber of days; upon the expiration whereof each " parliament to diſſolve of courſe, if not other- " wiſe diſſolved ſooner.

" 3. The King, in the intervals betwixt biennial " parliaments, to call a parliament extraordinary, " provided it meet above ſeventy days before the " next biennial day, and be diſſolved at leaſt ſixty " days before the ſame.

" 4. That this and each ſucceeding biennial " parliament, at or before adjournment or diſſolu- " tion thereof, may appoint commitees, during " the interval, for ſuch purpoſes as are in any of " theſe propoſals refered to ſuch commitees.

" 5. That all counties may have a number of " parliament-members allowed to their choice, " proportionable to the reſpective rates they bear " in the common charges and burdens of the king- " dom; and that the election of burgeſſes for poor, " decayed, or inconſiderable towns, be taken off.

" 6. That effectual proviſion be made for future " freedom of elections, and certainty of due returns.

" 7. That the houſe of commons alone have the " power, from time to time, to ſet down farther " orders and rules for the ends expreſſed in the two " laſt preceding articles,

" 8. That

(1) While he was at Caverſham, July 15, his children, then under the earl of Northumberland's care, were permited to dine with him at Maidenhead, and afterwards to ſtay with him two days at Caverſham. Prince James had been in the parliament's hands ever ſince the ſurrender of Oxford. This favor was denied him while he was at Holmby. Ruſhworth, Vol. VI. p. 593, 612, 613, 625. Clarendon Vol. III. p. 38, 43, 44——Concerning this interview, Ludlow relates the following remarkable paſſage: " Cromwell meeting ſoon after ſir John Berkley, told him, that he had lately ſeen the tendereſt ſight that " ever his eyes beheld, which was the interview between the King and his children; that he (Cromwell) did weep plentifully " at the remembrance thereof; ſaying, that never man was ſo abuſed as he, in his ſiniſter opinion of the King, who, he " thought, was the moſt upright and conſcientious of his kingdom."

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" 8. That there be a liberty for entering diſſents " in the houſe of commons, with proviſion that no " member be cenſurable for ought ſaid or voted in " the houſe, farther than to excluſion from that " truſt, and that only by the judgment of the houſe " itſelf.

" 9. That the judicial power, or power of final " judgment in the lords and commons, may be " cleared: and that no officer of juſtice, miniſter of " ſtate, or other perſon adjudged by them, may " be capable of protection or pardon from the " King, without their advice or conſent.

" 10. That the right and liberty of the com- " mons of England may be cleared and vindicated " as to a due exemption from any judgment, trial, " or other proceeding againſt them by the houſe of " peers, without the concurring judgment of the " houſe of commons, as alſo from any other judg- " ment, ſentence, or proceeding againſt them, " other than by their equals, or according to the " law of the land.

" 11. The ſame act to provide, That the " choice of grand-jury-men may not be as now, at " the diſcretion of under-ſheriffs, and that ſuch " grand-jury-men for their reſpective counties, " may at each aſſize preſent the names of perſons " to be made juſtices of the peace, from time to " time, as the country hath need for any to be " added to the commiſſion; and at the ſummer- " aſſize to preſent the names of three perſons, out " of which the King may prick one to be ſheriff " for the next year.

" II. For the militia in general, That it be pro- " vided by act of parliament.

" 1. That the power of the militia by ſea and " land, during the ſpace of ten years next inſuing, " ſhall be ordered and diſpoſed by ſuch perſons as " the lords and commons ſhall nominate and ap- " point.

" 2. That the ſaid power ſhall not be ordered " or exerciſed by the King's Majeſty, or by any " perſons with authority derived from him, during " the ſaid ſpace, or at any time hereafter, with- " out the advice and conſent of the ſaid lords and " commons.

" 3. That, during the ſame ſpace of ten years, " the ſaid lords and commons may, by bill or or- " dinance, raiſe and diſpoſe of what monies, and " for what forces they ſhall from time to time find " neceſſary; as alſo for payment of the public " debts and damages, and for all other the public " uſes of the kingdom.

" 4. That no ſubjects, who have been in hoſti- " lity againſt the parliament in the late war, ſhall " be capable of bearing any office of power or " public truſt in the common-wealth, during the " ſpace of five years, without the conſent of par- " liament; or to ſit as members of either houſe, " until the ſecond biennial parliament be paſſed.

" III. For the preſent form of diſpoſing the " militia, in order to the peace and ſafety of this " kingdom, and the ſervice of Ireland.

" 1. That there be commiſſioners for the admi- " ralty, with the vice-admiral and rear-admiral, " with power for forming, regulating, appoint- " ing officers, and providing for the navy.

" 2. That there be a general for command of " the land forces.

" 3. That there be commiſſioners in the ſeveral " counties for the ſtanding militia, with power " for the proportioning, regulating, training and " diſciplining them.

" 4. That there be a council of ſtate, with " power to ſuper-intend and direct the ſeveral " and particular powers of the militia laſt men- " tioned.

" 5. That the ſame council may have power as " the King's privy council, and for and in all foreign " negociations; provided that the making war " or peace, with any other kingdom or ſtate, " ſhall not be without the advice and conſent of " parliament.

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" 6. That the ſaid power of the council of " ſtate be put into the hands of truſty and able " perſons now to be agreed on, and the ſame " perſons to continue in that power ('ſi bene ſe " geſſerint') for a certain term not exceeding ſeven " years.

" 7. That there be a ſufficient eſtabliſhment " now provided for the ſalary of the forces, both " in England and Ireland, the eſtabliſhment to " continue until two months after the meeting of " the firſt biennial parliament.

" IV. That an act be paſſed, for diſpoſing the " great offices, for ten years, by the lords and " commons in parliament; or by ſuch commitees " as they ſhall appoint, for that purpoſe, in the in- " tervals (with ſubmiſſion to the approbation of the " next parliament) and after ten years they to no- " minate three, and the King out of that number " to appoint one for the ſucceſſion upon any va- " cancy.

" V. That an act be paſſed, for reſtraining all " peers, made ſince the twenty-firſt day of May, " 1642, or to be hereafter made, from having " any power to ſit or vote in parliament, without " conſent of both houſes.

" VI. That an act be paſſed, for recalling and " making void all declarations and other proceed- " ings againſt the parliament, or againſt any who " have acted by, or under their authority in the " late war, or in relation to it; and that the ordi- " nance for indemnity may be confirmed.

" VII. That an act be paſſed, for making void " all grants, &c. under the great ſeal, ſince the " time when it was conveyed away from the parlia- " ment (except as in the parliament's propoſitions) " and for making thoſe valid which have been, or " ſhall be paſſed under the great-ſeal, made by the " authority of both houſes of parliament.

" VIII. That an act be paſſed, for confirmation " of the treaties between the two kingdoms of Eng- " land and Scotland; and for appointing conſer- " vators of the peace betwixt them.

" IX. That the ordinance, for taking away the " court of Wards and Liveries be confirmed, by " act of parliament; provided his Majeſty's reve- " nue be not damnified therein, nor thoſe who laſt " held offices in the ſame left without reparation " ſome other way.

" X. An act, to declare void the ceſſation of " Ireland, &c. and to leave the proſecution of " that war to the lords and commons in the parlia- " ment of England.

" XI. An act, to be paſſed, to take away all " coercive power, authority and juriſdiction of bi- " ſhops —— extending to any civil penalties upon " any, &c.

" XII. That there be a repeal of all acts, or " clauſes in any act, injoining the uſe of the book " of Common Prayer, and impoſing any penalty " for neglect thereof, and for not coming to church, " or for meeting elſewhere; and ſome other pro- " viſion to be made for diſcovering Papiſts, Prieſts, " Jeſuits, &c.

" XIII. That taking the covenant be not in- " forced upon any; but all orders or ordinances " tending to that purpoſe to be repealed.

" XIV. That (the thing here before propoſed " being provided, for ſecuring the rights, liber- " ties, &c. of the kingdom) his Majeſty's perſon, " his Queen and royal iſſue may be reſtored to a " condition of ſafety, honor, and freedom in this " nation, without diminution to their perſonal

" rights,

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" rights, or farther limitation to the exercise of " regal power, than according to the particulars " foregoing.

" XV. For the matter of compoſition, &c.

N. B. Under this head are ſix articles, which cannot be well underſtood, without knowing the particulars of an act, wherein delinquents were placed under ſeveral heads or qualifications, and their compoſition ſetled accordingly. But the knowledge thereof cannot be of any uſe, at preſent.

" XVI. That there may be a general act of ob-
" livion, &c.

" That ſuch of the King's party who ſhall ap-
" pear to have expreſſed, or ſhall hereafter expreſs
" their good affections to the peace and welfare of
" the kingdom, and to hinder the imbroiling it
" in a new war, may be freed and exempted from
" compoſitions, or to pay but one year's revenue,
" or a twentieth part.

" Next to the propoſals aforeſaid, for the pre-
" ſent ſetling a peace, the army deſires, that no
" time be loſt by the parliament for diſpatch of
" other things tending to the welfare, eaſe and
" juſt ſatisfaction of the kingdom, and in ſpecial
" manner:

" I. That the liberty of the people to repreſent
" their grievances and deſires, by way of petition,
" may be cleared and vindicated.

" II. That the common grievances of the people
" may be ſpeedily conſidered of, and effectually
" redreſſed; and in particular,

" 1. That the exciſe may be taken off from ſuch
" commodities whereon the poor people of the land
" do ordinarily live.

" 2. That the oppreſſions and incroachments of
" foreſt-laws may be prevented for the future.

" 3. All monopolies, and reſtraints to the free-
" dom of trade, to be taken off.

" 4. That a courſe may be taken to rectify the
" inequality of rates, lying upon ſeveral counties.

" 5. The preſent unequal, troubleſome and con-
" tentious way of miniſters maintenance by tithes,
" to be conſidered of, and ſome remedy applied.

" 6. That the rules and courſe of law, and the
" officers of it may be ſo reduced and reformed, as
" that all ſuits and queſtion of right may be more
" clear and certain in the iſſues, and not ſo tedious
" nor chargeable in the proceedings, as now.

" 7. That priſoners for debt may not, by im-
" bracing impriſonment, or any other ways, have
" advantage to defraud their creditors: and that
" ſuch priſoners, for debt, who have not where-
" with to pay, may be freed from impriſonment.

" 8. That none may be compelled to anſwer
" unto queſtions tending to accuſing themſelves,
" or their neareſt relations, in criminal cauſes; and
" no man's life to be taken away under two wit-
" neſſes.

" 9. That conſideration may be had of all ſta-
" tutes, and the laws or cuſtoms of corporations,
" impoſing any oaths ſo far as they may extend to
" the moleſtation or inſnaring religious and peace-
" able people, merely for non-conformity in reli-
" gion.

" III. That the large power given to com-
" mitees, or deputy-lieutenants, during the late
" times of war and diſtraction, may ſpeedily be
" recalled and made void, and ſuch powers, of
" that nature, as ſhall appear neceſſary to be con-
" tinued, may be put into a regulated way, and
" left to as little arbitrarineſs as the nature and ne-
" ceſſity of things will bear.

" IV. That the kingdom may be righted, and
" ſatisfied in point of accounts for the vaſt ſums
" which have been levied.

" V. That proviſion may be made for payment
" of arrears to the army, and the reſt of the king-
" dom's forces: and in the next place for pay-
" ment of the public debts and damages of the
" kingdom; and that to be performed, firſt to
" ſuch perſons whoſe debts or damages are great
" and their eſtates ſmall, ſo as they are thereby
" reduced to a difficulty of ſubſiſtence. In order
" to all which (continue they) we ſhall ſpeedily offer
" ſome farther particulars, which we hope will be
" of good uſe towards public ſatisfaction."

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Remark on theſe propoſals.

Theſe propoſals manifeſt, that it was not the army's meaning, to leave the ſole power of ſetling the government to both houſes, tho' when they were delivered to the commiſſioners, they had not yet ſubjected the parliament and city, as they did ſome days after. How much more therefore ſhould they think themſelves intitled to have a ſhare in this ſetlement, after they had the whole parliament at command? Certainly, if the army had really deſired, the govenrment ſhould be ſetled according to their propoſals, there could not be a fairer opportunity, and the parliament would neither have been able nor have dared to oppoſe it. But, on the contrary, it is very likely, the army's deſign in delivering theſe propoſals, was only to retard ſuch ſetlement, by ſtarting difficulties which would require time to be removed. For inſtance, the eleventh article, which ſuppoſed the biſhops reſtoration, and the thirteenth, which left every one free to take or not to take the covenant, were directly contrary to the Preſbyterians meaning and pretenſions. It was not for the Independents intereſt that the government ſhould be ſetled in the manner they propoſed: but it was for their advantage to dazzle the people, and make them believe, the army deſired only the kingdom's peace and ſafety, tho' in effect nothing was farther from the thoughts of their leaders and managers. This evidently appears, in that they never after troubled themſelves to preſs the houſes to haſten this ſetlement. Contrariwiſe, the parliament was yet juſt what it had been for ſome time, i. e. almoſt wholly Preſbyterian, and conſequently adverſe to the Independents, tho' obliged to ſeem quite the reverſe. The earl of Mancheſter, ſpeaker in the upper-houſe, was Cromwell's ſworn enemy, tho' he had been applying to the army for protection. The city of London was in a like diſpoſition with the parliament, and, far from ſolliciting the army's propoſed ſetlement, they very much wiſhed it might never be mentioned, in expectation that time would afford ſome opportunity to ſetle the government without intervention of ſoldiery. It is therefore no wonder, this affair ſhould be neglected, when neither army, nor parliament, nor city, had any deſire to ſee it accompliſhed. Some ſteps however were now and then taken to make the public believe it was intended. But Cromwell, and the other Independent chieftains, were very far from being willing it ſhould be left to the parliament to manage for ten years, the nation's affairs as they pleaſed; to order the militia by ſea and land, and raiſe what money they ſhould think neceſſary: much leſs were they diſpoſed to let the people chuſe new repreſentatives biennially. The whole of this was only to throw duſt in peoples eyes; the Independents wanted to be uppermoſt, as they finally were, and all their proceedings, tho' veiled with the pretenſe of public good, tended ſolely to that end. The deſign of the Preſbyterians, parliament and city of London was to ruin the Independent party, and their ſupporters the army: but as they had not ſtrength ſufficient to effect it, their project was to join with the King and Scotland, provided they could prevail with his Majeſty to aboliſh epiſcopacy. This is what was ſecretly hatching both at London and Edinburg, while indeavors were uſed to amuſe the army, by affected delays, on their demand of pay and arrears, and while London declined making the neceſſary advances, in order to render odious the army,

army, by obliging them to oppreſs the country for want of ſubſiſtence. The army was yet ignorant of theſe ſecret practiſes againſt them in London. They inceſſantly demanded their pay, and the parliament favorably received their demands; nay, they paſſed votes to grant them their deſires: but ſome difficulty always occurred to retard the performance; or if any money was paid them, it was but a ſmall part of their arrears.

Regulation touching the army.

Three other affairs alſo imployed the parliament and army, for ſome time, and ſerved for pretenſe to amuſe. The firſt was, to ſetle what forces ſhould be ſent to Ireland; the ſecond, how many troops were to be maintained in England; the third, to diſband the ſupernumeraries.

Ruſhworth, Vol. VII. p. 791, 795, 796.

On the firſt article, it was reſolved to ſend into Ireland ſix thouſand foot, four thouſand horſe, and five hundred dragoons; and that the parliament's commiſſioners ſhould confer with general Fairfax about diſpatching away theſe forces, and the officers who were to command them.

p. 184.

Upon the ſecond, it was ordered, that in England ſhould be retained in pay ſeven thouſand two hundred horſe, eighteen thouſand foot, and a thouſand dragoons. It was pretended, that the ſaid troops were continued in England, to relieve thoſe in Ireland in caſe of need: but ſeemingly the army would not admit their force being more conſiderably diminiſhed.

Upon the third, it was reſolved, that all the ſupernumeraries ſhould be paid and diſmiſſed.

But the execution of all this advanced very deliberately, by reaſon of diverſe unexpected incidents, whereof we muſt neceſſarily take ſome notice.

The King reſolves to eſcape from Hampton-Court.

Since the army had judged themſelves out of danger from both parliament and city, their reſpect towards his Majeſty was ſo diminiſhed, that it was eaſy to perceive he had nothing to expect from them, and that Cromwell had only amuſed him, the better to accompliſh his own deſigns. Beſide the viſible alteration in the behavior of thoſe who had him in cuſtody, he had many other proofs of ill deſigns againſt him. 1. The army had ſent him privately ſome propoſitions for peace, much leſs tolerably than thoſe preſented him at Newcaſtle; but he had rejected them with indignation (1), which they highly reſented. 2. Cromwell had very ſharply reproached Aſhburnham, who was then the King's confident, that, notwithſtanding the army's regard for his Majeſty, he had ſecretly treated with the commiſſioners of Scotland, to excite that kingdom againſt the army. This reproach inſpired King Charles with greater dread, as it was true that he had privately treated with the Scotiſh commiſſioners, tho' concluded not with them any points; and could not conceive how Cromwell came to know it. He was therefore apprehenſive, the army would aſſaſſinate, or poiſon him, to free themſelves from the apprehenſion of his agreeing with the Preſbyterians. On the other hand, major Huntington, whom Cromwell had imployed to amuſe his Majeſty with ſundry private meſſages, finding at length he had been the inſtrument to deceive that unfortunate Prince, warned him, that Cromwell was not ſincere, and would, if not prevented, effect his ruin. He ſoon after threw up his commiſſion, and would ſerve no longer in the army: nay, he went farther; for, after quiting the ſervice, he offered the parliament to diſcover Cromwell's ill practiſes; but they would not hearken to him (2). At length his Majeſty received private notice every day, by indirect and extraordinary ways, that his enemies had ill deſigns, and he ought to take care of himſelf (3).

His reaſons for it.

Ludlow. Vol. I. p. 202.

Clarendon, Vol. III. p. 58, 59.

p. 57. Dugdale's View. p. 263.

Clarendon, Vol. III. p. 58, 59. Herbert's Mem.

He puts his reſolution in practiſe. Nov. 11.

All this made on him ſuch impreſſion, that he determined, if poſſible, to make his eſcape from the army's power: but it was not eaſy to reſolve whither to retire. There was no ſafety for him in any part of England. The parliament and city of London were both at the army's diſcretion; and, even had the Preſbyterians been able to protect him, all he could expect from them was, that they would not attempt upon his life. So, very poſſibly, his deſign was to paſs over ſea (4). Aſhburnham was, at firſt, his only confident; for tho' he believed Berkley faithful, he had not ſuch good opinion of his diſcretion as to truſt him with a ſecret of that importance. His Majeſty, thus reſolved, withdrew very early to his chamber, feigning to be indiſpoſed; and, about one in the morning, went out by the back-ſtairs, and came with Aſhburnham and Legg, to the garden-gate, where Berkley waited with horſes (5). They rode all night with great ſpeed, as well to eſcape all purſuers, as to get out of the army's quarters, and by morning, found themſelves in New Foreſt, in Hampſhire. Then his Majeſty aſked Aſhburnham, where the ſhip lay? Aſhburnham riding before, as it were to get information, returned in ſome little time without any news of the ſhip; whereat Charles ſeemed very uneaſy. Mean while, as it was not ſafe for him to ſtay in the high-ways, he concluded on going to Titchfield, a ſeat of the earl of Southampton's, where that nobleman's mother, with a ſmall family, then reſided. There he conſulted with his three attendants, how he ſhould proceed. It is ſaid, that Aſhburnham was the firſt who adviſed his retiring to the iſle of Wight, and truſting himſelf with colonel Hammond, the governor, who was counted a man of honor. He muſt however have known, that Hammond was a creature of Cromwell's, at whoſe inſtigation he had married a daughter of John Hampden, and who had lately procured him the government of that iſland. Notwithſtanding theſe reaſons, which ſhould have diverted Aſhburnham from giving ſuch advice, he ceaſed not to perſuade his Majeſty, who after ſome objections, conſented, on condition Hammond would faithfully promiſe not to deliver him up, tho' the parliament or army ſhould require him, but to give him his liberty to ſhift for himſelf, if he was not able to defend him. Purſuant to this reſolution, Aſhburnham and Berkley repaired to the iſle of Wight, to diſcourſe that governor, who ſeemed extremely ſurpriſed (6) when they told him, the King was eſcaped from Hampton-court, and was willing

Ruſhworth, Vol. VII. p. 871. Ludlow, Vol. I. p. 214, &c. Heath. Clarendon, Vol. III. p. 59.

Sept. 6.

(1) When the propoſals were ſent him, he entertained them with very ſharp and bitter language. See Ludlow, Vol. I. p. 204.

(2) He delivered in the houſe of peers a paper, which was read there, containing reaſons why he left the army, being a large narrative of the pretended carriages of Cromwell and Ireton, ſince the parliament's going to diſband the army, in relation to overtures to his Majeſty, the proceedings againſt the lords, commons, and aldermen who were impeached, &c. Ruſhworth.

(3) The agitators ſuſpected, that Cromwel, Ireton, &c. had carried on a private treaty with the King, and accordingly indeavored to wreſt him out of their hands. Of this Cromwell gave the King notice, who thereupon reſolved to make his eſcape from Hampton-court. Ludlow, Vol. I. p. 214. Life of Cromwell, p. 60, &c. Lord Holles ſays, Cromwell was afraid the King ſhould agree with the Levellers, and ſo adviſed him to flee, upon pretenſe that his life was in danger. Mem. p. 185, &c.

(4) To Jerſey, ſays Manley, p. 158. Ludlow, Vol. I. p. 215.

(5) There was a paſſage from the King's room into the garden, at a back-door of which were diſcovered the treading of horſes. The King left upon his table a letter to the parliament, and another to the general. Clarendon, Vol. III. p. 59.

(6) He grew pale, and fell into ſuch a trembling, that it was thought he would have fallen from his horſe. Ludlow, Vol. I. p. 218.

to

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to truſt his perſon in his hands, upon the terms above-cited. His anſwer was, he would do the King what ſervice lay in his power; but as he was an inferior officer, he could not promiſe to diſobey his ſuperiors in what they ſhould pleaſe to command him. After ſome fruitleſs indeavors to obtain from him a promiſe, he aſked, Where the King was? They told him, he was not very far off: and at laſt, after ſome time paſſed in debate, it was agreed, he ſhould go with them to his Majeſty. So they all three went together to Titchfield; and, on their arrival, Hammond waited below, while Aſhburnham went up to the King's chamber, acquainting him, that Hammond was in the houſe, but had not made any promiſe. That Prince thereupon cried out, "O Jack, thou "haſt undone me!" Aſhburnham at this falling into a great paſſion of weeping, offered to go down and kill Hammond; but Charles would not conſent. His Majeſty, at length ſending for Hammond, ſtrove to perſuade him to promiſe not to deliver him up; but Hammond ſtill perſiſted in his firſt anſwer. Then the King, not knowing where to go elſe, and conſidering there was now perhaps no poſſible way to get from him, as he had command of the country and could call in what aſſiſtance he thought proper, reſolved to go with him to the iſle of Wight. He was conducted to Cariſbrook-caſtle, where Hammond received him and his attendants, with all demonſtrations of reſpect (1).

Remark on the King's flight.

On conſidering every circumſtance of this Prince's flight, one can ſcarce forbear thinking, he was betrayed on this occaſion. His deſign was to go beyond ſea, ſince he aſked where the ſhip lay: but there was no ſhip ready; which was ſuch a ſignal overſight, that Aſhburnham can hardly be thought to commit it thro' negligence, or imprudence. Aſhburnham is not ſatisfied with propoſing to the King, to truſt himſelf with Hammond, a creature of Cromwell's, who, according to major Huntington's information, had reſolved to deſtroy him, but even puts him under the neceſſity of confiding in him, tho' he refuſed to promiſe a protection. And yet, lord Clarendon ſays very poſitively, he does not believe the King was betrayed by Aſhburnham, nor did his Majeſty ever entertain the leaſt jealouſy of it. All therefore can be ſaid in favor of this his Majeſty's confident is, what lord Clarendon has intimated; viz. That he was outwitted by Cromwell, who, by ſome one of his emiſſaries, perſuaded him, it ſhould prove for his Majeſty's benefit, and his buſineſs be the ſooner done, that he ſhould withdraw to the iſle of Wight. If this was the caſe, perhaps Aſhburnham, fancying himſelf abler than the King, had a mind to ſerve him whether he would or no; and, to avoid being obliged to anſwer his Majeſty's objections, believed to do him a ſervice in concealing the ſecret, and abſolutely neceſſitating him to take a courſe which, in his opinion, was not the propereſt. In ſuch caſe, if it be not treachery, it is at leaſt the greateſt preſumption and temerity a ſubject can poſſibly be guilty of to his Prince. It is not eaſy to divine the reaſons which could induce Aſhburnham to imagine, his Majeſty would be ſafe in the iſle of Wight. We may preſume, he was himſelf deceived, and his eaſineſs abuſed, to make him credit general promiſes, which ſignified nothing, and whereof he could not afterwards complain. Suppoſing no treachery in what he did, his eaſineſs to be deceived ſeems to have procured him afterwards a very favorable compoſition, much lower than uſual, which greatly contributed to increaſe the ſuſpicions already conceived of him.

Clarendon, Vol. III. p. 61. Warwick. p. 62.

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The parliament were informed of Charles's eſcape, by a letter from Cromwell, who gave the firſt notice of it, but without ſaying where that Prince was, tho' in all appearance he knew very well. He alſo ſent a letter, which his Majeſty had left upon the table in his room, directed to both houſes. He therein ſays;

The King's letter to both houſes left upon his table. Ruſhworth, Vol. VII. p. 871. Whitelock. Heath.

"That liberty being, in all times, the aim and "deſire of all men, he had indeavored to obtain "his. He called God to witneſs, with what pa-"tience he had indured a tedious reſtraint, among "men who changed their principles with their con-"dition; who were not aſhamed openly to intend "the deſtruction of the nobility, by taking away "their negative voice, and with whom the Levellers "doctrine was rather countenanced than puniſhed. "That he thought he was bound, as well by na-"tural as political obligation, to ſeek his ſafety, by "retiring himſelf for ſome time from the public "view both of his friends and enemies; but ſhould "earneſtly and inceſſantly indeavor the ſetling of a "ſafe and well-grounded peace whereſoever he was. "Finally, he deſired to be heard with freedom, "honor and ſafety, and then he would inſtantly "break thro' his cloud of retirement, and ſhew "himſelf ready to be Pater Patriæ."

The parliament cauſe ſearch to be made for the King in London. Ruſhworth, Vol. VII. p. 872--874. Clarendon, Vol. III. p. 65.

Both houſes at firſt believed that the King was come to conceal himſelf in London, 'till he ſhould find opportunity to eſcape out of the kingdom. They even gave orders to ſearch after, and ſtop his perſon. But this uncertainty was not of long continuance. On the fifteenth of November, the earl of Mancheſter, ſpeaker of the houſe of peers, received a letter from colonel Hammond, informing him, that the King, from apprehenſion of his life being in danger at Hampton-court, was come into the iſle of Wight, to put himſelf under his protection.

Levellers who they were.

King Charles, as may be obſerved, mentioned in his letter, the Levellers principles, which I think incumbent on me to explain. There had for ſome time been in the army a new faction, ſtiled Levellers, i. e. a ſett of men who declared, "That "all degrees of perſons ſhould be levelled, and a "perfect equality eſtabliſhed, both in titles and "eſtates, throughout the kingdom (2):" which doctrine much reſembled that of Wat Tyler's followers, in Richard II's reign. This faction was grown ſo ſtrong, that they began to make the general officers very uneaſy, and particularly Cromwell, who feared this new party ſhould ſubvert all his projects if they were ſuffered to increaſe, tho' poſſibly enough this ſpirit was of his own raiſing. They conſiſted of private ſoldiers and agitators, which latter I have already deſcribed. During the conteſt between the army and parliament, Fairfax had not put any reſtraint on theſe men. He had allowed them to form a ſeparate council, by means of their agitators, and this council's opinions were received as being thoſe of the army, becauſe not repugnant to the general officers own ſentiments. But, immediately on the parliament's being brought under, the grandees judged it requiſite to ſuppreſs the ſaid councils, and ſend the agitators to their reſpective regiments. This was more eaſily commanded than executed. The ſoldiers refuſed to obey, and continued their aſſemblies and conferences, ſpite of their officers, and even the general's orders. Hence they ſeemingly got the name of Levellers, becauſe

p. 66, 67.

(1) The parliament allowed him 5000 l. for his expenſes there. His houſhold was all diſſolved. Ruſhworth, Vol. VII. p. 876. Heath, p. 151.

(2) According to ſome, they only maintained, That no perſon, of whatever rank, ought to be exempted from the ordinary courſe of legal-proceedings. Life of Cromwell, p. 65.

they pretended to have as much right as the officers and generals to ſetle the government; a principle tending to level all ranks and degrees, and conſequently to create anarchy and confuſion in the kingdom. The aſſemblies of theſe Levellers produced ſundry petitions; firſt, from the agitators of four regiments of horſe, and afterwards of ſeven regiments of foot joining them, wherein they made propoſals for ſetling the government according to their own humor; ſo that the general officers were not a little imbaraſſed. They were afraid the army would divide, at a time when their whole ſtrength depended on a ſtrict union: for this reaſon, they at firſt, in ſome meaſure, connived at the Levellers; which only increaſed the evil. Finally, the inſolence of theſe men being grown to a monſtrous height, Cromwell undertook, with the hazard of his life, to free the army and parliament from this nuſance. To that end, having notice that the Levellers were to meet at a certain place, he came unexpectedly, attended with a ſelect guard, and aſking ſome queſtions of thoſe whom he obſerved moſt active, and receiving inſolent anſwers, knocked down two or three with his own hand, and briſkly charging the reſt, ſo diſperſed them, that he took as many as he pleaſed, whereof he hanged ſome on the ſpot, and ſent others to London. By a few more ſuch notable incounters, he abſolutely cruſhed that party, which began to grow very dangerous, and reduced the ſoldiery to a perfect obedience. But this was not yet effected when King Charles fled from Hampton-court, and therefore he mentions the Levellers in his letters, as a faction in being (1).

Cromwell diſperſes them. Clarendon, Vol. III. p. 67. Ludlow, Vol. I. p. 222.

When his Majeſty wrote his letter to both houſes, he hoped to be quickly out of the power of both army and parliament, and aſſuredly expected no anſwer, ſince his intent was to keep himſelf concealed. Beſide, this letter required no anſwer, as he did nothing more than expreſs his deſire of peace. But finding himſelf ſtill, contrary to his expectation, in the army's and parliament's hands, he conceived his eſcape from Hampton-court might be prejudicial to him, and interpreted as a deſign to hide himſelf, only to avoid anſwering thoſe pacific propoſitions which the parliament had prepared. For this reaſon, he determined on ſending to both houſes the following meſſage: viz.

Charles Rex,

The King's letter to both houſes. Ruſhworth, Vol. VII. p. 880. Whitelock. Heath.

"HIS Majeſty is confident that, before this "time, his two houſes of parliament have "received the meſſage which he left behind him at "Hampton-court, the eleventh of this month, by "which they will have underſtood the reaſons "which inforced him to go from thence; as likewiſe his conſtant indeavors for the ſetling of a "ſafe and well-grounded peace, whereſoever he "ſhould be; and being now in a place where he "conceives himſelf to be at much more freedom "and ſecurity than formerly, he thinks it neceſſary, not only for making good his own profeſſions, but alſo for the ſpeedy procuring a peace, "in theſe languiſhing and diſtreſſed kingdoms, at "this time to offer ſuch grounds to his two houſes "for that effect, which, upon due examination of "all intereſt, may beſt conduce thereunto.

His offers and propoſals.

"And becauſe religion is the beſt and chiefeſt "foundation of peace, his Majeſty will begin with "that particular.

"That, for the aboliſhing of archbiſhops, biſhops, &c. his Majeſty clearly profeſſeth, that "he cannot give his conſent thereunto, both in relation as he is a Chriſtian, and a King. For the "firſt he avows, that he is ſatisfied in his judg- "ment, that this order was placed in the church "by the Apoſtles themſelves, and ever ſince their "time hath continued in all Chriſtian churches "throughout the world, until this laſt century of "years; and in this church, in all times of change "and reformation, it hath been upheld by the "wiſdom of his anceſtors, as the great preſerver "of doctrine, diſcipline and order in the ſervice of "God. As a King, at his coronation, he hath not "only taken a ſolemn oath to maintain this order, "but his Majeſty and his predeceſſors, in their "confirmations of the great charter, have inſeparably woven the right of the church into the "liberty of the ſubjects; and yet he is willing it "be provided, that the particular biſhops perform "their ſeveral duties of their callings, both by their "perſonal reſidence, and frequent preaching in their "perſonal exerciſe, no act of juriſdiction or ordination, without the conſent of their preſbyters; "and will conſent, that their powers in all things "be ſo limited, that they be not grievous to the "tender conſciences of others. He ſees no reaſon "why he alone, and thoſe of his judgment, ſhould "be preſſed to a violation of theirs. Nor can his "Majeſty conſent to the alienation of church-lands; "becauſe it cannot be denied to be a ſin of the "higheſt ſacrilege; as alſo that it ſubverts the "intentions of ſo many pious donors, who have "laid a heavy curſe upon all ſuch profane violations, which his Majeſty is very unwilling to undergo: and beſide the matter of conſequence, his "Majeſty believes it to be a prejudice to the public good, many of his ſubjects having the benefit of renewing leaſes at much eaſier rates than "if thoſe poſſeſſions were in the hands of private "men, not omiting the diſcouragement it will be "to all learning and induſtry, when ſuch eminent "rewards ſhall be taken away, which now lie "open to the children of the meaneſt perſons. "Yet his Majeſty, conſidering the great preſent "diſtempers concerning church-diſcipline, and that "the Preſbyterian government is now in practiſe, "his Majeſty, to eſchew confuſion, as much as may "be, and for the ſatisfaction of his two houſes, is "content that the ſaid government be legally permited to ſtand in the ſame condition it now is, "for three years; provided that his Majeſty, and "thoſe of his judgment, or any other, who cannot "in conſcience ſubmit thereunto, be not obliged to "comply with the Preſbyterian government, but "have free practiſe of our own profeſſion, without receiving any prejudice thereby; and that "free conſultation and debate be had with the divines of Weſtminſter, twenty of his Majeſty's nomination being added unto them; whereby it "may be determined, by his Majeſty and the two "houſes, how the church-government, after the "ſaid time, ſhall be ſetled, or ſooner, if differences may be agreed, as is moſt agreeable to the "word of God, with full liberty to all thoſe who "ſhall differ upon conſcientious grounds from that "ſetlement; always provided, that nothing aforeſaid be underſtood to tolerate thoſe of the "Popiſh profeſſion, nor exempt any Popiſh recuſants from the penalties of the laws; or to tolerate the public profeſſion of Atheiſm or blaſphemy, contrary to the doctrine of the Apoſtles, Nicene and Athanaſian creeds, they having "been received by, and had in reverence of all "the Chriſtian churches, and more particularly "by this of England, ever ſince the reformation.

(1) Tho' Cromwell totally ſubdued that ſpirit in the army, yet lord Clarendon (Vol. III. p. 67.) ſays, it continued and increaſed very much in the kingdom.

"Next

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" Next, the militia being that right which is " inſeparably and undoubtedly inherent to the " crown, by the laws of this nation, and that which " former parliaments, as likewiſe this, have ac- " knowledged ſo to be, his Majeſty cannot ſo much " wrong that truſt which the laws of God and this " land have annexed to the crown, for the pro- " tection and ſecurity of his people, as to diveſt " himſelf and ſucceſſors of the power of the ſword. " Yet to give an infallible evidence of his deſire to " ſecure the performance of ſuch agreements as " ſhall be made in order to a peace, his Majeſty " will conſent to an act of parliament, that the " whole power of the militia, both by ſea and land, " for, and during his whole reign, ſhall be ordered " and diſpoſed by the two houſes of parliament, " or by ſuch perſons as they ſhall appoint, with " powers limited for ſuppreſſing of forces within " this kingdom, to the diſturbance of the public " peace, and againſt foreign invaſion; and that " they ſhall have power, during his ſaid reign, to " raiſe monies for the purpoſe aforeſaid; and that " neither his Majeſty who now is, or any other " by authority derived only from him, ſhall " execute any of the ſaid powers, during his Ma- " jeſty's ſaid reign, but ſuch as ſhall act by the " conſent and approbation of the two houſes of " parliament. Nevertheleſs his Majeſty intends, " that all patents, commiſſions and other acts con- " cerning the militia, be made and acted as for- " merly; and that, after his Majeſty's reign, all " the power of the militia ſhall return intirely " to the crown, as was in the times of Queen " Elizabeth, and King James, of bleſſed memory.

" After this head of the militia, the conſidera- " tion of the arrears due to the army is not im- " proper to follow; for the payment whereof, and " the eaſe of his people, his Majeſty is willing to " concur in any thing which can be done without " the violation of his conſcience and honor.

" Wherefore, if his two houſes ſhall conſent to " remit unto him ſuch benefit out of ſequeſtrations " from Michaelmas laſt, and out of compoſitions " which ſhall be made before concluding the peace, " and the arrears of ſuch as have been already " made, the aſſiſtance of the clergy, and the ar- " rears of ſuch rents of his own revenue as his two " houſes ſhall not have received before conclud- " ing the peace, his Majeſty will undertake, with- " in the ſpace of eighteen months, the payment " of four hundred thouſand pounds for the ſatiſ- " faction of the army; and if thoſe means ſhall " not be ſufficient, his Majeſty intends to give " way for the ſale of foreſt-lands for that purpoſe.

" This being the public debt which, in his Ma- " jeſty's judgment is firſt to be ſatisfied: and for " other public debts already contracted upon church- " lands, or any other ingagements, his Majeſty " will give his conſent to ſuch act or acts, for raiſ- " ing of monies for the payment thereof, as both " houſes hereafter ſhall agree upon, ſo as they be " equally laid; whereby his people, already too " heavily burdened by theſe late diſtempers, may " have no more preſſures upon them than this ab- " ſolute neceſſity requires.

" And for the farther ſecuring all fears, his Ma- " jeſty will conſent, that an act of parliament be " paſſed for diſpoſing of the great offices of ſtate, " and naming privy-counſellors, for the whole " term of his reign, by the two houſes of parlia- " ment, their patents and commiſſions being taken " from his Majeſty, and after to return to the " crown, as is expreſſed in the articles of the mi- " litia. For the court of Wards and Liveries, his " Majeſty very well knows the conſequence of " taking that away, by turning all tenures into " common ſocage, as well in point of revenue to " the crown, as in the protection of many of his " ſubjects, being infants. Nevertheleſs, if the " continuance thereof ſeems grievous to his ſub- " jects, rather than he will fail on his part in " giving ſatisfaction, he will conſent to an act for " taking it away, ſo as a full recompenſe be ſetled " upon his Majeſty and his ſucceſſors in per- " petuity (1); and that the monies now due, be " reſerved unto him towards payment of the army's " arrears.

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" And that the memory of theſe late diſtrac- " tions may be wholly wiped away, his Majeſty will " conſent to an act of parliament for ſuppreſſing " and making null all oaths, declarations and pro- " clamations againſt both or either houſe of parlia- " ment, and of all indictments and other pro- " ceedings againſt any perſons for adhering un- " to them. And his Majeſty propoſeth, as the " beſt expedient to take away all ſeeds of future " difference, that there be an act of oblivion to " extend to all his ſubjects.

" As for Ireland, the ceſſation therein is long " ſince determined; but for the future, and all other " things being fully agreed, his Majeſty will give full " ſatisfaction to his houſes concerning that kingdom.

" And altho' his Majeſty cannot conſent, in " honor and juſtice, to void all his own grants and " acts paſſed, under his great ſeal, ſince the twenty- " ſecond of May, 1642, or to confirming all the " grants and acts paſſed under that made by the " two houſes, yet his Majeſty is confident that, " upon the peruſal of particulars, he ſhall give " ſatisfaction to his two houſes to what may be " reaſonably deſired in that particular.

" And now his Majeſty conceives that, by theſe " his offers, which he is ready to make good " upon the ſetlement of a peace, he hath clearly " manifeſted his intentions to give full ſecurity and " ſatisfaction to all intereſts, for what can juſtly be " deſired in order to the future happineſs of his peo- " ple, and for the perfecting theſe conceſſions, as " alſo for ſuch other things as may be propoſed " by the two houſes; and for ſuch juſt and reaſon- " able demands as his Majeſty ſhall find neceſſary " to propoſe on his part, he earneſtly deſires a per- " ſonal treaty at London with his two houſes, in " honor, freedom and ſafety; it being, in his " judgment, the moſt proper, and indeed only " means to a firm and ſetled peace, and impoſſi- " ble without it to reconcile former, or avoid " future miſunderſtandings.

" All theſe being by treaty perfected, his Ma- " jeſty believes his two houſes will think it reaſon- " able, that the propoſals of the army concerning " the ſucceſſion of parliaments, and their due elec- " tion, ſhould be taken into conſideration.

" As for what concerns the kingdom of Scot- " land, his Majeſty will very readily apply him- " ſelf to give all reaſonable ſatisfaction; when the " deſires of the two houſes of parliament on their " behalf, or of the commiſſioners of that king- " dom, or of both joined together, ſhall be made " known unto him."

The parliament takes not any notice of them.

Of theſe offers the two houſes took no notice. Beſide their finding in them only part of their former demands, they were always on their guard with reſpect to this Prince's propoſals, wherein it was but too uſual to meet with ambiguous expreſſions, reſtrictions and conditions expreſſed or implied

(1) The houſe of commons conſented to allow him 20,000 l. per ann. by way of recompenſe for it. Ruſhworth, Vol. VII. p. 851.

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plied, which made it quite impoſſible to build ſecurely on ſuch foundations. We hereof have ſeen diverſe inſtances in King Charles's papers, ſince the begining of his reign; and alſo in this, where he carries his offers farther than ever, it was eaſy to diſcern the like method; for he was, as well as his father, extremely artful in the choice of his expreſſions: nay, it ſeems that, in offering to yield up all power of the militia, "during his whole "reign," words frequently repeated in theſe propoſals, he had ſome ſecret intention; as to reſign the crown to the Prince his ſon; otherwiſe, I cannot conceive why he affected to ſubſtitute the term of his reign, inſtead of that of his life, or of twenty years, as was demanded by the parliament: at leaſt it is certain, if his offer had been accepted, as expreſſed in his words, he might, by reſigning the crown, have put the Prince of Wales, by the treaty itſelf, in full poſſeſſion of the militia, and nomination to the great offices. This is indeed only a conjecture, tho' probable enough. Howſoever it be, the two houſes had long ſince refuſed treating but on their own propoſitions: neither would they allow of his explications, ſo apprehenſive were they of his ſubtilties, which would have ingaged them in diſcuſſions wherein they would have always had the like to apprehend. Such was the diffidence this Monarch's character had bred, which ever made impracticable a reconciliation between him and the parliament. It muſt however be acknowledged that, on this occaſion, there were other reaſons which hindered the two houſes from regarding his ſaid Majeſty's offers. The principal was, they were under ſubjection to the army, or rather the Independents, who were not for peace on any terms whatever.

Negociation of the Scotiſh commiſſioners with his Majeſty. Clarendon, Vol. III. p. 76.

During King Charles's ſtay at Hampton-court, the Scotiſh commiſſioners, as has been hinted, had treated with him, and put him in hope, that the Scots would join with the Cavaliers and Engliſh Preſbyterians, to reſcue him from the Independents. But they required what he could not ever reſolve to grant, viz. the change of epiſcopal government in the Engliſh church into Preſbyterian. This ſingle point had prolonged the negociation, and hindered the treaty's concluſion. Cromwell had thereof ſome intimation, and probably for that reaſon, uſed all his induſtry to procure his Majeſty's retiring to the iſle of Wight, where thoſe Scots could not have ſuch free acceſs to him.

Conteſt between them and the parliament. Ruſhworth, Vol. VII. p. 850, 864, 884.

When Charles went from Hampton-court, the propoſals which both houſes intended for him, were all ready. But the Scotiſh commiſſioners defered from day to day approving them, on pretenſe that Scotland's intereſts were not ſufficiently ſpecified, expecting to agree with the King, before they ſhould be preſented. This diſpute between the parliament and Scots ſtill ſubſiſted, when ſuddenly the peers acquainted the commons, at a conference, that, having more maturely conſidered his Majeſty's laſt meſſage, they were intirely for admiting him to a perſonal treaty, on condition he would give his aſſent to four preliminary propoſitions, to be paſſed into acts before the reſt ſhould be treated on. Theſe were:

The lords propoſe a peace with Charles, for his aſſenting to four bills. Novem. 26. p. 890. Clarendon, Vol. III. p. 67. Whitelock.

1. An act for ſetling the militia of the kingdom.
2. An act for calling in all declarations, oaths and proclamations againſt the parliament, and thoſe who adhered to them.
3. An act, that thoſe lords who were created after the great-ſeal was carried to Oxford, may be rendered incapable of ſiting in the houſe of peers.
4. An act for impowering the two houſes of parliament to adjourn as they ſhall think fit.

Next day (1), the commons gave their conſent to theſe propoſitions, and ordered, that the four bills ſhould be drawn, and diſpatched to his Majeſty, after which a perſonal treaty with him ſhould be entered on. All this was done ſo very expeditiouſly, that it was not poſſible for the Independents to prevent what they were not prepared againſt. The Scotiſh commiſſioners, who had formed other projects, tried in vain to hinder the effect of this reſolution. The parliament wiſhed for peace, thereby to diſconcert the Independents meaſures. The ſixth of December, Charles ſent a freſh meſſage to both houſes, earneſtly preſſing for a perſonal treaty, as being the beſt means for ſetling a peace.

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Novem. 27. Ruſhworth. Vol. VII. P. 915.

p. 926.

The fourteenth ditto, the commons, after paſſing thoſe four bills, and approving the inſtructions for thoſe who were to preſent them, named a commitee to carry them to his Majeſty.

p. 932. Whitelock.

They then anſwered the Scotiſh commiſſioners complaints, that the four bills were not communicated to them. They ſaid; It was contrary to the rights and privileges of parliament, to communicate bills to any perſon whatever, before they had received the royal aſſent, and that there was nothing contrary to this in the treaty between both kingdoms: that they deſired the Scotiſh commiſſioners to prepare ſuch propoſitions as they ſhould judge neceſſary for the kingdom of Scotland, that the commitee might depart on the twentieth.

Ruſhworth, Vol. VII. p. 931, 932. Whitelock.

That day, the Scotiſh commiſſioners preſented to both houſes a large declaration, complaining in a very high ſtrain, that the parliament of England violated the covenant, in laboring for peace without the concurrence of Scotland. They inſiſted on a perſonal treaty between the King, and both houſes, and themſelves, that peace might be ſetled with mutual conſent: and declared, as they could not agree to the ſending thoſe four bills to his Majeſty for his aſſent, before any treaty upon the other propoſitions, ſo they were unſatisfied with the matter of theſe new propoſals lately communicated to them; and defired, that there might be a perſonal treaty with the King, upon ſuch propoſitions as ſhould be agreed on, with advice and conſent of both kingdoms.

Declaration of the Scots; Decemb. 17. Ruſhworth, Vol. VII. p. 938.

This declaration gave great offenſe to both houſes. Their reply to it was in terms anſwerable to the language uſed by the Scots; and it was ordered, that the printer of their declaration ſhould be impriſoned.

which offends the parliament. p. 939, 940.

In few words, notwithſtanding the Scots oppoſition, thoſe bills were preſented to his Majeſty, the twenty-fourth of December. Next day, the Scotiſh commiſſioners arrived at the iſle of Wight, and delivered to King Charles a declaration of their diſſent to the propoſitions they had lately ſeen, and the four bills brought him. That done, they had a conference with the King, wherein paſſed certain matters which long remained ſecret, and which it will be neceſſary to recite here, ſince they were the ſourſe of thoſe events the reader will meet with hereafter.

The four bills preſented to his Majeſty. p. 946. The Scots declare their diſſent thereto. Clarendon. Vol. III. p. 67. Whitelock. Heath. p. 158.

Since King Charles's being in the army's power, the Scots feared he would unite with them. They were ſenſible of the Independents mortal hatred to them, and conſequently that ſuch union could not but be very prejudicial to Scotland. The army's ſucceſs againſt the parliament and city of London greatly increaſed their dread, and put them upon ſeeking means to avert, as they thought, the impending danger. They found no method properer than to join with the King, provided he could be perſuaded to approve the covenant, and aboliſh epiſcopacy in

(1) Not three days after, as our author miſtakes.

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England. In their frequent conferences with him at Hampton-court, they inſinuated; That, when he was delivered to the parliament, it was not with the advice of all Scotland, but only by the marquis of Argyle's credit, who tyranniſed over the kingdom: that all the Scots were diſpleaſed with it, and ready to attone for the fault, by aſſiſting him with all their power to recover his juſt rights. But they added; That, to ingage the Scots to imploy their forces to this end, his Majeſty was to give them ſatisfaction concerning the covenant, and the abolition of epiſcopacy in England; for, otherwiſe, he could not expect any aſſiſtance from the Engliſh Preſbyterians, which was abſolutely neceſſary. In ſhort, they made him hope, that the Scots would enter England with a ſtrong army, which, by the junction of the Royaliſts, and Engliſh Preſbyterians, would become ſo ſuperior to the Independents army, that he might almoſt be aſſured, nothing would be capable to oppoſe his reſtoration.

Clarendon, Vol. III. p. 76, &c.

Theſe overtures were the more agreeable to King Charles, as duke Hamilton, after his releaſe from impriſonment by the army, had declared to the King's friends, that he was ready to do his Majeſty whatever ſervice lay in his power. Moreover the marquis of Ormond had acquainted that Prince with his project of returning into Ireland, joining lord Inchiquin (whom he had privately gained) and ſome of the leading rebels, and making war upon the parliament; affirming, that France had promiſed to ſupply him with all neceſſaries. It was very probable, that ſuch union between Charles's party, the Engliſh Preſbyterians and the Scots, added to a diverſion in Ireland, would very much imbaraſs the Independents, and diſable them to withſtand ſo great a power: but to execute this project, his Majeſty muſt approve the covenant, and conſent to the abolition of epiſcopacy; articles he could never admit. Theſe were the two ſtumbling-blocks which hindered him from concluding a treaty with the Scotiſh commiſſioners, before his retreat from Hampton-court. He would never grant theſe two points, and, in expectation that, by his ſteadineſs, he ſhould induce the Scots to deſiſt from their deſires, quited Hampton-court without any agreement with them. When therefore he ſo earneſtly preſſed for a perſonal treaty at London, with honor, freedom and ſafety, it was in order to treat more commodiouſly with the Scots, and conſult his friends, concerning what might be expected as well from his own as the Preſbyterian party; and, doubtleſs, had he concluded a treaty with them, his deſign was to have prolonged the negociation with both houſes, 'till the Scotiſh army entered England, and his old and new partiſans had concerted all their meaſures (a). In all probability, this league would have found the army ſo much imployment, that they would not a ſecond time be able to ſubdue the parliament and city of London. Accordingly, this was preciſely what the Scotiſh commiſſioners had propoſed to themſelves, in their objections to the propoſitions, and in their demand of a perſonal treaty with the King, upon ſuch propoſals as ſhould be agreed on by both kingdoms; being well aſſured, they might eaſily have ſpun out time 'till all ſhould have been in a readineſs.

Ibid.

The method both houſes took to procure his Majeſty's conſent to the four bills, among which was that of the militia, before they admited him to a perſonal treaty, convinced that Prince of their not having any deſign to relax upon any of the principal articles. He conſidered; That, after paſſing theſe four bills, he ſhould ſtill be forced to treat on propoſitions much like thoſe preſented him at Newcaſtle: that, after all, what the parliament ſtiled treating, was, according to their ſenſe, yielding to their demands, and, on the leaſt refuſal to grant what ſhould be propoſed to him, he ſhould perhaps be more cloſely confined, when he had paſſed one of the moſt important points in diſpute: that then, he ſhould not be able to treat with the Scots, and by paſſing thoſe four bills ſhould loſe the preſent opportunity, which would never offer again. Theſe conſiderations determined him to agree with the Scotiſh commiſſioners, at a ſecond conference with them, the twenty-fifth of December. As there was no time to loſe, the parliament's agents having orders to ſtay but four days in the iſle of Wight, the Scots had brought with them a treaty ready drawn, agreeable to the propoſitions they had made the King at Hampton-court. This treaty was next day ſigned by his Majeſty and the Scotiſh commiſſioners, Charles having had but few hours to reſolve. Here follows the ſubſtance of this treaty, which lord Clarendon ſays was read but by very few, and which he repreſents as the moſt unjuſt treaty could poſſibly have been impoſed on this Prince. This obliges me to make remarks on ſome of the articles.

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Vol. III. p. 82.

The ſubſtance of this treaty. p. 78.

IN the preface, his ſaid Majeſty acknowledged, "That the intentions of thoſe who had entered "into the covenant, were real for the preſervation "of his Majeſty's perſon and authority, according "to their allegiance, and no way to diminiſh his "juſt power and greatneſs. He promiſed, as ſoon "as he could, with freedom, honor and ſafety, to "be preſent in a free parliament, to confirm the ſaid "league and covenant by act of parliament in both "kingdoms, for the ſecurity of all who had taken, "or ſhould take it." With this proviſo however, "That none who was unwilling ſhould be con-"ſtrained to take it (1).

REMARK (1). If it is conſidered, that the Scots joined their forces with thoſe of England, ſolely in defenſe of this covenant, which had been formerly ſworn to in both kingdoms, it will not be thought ſtrange, the Scotiſh commiſſioners ſhould require of King Charles this promiſe. Without this, there would have been no poſſibility of ingaging the Scots to imploy their forces to reſtore this Prince to his rights, and, how hard ſoever this condition might appear to him, it was abſolutely neceſſary to produce the effect which he expected from his union with Scotland.

"His Majeſty ingaged to confirm in England "by act of parliament, Preſbyterian govern-"ment; the directory for worſhip; and the aſ-"ſembly of divines at Weſtminſter for three "years; ſo that his Majeſty and his houſhold "ſhould not be hindered from uſing that form of "divine ſervice he had formerly practiſed (2): "And that, during theſe three years, there ſhould "be a conſultation with the aſſembly of divines, "to which twenty of the King's nomination ſhould "be added, and ſome from the church of Scot-"land; and thereupon it ſhould be determined, "by his Majeſty and the two houſes of parlia-"ment, what form of government ſhould be eſta-

(a) This conjecture is confirmed, by his Majeſty's letter to the earl of Lanerick, dated at Cariſbrook, November 19, 1647, wherein he ſays, "That his meſſage from thence to both houſes will, he believes, have diverſe interpretations, and be diſliked "by the Scotiſh commiſſioners; but the end of it was to procure a perſonal treaty. This he thought neceſſary to tell him, "that he might aſſure his fellow commiſſioners, that change of place had not altered his mind from what it was when he ſaw "him laſt." "Mem. of the duke of Hamilton, p. 325."

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" bliſhed after the expiration of thoſe years, as " ſhould be moſt agreeable to the word of God.

REM. (2) Theſe Scotiſh commiſſioners were not ſo ſtupid as to imagine that the Scots, with their own ſingle forces, ſhould be able to effect King Charles's reſtoration: they depended chiefly on the Engliſh Preſbyterians aſſiſtance. But how was it poſſible for them to rely on their aid, if nothing of what they wanted was ſtipulated? Nay, it is aſtoniſhing they ſhould be ſatisfied with a ſetlement which was to laſt only three years, conſidering how they themſelves, and the Engliſh Preſbyterians (whoſe aſſiſtance was indiſpenſible) ſtood affected. Undoubtedly, King Charles himſelf did not think he was forced upon this point, ſince he had offered the ſame thing to both houſes, in his meſſage of the tenth of December.

" That ſome effectual courſe may be taken, by " act of parliament, and all other ways needful or " expedient, for the ſuppreſſing the opinions and " practiſes of Anti-Trinitarians, Arians, So- " cinians, Anti-Scripturaliſts, Anabaptiſts, Anti- " nomians, Arminians, Familiſts, Browniſts, Se- " paratiſts, Independents, Libertines, and Seekers, " and generally, for the ſuppreſſing of all blaſ- " phemy, hereſy, ſchiſm, and all ſuch ſcandalous " doctrines and practiſes as are contrary to the " light of nature, and to the principles of Chriſ- " tianity, whether concerning faith, worſhip or " converſation, or the power of godlineſs, or " which may be deſtructive to order and govern- " ment, or to the peace of the church and king- " dom (3.)

REM. (3) All theſe ſects mentioned in this article, were no leſs enemies to the Preſbyterians than to the church of England. Theſe three laſt articles being preciſely what King Charles had offered, in his meſſage of the ſixteenth of November, it cannot be ſaid that he granted them thro' ſurpriſe or compulſion.

His Majeſty promiſed, " That in the next ſeſ- " ſion of parliament, after the kingdom of Scot- " land ſhould declare for him, in purſuance of " this agreement, he ſhould in perſon, or by " commiſſion, confirm the League and Covenant " in that kingdom; and concerning all the acts " paſſed in the laſt parliament of that kingdom, " his Majeſty declared, that he ſhould then like- " wiſe be content to give aſſurance, by act of parlia- " ment, that neither he nor his ſucceſſors ſhould " quarrel, call in queſtion; or command the con- " trary of any of them, nor queſtion any for giving " obedience to the ſame."

Next after theſe articles concerning religion, followed a long recital of " the agreement the parlia- " ment of England had made, when the Scots " army returned to Scotland, that the army un- " der Fairfax ſhould be diſbanded; and of that " army's ſubmiting thereunto; of their taking the " King from Holmby, and keeping him priſoner " 'till he fled from them to the iſle of Wight; " and ſince that time both his Majeſty, and the " commiſſioners for the kingdom of Scotland, had " very earneſtly deſired, that the King might " come to London in ſafety, honor and freedom, " for a perſonal treaty with the two houſes, and " the commiſſioners of the parliament of Scotland; " which, they ſaid, had been granted, but that " the army had, in a violent manner, forced away " diverſe members of the parliament from the diſ- " charge of their truſt, and poſſeſſed themſelves " of the city of London, and all the ſtrengths " and gariſons of the kingdoms: and that, by " the ſtrength and influence of that army, and their " adherents, propoſitions and bills had been ſent to " the King without the advice and conſent of the " kingdom of Scotland, contrary to the treaties " which are between the two kingdoms, and de- " ſtructive to religion, his Majeſty's rights, the " privilege of parliament, and liberty of the ſub- " ject; from which propoſitions and bills the Scotiſh " commiſſioners had diſſented, and proteſted " againſt, in the name of the kingdom of Scotland."

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After this preamble and recital, they ſaid, " That " foraſmuch as his Majeſty is willing to give ſatiſ- " faction concerning the ſetling of religion, and " other matters in difference, as is expreſſed in " this agreement, the kingdom of Scotland doth " oblige, and ingage itſelf; firſt, in a peaceable " way and manner to indeavor, that the King may " come to London in ſafety, honor and freedom, " for a perſonal treaty with the houſes of parlia- " ment, and the commiſſioners of Scotland, upon " ſuch propoſitions as ſhould be mutually agreed on " between the two kingdoms, and ſuch propoſitions " as his Majeſty ſhould think fit to make; and " for this end, all armies ſhould be diſbanded; and " in caſe that this ſhould not be granted, that " declarations ſhall be emited by the king- " dom of Scotland, in purſuance of this agree- " ment, againſt the unjuſt proceedings of the two " houſes of parliament, towards his Majeſty, and " the kingdom of Scotland; in which they would " aſſert the right which belonged to the crown, in " the power of the militia, the great ſeal, beſtow- " ing honors and offices of truſt, choice of the " privy-counſellors, and the right of the King's " negative voice in parliament: and that the " Queen's Majeſty, the Prince, and the reſt of the " royal iſſue, ought to remain where his Majeſty " ſhall think fit, in either of his kingdoms, with " ſafety, honor and freedom: that upon iſſuing this " declaration, an army ſhould be ſent out of Scot- " land into England, for the preſervation and eſta- " bliſhment of religion; for defenſe of his Ma- " jeſty's perſon and authority, and reſtoring him " to his government, to the juſt rights of the " crown, and the full revenues; for defenſe of the " privilege of parliament, and liberty of the ſub- " ject; for making a firm union between the king- " doms, under his Majeſty and his poſterity, and " ſetling a laſting peace. In purſuance whereof, " the kingdom of Scotland was to indeavor, that " there might be a free and full parliament in Eng- " land, and that his Majeſty may be with them " in honor, ſafety and freedom; and that a " ſpeedy period be ſet to the preſent parliament. " And they undertook, that the army which they " would raiſe, ſhould be upon its march, before " the meſſage and declaration ſhould be delivered to " the houſes." It was farther ſtipulated, " That " all ſuch in the kingdoms of England and Ire- " land, as would join with the kingdom of Scot- " land, in purſuance of this agreement, ſhould be " protected by his Majeſty in their perſons and " eſtates; and that all his ſubjects in England, or " Ireland, who would join with him in purſuance " of this agreement, might come to the Scotiſh " army and join them, or elſe put themſelves into " other bodies in England, or Wales, for proſe- " cution of the ſame ends, as the King's Majeſty " ſhould judge moſt convenient, and under ſuch " commanders or generals of the Engliſh nation, " as his Majeſty ſhall think fit: and that all ſuch " ſhould be protected by the kingdom of Scotland " and their army, in their perſons and eſtates, and " where any injury or wrong is done unto them, " they would be careful to ſee them fully repaired, " as far as it ſhould be in their power to do; and " likewiſe when any injury or wrong is done to " thoſe who join with the kingdom of Scotland, " his Majeſty ſhould be careful of their full repa- " ration (4)."

REM. (4) When theſe five articles are reflected on, the

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the very conſiderable benefits which accrued to King Charles by his condeſcenſion to eſtabliſh Preſbytery in England, for three years, are manifeſtly evident. But ſome mens prejudice againſt this perſuaſion, makes them think his Majeſty paid very dear for the advantages he expected to reap from his union with Scotland.

They obliged his Majeſty to promiſe, " That " neither himſelf nor any by his authority or " knowledge, ſhould make or admit any ceſſation, " pacification, or agreement whatſoever for peace, " nor of any treaty, propoſitions, bills, or any " other ways for that end, with the houſes of par- " liament, or any army or party in England or " Ireland, without the advice and conſent of the " kingdom of Scotland, and reciprocally, that " neither the kingdom of Scotland, nor any having " their authority, ſhould make or admit of any " of theſe, any manner of way with any what- " ſoever, without his Majeſty's advice or con- " ſent: and that upon ſetling a peace, there ſhould " be an act of oblivion to be agreed upon by his " Majeſty, and the parliaments of both his king- " doms. That his Majeſty, the Prince, or both, " ſhould come into Scotland, upon the invitation " of that kingdom, and their declaration, that they " ſhould be in honor, freedom and ſafety when poſ- " ſibly they could come with ſafety and conve- " nience; and that the King ſhould contribute his " utmoſt indeavor, both at home and abroad, to- " wards aſſiſting the kingdom of Scotland for carry- " ing on this war both by ſea and land, and all " other ſupplies by monies, arms, ammunition and " all other things requiſite, as alſo for guarding " the coaſts of Scotland with ſhips, and protect- " ing all their merchants in the free exerciſe of " their trade and commerce with other nations: " and likewiſe, that his Majeſty was willing, and " did authoriſe the Scotiſh army to poſſeſs them- " ſelves of Berwick, Carliſle, Newcaſtle upon " Tine, with the caſtle of Tinmouth, and the " town of Hartlepool: thoſe places to be their re- " treat and magazines; and that when the peace " of the kingdom ſhould be ſetled, the kingdom " of Scotland ſhould remove all their forces, and " deliver back thoſe towns and caſtles.

" The King promiſed alſo, and undertook to " pay the arrears of the brotherly aſſiſtance, and " likewiſe the two hundred thouſand pounds, " which remained ſtill due upon the laſt treaty for " return of the Scotiſh army, when they delivered " up the King (5).

Rem. (5) If the four hundred thouſand pounds promiſed the Scotiſh army, when they quited England, be conſidered as their reward, or price whereat they ſold the King's perſon, nothing could be more unreaſonable than conſtraining that Prince to diſcharge the ſaid ſum of money. But if it was really due to the Scots for their arrears, his Majeſty, by the firſt article of this treaty, approving the covenant of both kingdoms, the Scots could urge, that he was bound to ſee them paid the expenſe they had been at in maintaining the ſaid covenant.

Moreover, " That payment ſhould be made to " the kingdom of Scotland, for the charge and ex- " penſe of their army in this future war, with due " recompenſe for the loſſes they ſhould ſuſtain there- " in, and that due ſatisfaction, according to the " treaty on that behalf betwixt the two kingdoms, " ſhould be made to the Scotiſh army in Ireland, " out of the lands of this kingdom, or otherwiſe: " and that the King, according to the intention of " his father, ſhould indeavor a complete union of " the two kingdoms, ſo as they may be one under " his Majeſty, and all his poſterity; or, if that " cannot ſpeedily be effected, that all liberties and " privileges concerning commerce, traffic, manu- " factures, peculiar to the ſubjects of either nation, " ſhould be common to the ſubjects of both king- " doms without diſtinction; and that there be " a communication, and mutual capacity of all " other liberties of the ſubjects in the two king- " doms (6).

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Rem. (6) If his Majeſty, by his own authority, could not unite the two kingdoms, without the two parliaments concurrence, neither could he, without the ſame concurrence, make common the privileges of both kingdoms. So, probably, this article was put into the treaty only to dazzle the Scots.

" That a competent number of ſhips ſhould be " yearly aſſigned and appointed out of his Ma- " jeſty's navy, which ſhould attend the coaſt of " Scotland for a guard, and freedom of trade of " that nation; and that his Majeſty ſhould declare, " that his ſucceſſors, as well as himſelf, are obliged " to the performance of the articles and conditions " of this agreement; but that his Majeſty ſhall " not be obliged to the performance of the afore- " ſaid articles, 'till the kingdom of Scotland ſhould " declare for him, in purſuance of this agreement; " and that the whole articles and conditions afore- " ſaid ſhall be finiſhed, perfected and performed " before the return of the Scotiſh army; and that " when they return into Scotland, at the ſame " time, 'ſimul & ſemel,' all armies ſhould be diſ- " banded in England." The King ingaged himſelf alſo, " To imploy thoſe of the Scotiſh nation, " equally with the Engliſh, in all foreign imploy- " ments and negociations; and that a third part of " all the offices and places about the King, Queen " and Prince ſhould be confered upon perſons of " that nation; and that the King and Prince, or " one of them, will frequently reſide in Scotland, " that the ſubjects of that kingdom may be known " to them."

Charles's conſent, by this treaty, to eſtabliſh Preſbytery in England, for three years, lying heavy on his mind, he prevailed with the commiſſioners, that it ſhould be inſerted, under the ſame treaty; " That his Majeſty did declare, that, by the clauſe " of confirming Preſbyterian government by act " of parliament, he is neither obliged to deſire the " ſetling of Preſbyterian government, nor to pre- " ſent any bills to that effect; and that he likewiſe " underſtands, that no perſon whatſoever ſhall ſuffer " in his eſtate, nor undergo any corporal puniſh- " ment, for not ſubmiting to Preſbyterian govern- " ment; his Majeſty underſtanding, that this in- " demnity ſhould not extend to thoſe who are men- " tioned in thoſe articles againſt toleration."

To this the Scotiſh commiſſioners ſubſcribed their hands, as witneſſes only, as they ſaid, and not as aſſenters.

Lord Clarendon, in his hiſtory of the civil wars of England, thus exclaims againſt the injuſtice of this treaty; viz. Vol. III. p. 82.

" No man who reads this treaty (which very " few men have ever done) can wonder, that ſuch " an ingagement met with the fate which attended " it; which contained ſo many monſtrous conceſ- " ſions that, except the whole kingdom of England " had been likewiſe impriſoned in Cariſbrook-caſtle " with the King, it could not be imagined, that it " was poſſible to be performed."

To confeſs a truth, whatever eſteem I may have for that illuſtrious hiſtorian, this bare aſſertion, without any explication, is not to me at all ſatisfactory. After having ſtrictly ſcrutiniſed every clauſe of this treaty, I meet not with any which to me appear monſtrous. Indeed, the article of ſetling the Preſbyterian government in England, for three years, might ſeem ſo to the earl of Clarendon, and ſuch as join with his lordſhip in ſentiment. The reader

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is to judge, whether this monſtroſity (if I may uſe that expreſſion) is to be aſcribed to the thing itſelf, or to the hiſtorian's prepoſſeſſion (1).

King Charles, having concluded his treaty with the Scotiſh commiſſioners, delivered to the parliament's deputies this anſwer: viz.

Charles's anſwer to the parliament's commiſſioners. Clarendon, Vol. III. p. 68. Heath. p. 160.

"That his Majeſty had always thought it a "matter of great difficulty, to comply in ſuch a "manner with all ingaged intereſts, that a firm "and laſting peace might inſue; in which opinion "he was now confirmed, ſince the commiſſioners "for Scotland did ſolemnly proteſt againſt the "ſeveral bills, and propoſitions, which the two "houſes of parliament had preſented to him for his "aſſent; ſo that it was not poſſible for him to "give ſuch anſwer as might be the foundation of "a hopeful peace. That beſide, the four bills, as "they were offered to him, did not only diveſt "him of all Sovereignty, and leave him without "any poſſibility of recovering it to him or his ſuc-"ceſſors, but opened a door for all intolerable op-"preſſions upon his ſubjects, he granting ſuch ar-"bitrary and illimited power to the two houſes. "That neither the deſire of being freed from that "tedious and irkſome condition of life, which he "had ſo long ſuffered, nor the apprehenſion of any "thing might befall him, ſhould ever prevail with "him to conſent to any one act, 'till the condi-"tions of the whole peace ſhould be concluded; "and that then he would be ready to give all juſt "and reaſonable ſatisfaction, in all particulars; "and for adjuſting all this, he knew no way but "a perſonal treaty (and therefore very earneſtly "deſired the two houſes to conſent to it) to be "either at London, or any other place they would "rather chuſe."

Ludlow. Vol. I. p. 234. Clarendon, Vol. III. p. 67, 68.

This Prince, not doubting but his anſwer would diſpleaſe the two houſes, would have given it the commiſſioners ſealed up; becauſe, while the parliament ſhould take it into conſideration, he intended to make his eſcape, having already taken ſome meaſures for that purpoſe. But the commiſſioners (2) would not receive it in that manner; ſaying, "They were not to be looked upon as com-"mon meſſengers, and to carry back an anſwer "they had not ſeen." Charles, apprehending, that their return without his anſwer would be attended with the worſt of conſequences, gave it them open; whereupon they inſtantly departed. They were ſcarcely out of ſight, when governor Hammond * put out of the caſtle all his Majeſty's ſervants, who 'till then had been permited to be with him, and guarded him ſo ſtrictly, that none had liberty to approach him without expreſs licenſe (3).

Ibid. Ruſhworth, Vol. VII. p. 950. * By general Fairfax's order.

Burley's inſurrection to reſcue his Majeſty. p. 952. Dec. 29. Clarendon, Vol. III. 69. He is apprehended and executed. † Formerly a ſea-captain.

It was not in vain that the governor took theſe precautions, ſince, immediately after, one Burley †, reſiding in that iſland, who had been general of the ordnance in one of King Charles's armies, ſtrove to excite the inhabitants to reſcue their Sovereign from his captivity (4). But he ſo ill laid his meaſures that, inſtead of executing his deſign, he was apprehended, afterwards condemned, drawn, hanged and quartered. Seemingly, Charles had depended on this gentleman for his eſcape.

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His Majeſty's anſwer being read in the houſe of commons, ſeveral members ſpoke againſt him with ſignal animoſity and virulence. Among the reſt, Cromwell ſaid;

Jan. 3. Heath. Manley.

Cromwell's invectives againſt the King. Clarendon, Vol. III. p. 70.

"That the King was a man of great parts, and "great underſtanding; but he was ſo great a "diſſembler, and ſo falſe a man, that he was not "to be truſted. That while he profeſſed with all "ſolemnity, that he refered himſelf wholly to "the parliament, and depended only upon their "wiſdom and counſel for the ſetlement and com-"poſing the diſtractions of the kingdom, he had "at the ſame time ſecret treaties with the Scotiſh "commiſſioners, how he might imbroil the nation "in a new war, and deſtroy the parliament." He concluded; "That they might no farther trouble "themſelves with ſending meſſages to him, or far-"ther propoſitions, but that they might enter upon "thoſe counſels which were neceſſary towards "ſetling the kingdom, without having farther re-"courſe to the King." This advice being ſtrongly ſeconded by ſome other members, it was at length reſolved, after a long debate from morning 'till late at night (5), That no more addreſſes ſhould be made to, or meſſages received from the King (6), and that a declaration ſhould be publiſhed to ſatisfy the kingdom why they did ſo. This declaration was very ſoon prepared (7). It contained all the reproaches caſt on this Prince, in 1641, in the Remonſtrance of the State of the Kingdom, and whatever had been complained of ſince that time, not without a direct inſinuation, that King Charles had, when Prince of Wales, conſpired with the duke of Buckingham againſt the life of his father, King James. They charged him with having openly betrayed the intereſt of the Proteſtant religion, by lending his ſhips to the King of France, who imployed them againſt Rochel. When this declaration came to be debated, it met with much oppoſition, even in the houſe of commons: but his Majeſty's adverſaries did what is daily practiſed in parliaments. They ſuffered the declaration's opponents to ſay juſt what they pleaſed, and then called for the queſtion; which was carried by a plurality of voices: after which the declaration was ſent up to the peers, where it paſſed without difficulty.

Vote, that no more addreſſes be made to, nor meſſages received from his Majeſty. Ruſhworth, Vol. VII. p. 953. Declaration on that ſubject p. 998. Whitelock. Clarendon, Vol, III. p. 70, 71.

The Scotiſh commiſſioners, before they returned home, communicated their deſigns to Charles's partiſans, the marquis of Ormond, and ſome leading Preſbyterians, and early preparations were made for accompliſhing the project which was forming in his Majeſty's favor. The project was this.

p. 55.

The Scots were to ſend into England an army to act againſt the Independents, and deliver the King. The marquis of Ormond was to return into Ireland, where lord Inchiquin, who commanded the parliament's forces in Munſter, had promiſed to declare for his Majeſty, and ſeveral heads of the

Project in the King's favor. p. 74, &c.

(1) The Scotiſh commiſſioners, apprehenſive of being ſearched in their return to London, did wrap up this treaty in a piece of lead, and buried it in a garden in the iſle of Wight, whence they eaſily found means afterwards to receive it. Clarendon, Vol. III. p. 77.

(2) The earl of Denbigh, as chief, was ſpokeſman.

(3) The King, after ſome expoſtulations for this uſage, "aſked Hammond, By what authority he did it?" He ſaid, "By "authority of both houſes, [and that he ſuppoſed his Majeſty was not ignorant of the cauſe of doing thus." The King profeſſed the contrary, and the governor replied,] "That he plainly ſaw, his Majeſty was acted by other counſels than "ſtood with the good of the kingdom." Whitelock, p. 287. [The words between Crotchets are omited by lord Clarendon.]——Some time before this, there had been conſultations and debates, both in the parliament and army, "by "one mean or other to deſtroy his Majeſty's perſon," Burnet's Mem. Hamil. p. 330. Clarendon, Vol. III. p. 70. Of this a general officer gave ſir John Berkley information, and adviſed, that the King ſhould eſcape if he could. See Ludlow, Vol. I. p. 227.

(4) Mr. William Liſle had undertaken to provide a ſhip for the King's eſcape, but the ſhip came not. Whitelock, p. 286.

(5) So ſay Whitelock and Ruſhworth, whom our author quotes, and yet ſays, from lord Clarendon, that the debate laſted ſome days.

(6) Upon pain of high-treaſon. See Ruſhworth, Vol. VII. p. 953.

(7) It was prepared by colonel Nathaniel Fiennes. Ludlow, Vol. I. p. 236.

rebels

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rebels, who were diſguſted at the Romiſh nuncio's arbitrary procedure, had ingaged to join the marquis with a ſtrong body of their troops. At the ſame time, Charles's friends in England were to riſe in ſeveral counties. The generals and officers, diſcarded by the new model, had promiſed to aſſemble what forces they could, to countenance the deſign. The nobility, gentry and burghers, being diſſatisfied that the army ſhould govern the parliament, and all offices be confered on thoſe of their faction, it was not queſtioned but the inſurrections in ſundry quarters would be ſupported and incouraged. On the other hand, ſir Marmaduke Langdale, and ſir Philip Muſgrave, who had great intereſt in Yorkſhire and Cumberland, ingaged to ſieze Berwick and Carliſle. The Preſbyterian party, being ſtill very numerous in the parliament and city, were preparing openly to oppoſe the army, as ſoon as they ſhould ſee it imployed in ſo many different quarters. Had all the projects been well managed, and at once put in execution, it is very probable that Cromwell, with all his cunning, would have been not a little put to his trumps. But of all thoſe who ſhould have acted at the ſame time, ſome were too haſty, others too ſlow, and therefore the army eaſily cruſhed them one after another. But before we enter on the manner how the ſeveral projects were attempted to be executed, I judge it abſolutely neceſſary to ſhew the intereſts and views of the different parties, otherwiſe it would be very difficult rightly to comprehend the ſequel.

p. 94.

p. 98.

Deſigns of the Independents.

The Independents deſigned to be maſters of the kingdom, as they were already of the parliament and city of London: but, as they found, it would not be eaſy to ſucceed in this undertaking, by the ſame means they had imployed to ſubdue the city and parliament, their aim was to make both houſes the cat's foot, and govern in their name. It was therefore their intereſt, that the power they had acquired over them ſhould not be too viſible, for fear of depriving the parliament of its whole authority, which they purpoſed to make good uſe of. For this reaſon, they were very careful to manage both houſes; knowing that, while the army ſubſiſted, they would not fail ſhewing it a deference, for fear of inſenſing that armed power: and, in caſe they ſhould think of taking too much liberty, the chiefs knew how to reduce them to more complaiſance. Tho' they had diſſembled their ſentiments with reſpect to Charles, after his removal from Holmby, they were his mortal enemies, and with their utmoſt ability bent to oppoſe his reſtoration on any conditions whatever, becauſe they conſidered it as abſolutely deſtructive of their party. Oliver Cromwell, who privately directed their affairs, had, as I obſerved, found means to keep his poſt in the army, and his ſeat in parliament, tho' he had been the chief promoter of the ſelf-denying ordinance, whereby all other parliament-members were excluded from offices, either civil or military. Moreover, ſince the war ended, he had brought into the houſe many more of his faction, beſide thoſe who had been there ever ſince this parliament commenced. Hence the Independent party was grown very conſiderable in the houſe of commons, as well by their number, as by the junction of ſeveral other members, who, thro' fear, or want of judgment, ſuffered themſelves to be led by the Independents, on ſome occaſions where their artifices were not eaſy to be diſcovered; but their main ſtrength lay in the army's ſupport, whereof they were ſecure, when neceſſary: ſo, when any leading Independent ſpake with warmth in the houſe, he ſeldom met with oppoſition, becauſe he was conſidered as the mouth of the army.

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But what end was it the Independents propoſed? The event ſhewed their principles were inconſiſtent with either Monarchy, Epiſcopacy, or Preſbytery, and that their aim was to eſtabliſh in the ſtate a republic, and wholly aboliſh eccleſiaſtical authority. Nothing was more oppoſite to this deſign than the hierarchy, eſpecially as it was experimentally known to have ſupported the monarchy, not only in its rights, but alſo in its moſt exorbitant pretenſions. Preſbytery, as eſtabliſhed in Scotland, and as intended to be eſtabliſhed in England, was no leſs contrary to their deſigns. They pretended, it was inconſiſtent with the civil government, and to admit it would be to admit in the church a ſort of common-wealth, which would aſpire to a complete independency on the ſtate; nor were the Preſbyterian clergy leſs averſe to toleration than the Epiſcopal. This they proved by the example of Scotland, where, under color of religion and godlineſs, the general aſſemblies of the kirk pretended to intermedle in all important affairs of the ſtate, and not only to aſſiſt the civil authority, but to be bound to it in conſcience, on certain occaſions. Beſide, if the prelates had perſecuted thoſe who refuſed conforming to the church of England, the Preſbyters, ſince their being uppermoſt, exerciſed no leſs tyranny upon ſuch as would not ſubmit to their diſcipline. Thus the principles of both Epiſcopalians and Preſbyterians being directly contrary to thoſe of the Independents, theſe latter were equally enemies to both, and equally labored their deſtruction. To execute their deſigns, they had at firſt joined with the Preſbyterians, on pretenſe of eſtabliſhing Preſbytery, but in reality to ruin King Charles: and when it was out of that Prince's power to annoy them, they labored to deſtroy the ſame Preſbytery, for the eſtabliſhing whereof they had ſhewn more zeal than even the very Preſbyterians.

Cromwell's views.

Such were the Independents views. As for Cromwell's in particular, it cannot be preciſely ſaid at what time he began to form the project of his advancement. He had paſſed the two firſt years of this parliament in the houſe of commons, as member for the town of Cambridge, without being very remarkable. Tho' he was upwards of forty years old before he exerciſed the profeſſion of arms, he ſuddenly grew ſo expert, and ſhewed ſuch undaunted courage in all the actions where he was preſent, that he was ſoon made lieutenant-general of the army, commanded by ſir Thomas Fairfax. It cannot well be doubted, that ſince the battle of Naſeby, where he acquired freſh laurels, he began to think of his own farther exaltation: but I dare not affirm, he then meditated what he afterwards accompliſhed. I ſhould rather believe, he had only ſome ambitious views in general, and was led by the events and ſituation of affairs to form more lofty projects (1).

Intereſts and views of the Preſbyterians.

I come now to the Preſbyterians. The war was ended to his Majeſty's diſadvantage: but he was ſtill alive, tho' a priſoner, and had ſeveral children. It was the nation's general ſenſe, or at leaſt that of all ſuch as were not blinded by a ſpirit of party, that Charles ſhould be reſtored; but on ſuch terms as ſhould hinder the government's conſtitution from being liable to the ſame danger as before this parliament.

(1) Some have reported, that Cromwell privately ſtipulated with the King, if his Majeſty cloſed with the army's propoſals, Cromwell ſhould be made earl of Eſſex, knight of the garter, firſt captain of the guards, and even advanced to the degree of vicar-general, as lord Cromwell was under Henry VIII. But the King, who would do nothing without the advice of his Queen, wrote to her, "That tho' he aſſented to the army's propoſals, if by aſſenting to them he could procure peace, it "would be eaſier then to take off Cromwell, than now he was the head which governed the army." This Letter was intercepted by Cromwell, who thereupon reſolved to ruin the King. R. Coke, p. 323. Life of Cromwell, p. 71.

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Queſtionleſs, this was the ſentiment of all honeſt Engliſhmen, when it is conſidered, that even thoſe who had nothing leſs in view than the King's reeſtabliſhment, did however publicly declare, they deſired it, for fear the contrary opinion ſhould deprive them of the peoples favor, which was abſolutely neceſſary for them. This appears in every paper publiſhed ſince the war brake out, and particularly ſince the King's impriſonment: and, in reality, nothing was more juſt and reaſonable. The nation's intereſt required not that Royalty ſhould be aboliſhed, or the Sovereign reduced ſo low as to be diſabled from executing the laws, and protecting his ſubjects: but the Independents intereſt required the firſt of theſe, and that of the Preſbyterians the ſecond. Herein conſiſted the difficulty of this Prince's reſtoration. He was willing enough to conſent, that all diſpoſal of the militia, and nomination to great offices, ſhould be left to both houſes of parliament, for a ſeaſon. This was ſufficient for the intereſt of the nation in general, ſince people would have been freed from their fears, with reſpect to the government. Had the Preſbyterians intended only the public's welfare, they doubtleſs would have been ſatisfied with his Majeſty's offers. But they had another intereſt, no leſs dear to them, and which diſtinguiſhed their party from the whole community, viz. the abolition of epiſcopal government, which was their greateſt concern: nay, very ſeemingly, their firſt application to procure the nation's good, by indeavoring to retrench the regal power, was only to effect with greater facility their ſecret deſigns to alter eccleſiaſtical government: nor had they, at that juncture I am now upon, varied their projects. They knew how zealous King Charles was for Prelatical governvernment, and how averſe to Preſbytery: wherefore they could not, without hazarding utterly to loſe the fruit of their labors, leave their pretenſions undecided, and their affairs ſo as it ſhould be in that Prince's power to demoliſh what they had raiſed; and the King refuſed giving them any aſſurance on that article. Contrariwiſe, he plainly intimated, it was with reluctance that he granted them any thing, and even for a very ſhort time: beſide, they had no confidence in his promiſes.

Moreover, they had alſo other enemies who were no leſs formidable. Theſe were the Independents, who had over them great advantages: 1. They had the King's perſon in their power. 2. They were ſupported by the army, now at the gates of London. 3. The army directed, in great meaſure, all determinations of the parliament. Thus, the Preſbyterians were extremely imbaraſſed, ſince, whichſoever of the two parties, Charles's or the Independents, prevailed, their ruin was inevitable. Mean while, as their danger from the Independents was the moſt imminent, immediately on their being informed of the reſolution taken by the Scots to ſend a force to his Majeſty's relief, they thought fit to ſuſpend their quarrel with the King, and join their indeavors with thoſe of the Scots, to deliver him from the Independents. Not that they intended to reſtore him unconditionally; nothing was remoter from their thoughts: but they hoped, with the Scots and Royaliſts aſſiſtance, to deſtroy the Independents and army, and that then the parliament would be abſolutely free. In ſuch caſe, they flattered themſelves, that their party would be, in both houſes, ſufficiently powerful to require of the King ſuch conditions as they ſhould think proper for their deſigns: the true Engliſh of which is, they pretended to deliver his Majeſty from the thraldom in which he was held by the Independents, by means of his own friends, to put him under another which would have been no leſs grievous to him; in a word, to put him into the power of a parliament by which he had always been oppoſed: a chimerical project, if ever any was ſo! It muſt be obſerved, the Preſbyterians no longer prevailing in the parliament, ſince the ſixth of Auguſt, their chief ſtrength lay in the aſſiſtance they could expect from London, and ſuch generals, officers and ſoldiers, as were caſhiered by the new model, and very ready to act againſt thoſe who had ſnatched from them the fruit of all their labors.

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Intereſts and views of the Scots.

The Scots had the ſame intereſts and views, with regard to King Charles. They were ſenſible, that Prince conſidered the favors he had granted them as extorted, at a time when he could not deny them without great inconveniencies. On the other hand, they had not confidence enough in him, to believe he would be punctual to his promiſes, in caſe he remounted the Engliſh throne, inveſted with his whole prerogative. It was therefore their intereſt to prevent his becoming too powerful in England; and this had induced them to aſſiſt the parliament: but with regard to the Independents, that nation ſeems not to have been ſo much concerned to oppoſe the ſuperiority this ſect had acquired in England. Indeed, it would have been more advantageous to Scotland, if there had not been any Independent party in England, provided the Preſbyterian had prevailed, and the covenant been ſtrictly obſerved. But ſince affairs had taken a different career, and the Independents were got uppermoſt, it does not appear what miſchief could thence accrue to the Scots, ſince they were no leſs ſecured from Charles's power, while he was in the Independents hands, than when in thoſe of the Preſbyterians. The Scots reſolution to aſſiſt his ſaid Majeſty can ſolely be aſcribed to one, or perhaps all of the following cauſes: viz. 1. To the fear of a union between him and the Independents; but this fear was groundleſs, the principles of thoſe two parties being diametrically oppoſite: 2. To the deſire of being revenged on their ſworn enemies, the Independents, who had often mortified the Scotiſh commiſſioners: 3. To their ardent deſire of firmly eſtabliſhing Preſbytery in the church of England: 4. To their hopes of preſerving, by means of this new war, the advantages procured them by the covenant. The queſtion is to know, Whether theſe three latter cauſes were ſufficient to ingage them indiſpenſibly to undertake a war againſt England? I ſay againſt England; for they could not doubt but the parliament, directed as it was by the army, would conſider their entering the kingdom as a manifeſt invaſion.

Contrariwiſe, the Royaliſts, tho' worſted, being ſtill very numerous, there was great danger that, notwithſtanding the Scots by their union with them ſhould deſtroy the Independent party, and their ſupporters the army, this advantage would turn more to Charles's than to the Preſbyterians benefit. At leaſt, it cannot be denied, that, by uniting with the Royaliſts, they would, tho' contrary to their intention, inable them to hold up their heads, and by their own ſucceſſes give new ſtrength to thoſe ancient enemies. Theſe were reflections which occurred to many in Scotland, where the intended new war was far from being univerſally liked. Charles's party appeared very active, which was a ſign, their hopes were not confined to only freeing their royal maſter from the Independents bondage, in order to put him under that of the Preſbyterians. The commiſſioners had ſigned the iſle of Wight treaty, without being authoriſed by the parliament of Scotland; and the execution of that treaty, on the Scots ſide, was intirely founded on the hopes their commiſſioners had given his Majeſty, of cauſing it to be ratified: but they had ventured to impart it only to a few friends, and ſome leading Preſbyterians of England, knowing, it contained not the whole of what the Preſbyterians deſired.

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desired. It may therefore be affirmed, that the new war, for which preparations were making in Scotland, was rather the work of ſome particular perſons, than of the nation in general, as we ſhall plainly ſee hereafter.

Views of the Royaliſts.

It was not, as I ſaid, the Royaliſts deſign to deliver King Charles out of the Independents hands, to leave him at the Preſbyterians mercy. They knew that, when the parliament ſhould be intirely free, that Prince's condition would be abundantly better: and therefore, in jointly laboring with the Preſbyterians and Scots, their aim was to reſtore his Majeſty to his priſtine ſtate, without ſubjecting him to the terms already propoſed. Indeed, ſome of them would not have ſcrupled conſenting to a toleration of the Preſbyterian creed, rather than hazard their Sovereign's reſtoration: nay, ſome there were who, had they been conſulted, would have adviſed his ſubmiting to a change introduced againſt his conſent. Tho' they were firmly perſuaded, that Epiſcopal was more perfect than Preſbyterian government, they did not think the difference between them ſufficiently important to obſtruct a ſincere union of the two parties, which they conſidered as the ſole means of reſtoring the King to his right: and this was what certain perſons had propoſed to his Majeſty, before he withdrew to the Scotiſh army. His Queen and the court of France were of this opinion: but Charles was not: he was ſo poſſeſſed with the neceſſity of epiſcopacy, that nothing could move him. Unfortunately for him, he had none about him but men who, like him, believed epiſcopacy ſo eſſential to religion, that without biſhops neither the ordination of miniſters, nor conſequently the adminiſtration of the ſacraments, could be valid. It muſt not therefore be thought ſtrange, that King Charles had great ſcruples upon this point, ſince, according to his principles, he could not conſider Preſbyterians as members of Chriſt's church. For how could they be Chriſtians, if their baptiſm was invalid? This cannot be denied to have been the opinion at court, and of many Church-of-England folks. If therefore the Royaliſts had fully known the contents of the iſle of Wight treaty, very probably their zeal for his Majeſty's ſervice would have cooled. We have obſerved how highly it diſpleaſed the earl of Clarendon. It is very eaſy to conceive, that men of ſuch ſentiments did not mean to labor for the Preſbyterians intereſt. What therefore could be expected from a union of the Royaliſts with the Preſbyterians and Scots, ſince they all acted with different, or rather oppoſite views, and, tho' their common deſign had ſucceeded, they muſt infallibly, on that ſcore, have diſunited, and commenced a new war?

Charles's own views.

As to his Majeſty's own particular views, they can only be conjectured. He was like one who is drowning, and catches at whatever he thinks able to ſave him, or at leaſt retard his fate. His accepting the ſervice of the Scots, and Engliſh Preſbyterians, was not becauſe he expected from them abundance of condeſcenſion. He had too often experienced their wayward deportment towards him, to imagine they would ſeriouſly think of his reſtoration, without impoſing on him intolerable conditions. But neceſſity forced him to accept it, if not in expectation of obtaining his deſires, at leaſt, in hopes of procraſtinating his ruin as long as poſſible. For he was told, and by one then preſent, that, in a council of officers at Windſor, it was moved to take away his life. He very poſſibly entertained hopes that, by the Scots and Engliſh Preſbyterians aid, he might ſo ſtrengthen his own party, that they would be in condition to act alone, when once the Independent army was diſperſed, and by that means he might be freed and inabled to make a peace on terms more tolerable than thoſe hitherto offered. Thus, by a moſt unaccountable ſhortneſs of ſight, this Prince pretended to uſe the Scots and Preſbyterians to recover his rights, while theſe latter pretended to make him and his party ſubſervient to their own deſigns. King Charles might have likewiſe another view in ſeting the Preſbyterians and Independents at variance; viz. that the weakeſt would join with him, even unconditionally, rather than their enemies ſhould be ſeen triumphing.

Ludlow, Vol. I. p. 227.

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The parliament conſiſted of Preſbyterians and Independents; and, notwithſtanding the efforts of Cromwell and his party, the Preſbyterians ſtill held a majority. But this party was conſiderably weakened by the abſenſe of eleven of their principal members, driven away by the army: Thenceforwards, the ſame vigor, as formerly, no more appeared in the commons houſe, becauſe it was not directed as before the excluſion of theſe members: beſide, this example deterred the boldeſt Preſbyterians. Thus were the Independents maſters; and tho' the parliament as to number was Preſbyterian, they acted however like Independents, becauſe they could not well do otherwiſe. As the army was near London, Cromwell had opportunity to be conſtantly in the houſe, where his preſenſe alone made the balance incline to which ſide he pleaſed, in the debates where his party was concerned. The peers were under no leſs conſtraint than the commons, nor leſs expoſed to the army's violence, which had cauſed ſeven peers to be impeached of high-treaſon by the commons, under color of their being concerned in the tumult of the twenty-ſixth of July. Theſe tranſactions therefore of both houſes, from the ſixth of Auguſt, 1647, and 'till June, 1648, are to be conſidered as directed by the army, i. e. by the leading Independents. It may be imagined, the Preſbyterian members were extremely mortified at their being conſtrained, notwithſtanding their majority in both houſes, to do things manifeſtly tending to their party's deſtruction: yet was there no remedy but patience, 'till time ſhould afford ſome opportunity to free themſelves from this abject condition. This opportunity was of courſe to offer itſelf next Spring. Tho' the Scotiſh commiſſioners had not judged proper to impart to the leading Preſbyterians the particulars of their treaty with his Majeſty, they had however intimated to them, that they were going to attempt raiſing in Scotland a force, to free England from the Independents yoke, and that the King's adherents were to join with them, or at leaſt favor their progreſs by riſings in ſeveral parts of England. So the Preſbyterian members impatiently expected that happy time when the army would be indiſpenſibly obliged to remove from London, to oppoſe ſo many enemies, particularly in the North. They reſolved therefore to be ready to act in the parliament at ſo favorable a juncture, and in the mean while, to give no offenſe, for fear of being prevented by the army, who carefully obſerved all their motions. This diſſimulation was neceſſary, becauſe otherwiſe they ran the risk of being ruined to no purpoſe, and of diſabling themſelves from ſupporting their friends when occaſion ſerved.

The parliament's views.

It remains we ſpeak of the Londoners, who were no leſs concerned in what paſſed than the reſt of England, and could be of great ſervice to the party they eſpouſed. In this great city were men of all ſects and parties; but in general it was Preſbyterian, and the common-council were moſtly of that perſuaſion. The army had done all they poſſibly could to diminiſh the number of their adverſaries in that council, by cauſing the lord-mayor, ſome aldermen, and ſeveral common-council-men,

Views of the Londoners.

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to be accuſed and impriſoned, for the tumult of the twenty-ſixth of July: but however the Preſbyterian party was ſtill ſuperior in number. Theſe, in expectation of the opportunity to declare openly againſt the army and Independents, ſo managed, that great difficulties conſtantly occurred, when it was propoſed to advance money for the army. The city it ſelf was greatly behind, with reſpect to the ſums laid upon them for payment of the troops. They wanted not excuſes to delay theſe arrears: but the true reaſon was, they thereby obliged the army to take free quarters, which made the people wiſh to be rid of them. The expectation of thoſe revolutions which the Scotiſh army's entrance into England might produce, made the London magiſtracy continue the ſame conduct; being on all occaſions ready to do whatever was in their power to be revenged on the army.

Of general Fairfax.

I would gladly annex ſomewhat touching the character of lord Fairfax (1), general of the army, and the ends he might propoſe to himſelf; but acknowledge, I have met with little information. He was a Preſbyterian, and yet ſuffered himſelf to be guided by Cromwell, chief of the Independents. What can be ſaid in his favor is, that he retained the generalſhip to avoid a greater miſchief, for fear, if he reſigned his commiſſion, it ſhould be given to Cromwell, as it would have been infallibly.

I deemed it neceſſary, before I proceed to the revolution in 1648, to ſhew the views and intereſts of the principal actors, believing this digreſſion would greatly conduce towards comprehending the ſequel.

Strict union between the parliament and army Dec. 30. Ruſhworth, Vol. VII. p. 953.

Since the two houſes had reſolved to preſent no more addreſſes to his Majeſty, nor receive any meſſages from him, the parliament and army ſeemed to be ſtrictly united. The council of war had conſented, that all the ſupernumerary forces, not upon the preſent eſtabliſhment, ſhould be diſbanded. Both houſes, on their part, gave the army ſufficient ſecurity for their arrears, and publiſhed a declaration, containing reaſons, why the army ought to be continued, tho' the war was over. In ſhort the army deſiſted from their pretenſion, of interfering in ſtate-matters, and left the parliament free to ſetle the government as they ſhould judge proper. Thus the vote for no more addreſſes ſeemed to produce ſuch union between the parliament and army, that they appeared to have the ſame views and intereſts, tho' hitherto they had been jealous of each other. This clearly diſcovers what deſigns the army had with regard to his Majeſty. As for the parliament, tho' the Independent members were devoted to the army, it is certain the reſt, who were a conſiderable majority, only diſſembled their ſentiments. Mean while the Independents, who met with no farther oppoſition in the two houſes, being willing to be ſtill more aſſured of the parliament, got it ordered, that Fairfax ſhould be deſired to take care of, and guard the parliament. Purſuant to this requeſt, that general ſent to Whitehall a regiment of foot, and another of horſe to the Meuſe. This was to hinder the Londoners from thinking again of uſing violence to the two houſes.

The army deſiſt from medling in ſtate-affairs. p. 962.

The parliament deſire a guard.

The general ſends two regiments. Jan. 14. p. 965, 966.

Whitelock. Tranſactions in Scotland.

Tho' the Scotiſh commiſſioners ſet not out from London 'till the twenty-fourth of January, yet had they by letters promoted their affairs, ſo ſoon as their treaty with the King was ſigned; ſo that it was now reſolved, at Edinburg, that the commitee of eſtates ſhould meet the ſixth of February, and the parliament the tenth of March. This reſolution was taken notwithſtanding great oppoſition from the marquis of Argyle, who, tho' Preſbyterian as to religion, was of like principles with the Independents as to ſtate-government, and had contracted a firm amity with Cromwell and Vane. But tho' he ruled in great meaſure the rigid Preſbyterians, i. e. thoſe who would not depart from a ſingle point of the covenant, the combination was ſo ſtrong, that it was not only reſolved to call a parliament, but that alſo the elections of members were, generally ſpeaking, agreeable to the wiſhes of thoſe who were for levying an army. The parliament of England, or rather the Independent faction by whom the two houſes were directed, doubted not that the aim of thoſe who had procured this reſolution, was to ſupport the Preſbyterians of England, who were upon the brink of ruin.

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Their parliament meets. Clarendon, Vol. III. p. 96. Ruſhworth, Vol. VII. p. 977.

Wherefore they reſolved to ſend commiſſioners to Scotland (2), as well to indeavor contenting the Scots, as to obſerve what ſhould paſs in the parliament, and try to ſtrengthen the party of thoſe who were averſe to a rupture (3).

p. 975, 977, &c. Clarendon, Vol. III. p. 99.

AN' 1648.

At opening the parliament of Scotland, ſtudied ſpeeches were made, by ſeveral members, to excite the people againſt England. They repreſented; That the Engliſh army held his Majeſty in thraldom, and the parliament in ſuch ſubjection, that nothing was done but what the army pleaſed: that, contrary to the tenor of the covenant between both nations, the parliament had refuſed to debate with the Scotiſh commiſſioners thoſe propoſitions ſent to his Majeſty, for peace, and rejected their proteſtation, as if Scotland had no intereſt in the King: that they in reality depoſed the King, by diveſting him of all his prerogatives, by voting he ſhould be no more addreſſed, and by hindering the Scots from having acceſs to his perſon, tho' he was as much King of Scotland, as King of England: that it was a manifeſt breach of the Scots right, and of the covenant between both kingdoms, and that Scotland ought to reſent this affront, or reſolve to become ſubject to England: that, for theſe reaſons, their advice was, that ſpeedy means might be deviſed to ſend into England an army, which ſhould no ſooner enter that kingdom, but all the Engliſh, except the army, would join with them, and by that means the parliament, being reſtored to freedom, would re-unite with Scotland, and the covenant be punctually obſerved.

Motion to raiſe an army to act in England. p. 97.

A commitee appointed, who are for levying an army. Ruſhworth, Vol. VII. p. 1019, 1049.

The parliament thought not proper to take this important motion ſo ſpeedily into conſideration: but to facilitate the execution of what had been reſolved before their meeting, a commitee of twenty-four members was appointed, with power to provide for the kingdom's ſafety, in caſe it ſhould be in danger. For this reaſon, they were termed, "the Commitee of Danger," wherein care was taken, that the number of thoſe who were for war ſhould be ſuperior to thoſe of the contrary party, and to appoint duke Hamilton preſident.

The kirk commiſſioners oppoſe it. Whitelock. Clarendon, Vol. III. p. 99. Ruſhworth, Vol. VII. p. 1026.

This commitee, having examined the kingdom's ſtate and condition, found it to be in danger, and that it was neceſſary to raiſe an army of forty thouſand men, to put it in a poſture of defenſe. It was not poſſible for the marquis of Argyle, who was of the commitee, to prevent this reſolution: but he found means to actuate the commiſſioners of the general-aſſembly of the kirk, who, ſome days after,

(1) He was become a lord upon the death of his father, who died of a gangreen in his foot, March 13, this Year. Ruſhworth, Vol. VII. p. 1020.

(2) The earls of Notingham, and Stamford; and for the commons, Mr. Aſhhurſt, Brian Stapleton, and Colonel Birch. Id, p. 975, 979.

(3) They promiſed, among other things, to pay the remaining 200,000 l. due to the Scots, and, 'till it was paid, to allow them 8 l. per Cent Intereſt. p. 1019.

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after preſented to the parliament certain demands, proper to prolong the affair. The parliament anſwered theſe demands, and the commiſſioners replied. As this affair will be better underſtood by comparing the demands, anſwers, and replies, I think it neceſſary not to divide them. This will have its utility, as it diſcovers the obſtacles which occurred in Scotland to the raiſing that army which was to act in England. Herein alſo will appear, what authority the general-aſſembly of the kirk of Scotland aſſumed to themſelves, ſince their commiſſioners thought they had a right thus to confront and oppoſe the parliament.

Ruſhworth, Vol. VII. p. 1047, 1052, 1053.

"DEMAND 1. That the grounds and cauſes "of undertaking a war may be cleared to be ſo "juſt, as that all who are well-affected may be ſa-"tisfied in the lawfulneſs and neceſſity of this in-"gagement, and that nothing be acted in refer-"ence to a war, before the lawfulneſs of the "war, and the ſtate of the queſtion be agreed "upon."

ANSWER. The eſtates declare, that the grounds and cauſes of undertaking a war ſhall be cleared to be ſo juſt, as that all who are well-affected may be ſatisfied in the lawfulneſs and neceſſity of the ingagement.

"REPLY. They conceive, that notwithſtanding "any thing expreſſed in their lordſhips anſwer, "there may be an acting in reference to war, be-"fore the lawfulneſs of the war and the ſtate of the "queſtion be agreed upon, which is the very thing "they deſire to be avoided.

"DEM. 2. That as the breaches of the cove-"nant, by the prevalent party of the ſectaries in "England are evident, ſo we deſire and hope "that, according to the treaty, it may be condeſ-"cended upon, and declared by the parliament, "what are thoſe breaches which they take to be a "ground of war, and that reparation thereof may "be ſought.

ANS. They think it fit, that the breaches of the covenant and treaties be preſented; and the ſeeking of reparation, and the beſt time and manner thereof, conſidered.

"REP. They neither find any breach of peace "between the kingdoms, which may be a ground "of war, nor any poſitive reſolution of parliament "to ſeek reparation.

"DEM. 3. That there may be no ſuch quarrel, "or ground of the war, as may break the union "between the two kingdoms, or may diſcourage "or diſoblige the Preſbyterian party in England, "who continue firm in adhering to the league and "covenant.

ANS. They declare, that this kingdom will be ſo far from making any war againſt the kingdom of England, that any ingagement they ſhall enter into ſhall be for ſtrengthening the union between theſe two kingdoms, and for incouraging the Preſbyterians, and well-affected in England.

"REP. Inſtead of that clauſe of the deſire [The "Preſbyterian party in England, who continue firm "in adhering to the league and covenant] change "of expreſſion in the anſwer is [the Preſbyterian "and well-affected in England] which may inti-"mate, that there are ſome well-affected in Eng-"land, which are not of the Preſbyterian party, "nor do adhere to the league and covenant,"

"DEM. 4. That if the Popiſh, Prelatical, or "Malignant party ſhall again riſe in arms, this "nation and their armies may be ſo far from join-"ing or aſſociating with them, that, on the con-"trary, they may oppoſe them, and indeavor to "ſuppreſs them, as enemies to this cauſe and go-"vernment on the one hand, as well as ſectaries on "the other.

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ANS. They agree to the ſubſtance and matter thereof; and remit to thoſe who are to be upon the conference for ſtating the queſtion to explain the ſame.

"REP. For not joining with the Popiſh, Pre-"latical, or Malignant party, we cannot conceive "wherein it needs explanation, unleſs there be "now more favorable and friendly intention to-"wards malignants than formerly.

"DEM. 5. Seeing your lordſhips undertakings "ſhould be in the firſt place for religion; we de-"ſire, that his Majeſty's late conceſſions and offers "concerning religion, as they have been by the "church, ſo may be by the parliament, declared "unſatisfactory; whereby your lordſhips may "give farther evidence of the reality of your in-"tentions for the good and ſafety of religion."

ANS. They declare that, upon the agreement on the whole matter and ſtate of the queſtion, they will declare his Majeſty's conceſſions, concerning religion, not to be ſatisfactory.

"REP. His Majeſty's conceſſions being ſo pre-"judicial to the cauſe and covenant, they deſire "the parliament to declare againſt them both "poſitively, without any condition, and without "delay.

"DEM. 6. That your lordſhips may be pleaſed "not to fix and ſetle upon any ſuch ſtate of a "queſtion, as doth not contain ſecurity and aſſur-"ance to be had from his Majeſty, by his ſolemn "oath, under his hand and ſeal, that he ſhall, for "himſelf and his ſucceſſors, conſent and agree to "acts of parliament, injoining the league and co-"venant, and fully eſtabliſhing Preſbyterial go-"vernment, Directory of Worſhip, and Confeſ-"ſion of Faith, in all his Majeſty's dominions; "and that his Majeſty ſhall never make any op-"poſition to any of theſe, or indeavor any change "thereof; and that this ſecurity be had from his "Majeſty before his reſtitution to the exerciſe of "his royal power; which we deſire for no other "end, but becauſe we cannot ſee how religion "(which has been, and we truſt ſhall be, the "principal end of all the undertakings of this na-"tion) can be otherwiſe ſecured; but that with-"out this ſecurity it ſhall be left in very great "hazard."

ANS. That ſince religion hath been, and they truſt ever ſhall be, the principal end of all their undertakings; ſo they will be careful, that the preſent queſtion to be ſtated ſhall contain ſecurity and aſſurance from his Majeſty, by his ſolemn oath under his hand and ſeal, that he ſhall for himſelf, and for his ſucceſſors, give his royal conſent to paſs acts of parliament, injoining the league and covenant, eſtabliſhed by Preſbyterial government, the Directory of Worſhip, and Confeſſion of Faith, in all his Majeſty's dominions; and that his Majeſty ſhall never make oppoſition to any of theſe, or indeavor any change thereof.

"REP. As there is much ſaid in the firſt part, "for ſecurity of religion to be had from his Ma-"jeſty; ſo that clauſe, viz. That this ſecurity be "had from his Majeſty, before his reſtitution to "the exerciſe of his royal power, is laid aſide, "and they are left unſatisfied in that which is the "main of that deſire.

"DEM. 7. That the ſame end in ſecuring reli-"gion (which is profeſſed to be the principal cauſe "of ingagement) and for ſecuring all other ends "of the covenant, ſuch perſons only may be in-

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" truſted by your lordſhips to be of your com-
" mitees and armies, as have given conſtant proof
" of their integrity and faithfulneſs in this cauſe, and
" againſt whom there is no juſt exception or jea-
" louſy, that ſo we may the more confidently in-
" courage our flocks and congregations to follow
" the cauſe of God in their hands, and not to doubt
" of the fidelity of thoſe who ſhall be intruſted by
" your lordſhips.

ANS. That they will be careful that none ſhall be imployed in the command of their armies, nor in their commitees, but ſuch as are of known integrity and affection to the cauſe, and againſt whom there is no juſt cauſe of exception.

" REP. Concerning ſuch as are to be intruſted
" in armies and commitees, doth admit of ſome
" of the qualifications expreſſed in the deſire, viz.
" Such as have given conſtant proof of their inte-
" grity and faithfulneſs in this cauſe, and againſt
" whom there was no juſt cauſe of jealouſy; that ſo
" we may the more confidently incourage our flocks
" to follow the cauſe of God in their hands, and
" not doubt of their fidelity.

" DEM. 8. That there be no ingagement with-
" out a ſolemn oath, wherein the church may have
" the ſame intereſt which they had in the ſolemn
" league and covenant, the cauſe being the ſame.

ANS. They declare, that to the grounds of their ingagements and undertaking, an oath ſhall be ſubjoined, wherein both in the framing of it, and otherwiſe, the church ſhall have their due intereſt. And the eſtates of parliament deſire the commiſſioners of the church, to appoint ſome of their number, to meet with ſuch of the parliament commitee of twenty-four, as ſhall be appointed by the ſame commitee, for the conference and ſtating of the queſtion, for agreeing upon the grounds of an ingagement, and drawing up ſuch a ſtate of a queſtion as may unite this nation in a unanimous undertaking of ſuch duties as are requiſite for the reformation and defenſe of religion, the ſafety, honor and happineſs of the King and his poſterity, and the good of this kingdom.

" REP. Inſtead of that clear expreſſion uſed,
" namely [That the kirk may have the ſame in-
" tereſt in any oath for a new ingagement which
" they had in the ſolemn league and covenant]
" they find this doubtful and uncertain expreſſion
" [That, both in the framing the oath and other-
" wiſe, the kirk ſhall have their due intereſts.]
" And upon theſe and the like conſiderations,
" they conceive that their deſires, unto which they
" ſtill adhere as juſt and neceſſary, are not ſatiſ-
" fied by their lordſhips anſwer".

Sundry proteſtations againſt the war. Ruſhworth, Vol. VII. p. 1049, 1062.

This oppoſition from the kirk commiſſioners was not the only ſtorm drawn on the commitee of Danger by their reſolution of levying an army. Eighteen lords and forty commoners, entered a ſolemn proteſt againſt this vote; affirming, the commitee had exceeded their power, and gone lengths whereto they would not ever give their conſent. Two other difficulties were alſo to be ſurmounted, before the parliament could poſitively order any levying of forces. The firſt regarded him who was to have the command. Naturally this poſt belonged to general Leſly*, who had commanded the laſt army, and of whom there was no occaſion to complain: but he was not fit for the purpoſe of thoſe who were for a war. That party's ſcheme was to make duke Hamilton general, becauſe he had privately declared for the King, and it was conceived he would be properer than Leſly to unite the Engliſh Royaliſts with the army of Scotland. This difficulty was at length removed, Leſly being artfully prevailed on to quit his pretenſion, under color of age and infirmities: which effected, Hamilton had no other rival (1).

Clarendon, Vol. III. p. 112.
* Now lord Newark.

Hamilton made general.

The ſecond difficulty was far more conſiderable. Before the Scotiſh commiſſioners left London, they had intimated to ſeveral officers, and others of the King's party, that when the Scotiſh army ſhould enter England, they ſhould be welcome to the Scots, and with them make but one body and party for freeing his Majeſty from the Independents. They had given ſir Marmaduke Langdale, and ſir Philip Muſgrave the like aſſurances, and thereby induced them to promiſe they would ſeize Berwick and Carliſle. Upon theſe hopes, a great number of Cavaliers repaired to Edinburg, to join with the Scots, or be imployed in their army. Moreover, a troop of cavalry, marked down to be diſbanded, had been led into Scotland by their commander captain Wogan, to join the forces of that kingdom; and this troop, by the junction of other deſerters, was become four hundred ſtrong. Duke Hamilton had put Langdale and Muſgrave in hopes that, when the Scotiſh army ſhould be in England, there would be no more ſaid of the covenant, and the Royaliſts might incorporate with them and make but one body: but the makers of theſe promiſes were not maſters of the performance. The marquis of Argyle and the Preſbyterian zealots, ſtrongly repreſented, both in public and private,

Order of parliament touching the covenant. Clarendon, Vol. III. p. 100.

Ruſhworth, Vol. VII. p. 1032. Whitelock. Clarendon, Vol. III. p. 100.

p. 112. Ruſhworth, Vol. VII. p. 1071, 1114.

" That, under color of acting againſt the Inde-
" pendents in England, the Royaliſts, i. e. the
" mortal enemies of Scotland and of all Preſby-
" terians, were going to be effectually reſtored:
" that this was the deſign of thoſe who were ſo
" eager for a war, might eaſily be perceived, both
" by the activity of ſuch Scots as had never
" heartily adhered to the covenant, and by the ex-
" traordinary concourſe of Royaliſts into Scotland:
" that even men were ſent for to Edinburg who
" were moſt attached to the King's party, and
" moſt inveterate againſt the covenant, ſuch as
" Langdale, Muſgrave, Glemham, Fleming and
" others, who daily confered with their friends,
" whereof the parliament of England had com-
" plained to no purpoſe: that the junction with
" the King's party, conſiſting of Papiſts, Epiſco-
" palians and other diſaffected perſons, was a
" more manifeſt breach of the covenant, than
" what the Engliſh were charged with: that, in
" ſhort, by theſe proceedings the covenant, which
" was the baſis and foundation of the union be-
" twixt the two nations, would be deſtroyed, while
" it was pretended to raiſe an army to ſupport it,
" and even while there was no other pretenſe to
" carry the war into England." Theſe repreſentations, joined to the efforts of the Engliſh parliament's commiſſioners, who ſpared neither ſollicitations nor expenſe to ſecond them, made on the people ſuch impreſſion, that the parliament could not help ordering, that thoſe who had not taken, or ſhould refuſe taking the covenant, might not be received into the army, or joined with it at their entrance into England. After this declaration, it ſeemed to be out of duke Hamilton's power to perform what he had promiſed the Royaliſts: but it will hereafter appear, that he found means, in ſome meaſure, to elude this order, when they came into England.

Clarendon, Vol. III. p. 112.

Theſe, and other obſtacles, daily raiſed by Argyle, and the rigid eccleſiaſtics, prevented the parliament's being ſo expeditious as the authors of this project had expected. As the people of Scotland were ſtrongly prepoſſeſſed in favor of the covenant and union with the Engliſh Preſbyterians, the

Delays in Scotland. Ruſhworth, Vol. VII. p. 1100, 1102, 1122.

(1) Burnet (Mem. p. 338.) ſays, he was much againſt accepting that imployment.

Scotiſh

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Scotiſh parliament was obliged to publiſh a declaration, to ſatisfy them on that article: but the adverſe faction pretended, there was no ſincerity in this declaration, replete with ambiguous expreſſions, which diſcovered the ill deſigns of thoſe who were for a war: ſo, notwithſtanding that party which had got it ordered, that forces ſhould be raiſed, was ſuperior in the parliament, none could be levied 'till mid-May, and the army was not ready 'till the begining of July, tho' the Scotiſh commiſſioners had aſſured it ſhould be in condition to act by the firſt of May. Moreover this army, which was to be forty thouſand ſtrong, had ſcarcely half that number, even after the junction of the Engliſh troops. But before we enter on the ſucceſs of theſe mighty preparations, it will be proper to examine what paſſed in England.

Whitelock, p. 298.

Combination in Wales to reſcue his Majeſty. Clarendon, Vol. III. p. 111. Ruſhworth, Vol. VII. p. 1008, &c.

Wales was the ſpot where the firſt ſcene was opened. In that principality, were three colonels, viz. Langhorn, Powel and Poyer, who had faithfully ſerved both houſes during the war, but unhappily found themſelves, by the new eſtabliſhment, among ſuch ſupernumeraries as were to be diſbanded; whereat they were highly diſguſted. Having imparted to each other their diſcontents, they all reſolved to declare for King Charles, immediately on the Scotiſh army's entering England. Langhorn even ſent a confident to Paris, to acquaint the Queen and Prince of Wales with this deſign, deſiring a commiſſion, with ſupplies of money and ammunition. The commiſſion was readily granted, but her Majeſty's and the Prince's circumſtances allowed them not to tranſmit the required ſupplies. Tho' theſe three officers had determined on not declaring before the Scots had entered England, they were however obliged to it ſooner. Poyer, being governor and mayor of Pembroke, in South-Wales, ſaw colonel Fleming unexpectedly arrive, with general Fairfax's commiſſion, to take the government of that caſtle. As this alteration could not but break the meaſures of theſe three colonels, Poyer refuſed to obey, under color of its being unreaſonable to deprive him of his government, without paying off his arrears (1). Both houſes were inflamed when they heard of this diſobedience, and declared Poyer a traitor, in caſe he did not deliver the caſtle within twenty-four hours after the firſt ſummons. Poyer contemned this ordinance, and even defeated Fleming, to whom ſome troops had been ſent to put him in poſſeſſion of Pembroke-caſtle. As the particulars of this affair are not abſolutely neceſſary, I ſhall content myſelf with ſaying, that it became of greater conſequence than the parliament had imagined. Not only Langhorn and Powell joined with Poyer, but all South-Wales declared for his Majeſty, while lord Byron was laboring to gain over North-Wales, and the parts about Cheſter.

March. Clarendon, Vol. III. p. 111. Ruſhworth, Vol. VII. p. 1017, 1033, 1034, 1036, 1050. p. 1038, 1040, 1074, 1097. p. 1051, 1065, 1098. 1103. Clarendon, Vol. III. p. 111.

Inſurrection in Kent. Ruſhworth, Vol. VII. p. 976, 1113.

During theſe tranſactions in Wales, Kent was in a commotion no leſs dangerous to the army. Charles had always in that country many friends, but the neighborhood of London and the army kept them in awe. Mean time, ſome gentlemen of that county, having early information of the Scots intentions, took care to ſow the ſeeds of a revolt, in hopes of producing fruit in due ſeaſon. The Kentiſh peoples diſpoſition began to ſhew itſelf in a great riot at Canterbury, * the twenty-fifth of December, 1647. The multitude wounded and abuſed the mayor and other magiſtrates, and at laſt the cry was, "For God, King Charles, and Kent." The tumult being appeaſed, and ſome of the mutineers apprehended, the parliament were inclined to inflict on them capital puniſhment: but they found ſo many obſtacles, that it was May before they ſent down a commiſſion to try them. The grand jury refuſed to find the bill, to the commiſſioners great aſtoniſhment. At the ſame time, in that county were forming ſchemes for a riſing, wherein the grand jury were undoubtely concerned, and that made them not find the bill againſt their ſaid accomplices.

p. 976.

* About obſerving the day as a feſtival.

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p. 1113. Whitelock.

Notwithſtanding thoſe who directed the affairs for his Majeſty had reſolved to delay this Kentiſh inſurrection 'till Fairfax, with his army, was marched againſt the Scots, it was not in their power to defer it ſo long. Roger L'Eſtrange, a Norfolkian (2) being in Kent, at the houſe of mr. Hales, a young gentleman who was heir to a great eſtate, perſuaded him to make ſome attempt in the King's favor, and to ſound ſuch of the gentry, &c. as frequented his company. Matters were ſo ordered in thoſe quarters, that, about mid-May, the Kentiſh-men roſe, took arms, and declared Hales their general; wherein they commited two very great errors. The firſt, in puting themſelves under the conduct of a raw, unexperienced youth, without authority. The ſecond, in riſing before the army was removed ſome diſtance from London. As general Fairfax was ſatisfied the Scotiſh army was not yet ready, he detached Cromwell with part of his forces to reduce the Welſh to obedience, and then to march againſt the Scots, at their entrance into England. He himſelf remained near London, as well to be ready for a march againſt the Kentiſh revolters, as to prevent the like inſurrection in that city, which was moſt of all dreaded by the army. Beſide that, he had no inclination to act againſt the Scots, as appeared afterwards.

Clarendon, Vol. III. p. 103, &c.

Fairfax marches againſt the Cornwallians. May 29. Clarendon, Vol. III. p. 117, 119. Ruſhworth, Vol. VII. [1130,] 1131, 1135.

The number of male-contents in Kent being greatly increaſed, they were headed by the earl of Norwich* and ſir William Waller, and, in expectation that London would not fail to declare for them, advanced towards Black-heath. Then Fairfax ſpeedily paſſed the Thames, with his army, over London-bridge, to give them battle. The Londoners being too prudent to declare at ſuch a juncture, the revolters thought fit to retire, ſome to Rocheſter, and others to Maidſtone. General Fairfax attacked the latter ſo vigorouſly, that he carried the town by ſtorm, ſlew many of them, and took a great number of priſoners. At the firſt news of this defeat, thoſe at Rocheſter left that city, and poſted themſelves on Black-heath, hoping ſtill that London would ſend them aſſiſtance, or receive them within their walls. Both theſe refuges failing them, and they withal hearing that a detachment of the army was approaching, they took to flight, and were diſperſed; however, abundance of them were made priſoners. The earl of Norwich, with about five or ſix hundred followers, found means to paſs the Thames, at Greenwich, in boats, and join his friends in Eſſex, who were on the point of paſſing into Kent, had Fairfax been leſs vigilant.

He defeats them. June 1. p. 1135, 1137.

* George Goring, ſo often mentioned in this reign.

Some of them paſs into Eſſex. p. 1131. Clarendon, Vol. III. p. 119.

Eſſex was in the ſame diſpoſition as Kent. There had for ſome time been men in that county, who were earneſtly laboring to excite the people againſt the army, and only waited a proper opportunity to appear openly, as ſoon as the army ſhould

Whitelock.

(1) He inſiſted upon his own diſburſements and arrears, and indemnity and arrears for his ſoldiers. Ruſhworth, Vol. VII. p. 1034. His forces, with thoſe of Langhorn and Powell, made about eight thouſand. Manley, p. 175.

(2) He had been taken priſoner by the parliament, in December, 1644, for attempting to betray Lynn, in Norfolk, to the King, and by a court-martial condemned to die; but, being kept in priſon 'till the end of the war, was ſet at liberty. Clarendon, Vol. III. p. 104. Whitelock, p. 119, 121, 122. ------ This was the famous ſir Roger, ſo well known by his literary perfomances, and well remembered by many yet living.

march

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march Northwards; not queſtioning but the Scots approach would oblige them to it. Of this number were ſir Charles Lucas, lieutenant-colonel Farr, ſir Bernard Gaſcoign; and at this ſame time, lord Capel, a chief manager of the inſurrections, was laboring that way in Hertfordſhire. Tho' the Kentiſh inſurrection had been unſucceſsful, the Eſſex Royaliſts were not diſcouraged. They ſtill hoped, either that London would declare for King Charles, or the Scotiſh army make ſo great progreſs, that the army of England would not be able to withſtand ſo many attacks from all quarters: for there was ſcarce a county, but what was to have ſome riſing, eſpecially thoſe where the King's party prevailed during the war. So the parliament having ſent into Eſſex a general pardon for ſuch as ſhould lay down their arms, moſt refuſed it by the inſtances of ſir Charles Lucas, who was the moſt active Royaliſt in thoſe parts.

Clarendon, Vol. III. p. 27.

Ruſhworth, Vol. VII. p. 1131, 1135.

General Fairfax ſtayed in Kent no longer than was neceſſary to raiſe the ſiege of Dover, undertaken by Waller, and quiet the country, to which he granted very advantageous terms, conſidering their preſent circumſtances. This done, he repaſſed the Thames and marched into Eſſex (1), where the revolters number was conſiderably increaſed by the junction of thoſe brought out of Hertfordſhire by lord Capel. Nevertheleſs, as they found themſelves unable to keep the field before a victorious, nay even a ſtronger army, they determined on retiring to Colcheſter. This town is open and unfortified: but they ſpeedily caſt up ſuch works before the avenues, that they were not apprehenſive of being ſtormed. Here they reſolved to defend themſelves, and wait the event of affairs in other counties, and particularly in the North.

Fairfax marches into Eſſex. p. 1135. Clarendon, Vol. III. p. 119.

The revolters retire to Colcheſter; p. 120.

where the general blocks them up. Ibid. Ruſhworth, Vol. VII. p. 1150, 1153, 1155, 1161, 1163, &c. Heath.

The chief perſons who withdrew to Colcheſter, were the earl of Norwich (2), lord Capel, ſir George Liſle, ſir William Compton, ſir Charles Lucas, ſir Bernard Gaſcoign, lieutenant-colonel Farr, and diverſe other good officers, with a gariſon of three thouſand men, all bent to ſell their lives dearly. This furniſhed the general with a reaſon, or perhaps a pretenſe not to attack the town in form, but to block it up, and reduce the beſieged by famine. I ſay this might be a pretenſe; for it ſeems, in ſuch a juncture, when all the kingdom was in a flame, and the Scotiſh army expected every moment, it was not proper for the general to be imployed in a blocade, which probably would laſt ſome time, while he left the reſt of England defenſeleſs, and was in great danger from the city of London. But as he might have good reaſons to run no hazard, it is not my buſineſs to cenſure his conduct. All can be ſaid is, that his whole procedure ſhewed his unwillingneſs to fight with the Scots, tho' he always acted vigorouſly againſt the King's friends. May I venture to make one conjecture? Fairfax was a zealous Preſbyterian, but hitherto had ſuffered himſelf to be guided, or rather deceived, by Cromwell. Perhaps, having diſcovered the artifices and ill deſigns of this friend, he would not have been ſorry to ſee Cromwell defeated, in expectation that if he loſt either his life or reputation, it would be eaſier to accompliſh a pacification, which he found to be impracticable ſo long as Cromwell could oppoſe it. According to this ſuppoſition, the blocade of Colcheſter inabled this general to wait, without any hazard, the event of thoſe hoſtilities which were preparing in the North. Howſoever this be, he applied himſelf to the blocade, which began the tenth of June, and laſted till Auguſt (3).

Conjecture concerning that general's views.

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The Kentiſh revolters had, as was hinted, twice advanced towards London, in hopes that city would declare for them. This hope was not altogether groundleſs. Beſide that the city was known to be highly diſguſted at the army, the commonality had, in the begining of April, ſhewn their readineſs for any undertaking. Some perſons recreating themſelves on a Sunday, in More-fields, in contempt of the parliament ordinance, the conſtables of that quarter would have diſperſed them; but they were not able. The mob's obſtinacy was ſuch that thoſe deputed to diſperſe them were obliged to ſend for ſome of the militia: but before thoſe trained-bands arrived, the number of the rioters was ſo increaſed that they fell upon and diſperſed the ſuccors, wounding and killing ſeveral. This ſucceſs ſo inflamed the tumult, that mobs came thronging from all quarters to join the mutineers. Some ſeized Newgate and Ludgate; others went to the lord-mayor's, who ſeeing them coming ran away to the Tower, while others made towards Whitehall, but were repulſed by the regiment of horſe poſted in the Meuſe for a guard to the parliament. At night the tumult was ſtill more violent. The cry was every where, "For "God and King Charles." General Fairfax, then in London, with only the two regiments at Whitehall and the Meuſe, immediately called a council, where it was debated, whether they ſhould ſtay for more forces, or fall on the mutineers with thoſe two regiments. The latter was judged moſt adviſeable, while the ſeditious were yet acting confuſedly, and had no leader to conduct them. They were therefore vigorouſly attacked when they leaſt expected it, and thought themſelves maſters of the city; and, tho' they made a moſt obſtinate reſiſtance, were finally diſperſed. The parliament, having received the circumſtances of this commotion, believed it to have been very dangerous, and ordered public thanks ſhould be rendered to God, in all the churches of London, for its being happily appeaſed. When I mention the word parliament, I mean the parliament ſtill directed by the Independents, who dreaded nothing ſo much as to ſee London declare againſt the army. But as the army was not yet removed, the magiſtrates were too wiſe to declare ſo unſeaſonably.

Tumult at London. April 9. Ruſhworth, Vol. VII. p. 1151, 1152, 1160. Whitelock, p. 299.

The mutineers diſperſed.

I have already touched on two of the projects againſt the inſurrection in Wales, which kept Cromwell imployed 'till the begining of July; and that of Kent, which miſcarried thro' too much precipitation; and laſtly, of the tumult in London, which probably had been raiſed by ſome raſh and inconſiderate Royaliſts, who knew nothing of the projects formed elſewhere. I muſt now mention ſome others which were executed about the ſame time, i. e. while preparations were making in Scotland to ſend an army into England, and which were attended with no better ſucceſs.

The firſt was, the duke of York, King Charles's ſecond ſon's, eſcape from St. James's palace, where he was under the earl of Northumberland's cuſtody, and his retreat into Holland to his ſiſter, the Princeſs of Orange. Thus to have his two eldeſt ſons out of his enemies power was to his ſaid Majeſty no ſmall advantage and ſatisfaction (4).

The duke of York eſcapes from London. April 21. Ruſhworth, Vol. VII. p. 1067. Clarendon, Vol. III. p. 101.

(1) He was joined at Coggeſhall by ſir Thomas Honiwood, with two thouſand horſe and foot. Ruſhworth, Vol. VII. p. 1150.

(2) The ſame who was general Goring, governor of Portſmouth, and had been created earl of Norwich in 1644. Rapin.——Lord Clarendon (Vol. III. p. 118.) ſays, He had no experience or knowledge in war, nor knew how to exerciſe the office of general he had undertaken.

(3) The Royaliſts did not enter Colcheſter 'till June 13, and the articles of ſurrender were ſigned Auguſt 27. Relat. of Leaguer, by M. C.

(4) This eſcape was managed by colonel Bamfield. Clarendon, Vol. III. p. 101.

Some

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Langdale ſeized Berwick and Muſgrave Carliſle. April 28. p. 115, 116. Ruſhworth, Vol. VII. p. 1099, 1105.

Some days after, Langdale poſſeſſed himſelf of Berwick, and Muſgrave of Carliſle. The parliament had received intelligence of a deſign to ſurpriſe theſe places, and might have prevented it, by ſupplying them with gariſons: but as, by the late treaty with Scotland, they were to be left to the inhabitants care, the two houſes were unwilling by ſeizing them to give the Scots ſo juſt a cauſe for complaint, at a time when they ſought pretext to ſend their army into England. They contented themſelves therefore with ordering the mayors, to take care and provide againſt a ſurpriſe, which however they either could not, or would not prevent.

Immediately on Langdale's being maſter of Berwick, all the Royaliſts in Yorkſhire, Cumberland and Weſtmoreland came in and joined him. By this means, he ſoon formed a body of three thouſand foot and a thouſand horſe, which inabled him to go in queſt of general Lambert, who commanded in thoſe parts for the parliament. But he received very expreſs orders, from Edinburg, not to ingage in any action, what advantage ſoever he might thence expect, but to retire about Carliſle 'till the Scotiſh army's arrival, which orders he obeyed. The reaſon of this injunction was, that as the rigid Preſbyterians of Scotland were extremely jealous of the Royal party, the directors of affairs were apprehenſive, that the progreſs made in England for his Majeſty would obſtruct the levying an army in Scotland: and indeed it was publicly ſaid, this army was intended rather for the King's, than for the Engliſh Preſbyterians ſervice.

p. 1148.

Part of the fleet revolt againſt the parliament, and go to Holland. May 27. p. 1131. Clarendon, Vol. III. p. 103.

The loſs of Berwick and Carliſle was followed ſoon after with another, which ſeemingly ſhould have imbroiled the Independents affairs. I mean a revolt of part of the fleet, about the end of May. The parliament having ordered eight warlike ſhips to guard the coaſts during Summer, they lay in the Downs to take in proviſions, which was done but ſlowly, becauſe there was not much to be feared from ſea. While this ſquadron lay there at anchor, ſome Kentiſh gentlemen, ſtanch Royaliſts, frequently went on board (1). Whether they found in the mariners any inclination to mutiny, or raiſed it themſelves by diſcourſing them, it ſoon after was obſerved, that the ſervice was not performed in the fleet with the ſame ſubmiſſion as before. The ſailors took liberty to contradict their officers, and obey them no farther than they pleaſed. The commanders, perceiving ſuch ſudden change, ſent thereof notice to the parliament, and immediately vice-admiral Rainſborough, who was to command this ſquadron, was ordered to repair on board, and inquire into the cauſes of this diſobedience. Rainſborough, being naturally ſevere, began to make a ſtrict inqueſt in the admiral ſhip; upon which the whole equipage roſe, and ſeizing on him, put him with ſome more officers into the boat, and ſent them aſhore. This was no ſooner known in the other ſhips, but their reſpective equipages followed the example, and uſed ſuch officers as they liked not in the ſame manner. As the ſhips were not yet well victualled, they were obliged to ſtay in the Downs ſome days longer, during which the Royaliſts ſupplied them with neceſſaries as beſt they could. After that, they ſailed for Holland and came to anchor at the Briel, in order to put themſelves under command of the duke of York, whom his Majeſty deſigned for lord high-admiral, ſo ſoon as he ſhould be of fit age for that ſtation.

His ſaid Royal Highneſs repairing to the fleet, then at Helvoet-Sluys, was received on board with joyous acclamations. He nominated as his vice-admiral lord Willoughby of Parham (2), and appointed ſome other officers in the ſeveral ſhips, the ſailors having retained very few above the rank of mate or boatſwain (3). When the Prince of Wales, who was at Paris with the Queen his mother, heard of this revolt, he reſolved to command the fleet himſelf, and imploy it to the beſt advantage: but want of money detained him longer than he wiſhed, cardinal Mazarine not being very forward in ſupplying either him, or the marquis of Ormond, who to little purpoſe waited at Paris, for the performance of his promiſes concerning Ireland. Prince Charles, on hearing that the duke his brother was preparing to ſail with the fleet, again did his beſt to procure money upon loan, and finally ſucceding, went to Calais, and thence by ſea to Helvoet-Sluys. He was received on board with all the reſpect and joy could be deſired, and having, by the Prince of Orange's aſſiſtance, provided what was wanting, ſent back his brother to the Hague; it not being proper to venture both at one time. His deſign was to ſeize Yarmouth, whether to go from thence to head the Scotiſh army, when it ſhould be in England, or to ſecure entrance into the kingdom when occaſion ſhould offer. In ſailing to Yarmouth, he took a ſhip of London, bound for Rotterdam, laden with cloth by the company of merchant-adventurers. This prize is reported to have been worth forty thouſand pounds. Having ordered the goods to be ſealed up, he purſued his courſe: but he ſucceeded not at Yarmouth as he expected, the town refuſing to admit him, tho' great part of its inhabitants were for the King; wherefore he reſolved to enter the Thames as well to intercept all outward and homeward bound ſhips, as to ſupport his Royal Father's and the Preſbyterian parties in the parliament and city; he not being unacquainted with what was in agitation. Beſide, the Queen his mother had injoined him to court the Preſbyterians, conceiving it was only by their means that his Majeſty could be reſtored. For this reaſon alſo, he afterwards releaſed the cloth-ſhip, for twelve thouſand pounds.

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The duke of York received as admiral. Clarendon, Vol. III. p. 107, 108.

July. The Prince of Wales comes to the fleet. p. 109.

He ſails towards Yarmouth. Takes a ſhip richly laden. p. 121, 122.

Is refuſed admitance into Yarmouth.

Enters the river Thames. p. 109, 121. Ruſhworth, Vol. VII. p. 1204, 1206, 1208. Clarendon, Vol. III. p. 122.

While Prince Charles lay in the Thames, where he ſeized ſome other trading veſſels, the earl of Warwick, being well aſſured of the fidelity of the other ſhips at Portſmouth and elſewhere, aſſembled a navy and anchored in ſight of the Prince; ſo that in all appearance the two fleets would not part without ingaging: yet, tho' Prince Charles ſeemed ſo diſpoſed, he was counſelled to avoid it, if poſſible, and not without reaſon. His ſhips were fewer, and conſiderably ſmaller than Warwick's; beſide, that admiral was in hourly expectation of others from Portſmouth, which arriving next day rendered him very ſuperior. So the Prince ſailed back to Holland, and ſecured his ſhips at Helvoet-Sluys. Warwick followed him, and appeared before that harbor; but to very little or rather no purpoſe.

The earl of Warwick approaches, in order to ingage him. p. 123.

They part without fighting. p. 124, 125. Ruſhworth, Vol. VII. p. 1145. Ludlow.

Thus terminated his Highneſs of Wales's expedition with this revolted ſquadron. What money he received for his prizes was not ſufficient to pay and provide his ſhips with neceſſaries; ſo that the whole affair procured him more trouble than advantage. Before I quit this ſubject, it will not be improper ſuccinctly to explain ſome circumſtances in lord Clarendon's hiſtory.

While the two fleets lay in ſight, and ſeemed to

Explications of ſome paſſages in Clarendon. Vol. III. p. 123.

(1) Certain of the King's friends were alſo on board, with ſome authority. Clarendon, Vol. III. p. 118.
(2) He had lately left the parliament, and withdrawn into Holland. Idem. p. 108.
(3) The caſtles of Deal and Sandwich declared, alſo about this time, for the King, but were reduced by colonel Rich. Ludlow, Vol. I. p. 237.

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prepare for battle, the Prince ſent Harry Seymour to the earl of Warwick, with a letter inviting him to return to his allegiance. That admiral's reply was, adviſing his Highneſs to put himſelf into the parliament's hands. Notwithſtanding this diſcouraging anſwer, Prince Charles ſent to the earl Mr. Crofts, who had married his aunt, imagining he durſt not venture to diſcover his ſentiments to Seymour: but Crofts returned with much the ſame anſwer. Hence it appears, that Prince Charles ſuppoſed he had ſome room to rely on the earl of Warwick, as lord Clarendon inſinuates; and the ground of his hope, which was properly the effect only of his, or rather of all the Royaliſts prepoſſeſſion, was briefly this: The Scotiſh commiſſioners, as I hinted, did not acquaint the leading Preſbyterians with the particulars of their treaty with his Majeſty in the iſle of Wight. They only told them, an army would be raiſed in Scotland to deliver him from the Independents power, and that it was neceſſary the Cavaliers and Preſbyterians ſhould ſecond theſe indeavors, by acting jointly or ſeparately. This propoſal being accepted, the Royaliſts and Preſbyterians prepared, as I have ſaid, to countenance the Scots in their deſigns, by inſurrections in diverſe parts of England. Matters ſtanding thus, the earl of Holland, * who had acted a very ill part in the late war, was on this occaſion, diſpoſed to reconcile himſelf with King Charles, by laboring his reſtoration. To that end, he received from the Prince of Wales a commiſſion, impowering him to raiſe forces for his Majeſty's ſervice, and his brother, the earl of Warwick, promiſed to be aſſiſting. This Prince Charles knew, and is what made him believe the earl of Warwick was in a like diſpoſition with his brother: but the Royaliſts and Preſbyterians differed very widely in their views. Theſe latter, of whom Warwick was one of the heads, pretended not to reſtore King Charles unconditionally, but only to free him from the Independents, in order afterwards to make terms with him; and this they ſtiled, "ſetling the peace of the kingdom." But Prince Charles, with the whole Royal party, would not underſtand this difference, and prepoſterouſly imagined that all who had promiſed to act againſt the Independents, had thereby ingaged to ſerve the King without any previous conditions. Herein lay the miſtake. It is therefore evident, that the earl of Warwick, who acted upon Preſbyterian views, could not believe it his intereſt to deliver up the navy to Prince Charles; ſince, notwithſtanding the occaſion which induced the Preſbyterians to be in a readineſs to act againſt the army, they ſtill conſidered the Royal party as their real enemies.

Clarendon, Vol. III. p. 95. *Henry Rich.

Pontfract and Scarborough caſtles fall into the Royaliſts hands. Ruſhworth, Vol. VII. p. 1133.

In the begining of June, King Charles's friends found means to ſurpriſe and gariſon Pontefract-caſtle, in Yorkſhire: and not long after Scarborough-caſtle, revolted from the parliament, and declared for his Majeſty.

Project of the earl of Holland. Clarendon, Vol. III. p. 95, 96.

At length the Scotiſh army being on the point of entering England, general Fairfax ſtill imployed in the blocade of Colcheſter, and Cromwell in the ſiege of Pembroke, and as there were but two regiments in London, the earl of Holland was of opinion, he could not have a fairer opportunity to execute what he had projected in the King's favor. This deſign was ſo far from being a ſecret, that it was become the town-talk. It was known beforehand what day his ſaid lordſhip was to ſet out, and the parliament ſeemed not to regard it. It was not for want of information; but the ſcene of affairs was much altered ſince the army's removal from London. The Independents no longer prevailed in the parliament, and the Preſbyterians began to erect their creſts. For this reaſon, the Independents did not think proper, at ſuch a juncture, to take any ſteps which might induce the Londoners to declare openly. Contrariwiſe, the Preſbyterian members were far from offering to obſtruct the earl of Holland's deſign, which they conſidered as flowing from the general combination for delivering his Majeſty from the army. So, the earl publicly departed London, with about a hundred horſe, and came to Kingſton upon Thames, where the young duke of Buckingham, his brother lord Francis Villiers, the earl of Peterborough, &c. met him with ſome troops (1). Being joined, they ſent a letter to the lord-mayor and common-council of London, declaring their intention was, To unite with the forces of Surrey, Suſſex, and Middleſex, to releaſe his Majeſty's perſon, to bring him with honor to his parliament, and to ſetle peace in the kingdom: and deſired their aſſiſtance no farther than their deſigns were really for the good and happineſs of King, parliament, and kingdom, "according to the covenant." Theſe laſt words, "according to the "covenant" were very neceſſary, as they knew the Preſbyterians wiſhed for nothing ſo much as this covenant's confirmation. But the magiſtrates of London thought not fit to chuſe for leaders, either the earl of Holland, who was in no great repute, or the duke of Buckingham, a youth utterly unexperienced, who had only the King's ſervice in view, without any regard to the public, or the covenant: or in ſhort, any of theſe peers, whoſe principles were not any way agreeable to thoſe of the Preſbyterians. So, without anſwering this letter, they ſent it to the parliament, who inſtantly voted traitors the lords by whom it was ſigned. *

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He is joined by the duke of Buckingham and others. Clarendon, Vol. III. p. 95, 96. Ruſhworth, Vol. VII. p. 1178.

They write to the city. July 7. p. 1180.

Are declared traitors.

* Alſo that their eſtates ſhould be ſequeſtered. Ibid.

The very day that letter was written, colonel Leveſey, with ſome companies of the two regiments quartered in Weſtminſter, met and intirely routed theſe lords near Kingſton: but, Leveſey's infantry, which was left behind, not being yet arrived, and the enemies having ſent theirs to Kingſton, to ſecure their retreat, only the cavalry, on both ſides, were ingaged. Leveſey warmly followed them to Kingſton, where the foot ſtood their ground, and hindered the purſuers from entering the town. That ſame night they evacuated Kingſton, and retired to St. Albans, about four hundred ſtrong.

And defeated near Kingſton p. 1182.

They are ſurpriſed, and the earl of Holland taken. July 10. p. 1187. Whitelock,

Mean while general Fairfax, hearing of this inſurrection, detached away from the blocade of Colcheſter colonel Scroop, with a regiment of cavalry, to the parliamentarians aſſiſtance. Scroop coming to Hertford, was informed, that the lords, who had been defeated at Kingſton, lay very negligently at St. Neots. On this intelligence, he marched thither in the night, and ſurpriſed them in that little town, killing ſome, taking above a hundred priſoners, and diſperſing the reſt. Lord Francis Villiers loſt his life (2). His brother, the duke of Buckingham, found means to eſcape, and the earl of Holland was taken, conducted to London, and afterwards ſent priſoner to Warwick caſtle. Thus ended this ill concerted enterpriſe, managed by perſons of no ſkill or experience in military affairs.

Ruſhworth, Vol. VII. p. 1189.

The Scotiſh army enters England. Pembroke caſtle ſurrenders. July 11. Cromwell marches towards the North. p. 1189, 1190, 1193, 1207.

At length, July the ninth, duke Hamilton entered England with the Scotiſh army. The eleventh ditto, Pembroke-caſtle, ſurrendered to Cromwell, who immediately diſpatched a body of cavalry to re-inforce the Northern army, commanded by major-general Lambert. He himſelf departed three days after, with the reſt of his forces, already

(1) They made up about five hundred Horſe. Ruſhworth, Vol. VII. p. 1178.
(2) He was ſlain in a ſkirmiſh at Kingſton. Whitelock, p. 318.

much

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much fatigued with the late ſiege, and whereof the majority wanted ſhoes, &c. tho' they undertook a long march, which probably would be followed by a battle. Theſe difficulties diſcouraged not Cromwell. He purſued his march with all poſſible diligence, and yet could not join Lambert 'till mid-Auguſt. We muſt now turn to what duke Hamilton was doing while Cromwell was advancing towards him,

Clarendon, Vol. III. p. 124, Burnet's Mem. p. 355.

Duke Hamilton's aim.

The intention of thoſe who had prevailed for the raiſing this army in Scotland, was, in appearance, no other than to aſſiſt the Engliſh Preſbyterians, to free the parliament from the Independents yoke, and to deliver King Charles from the army's bondage: at leaſt theſe were the moſt plauſible arguments urged to procure the Scots parliament's conſent to this extraordinary expedition: but it may very juſtly be doubted, whether this was the deſign of all that party's chieftains. Some poſſibly, among whom were duke Hamilton and his brother the earl of Lanerick, ſought only to reſtore his Majeſty unconditionally, or at leaſt without other terms than what he had himſelf offered, viz. his promiſe to obſerve the ancient laws. They did not much concern themſelves about maintaining the eſtabliſhment of Preſbytery in England, or the covenant between both nations. Others, as the earls of Loudon and Lauderdale, who had been commiſſioners in England, really intended to ſerve the King, but upon theſe two conditions, that the Preſbyterian government ſhould be eſtabliſhed in the Engliſh church, and the covenant punctually obſerved. As they preſumed they had taken ſufficient care of theſe two points, by the iſle of Wight treaty, they little regarded the other terms required of King Charles by the parliament of England, concerning the militia, nomination to the great offices, &c. But, very ſeemingly, their deſign was to deceive each other. The meaning of theſe latter was, to make uſe of the King's party to procure due execution of the iſle of Wight treaty; and Charles's partiſans, feigning to agree with the others in all their deſires, intended to make uſe of them to inable his Majeſty not to be forced to receive any conditions. Duke Hamilton's conduct, after his entrance into England, ſeems to me a very ſtrong evidence, that he deſigned not to act in favor of the Preſbyterians. If he had any ſuch intention, he ſhould not methinks have loitered away, as he did, forty days in the Northern counties, but would have directly bent his courſe or London. Lambert would not have been able to hinder his march, being much weaker than he. Cromwell was yet imployed in Wales, and Fairfax in the blocade of Colcheſter. Probably had he, without loſing time, marched to London, he would have arrived before Cromwell and Lambert could have joined forces; and if Fairfax had quited the blocade of Colcheſter, in order to throw himſelf into London, the citizens would very likely have ſhut their gates againſt him, ſince they would have been ſupported by the Scotiſh army: at leaſt, in caſe Fairfax had riſen from before Colcheſter, that town, the whole county of Eſſex, and doubtleſs Suffolk and Norfolk, would have ſided with the Scots. In a word, had the Scots marched their forces towards the center of England, undoubtedly there would have been in many places ſuch riſings as would have greatly diſtreſſed the Independents army: and if duke Hamilton could have reached London, both city and parliament would have infallibly declared againſt the army, and expelled the Independent members from both houſes. We ſhall hereafter find theſe not to be bare conjectures, conſidering what paſſed in the city and parliament, while it was expected the Scotiſh army would take the courſe I have been laying out.

Rushworth, Vol. VII. p. 1197.

The Scotiſh commiſſioners and Royaliſts try to deceive each other.

Duke Hamiloſes much time in the North. Clarendon. Vol. III. p. 124, 125.

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But duke Hamilton had doubtleſs other views; ſince, without any neceſſity, he ſtayed in the North upwards of a month. Lord Clarendon conjectures his ſaid grace's deſign was, to afford the Engliſh army time to defeat thoſe forces which were up in ſeveral parts of England, for his Majeſty, that they might not be ſo united as to obſtruct the Preſbyterian's intention. But, whatever regard I may have for that noble hiſtorian, I cannot, for two reaſons which ſeem to me very ſtrong and cogent, join with him in his opinion. The firſt is, that duke Hamilton was not a zealous Preſbyterian: on the contrary, tho' he had taken the covenant, he was cordially Epiſcopal, as he had ſufficiently diſcovered while he could do it without danger. The ſecond is, that he was the man who had moſt courted and drawn into Scotland the Royaliſts, while the buſineſs of raiſing this army was in debate. I ſhould rather think, he had aims quite different from that imputed to him by lord Clarendon: that, inſtead of deſigning to countenance the Preſbyterian party, he rather feared to render them too powerful, by approaching London; as conſcious the King's condition would not be much happier when in the Preſbyterians hands. Very likely, his long ſtay in the North, was only to give the Royaliſts of thoſe parts opportunity to join Langdale's forces, and thereby render his Majeſty's party ſuperior.

Conjecture of lord Clarendon's. p. 125.

Different conjectures.

Howſoever this be, not to dwell too long on conjectures, as ſoon as duke Hamilton entered England, he marched to Carliſle, whence he drew out the troops placed there by Muſgrave, and introduced a Scotiſh gariſon. Some days after, Langdale joined him with about four thouſand Engliſh foot, and ſeven or eight hundred horſe (1): but theſe troops remained ſeparate, Langdale being always in their marching one day a-head of the Scotiſh army. This was to evade, in ſome meaſure, the parliament of Scotland's injunction, that ſuch Engliſh as ſhould refuſe taking the covenant, ſhould not be received into the army, nor act in conjunction with the Scots. Nevertheleſs, the Engliſh and Scots made but one army, under command of duke Hamilton, from whom Langdale received orders. Lambert, who was poſted near the place where both armies joined, or at leaſt approached each other, retired in ſuch diſorder, that very probably, had he been purſued, his defeat would have been certain; but duke Hamilton thought not fit to improve this advantage. He continued ſome days at Carliſle, after which he marched to Kendal, in Weſtmoreland, where he again halted, 'till not finding wherewithal to ſubſiſt, he was in a manner forced to proceed to Lancaſhire with part of his army, leaving the reſt at Kendal. At length, he advanced to Preſton, where he made a full ſtop; the reaſon whereof is not known, except it was to ſtay for Monroe, who was coming with three thouſand men out of Scotland.

Hamilton marches. Rushworth, Vol. VII. p. 1189, 1193.

He is joined by Langdale, p. 1200. Clarendon, Vol. III. p. 124, 125. Burnet's Mem.

He enters Lancaſhire.

Mean while, Cromwell having reached Yorkſhire, Lambert inſtantly joined him, and they marched together directly to Preſton, where duke Hamilton lay. Langdale, who made the van of Hamilton's army with his Engliſh troops, ſent his grace notice, that Cromwell was approaching to give him battle, and conſequently it was neceſſary to keep his army together. But the duke regarded not this intelligence, believing it to be only ſome detachment of Cromwell's army. In ſhort, Langdale was attacked by the enemies cavalry, who drove him to

Cromwell joins Lambert. July 17. Rushworth, Vol. VII. p. 1211, 1219. Clarendon, Vol. III. p. 125.

(1) Duke Hamilton brought with him four thouſand horſe, and ten thouſand foot. See Burnet's Mem. p. 356.

Preſton,

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Preſton, whither he brought with him ſome priſoners, who affirmed Cromwell's whole army was not far diſtant; whereupon the duke ordered him back to his troops, promiſing to ſend him aſſiſtance; but failed. Langdale thus attacked, was forced to maintain a very unequal fight, which laſted however five or ſix hours; but at laſt he was intirely routed. Immediately after, Cromwell's whole cavalry marched to Preſton, where all was in ſuch confuſion, that they thought of nothing but flight. The duke himſelf believed it proper to retire by the bridge, which he in vain indeavored to guard, after paſſing it. Auguſt the twentieth Cromwell ſent the parliament this inſuing letter, containing a particular account of what paſſed, on the 17th, 18th, and 19th ditto, between both armies: viz.

He defeats Langdale. Ibid.

The duke's army routed. p. 126. Burnet's Mem.

Cromwell's letter on this ſubject. Ruſhworth, Vol. VII. p. 1238.

"AFter the conjunction of that party which I brought with me, out of Wales, with "the Northern forces, about Knareſborough and "Wetherby, hearing that the enemy was advanced with their army to Lancaſhire, we came, "the ſixteenth inſtant, to Hodder-bridge over "Ribble, where we had a council of war: and, "upon advertiſement the enemy intended Southward, and ſince confirmed, that they reſolved "for London itſelf, and information that the Iriſh "forces under Monroe, lately come out of Ireland, "which conſiſted of twelve hundred horſe, and "fifteen hundred foot, were on their march towards Lancaſhire to join with them, it was "thought to ingage the enemy to fight was our "buſineſs; and accordingly, marching over the "bridge that night, quartered the whole army in "the fields. Next morning, we marched towards "Preſton, having intelligence, that the enemy "was drawing together thereabouts from all his "out-quarters, we drew out a forlorn of about two "hundred horſe, and four hundred foot. Theſe "gallantly ingaged the enemy's ſcouts and outguards, until we had opportunity to bring up our "whole army. So ſoon as our foot and horſe "were come up, we reſolved that night to ingage "them, if we could; and therefore advancing "with our forlorns, and puting the reſt of the "army into as good a poſture as the ground would "bear (which was totally inconvenient for our "horſe, being all incloſure and miry ground) we "preſſed upon them thro' a lane, and forced them "from their ground, after four hours diſpute, "until we came to the town, into which four "troops of my regiment firſt entered; and, being well ſeconded by colonel Harriſon's regiment, charged the enemy in the town, and "cleared the ſtreets. At laſt, the enemy was put "into diſorder, many men ſlain, and many priſoners taken. The duke, with moſt of the Scots "horſe and foot, retreated over the bridge; "where, after a very hot diſpute betwixt the Lancaſhire regiments (part of my lord general's and "them being at puſh of pike) they were beaten "from the bridge, and our horſe and foot following them, killed many, and took diverſe priſoners; and we poſſeſſed the bridge over Derwent, and a few houſes there; the enemy being "drawn up within muſquet ſhot of us, where we "lay that night, we not being able to attempt farther upon the enemy, the night preventing us. "In this poſture did the enemy and we lie moſt "part of that night. Upon entering the town, "many of the enemy's horſe fled towards Lancaſter, in the chaſe of whom we had diverſe "of our horſe, who purſued them near ten miles, "and had execution of them, and took about five "hundred horſe, and many priſoners. We poſſeſſed in the fight very much of the enemy's "ammunition: I believe they loſt four or five "thouſand arms: the number of the ſlain we judge "to be about a thouſand; the priſoners we took "near about four thouſand.

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"In the night they marched away, ſeven or "eight thouſand foot, and about four thouſand "horſe; we followed them with about three thouſand foot, and about two thouſand five hundred "horſe and dragoons; and in this proſecution that "worthy gentleman colonel Thornhaugh, preſſing "too boldly, was ſlain, being run into the body, "thigh and head by the enemies lancers. Our "horſe ſtill proſecuted the enemy, killing and "taking diverſe all the way: but by that time "our army was come up, they recovered "Wigan, before we could attempt any thing "upon them. We lay that night in the field "cloſe by the enemy, lying very dirty and weary, "where we had ſome ſkirmiſhing, &c. We took "major-general Van Druſke, col. Hurrey, and "lieutenant-colonel Ennis.

"The next morning, the enemy marched towards Warrington, made a ſtand at a paſs near "Winwick. We held them in ſome diſpute until "our army was come up, they maintaining the "paſs with great reſolution for many hours; but "our men, by the bleſſing of God, charged very "home upon them, beat them from their ſtanding, "where we killed about a thouſand of them, and "took (as we believe) about two thouſand priſoners, and proſecuted them home to Warrington town, where they poſſeſſed the bridge. "As ſoon as we came thither, I received a meſſage from lieutenant-general Bailey, deſiring "ſome capitulation; to which I yielded, and "gave him theſe terms: That he ſhould ſurrender himſelf and all his officers and ſoldiers "priſoners of war, with all his arms, ammunition, "and horſes, upon quarter for life; which accordingly is done. Here are taken about four thouſand complete arms, and as many priſoners: "and thus you have their infantry ruined.

"The duke is marched with his remaining horſe "(which are about three thouſand) towards Nantwich, where the gentlemen of the county have "taken about five hundred of them; the country "will ſcarce ſuffer any of them to paſs, but bring "in and kill diverſe as they light upon them. I "have ſent poſt to my lord Grey and ſir Edward "Rhodes, to gather all together with ſpeed for "their proſecution: Monroe is about Cumberland, "with the horſe which ran away, and his Iriſh horſe "and foot; but I have left a conſiderable ſtrength, "I hope to make reſiſtance 'till we can come up to "them.

"Thus you have a narrative of the particulars "of our ſucceſs. I could hardly tell how to ſay "leſs, there being ſo much of God; and I was "not willing to ſay more, leſt there ſhould ſeem "to be any thing of man: only give me leave to "add one word, ſhewing the diſparity of the forces "on both ſides, that ſo you may ſee, and all the "world acknowledge, the great hand of God in "this buſineſs. The Scots army could not be leſs "than twelve thouſand foot, well armed, and five "thouſand horſe; Langdale no leſs than two thouſand five hundred foot, and fifteen hundred horſe; "in all twenty one thouſand: in ours, in all, about "eight thouſand ſix hundred, and by computation "about two thouſand of the enemy's ſlain, betwixt "eight and nine thouſand priſoners, beſide what are "lurking in hedges and private places, which the "country daily bring in or deſtroy."

To finiſh in few words our relation of the unfortunate cataſtrophe of duke Hamilton and his army, I ſhall add to what is ſaid in Cromwell's letter, that the duke retiring to Nantwich, and finding himſelf

The duke taken priſoner, and his whole army diſperſed.

himſelf purſued by Lambert with a ſtrong party of cavalry, marched to Utoxeter *, where Lambert arrived almoſt as ſoon as he, and where the Scots made not the leaſt ſhew of reſiſtance. In ſhort, the duke was taken, with all the officers about him; and of the whole army none got off but the cavalry, who, eſcaping by flight, joined Monroe in Cumberland. Such was the produce of Scotland's grand effort in King Charles's favor. I ſay in King Charles's favor; for it is certain moſt of the authors of this enterpriſe intended that Prince's reſtoration, tho' they covered their deſign with other pretenſes.

Clarendon, Vol. III. p. 126, 133. Ruſhworth. Vol. VII. p. 123, 1242. Ludlow. Whitelock.

* In Strafford-ſhire.

Colcheſter ſurrenders at diſcretion to Fairfax. Auguſt 27. Ruſhworth, Vol. VII. p. 1231—— 1247.

The Scotiſh army's defeat was, within few days followed by the reduction of Colcheſter, the blocade whereof had laſted upwards of two months. The beſieged having been forced to ſurrender at diſcretion, the general called a council of war, where it was determined, that ſir George Liſle, ſir Charles Lucas, and ſir Bernard Gaſcoigne (1) ſhould be ſhot to death. The two former were executed; but the general, underſtanding ſir Bernard was a Florentine, ſaved his life, for fear the Grand-duke ſhould revenge his death on ſuch Engliſh gentlemen as entered into his dominions, as many frequently did in their travels (2).

Lucas and Liſle ſhot to death. Clarendon, Vol. III. p. 136, 137.

Lauderdale preſſes in vain, Prince Charles to go into Scotland. Clarendon, Vol. III. p. 124, 129, &c. Ruſhworth, Vol. VII. p. 1230.

The Prince of Wales was at the Hague, when the news of duke Hamilton's defeat reached that place. The earl of Lauderdale * next day waited on him, with a letter from the parliament of Scotland, inviting him to come into their country, and head their army in England: but the news he had received the day before being confirmed, his Royal Highneſs did not think fit to hazard his perſon to no purpoſe, tho' Lauderdale ſtrongly preſſed his departure. So, the earl was obliged to return alone.

* John Maitland.

State of the parliament and city.

After this recital of the fruits of ſeveral commotions raiſed by King Charles's friends, during theſe laſt ſeven or eight months, it will be neceſſary, before we proceed, to touch on what paſſed during that interval in the parliament and city.

The Independents prevail in parliament.

Since both houſes had voted no more addreſſes to the King, there was a perfect union between the parliament and army. The army no more pretended to medle in ſtate-affairs. They conſented that the ſupernumerary troops, i. e. ſuch as were not upon the late eſtabliſhment, ſhould be diſbanded by companies, as money was raiſed to pay them. They promiſed withdrawing to the ſeveral towns and gariſons, ſo ſoon as the parliament ſhould ſetle the neceſſary funds for their regular pay. This condeſcenſion, or rather ſubmiſſion to the parliament, proceeded from the Independents power in both houſes, no reſolution being taken but by their direction, or at leaſt none contrary to their views.

The Preſbyterians rely on the aſſiſtance of Scotland.

On the other hand, tho' the Preſbyterians were not ſorry to ſee in the kingdom combuſtions capable of keeping the army imployed, and obliging them to remove from London, they were nevertheleſs in danger that Charles's party would grow too powerful, before the Scotiſh army entered England. Upon this army it was that they founded their hope of

Their policy.

becoming once more maſters of the parliament and kingdom: but they perceived that, before the arrival of the aſſiſtance expected from Scotland, it was not their intereſt to ſecond the indeavors of the Royaliſts, whoſe views were very oppoſite to theirs, for fear of inabling them to renew the war by their own ſtrength. On the other hand, they would have acted very imprudently, had they openly declared againſt the army, while it was about London, without having ſufficient forces to reſiſt it. The aſſiſtance of Scotland only could inable them to hold up their heads: for which reaſon, the votes of both houſes were always unanimous to condemn the inſurrections in Wales, Kent, Eſſex, as well as thoſe of the earl of Holland and duke of Buckingham. This was alſo the reaſon why the Independents met with no obſtacle in procuring the eleven members, accuſed by the army, to be declared incapable of ſerving in parliament, and the lord-mayor, aldermen of London, and the ſeven peers to be proſecuted with the utmoſt rigor, for being concerned in that tumult of the twenty-ſixth of July. Theſe were the reſolutions of a parliament yet governed and directed by the Independents. But, when once Cromwell was with part of the army ingaged in Wales, Fairfax imployed at the blocade of Colcheſter, and when the ſurpriſal of Berwick and Carliſle had made it neceſſary to ſend ſome regiments into the North, the face of affairs began to change. The Independent members found themſelves obliged, in their turn, to diſſemble, and conſent to what undoubtedly they would have oppoſed, had the army been near to ſupport them.

They get upermoſt in the parliament.

The twenty-ſeventh of April, before the army removed from London, upon information, true or falſe, brought to the parliament (3), that ſome officers had combined, firſt to diſarm, and then plunder London, the common-council preſented a petition to the houſe of commons, deſiring that the chains of the city, which had been lately pulled down, might be ſet up again; the army removed to a farther diſtance from London; and major-general Skippon appointed to command within the lines of communication, and the weekly bills of mortality. It is manifeſt, that the common-council wanted to have it in their power to act, when the Scotiſh army ſhould enter this kingdom: for they could not imagine the Scots had other thoughts than to ſupport the Preſbyterian party in England. The houſe granted two of their requeſts, and took time to conſider of the army's removal.

A petition from the city. April 27. Ruſhworth, Vol. VII. p. 1073.

Next day, the houſe of commons, having taken into conſideration the affair of ſetling the government, voted:

The commons votes. p. 1074.

"1. That the government of the kingdom "ſhould be ſtill by King, lords and commons.

"2. That the ground-work for this govern- "ment ſhould be the propoſitions laſt preſented to "the King at Hampton-court.

"3. That all members of the houſe ſhould have "leave to ſpeak freely to any votes, ordinances, "or declarations concerning the King, &c."

Theſe Votes were directly oppoſite to the Inde-

(1) Or rather Guaſconi, for that was the name of this Florentine, whom the Engliſh miſ-call Gaſcoigne. Rapin.

(2) The other priſoners taken at Colcheſter were, George Goring, earl of Norwich; lord Capel, Henry Haſtings lord Loughborough, ſir William Compton, ſir Ab. Shipman, ſir John Watts, ſir Lodowick Dyer, ſir Henry Appleton, ſir Dennard Strutt, ſir Hugh Oriley, ſir Richard Mauliverer, ten colonels, eight lieutenant-colonels, nine majors, thirty captains, gentlemen ſixty-five, lieutenants ſeventy-two, enſigns and cornets ſixty-nine, ſerjeants a hundred and eighty-three, private ſoldiers three thouſand ſixty-ſeven. They held out ſo long, that all the dogs and cats, and moſt of the horſes were eaten. The women and children being at lord Goring's door, Auguſt 20, crying out for bread, he told them, "They muſt "eat their children, if they wanted." Whereupon the women reviling him, threatened to pull out his eyes. The town was preſerved from plunder upon paying ten thouſand pounds. Ruſhworth, Vol. VII. p. 1232——1256. Whitelock, p. 324.

(3) One John Everard made affidavit, before the common-council, that being in bed in an inn at Windſor, he heard ſome officers talking "of diſarming the city, and then making them advance a million of money, or plunder them." Whereupon the common-council informed the houſe of the ſame in their petition. Ruſhworth, Vol. VII. p. 1070——1073.

Charles I An' 1648.

pendents views; they deſigning to aboliſh regal power, and eſtabliſh a republic: but as their intention was yet a ſecret, or at leaſt they had not declared it, they did not think proper to diſcover it too openly, by oppoſing theſe votes.

Petition from the common-council touching the militia. May 2. Ruſhworth, Vol. VII. p. 1100.

Some days after, ſeveral citizens of London preſented to the common-council a petition, praying, that the lord-mayor and ſherifs of London might be part of the commitee for the city-militia, and that the other commitee-men might be choſen by the common-council.

Hereupon, the lord-mayor and common-council preſented a petition to the houſe of commons, ſhewing,

Petition from the common-council to the parliament. May 9. p. 1107.

"That the general having, by letter, informed "the houſe of commons of his deſign to remove "the two regiments which were at Weſtminſter, "they conceived there was ſome expectation that "the parliament ſhould be guarded by the city "forces, which they were ready to do, provided "they were put into a capacity to perform the ſame, "by ſetling the militia of London, and being autho-"riſed ſo to do.

"That the lord-mayor and common-council "might, by ordinance of parliament, be autho-"riſed to nominate, and preſent to both houſes of "parliament, a commitee for the militia of the ſaid "city; whereby commanders and ſoldiers might be "the better united and incouraged to perform their "duties, for the ſafety and preſervation of the "parliament and city.

"That the command of the Tower of London "might be put into the hand of ſuch a perſon as "ſhould be nominated, and preſented to both "houſes of parliament, by the lord-mayor and "common-council.

"That the ſoldiers there remaining might be re-"moved."

All this was granted, againſt the intereſt of the Independents, who but a few months before had ordered the contrary, becauſe they knew the Londoners were not for them. Thus the city gradually indeavored, under diverſe pretenſes, to put themſelves in condition to act, when things were arrived at maturity.

Declaration of the commons. p. 1102.

It appears alſo, by a declaration of the houſe of commons, of the fifth of May, how much the Preſbyterians began to be ſuperior in the parliament. This declaration ran: "That the houſe is reſolved to "preſerve and maintain the ſolemn league and co-"venant, and the treaties between the two king-"doms of England and Scotland: and that they "will be ready to join with the kingdom of Scot-"land in the propoſitions agreed upon by the two "kingdoms, and preſented to his Majeſty, at "Hampton-court." This was a handle for uniting themſelves with the Scots, ſo ſoon as they ſhould enter England. Poſſibly, the commons believed them to be readier than they were, and withal were yet ignorant that the aim of thoſe who had promoted raiſing forces in Scotland, was rather to ſerve King Charles than ſupport the Preſbyterian party in England: but they ſoon perceived the Royaliſts intended not to maintain the parliament's intereſt. If the Cavaliers (for ſo the King's party were ſtiled) had behaved with a little more policy, and leſs paſſion and heat, they might have done his Majeſty good ſervice: but they ſo openly ſhewed that their deſign was to reſtore him unconditionally, that they obliged the Preſbyterians to be on their guard, and even to oppoſe them, inſtead of acting jointly with them, as the Cavaliers expected. This paſſion, or if you will, exceſs of zeal for their Royal maſter's ſervice, was always the Cavaliers diſtinguiſhing character, and often fruſtrated their deſigns. Some of this party, inhabitants of the county of Surrey, could not contain themſelves ſo long as would have been requiſite for the King's intereſt. They aſſembled in great numbers, horſe and foot, and came to Weſtminſter, where they preſented a petition to the lords, and another to the commons, worded in ſuch high and ſtrong terms, that they ſeemed to believe themſelves ſupported by the whole kingdom. They demanded:

The Royaliſts eagerneſs prejudicial to his Majeſty.

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Petition from Surrey in the King's behalf. May 16. Ruſhworth, Vol. VII. p. 1116.

"That the King might be reſtored to his due "honor, and juſt rights, according to the oaths of "allegiance and ſupremacy: that he might be "forthwith eſtabliſhed in his throne, according to "the ſplendor of his anceſtors: that he might, for "the preſent, come to Weſtminſter with honor "and ſafety, to treat perſonally for compoſing dif-"ferences: that the free-born ſubject of England "might be governed by the known laws and ſta-"tutes in force in the kingdom: that the war be-"gining might be prevented; and that the ordi-"nances for preventing free-quarter might be duly "executed, and ſpeed made in diſbanding all ar-"mies, having their due arrears paid them."

Nothing could be more unſeaſonable than this petition, in ſuch a juncture, when the buſineſs was to foment diviſion between the Preſbyterians and Independents, whereas the petition tended to unite them againſt the Royaliſts. The lords anſwered, "They "were now upon the conſideration of ſetling the "kingdom, and doubted not to ſatisfy all." While the commons were debating on the petition, ſome of the Surrey-men (1) quarreled with the parliament's guard, diſarmed two or three of the ſoldiers, and killed one. Whereupon, to hinder them from carrying their violence any farther, more horſe and foot were ſent for, from the Meuſe and Whitehall, who killed and wounded ſeveral before they could be diſperſed.

Ibid. Whitelock, p. 306.

Union between the city and parliament. May 20. Ruſhworth, Vol. VII. p. 1119, 1120. Whitelock.

This attempt, and notice brought to the houſe of commons, that ſoldiers were privately liſting in London, and a plot contriving by the Cavaliers to ruin both parliament and city, Preſbyterians and Independents, made the parliament and city enter into a ſtrict union. It was equally their intereſt to guard againſt the Royaliſts, who hated the city no leſs than the parliament and army, and to take meaſures for preventing thoſe conſpirators from executing their deſigns. Thus the impetuous zeal of the Cavaliers was extremely detrimental to his Majeſty; whereas, had it been well managed, it might have procured him great advantages. Could they have reſolved to diſguiſe their ſentiments, and ſuffer the Preſbyterians to believe their ſole drift was, to deliver their Royal maſter from the Independents, and to act againſt the army, they would certainly have much ſtrengthened their party; and the Preſbyterians, inſtead of hurting, would have aſſiſted them. This was ſeemingly duke Hamilton's project, and theirs who labored to procure him the command of the Scotiſh army. But the raſh and precipitate zeal of ſome particular perſons, to whom it was not thought proper to impart the ſecret, cauſed the Preſbyterians to be as much on their guard againſt the Cavaliers, as againſt the Independents. So, in all the inſurrections in ſeveral parts of England, while the Scotiſh army was expected, the Preſbyterians were wholly unconcerned, except in Kent,

The Preſbyterians miſtruſt the royal party.

(1) They were almoſt drunk, and had been animated, as they came thro' Weſtminſter-hall, by ſome of the Royaliſts. The quarrel began by ſome of the country-mens aſking the guards, Why they ſtood there to guard a company of rogues? meaning the parliament. Whitelock, p. 306. Sir T. Herbert (Mem. p. 51.) ſays, the ſoldiers firſt affronted the petitioners, becauſe they required, that the army ſhould be diſbanded.

where

where ſome general officers and reformades were willing to ingage. But after that diſappointment, they lay ſtill, in expectation of the Scots, on whoſe aſſiſtance they greatly relied, tho', as I before obſerved, without any foundation.

They determine to conclude a peace with his Majeſty, on three previous conditions.

Mean while, the Preſbyterians were ſtrangely imbaraſſed. The Scotiſh army was not yet come, and they were in no leſs danger from the King's ſucceſſes, than from thoſe of the army. They could therefore join with neither of the parties, without working their own deſtruction. The deſigns of all three were ſo oppoſite, that whichſoever ſhould prevail, the other two would be infallibly ruined. The Preſbyterians therefore finally determined on taking advantage of the army's abſenſe, of the number of their voices in parliament, and of the city's aſſiſtance, to conclude a peace with King Charles: but, in order to this peace, it was neceſſary, that his ſaid Majeſty ſhould conſent to three conditions, without which they could not reſolve to be reconciled to him. The firſt was, "That the militia of "the kingdom ſhould, for ſuch a number of years, "be put into the hands of both houſes." This point having been the immediate cauſe, or at leaſt a pretenſe of the rupture, they could not depart from it, without evidently ſhewing, that the war had been undertaken without any abſolute neceſſity, which would have rendered them odious to the whole kingdom. For to what purpoſe had ſo much blood been ſhed, and ſo much treaſure conſumed, if a peace could be made without this ſecurity? Beſide, in neglecting this article, they would, as I may ſay, have caſt themſelves on the mercy of Charles, whom they had mortally offended. The ſecond condition was, "That the Preſbyterian go- "vernment ſhould be eſtabiſhed by authority of "King and parliament." This condition was no leſs neceſſary. It was one of the ſtrongeſt motives of their undertaking and continuing the war, wherein they had been crowned with ſucceſs, the advantages of which they were not diſpoſed to relinquiſh. What would they have gained by the war, if by a peace they were to be again liable to the juriſdiction of the biſhops, and epiſcopal clergy, their mortal enemies? The third condition was, "That "his Majeſty ſhould call in all his proclamations "and declarations againſt the two houſes." The neceſſity of this condition is evident; for Charles having declared rebels the members of both houſes, they could not as ſuch, treat with him, without renouncing all their rights and pretenſions.

A reſolution of treating with the King being taken by the leading Preſbyterians, the queſtion was, to put it in execution. General Fairfax departing from Windſor, the twenty-ſecond of May, to march into the North (tho' within a few days he was forced to take the Kentiſh route) the common-council of London next day preſented a petition to both houſes of parliament, wherein they ſaid:

The Londoners addreſs to the parliament. Ruſhworth, Vol. VII. p. 1125.

"That they thankfully acknowledged the favor "of the houſe, in granting their deſires, concern- "ing the Tower and Militia of London; and in "communicating to them ſeveral votes of both "houſes of parliament, wherein it was reſolved, "not to alter the fundamental government of the "kingdom, by King, lords, and commons; to "preſerve inviolably the ſolemn league and cove- "nant, and the treaties between the kingdoms of "England and Scotland; and to be ready to join "with the kingdom of Scotland, in the propo- "ſitions agreed upon by both kingdoms." They "farther deſired, "that the aldermen, the recor- "der, and others of their fellow-citizens, then in "the tower, might be diſcharged and reſtored; "and that, in proſecution of their ſaid votes, they "would be pleaſed to improve all good opportu- "nities in perfecting the ſpeedy ſetlement of the "peace of both kingdoms."

This petition was the firſt ſtep taken by the city of London, to give the parliament occaſion to indeavor a peace. The members, as I ſaid, were moſtly Preſbyterians, and yet the Independents prevailed, becauſe they were ſupported by the army. So, from the ſixth of Auguſt 1647, to the end of May 1648, the parliament muſt be conſidered as Independent, becauſe the votes were directed by that party. But ſince the army's removal from London, the Preſbyterians had exerted themſelves, and, no longer fearing the army, paſſed ſuch votes as were moſt agreeable to their intereſt. From that time, therefore, the parliament is not to be conſidered as Independent, but rather as Preſbyterian. This remark is abſolutely neceſſary for underſtanding the reaſon of that difference between the proceedings of this parliament, of which we are going to ſpeak, and thoſe from the ſixth of Auguſt laſt year.

Remark on the change in parliament.

The above petition being read in both houſes, they ordered the recorder, and all the other priſoners to be releaſed, except the three aldermen, who had been impeached in form, but who were nevertheleſs, ſome few days after, alſo diſcharged. They farther ordered, that the ſoldiers poſted in the Tower, to reinforce that gariſon, ſhould return to their regiments.

The city's deſires granted May 23. p. 1118. 1125, 1126. Whitelock.

Next day, the commons voted, notwithſtanding all oppoſition from the Independent members, That, after his Majeſty's aſſent to the three bills, which ſhould be offered to him, a treaty ſhould be had with him upon the reſt of the propoſitions, preſented him at Hampton-court. Theſe three bills were for ſetling the militia, the Preſbyterian government, and recalling all his declarations againſt the two houſes. Theſe bills were ready the thirtieth of May, and ſent up to the peers for their concurrence. Alſo that day, general Fairfax, having drawn out thoſe troops which were in the Tower, at Whitehall, and the Meuſe, to imploy them in his expedition againſt the Kentiſh revolters, the houſe impowered the London militia to ſend the parliament from time to time a guard, as occaſion ſhould require.

Vote to treat with the King Idem. Ruſhworth, Vol. VII. p. 1127.

The militia of London guard the parliament. p. 1132.

The Preſbyterians injoyed much eaſe and tranquillity, ſince they were no longer curbed by the army: but they ſtill wanted one thing, whereof they reſolved to be not unmindful. While the two houſes were governed by the Independents, the Scots preſumed they had cauſe to complain, and on that pretenſe they were levying forces to enter England. For this reaſon, the parliament, now become Preſbyterian, believed it neceſſary to remove all occaſion of complaint, by giving them ſatisfaction, and to ſhew they intended to proceed in a manner different from what they had done, while checked by the Independents. They now declared, they would maintain the covenant, and the treaties between the two kingdoms; and to convince the Scots, the houſe of commons voted, that the three bills to be preſented his Majeſty, ſhould be communicated to the parliament of Scotland, for their approbation. It is eaſy to perceive, that the aim of both houſes was, to ſecure the aſſiſtance of Scotland; and indeed it ſeems to have been Scotland's intereſt to unite with the parliament of England, ſince it was become Preſbyterian: but, as I obſerved, thoſe by whom the parliament of Scotland was then managed, ſought not ſo much the kingdom's good as they did King Charles's advantage; but of this the Engliſh parliament was yet ignorant, or perhaps would ſcarcely credit. There was moreover in the above-ſpecified reſolution, one great inconvenience, viz. loſs of time. It was the

Proceedings of the parliament to unite with Scotland.

June 2. p. 1132, 1136.

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the Preſbyterians intereſt to haſten the treaty with his Majeſty, while the event of what was preparing was yet doubtful. But, on the contrary, delay was advantageous to the Independents, who failed not uſing that method to break their enemies meaſures, as we ſhall ſee in the ſequel.

The accuſed members diſcharged. *June 3. Ruſhworth, Vol. VII. p. 1130.

Next day, the commons ordered, that the eleven members of their houſe, and the ſeven peers, accuſed by the army, ſhould be fully diſcharged, and Glyn (1), member for Weſtminſter, who had been expulſed, was received into the houſe.

Reſolution to raiſe forces. June 14. Whitelock. Ruſhworth, Vol. VII. p. 1158.

As the two houſes perceived the ſeveral inſurrections in England, to be wholly in favor of Charles, they on pain of death prohibited taking arms by any authority but theirs; as being ſatisfied, they had no farther occaſion for ſuch friends to defend them againſt the Independents. Mean while, as they had no army to protect their adherents againſt the Cavaliers attempts, it was moved to raiſe forces, and oblige the officers to take the covenant: but, after ſome debates, this latter article was voted to be laid aſide, for the preſent. It was alſo propoſed to remove his Majeſty to Windſor; but nothing was determined: probably, the houſe knew not how to compel Hammond, in caſe he refuſed ſurrendering him.

p. 1154.

p. 1162.

p. 1164.

Notwithſtanding the vote for preſenting to his Majeſty the three bills paſſed the ſecond of June, it was the twenty-ſixth before both houſes appointed a commitee to debate upon the manner and place of treaty with him; and their report was made the thirtieth. Mean while, the lord-mayor, aldermen, and common-council of London, addreſſed the two houſes with a petition, deſiring,

p. 1170.

Petition from London for a treaty with the King. June 27. p. 1167.

" That a perſonal treaty might be obtained betwixt his Majeſty and both houſes, in the city of London, or ſome other convenient place.

" That the Scots might be invited to the treaty.

" That ſo, according to the duty of their allegiance, proteſtation, ſolemn league and covenant, his Majeſty's royal perſon, honor and eſtate might be preſerved; the power and privilege of parliament maintained; the juſt rights and liberties of the ſubjects reſtored; religion, and government of the church in purity eſtabliſhed; all differences might be the better compoſed, and a firm and laſting peace concluded, &c."

p. 1168. Whitelock. Clarendon, Vol. III. p. 139.

To this both houſes anſwered, That they were now imployed in conſiderations of peace, and doubted not but what they had done, and ſhould do therein, would be ſatisfactory to the city of London, and all others who wiſhed to ſee the kingdom's troubles terminated in a ſafe, juſt and honorable peace.

Report of the commitee in his Majeſty's favor. Ruſhworth, Vol. VII. p. 1170.

The report of the commitee, appointed to conſider of a perſonal treaty with the King, was:

" 1. That the vote of the third of January, " 1647, forbiding any addreſſes to be made to, or " received from his Majeſty, ſhould be made " null.

" 2. That the three propoſitions, ſent into the " kingdom of Scotland, and to be preſented to his " Majeſty before a perſonal treaty be had, ſhould " not be inſiſted upon.

" 3. That his Majeſty be removed to ſome of " his houſes within ten miles of London."

Their lordſhips deſire the commons not to inſiſt on the three bills. Ibid.

That day alſo, their lordſhips acquainted the commons, that they approved thoſe propoſitions reported by the commitee, and deſired their concurrence: but they of the lower houſe were not ſo expeditious as the lords. They could not reſolve to commence a negociation with his Majeſty, without being firſt ſecure of their three conditions, which were to ſerve as a ground-work for peace: their reaſons I have already mentioned. Mean while, both houſes continuing in their reſpective opinions, it was near a month before this diſpute ended.

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The commons refuſe it.

The lords reaſons. July 10. p. 1183.

It was contrariwiſe urged by the peers, that theſe three bills ſhould not be inſiſted on. 1. That there may be no delay in the buſineſs, a ſpeedy perſonal treaty being ſo much deſired and petitioned for. 2. Becauſe it is the deſire of the parliament of Scotland. 3. The agreement upon the treaty will be the more authentic. 4. It is probable, the King, having no army in being, will condeſcend to that which at Uxbridge and Oxford he refuſed. 5. It is not the way of treaty to confirm any particular, before all is agreed, eſpecially thoſe of moſt concernment, and which will be chiefly inſiſted on.

The commons reaſons. July 25. p. 1202.

The commons replied; " That the diſaffected " party in or near London is ſo great, that, if the " King grants not the militia before he comes, " there will be no ſafety for the parliament, nor " is the treaty like to proceed: for many will in- " deavor to bring in the King without any agree- " ment, and even with deſtruction to the parlia- " ment. 2. If the Preſbyterian government be " not decreed, all will grow into confuſion in the " churches, and the preſent miniſters be great ſuf- " ferers. 3. If the declarations be not recalled, " the parliament is not in capacity to treat, having " been declared rebels and traitors, and no parlia- " ment but a pretended one, which was never " done by any of the Kings of England. And " whereas it may be objected, Theſe things need " debate: it is anſwered; The King is not ignorant " of the full demand of theſe particulars, they " having been over and over preſented to him; " and to the two firſt he hath declared a willing- " neſs; nor yet is he obliged to paſs them as bills, " unleſs all other things are agreed upon; and, if " no agreement (he being at liberty) a new war is " like to inſue."

The lords reply. Ibid.

To theſe reaſons their lordſhips ſaid; 1. " That " they could not imagine, nor was it probable, " that the party about London, who had petiti- " oned for a treaty, would put it on to the diſad- " vantage of the parliament. 2. They did not " apprehend any prejudice to the parliament's party " during the treaty. 3. His Majeſty had declared, " he would conſent to all together; and not to " any before all was agreed: and that, in caſe " there was no agreement, they were in ſtate as " before."

The commons anſwer. Ibid.

The commons, not being any way ſatisfied with theſe arguments, anſwered (2), " There was no " doubt but thoſe, in the parts about London, " would put forward the treaty to the diſadvantage " of the parliament and kingdom; being men " who had not only petitioned the re-eſtabliſhment " of the King without conditions, but had armed " themſelves, and were now in arms for no leſs " (as they ſay at Colcheſter) than to cudgel the " parliament into a treaty. 2. For his Majeſty's " ſaying, he would not paſs any before all were " agreed; it ſeems not; for he pretends to be wil- " ling to paſs theſe only upon conditions, or in " any way, as that 'de facto,' he will; and 'de " jure,' the power ſhall be declared in him; which " would be their irreparable loſs and deſtruction. " And beſide, as to ſecurity, what appears, " unleſs the grant of theſe propoſitions? For it is " ſuppoſed the treaty will be in or near London. And " what is ſaid, how his Majeſty ſhall be? Who

(1) Recorder of London. He was diſcharged the 23d of May, upon the petition preſented that day by the common-council.

(2) By a member; for this was a free conference. Ruſhworth, Vol. VII. p. 1202.

" ſhall

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" ſhall be with him? How the diſaffected ſhall " be ordered? Moreover if this be not, why may " not things ſetled by law be revived? Epiſco- " pacy again ſet on foot? All the miniſters, turned " out for ſcandal, re-enter? Others of honeſt life " put to ſeek their livings? How then, in caſe " no accord be made, can it be thought that the " parliament will be in ſtate as before?"

Much time paſſes in vain, and the Independents contribute to it. Ruſhworth, Vol. VII. p. 1206. Another delay upon the means of treating at London. p. 1186. Clarendon, Vol. III. p. 139.

This diſpute held 'till the twenty-eighth of July, the Independent members moſt cordially joining with the Preſbyterians in whatever could retard or obſtruct the treaty. But it was not on this point only that they ſtrove to imploy their time in vain.

While this conteſt between both houſes ſtill laſted, the city of London having declared in a petition, That they did concur with the deſire of a perſonal treaty, contained in another petition of the military officers; it was ordered, that a commitee of parliament, and another of the common-council, ſhould meet to examine this affair. In the frequent conferences between theſe commitees, the Independents uſed ſeveral artifices to prolong matters. The Preſbyterians concurred with them in the ſame deſign; for, as I ſaid, they were againſt treating with the King before he had conſented to their three bills. The parliament's commitee put to the common-council ſeveral queſtions, which theſe latter were not prepared to anſwer; and as they had not any inſtructions thereto relating, they deſired time to conſult their principals. By this means, the conferences were multiplied without any manner of concluſion; for no ſooner was one demand anſwered, but another ſtarted, and thus, much time paſſed to no purpoſe.

The common-council attempt to force the parliament to treat. Ruſhworth, Vol. VII. p. 1187.

The common-council, at length perceiving, that theſe queſtions were deſigned only to amuſe them, ordered it to be declared to the commitee of parliament, that it was the city's deſire a treaty ſhould be entered into with all expedition, They ordered likewiſe, that the preceding year's ingagement * which had brought the army to London, ſhould be ſubſcribed by all the inhabitants, either by calling them together, or by carrying it from houſe to houſe to be ſigned. Nor were they ſatisfied with this alone: for they ſo managed, that the watermen and others preſented likewiſe petitions, that the perſonal treaty might be haſtened. In ſhort, they evidently gave to underſtand, that what they could not obtain by fair means they would have by force. Hereupon major-general Skippon was, by the commons, privately ordered to liſt ſoldiers in the city, to guard the parliament in caſe of any violence. The common-council complained of theſe levies which were making in the city, without the commitee of militia's privity: but the houſe declared their approbation thereof, under color of London's being in danger from the Cavaliers. They withal imparted to the common-council certain intercepted letters, in one of which was incloſed a declaration from the Prince of Wales. Another, written from London to one at Edinburg, intimated, That the King's party was very powerful in London: that there was no danger from any but Skippon, who was raiſing troops; but however, as they were nothing in compariſon of thoſe who were ſecretly liſted for the King, it ſhould be ſo ordered, that Skippon ſhould ſoon be deprived of his poſt, and expelled the city.

* To guard the King and parliament from all force, &c. p. 1196.

The commons order Skippon to raiſe forces: whereat the city complains.

The houſe tries to appeaſe them. Ruſhworth, Vol. VII. p. 1208, 1210. Whitelock. p. 319, 324.

Some Royaliſts mix the Preſbyterians.

In the preſent ſituation of affairs, the Royaliſts were certainly in very great hope: nay, many Cavaliers ſcrupled not paſſing for Preſbyterians, and mixed with them, to ſtrengthen the party of thoſe who intended to force the parliament to a peace. Hence aroſe this ſort of conteſt between the commons and London. Among the Preſbyterians, many were apprehenſive that, by a too long delay, the opportunity of treating advantageouſly with his Majeſty would be loſt. They flattered themſelves that, in ſuch a juncture, King Charles would refuſe nothing of what ſhould be deſired, and ſaw not (ſaid they) the neceſſity of loſing time in requiring things beforehand which, in their opinion, could not be granted in a treaty. This opinion, entertained by the lords, and common-council of London, was ſolely founded in a falſe imagination, that Charles could not think his caſe deſperate, if the Scotiſh army ſhould once enter England, and conſequently would grant every thing to extricate himſelf from this difficulty; wherein, as we have ſhewed, they were greatly miſtaken. But the commons ſtill inſiſted on the three bills, as abſolutely neceſſary for the nation's ſecurity. While the Preſbyterians thus differed among themſelves. the time paſſed away without any effectual indeavors for a pacification. The blocade of Colcheſter was juſt at an end; Cromwell was on the point of finiſhing the ſiege of Pembroke-caſtle, and going to join Lambert; and Fairfax, after taking Colcheſter, was about to come once more and awe the parliament. Beſide this, Charles's party daily increaſed in the North, where Langdale, now above four thouſand ſtrong, was preparing to join duke Hamilton.

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The affairs of England were then in a terrible confuſion. The wiſeſt and moſt experienced could not form any probable conjecture on what was to happen, each of the parties having almoſt equal reaſon to hope and to fear.

The uncertain ſtate of affairs. July.

Indeed, the Independents were no longer maſters in the parliament, but were however ſufficiently numerous to obſtruct, by ſundry artifices, or at leaſt to retard the peace, and prolong the negociation. Moreover they were ſupported by three armies, which, tho' remote from London, inſpired their enemies with terror. Nevertheleſs they ſaw, it was intended to take advantage of theſe armies abſenſe to conclude a peace with the King, which could not but ruin them, if made before their forces were rejoined. They knew themſelves to be equally hated by the Scots, Preſbyterians and Royaliſts. They were therefore in danger that theſe three parties would unite againſt them, as indeed it was projected, and then the Independents would have been too weak to reſiſt at once ſo many enemies. It was therefore their intereſt to hinder as much as poſſible this union, 'till the events of the war, which was going to re-kindle, ſhould unravel England's affairs. They confided much in Cromwell's valor and capacity, and impatiently expected the end of the ſiege he had undertaken, which they hoped would inable him to join Lambert in the North, and oppoſe the Scots, then ready to enter England.

Intereſts of the Independents.

The Preſbyterians had not any army. Their whole reliance was on London: but their leaders were extremely troubled to ſee the magiſtrates purſuing wrong methods, whether by the Cavaliers artifices, or by a too earneſt deſire of peace. They however hoped that King Charles, in his preſent circumſtances, would immediately grant their demands, in order to free himſelf from the Independents, and unite the whole kingdom againſt them: but the foundation they builded on was not ſolid. Had there been a treaty at the time I am now upon, that Prince, who knew the Scotiſh army was not deſigned againſt him, would at moſt have granted only what he was obliged to by his treaty with the Scots commiſſioners, which would not have been ſufficient to content the Preſbyterians, as by the ſequel will appear.

Error of the Preſbyterians.

With regard to the Royaliſts, as their chiefs were informed of duke Hamilton's intentions, they muſt certainly have conceived great hopes. They flat-

Refuge of the King's party.

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tered themſelves, that the Scots and Preſbyterians would equally aſſiſt in delivering King Charles from captivity, and that, when he ſhould be free, and the Independent party cruſhed, he would be able to face the Preſbyterians and renew the war, in caſe unreaſonable terms were inſiſted on. They however, with great concern, ſaw their deſigns ruined in Kent, in Eſſex, and by the ill ſucceſs of the earl of Holland's and duke of Buckingham's attempt. Certainly they were in a very precarious ſituation, between the Preſbyterians and Independents, what hopes ſoever they had entertained of deceiving thoſe former, and ingaging them to ſerve his Majeſty, under color of acting againſt the Independents. Their whole refuge therefore lay in the progreſs to be made by duke Hamilton and Langdale, and in the expectation of inducing London to force the parliament to ſtrike up a haſty peace to their Royal patron's advantage.

Duke Hamilton's behavior when he entered England.

Finally, the ſo long expected army of Scots (as we have ſeen) entered England, early in July. When the raiſing it was reſolved, it was deſigned againſt the Engliſh parliament, then under direction of the army and Independents. But when the Scots came into England, the face of affairs was changed, and the parliament not only become Preſbyterian, but had taken ſeveral ſteps to ſhew they intended to preſerve union and a good correſpondence between the two kingdoms. Mean while, tho' the Scotiſh parliament's commitee was not ignorant of what paſſed in England, they had not given new inſtructions to duke Hamilton, or expreſſed any deſire to join the Engliſh parliament, now freed from the army's domination. Thus duke Hamilton entered England as enemy to the parliament, ſince there was no alteration in his orders. He indeed pretended a deſign to maintain the covenant: but both houſes had alſo declared, they had the ſame intention. What then could hinder the duke from making ſome advances to the parliament, to demonſtrate he was ſent into England to promote that deſign? At leaſt, on entering armed into a foreign kingdom, he ſeemingly ought to have publiſhed a manifeſto declaring the intentions of his principals. But he only wrote to major-general Lambert, "That the commitee of the eſtates of "parliament had commanded him to enter Eng- "land with an army, for maintaining the cove- "nant; ſetling religion; delivering the King from "his baſe impriſonment; freeing the parliament "from the conſtraints put upon them; diſbanding "the armies, whereby the ſubjects might be free "from the intolerable taxes and quarter which they "had ſo long groaned under, and for procuring a "ſolemn peace and firm union betwixt the king- "doms under his Majeſty's government." But if the precedent tranſactions be conſidered, it will be eaſy to perceive, this army was deſigned to reſtore the King without conditions, or at leaſt upon terms very different from thoſe pretended to be laid on him. Tho' I have touched on this ſubject in ſeveral places, I believe it will not be amiſs briefly to ſum up the reaſons which invincibly prove the Scots army to have been ſolely intended for King Charles's ſervice.

He writes to Lambert. Ruſhworth, Vol. VII. p. 1194. Whitelock. p. 321.

Proofs of the Scotiſh army's being ſolely deſigned for his Majeſty's ſervice.

1. The Scotiſh commiſſioners had treated with that Prince without being authoriſed by their parliament. They had treated for the affairs of England without receiving any power from the Engliſh.

2. They had ingaged to indeavor reſtoring him to the throne of England, without other condition than the confirmation of Preſbytery for only three years: as for the covenant, they had indeed obliged his Majeſty to promiſe he would confirm it, for the ſecurity of thoſe who had taken it, i. e. that they might not be proſecuted on that account; but with full liberty to every one not to ſubſcribe it. They had ingaged to maintain the rights of King and crown, with reſpect to the militia, the great-ſeal, nomination to offices, choice of privy-counſellors and the negative voice in parliament. Moreover, they had concealed the contents of this treaty from the leading Preſbyterians, and at the ſame time communicated them to Charles's chief partiſans. CHARLES I AN' 1648.

3. Theſe ſame commiſſioners had ingaged ſir Marmaduke Langdale and ſir Philip Muſgrave to raiſe forces for his Majeſty, and ſeize Berwick and Carliſle.

4. Theſe two gentlemen had gone to Edinburg, where they had often confered with duke Hamilton and others of Charles's party, and when the commiſſioners of England complained of their being ſuffered at Edinburg, they were only concealed, and the conferences with them continued. Clarendon, Vol. III. p. 98.

5. Duke Hamilton, before his departure from London, had declared, he would do the King ſignal ſervice; and this duke was placed at the army's head.

6. The ſame duke had ſtipulated with Langdale that, on the Scotiſh army's entering England, there ſhould be no more mention of the covenant, and all his Majeſty's friends ſhould be indiſcriminately received into the army. True, he was afterwards reſtrained by a decree of the Scots parliament: but he found means to evade it, by making Langdale march one day before him, as if Langdale had not acted by his orders. However, when he was defeated by Cromwell, the contrary manifeſtly appeared.

7. The parliament of Scotland was called by the credit of duke Hamilton, and the commiſſioners who had treated with his Majeſty; and its members were elected by the ſame factious cabals.

8. When the levying forces there came to be debated in parliament, it was ſtrongly oppoſed, as well by ſundry peers, as by the kirk's general-aſſembly. It was proved, by ſolid reaſonings, that at leaſt the grounds of this war ought to be declared before it was reſolved. Proteſtations were alſo made againſt it: but they were eluded; whereof no other reaſon can be given, but that the army was deſigned for King Charles's ſervice, tho' it was not thought proper ſo to declare.

9. Finally, when Hamilton had entered England, he took not the leaſt ſtep to intimate he was come to ſupport the Preſbyterian party. Inſtead of marching directly to London, while Cromwell was at a diſtance, tho' he might be ſure the parliament and city were very deſirous to join him, he loitered more than a month in the Northern counties, without any manner of neceſſity. This conduct therefore evidences his deſign was not to aſſiſt the Preſbyterians, tho' he intended to act againſt the Independents.

What has been advanced clearly proves, that this army of Scots came into England with a view of reſtating King Charles unconditionally, under color of reſcuing him from the Independents. It it no wonder that the parliament, in which this Prince had few friends, ſhould immediately declare this army the kingdom's enemies, on the firſt notice of their entrance: tho', as the Preſbyterians were yet perſuaded the Scots were come to ſupport them, it was with great ſtruggle that this declaration paſſed the houſe of commons. Ninety Preſbyterian members oppoſed it to the utmoſt of their power, ſo far were they from imagining the Scots had armed in King Charles's behalf: but it was not long before they were undeceived. July 14. Ruſhworth, Vol. VII. p. 1190, 1198.

The twenty-eighth of July, the commons finally agreed, that his Majeſty ſhould be treated with *,

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The Independents retard the treaty by ſundry artifices. Ruſhworth, Vol. VII. p. 1206. Whitelock. Ludlow. Vol. I. p. 262, &c.

* Upon the Hampton-court propoſitions.

with*, without being obliged to ſign the above-cited three bills. Very poſſibly, the Preſbyterians were at length ſenſible that, by defering the treaty, they were laboring for the Independents, who ſought only to waſte time 'till Cromwell, who was in the midſt of his march, ſhould have joined Lambert: but it was not poſſible to advance ſo far as would have been neceſſary to finiſh or even begin the treaty, before the revolution cauſed by duke Hamilton's defeat. The formalities which muſt be obſerved in a parliament, ſeveral unexpected affairs, the Prince of Wales's arrival before Yarmouth, and afterwards in the Thames, afforded the Independent members frequent occaſions to prolong the treaty. On all theſe occaſions, they affected to make tedious ſpeeches, which waſted many days. When they ſaw it was not in their power to ſet aſide the treaty, or oblige the houſe to inſiſt upon the three bills, they feigned to conſent freely to the negociation: but withal, perpetually found means to delay it. In a word, to know what were the fruits of theſe artifices, it needs only be conſidered, that the commons firſt reſolution to treat with his Majeſty was on the twenty-fourth of May: but they deſiſted not from the three bills 'till the twenty-eighth of July; that it was the eighteenth of September before the negociation commenced, and conſequently this affair held four months, without counting what time was imployed in the treaty. So, before the conferences began, Cromwell had defeated duke Hamilton, and was marching into Scotland to prevent the Scots returning to diſturb England. On the other hand, general Fairfax, having taken Colcheſter, was poſted with his army within twenty miles of London, to awe the parliament. It is therefore certain, when the negociation began, affairs were far from being in the ſame ſtate as when the treaty was reſolved. The army's ſucceſs rendered the Preſbyterians more timorous, and the Independents bolder and more aſſuming. But, on the other ſide, Charles loſing all hopes of aſſiſtance both from the Scots and Royaliſts, found himſelf indiſpenſibly obliged to yield, in a treaty, what he would never have granted, had not his affairs changed countenance. Theſe are conſiderations which I judged very requiſite, before I proceeded to what paſſed in the five latter months of the year 1648.

Ruſhworth, Vol. VII. p. 1127, 1206, 1266.

The King's demands. p. 1225, &c. 1212, 1214, 1216, 1224.

Since the commons had conſented to treat with his Majeſty, without obliging him to ſign the three bills, five days more had paſſed before the manner, place and time of the treaty could be ſetled (1). King Charles required, That all perſons might have acceſs to him, as when at Hampton-court: that the Scots ſhould be invited to aſſiſt at the treaty, and appointed the town of Newport, in the iſle of Wight, for the place of conference. The commiſſioners who had been ſent to him, having reported to both houſes his Majeſty's deſires, the lords, who were willing to diſpatch this affair, did, two days after, paſs the following vote s:

Aug. 14. p. 1225. Heath. Whitelock.

Votes of the lords thereupon. Auguſt 16. Ruſhworth, Vol. VII. p. 1229.

" 1. That the votes of both houſes of parliament, " againſt farther addreſſes and application to his " Majeſty, be recalled.

" 2. That ſuch perſons whom his Majeſty ſhall " ſend for, as of neceſſary uſe to him in the treaty, " be admited to wait on him: and that his Majeſty " be in the ſame eſtate of freedom as he was laſt in " at Hampton-court.

" 3. That ſuch ſervants as his Majeſty ſhall appoint, be ſent to wait on him.

" 4. That the place for the treaty be Newport, in the iſle of Wight. CHARLES I AN' 1648.

" 5. That the Scots be invited to treat with his " Majeſty.

" 6. That his Majeſty be allowed to invite " them.

" 7. That the inſtructions given, from both " houſes of parliament, to colonel Hammond, go- " vernor of the iſle of Wight, be recalled.

" 8. That five lords and ten commoners be " choſen commiſſioners to treat with the King.

" 9. That it be refered to the commitee, of lords " and commons, for peace, to prepare all things in " readineſs for the ſpeeding of the treaty."

Theſe votes being ſent to the commons, they did not think proper to paſs them without ſome amendments.

The firſt was admited.

As to the ſecond, the commons ordered, " That Aug. 17. " his Majeſty ſhould be deſired to ſend to the The com- " houſe the names of ſuch perſons as he ſhould mons reſtric- " conceive to be of neceſſary uſe about him during tions. Ruſhworth, " the treaty; they not being perſons excepted Vol. VII. " againſt, by both houſes of parliament, from par- p. 1230. " don, or who were then under reſtraint, or in actual " wars againſt the parliament, by ſea or land; or " in ſuch numbers as might draw any juſt cauſe of " ſuſpicion; and that his Majeſty ſhould be in the " ſame freedom, honor and ſafety, as he was in " when at Hampton-court.

Upon the third, " They concurred in the vote " for his Majeſty's attendants, provided they " were ſuch as were not in any of the former " qualifications.

The fourth was approved of.

" As to the fifth and ſixth, the queſtion, whether " the Scots ſhould be invited, by the parliament, " to ſend commiſſioners to treat with his Majeſty, " upon the propoſitions preſented to him at Hamp- " ton-court, it was carried in the negative. But it p. 1231, 1232. " was however ordered, That if the King ſhould " think fit to ſend for any of the Scotiſh nation, " to adviſe with him concerning the affairs of the " kingdom of Scotland only, the houſes would " grant a ſafe-conduct.

Concerning the ſeventh, it was reſolved, Aug. 21. " That, before recalling colonel Hammond's in- p. 1233. " ſtructions, they ſhould ſend again to his Ma- " jeſty, to let him know how far they had pro- " ceeded, as to a treaty, and to have his Majeſty's " approbation.

" The eighth and ninth were admited without " any difficulty."

Next day, the commons ordered new inſtructions Freſh inſtruc- to colonel Hammond, viz. tions to colo- nel Ham- mond: Auguſt. 22. p. 1236. Whitelock,

" That the King be removed to Newport, and " be in the ſame condition and freedom there, as " he was at Hampton-court.

" That no perſon in the firſt exception out of " mercy, nor under reſtraints of the parliament, " nor of late actually in arms againſt the parliament, " be admited to the King.

" That no perſon who hath been in arms againſt " the parliament, &c. or of whom there is juſt " cauſe of ſuſpicion, be admited into any fort, or " tower, in the iſle of Wight.

" That no perſon of any foreign nation be " admited to come into the ſame iſle, without " leave of the parliament.

" If the kingdom of Scotland ſend any to treat " with his Majeſty, they ſhall have a paſs from " both houſes, and be admited.

(1) Both houſes agreed, Auguſt 2, to treat with the King in the iſle of Wight; and the earl of Middleſex, ſir John Hippeſly, and mr. Bulkley, were ſent, Auguſt 4, to his Majeſty, with the votes of the two houſes. See Ruſhworth, Vol. VII. p. 1214, 1216.

" That

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"That his Majeſty paſs his royal word, not to "go out of the iſland during the treaty, nor twenty-"eight days after, without the advice of both "houſes of parliament."

The Scots defeat impedes not the treaty. Auguſt 23. Clarendon, Vol. III. p. 141. Ruſhworth, Vol. VII. p. 1237.

On the morrow, advice was brought of duke Hamilton's defeat. The Independents thence hoped they ſhould hinder the treaty's concluſion (1), and the Preſbyterians, that the King would grant every thing, ſince he had loſt the aſſiſtance he depended on, and was without any reſourſe. So this event, tho' of the greateſt importance, cauſed no alteration in the parties diſpoſitions. A few days after, came alſo news of Colcheſter's reduction.

Sundry delays. Aug. 29, 31. p. 1241, 1242, 1248, 1249.

Charles ſending in a liſt of the perſons he deſired to have about him, the parliament excepted againſt three, viz. Aſhburnham, Legg and Doucet, who were then in cuſtody.

p. 1261, 1266.

It was not only upon this point, but ſeveral others where difficulties occurred, that they were forced to ſend expreſſes to the King. It ſuffices to obſerve, that the parliament's commiſſioners departed not, from London for Newport, 'till the thirteenth of September, and the conferences began not 'till the eighteenth. It was agreed, they ſhould continue forty days only.

While preparations were making for this treaty, the Prince of Wales, who lay in the Downs with his ſquadron, ſent the houſe of peers a letter, wherein he took notice of the progreſs made as to a perſonal treaty, and farther expreſſed his deſire,

Prince Charles's letter to the lords. p. 1220.

"1. That the treaty ſhould be in ſuch place "and manner, as might conſiſt with the honor, "freedom and ſafety of the King his Father; "ſo that the agreement might not be blemiſhed "with any face of reſtraint. 2. That the treaty "might be between the King, and his two king-"doms of England and Scotland. 3. That dur-"ing the treaty, there ſhould be a general ceſſa-"tion of arms. 4. That a moderate ſubſiſtence, "during the treaty, might be agreed upon, for "all armies and forces then on foot, and particu-"larly the Scotiſh army in England. 5. That "a courſe might be taken to content him, and "his ſhips in the Downs, with money and pro-"viſion."

It appears not that the lords took any notice of this letter; eſpecially as the Prince made no mention, that it ſhould be communicated to the commons.

Petition from the common-council. Ibid.

The day their lordſhips received this letter, a petition was preſented, to both houſes, from the common-council of London, deſiring,

"1. That the King's Majeſty might be free "from reſtraint.

"2. Invited to a treaty.

"3. That all acts of hoſtility, by ſea and land, "might ceaſe, by command of King and parlia-"ment.

"4. That the government of the church might "be ſetled according to the covenant.

"5. That diſtreſſed Ireland might be relieved.

"6. The people of England, by diſbanding all "armies, eaſed; the liberty of the ſubjects re-"ſtored; the national laws eſtabliſhed.

"7. All members of both houſes injoined to "attend in parliament for the kingdom's ſer-"vice.

"8. That the ſelf-denying ordinance be effectu-"ally obſerved. And,

"9. Speedy conſideration had of the condition "of ſuch merchants, whoſe ſhips and goods were "ſtayed by thoſe with the Prince; and that ſome "expedient might be thought of, for diſcharge of "all ſhips, that trade be not deſtroyed."

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Another from the reduced officers. Ibid.

The reformade-officers preſented, alſo that day a petition of the like import; praying moreover, that all officers and ſoldiers (without exception) might be paid their arrears.

Anſwer to the city. Ruſhworth, Vol. VII. p. 1222.

The commons returned in anſwer to the common-council of London, that it was their intention to treat with the King; that they had acquainted his Majeſty with it; and that there was no room to queſtion but the King was in the ſame diſpoſition. Then they communicated to the council the votes which were paſſed in the houſe on that occaſion.

The Independents begin to ſtir.

All this occurred before the Scotiſh army's defeat. But after the news of that great event, and of Colcheſter's being taken, the Independents in and about London, who had been quiet ſince the army's removal, and before any deciſion, began to ſhew their teeth. The eleventh of September, two days before the commiſſioners ſet out for the iſle of Wight, they preſented to both houſes a petition, ſubſcribed by ſeveral thouſands, clamorouſly arraigning the commons proceedings, which (ſaid they) flowed from the corruption of moſt of the members. They alſo gave them the reaſons, why they firſt aſſiſted them in this war, with their perſons and purſes, and let them know, they expected other ways from them than a treaty with the King, and particularly,

They preſent a petition. Sept. 11. p. 1257. Whitelock. p. 335. Ludlow.

"1. That they would make good the ſupre-"macy of the people from all pretenſes of negative "voices, either in King or lords.

"2. That laws be made for election of repre-"ſentatives yearly, and of courſe, without writ or "ſummons.

"3. That their time of ſiting exceed not forty "or fifty days at moſt, and fix ſome expreſs time "for ending this preſent parliament.

"4. That they would exempt matters of religion "and God's worſhip from the compulſive or reſtric-"tive power of any authority.

"5. That none be forced or preſſed to ſerve "in war.

"6. That Kings, Queens, Princes, Dukes, "Earls, Lords, and all perſons, be alike liable "to every law of the land.

"7. That all commoners be freed from the "juriſdiction of the lords in all caſes; and care "taken, that all trials be only of twelve ſworn "men; and no conviction but upon two or more "ſufficient known witneſſes.

"8. That none be examined againſt themſelves, "nor be puniſhed for doing that againſt which no "law hath been provided.

"9. That the proceedings in law be abreviated, "mitigated and the charge thereof made certain, "in all particulars.

"10. That all trade and merchandiſing be made "free from monopoliſing and ingroſſing, by "companies or otherwiſe.

"11. That the exciſe, and all kind of taxes, ex-"cept ſubſidies, be taken of.

"12. That all late incloſures of fens, and other "commons, be laid open, or incloſed only or "chiefly to the benefit of the poor.

"13. That the many thouſands who are ruined "by perpetual impriſonment for debt, be conſi-"dered, and proviſion made for their inlarge-"ment.

"14. That ſome effectual courſe be taken to

(1) Cromwell wrote to his friends, That it would be a perpetual ignominy to the parliament, if they ſhould recede from their former vote of, "No farther addreſſes to the King," and conjured them to continue firm in that reſolution. Clarendon, Vol. III. p. 141.

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" keep people from begging and beggary, in ſo " fruitful a nation, as thro' God's bleſſing this is.

" 15. That puniſhments be proportioned more " equally to offenſes, that ſo mens lives and eſtates " might not be forfeited upon trivial and ſlight " occaſions.

" 16. That the tedious burden of tithes be " removed, ſatisfying all impropriators, and pro- " viding a more equal way of maintenance for " our poor miniſters.

" 17. That a ſtock of money be raiſed out of " confiſcated eſtates, for payment of thoſe who " contributed voluntarily above their abilities, " before thoſe who diſburſed out of their ſuper- " fluities.

" 18. That they bind themſelves and all fu- " ture parliaments from aboliſhing propriety, le- " veling mens eſtates, or making all things com- " mon.

" 19. That they would have declared, what " the duty or buſineſs of the Kingly office is, " and what not; and aſcertained the paſſed re- " venue, increaſe or diminution; that ſo there " might never be more quarrels about the ſame.

" 20. That they would have rectified the elec- " tion of public officers for the city of London, " of every particular company therein; reſtoring " the commonalty thereof to their juſt rights, " moſt unjuſtly with-held from them, to the pro- " ducing and maintaining corrupt intereſt, oppoſite " to common freedom, and exceedingly prejudi- " cial to the trade and manufactures of this na- " tion.

" 21. That they would have made full and " ample reparations to all perſons who had been " oppreſſed, by ſentences in High-commiſſion, " Star-chamber, and Council-board; or by any " kind of monopoliſers or projectors, and that " out of the eſtates of thoſe who were authors, " actors, or promoters of ſo intolerable miſchiefs, " and that without much attendance.

" 22. That they would have aboliſhed all com- " mitees, and have conveyed all buſineſſes into " the true method of the uſual trials of the com- " mon-wealth.

" 23. That they would not allow to be any " longer followed the example of former tyrannous " and ſuperſtitious parliaments, in making orders, " ordinances, or laws, or in appointing puniſh- " ments concerning opinions, or things ſupernatural, " ſtiling ſome blaſphemies, others hereſies.

" 24. That they would have declared what the " buſineſs of the lords is, and aſcertain their con- " dition, not derogating from the liberties of other " men; that ſo there might be an end of ſtriv- " ing about the ſame.

" 25. That they would have juſtice done upon " the capital authors and promoters of the former " or late wars.

" 26. That they would have conſtant pay pro- " vided for the army, and rules given to all judges, " and all other public officers throughout the land, " for their indemnity; and for the ſaving harm- " leſs all who have any way aſſiſted them.

" 27. That they would have laid to heart the " abundance of innocent blood which had been " ſpilled, and the infinite ſpoil and havock hath " been made of peaceable harmleſs people, by ex- " preſs commiſſion from the King; and ſeriouſly " to have conſidered, whether the juſtice of God " be likely to be ſatisfied, or is his yet-continuing " wrath appeaſed by an act of oblivion."

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Tho' the petitioners did not ſtile themſelves Independents, the principles of that party were but too viſible in theſe articles to doubt from what quarter they came.

Another from maſters of ſhips.

The ſame day, a great many maſters and commanders of ſhips preſented the like petition, complaining of the parliament's tyranny.

Ruſhworth, Vol. VII. p. 1258.

The houſes thought not fit to anſwer theſe petitions (1), tho' two days after, the former preſented another, deſiring a proper anſwer*. It was no fit time to provoke the Independents by ſuch a reply as this petition merited.

Theſe petitions not anſwered. p. 1261. Whitelock.

Before I enter on the particulars of the Newport treaty, it is abſolutely neceſſary to relate what paſſed in the North of England, and in Scotland.

* To every part of their petition.

Cromwell marches againſt Monroe. Idem. Ruſhworth, Vol. VII. p. 1193, 1250, 1256, 1259, &c.

Monroe, who was leading from Scotland three or four thouſand men (2) to duke Hamilton, had entered a good way into England, when the Scotiſh army was routed and diſperſed. After this victory Cromwell, without loſing time in purſuing the fugitives, who were not in condition to do much miſchief, left Lambert with ſome troops to finiſh their deſtruction, and immediately marched in queſt of Monroe. The Engliſh who were with this Scotiſh general uſed their utmoſt indeavors to perſuade him to give Cromwell battle: but it was not poſſible to prevail on him. He choſe rather to retire Northward, and always kept at ſuch diſtance as there was no overtaking him. Nevertheleſs Cromwell continued his march, and hearing that Lambert had intirely ruined the remnant of Scots, he ſent him orders for marching to Carliſle, where Muſgrave ſtill remained with ſome troops, and, after clearing thoſe parts, to come and join him, in order to enter Scotland together. When Cromwell came near Berwick, he wrote to the commitee of eſtates, requiring them to call home Monroe, and deliver Berwick and Carliſle, otherwiſe they were to expect hoſtilities. A few days after, he purſued his march towards Scotland, having left ſome regiments to block up Berwick.

p. 1256. Whitelock.

Alteration in Scotland. Argyle raiſes forces againſt Monroe. Ruſhworth, Vol. VII. p. p. 1260, 1264.

Duke Hamilton's defeat, and Cromwell's threats, intirely changed the face of affairs in Scotland. The marquis of Argyle, who had not been able to prevent the raiſing this army, and had been forced to ſubmit to the oppoſite party, became again ſuperior, and was ſupported by all who were againſt the war. The commitee of eſtates daily loſt their authority, and were ſeconded only by Monroe, who was at length returned into Scotland. So Argyle, being aſſured of moſt of the peoples approbation, levied three or four thouſand men to oppoſe Monroe, whom the earl of Lanerick had joined with ſome new-raiſed troops. They had ſecured Sterling-bridge, which hindered Argyle from making any progreſs, even had his followers been more numerous. But Cromwell diſconcerted all their meaſures, by not ſtaying at Berwick, but marching directly to Edinburg. He thereby forced the commitee of eſtates to haſten thence and diſperſe, for fear of being incloſed between the Engliſh and Argyle's forces. Then Lanerick and Monroe, being unable to proſecute what they had undertaken, yielded to agree on theſe terms, viz.

p. 1273.

Cromwell marches to Edinburg. Sept. 30. p. 1282. The parliament's commitee follows him.

" 1. That both the armies ſhould be diſbanded.

(1) The houſe returned anſwer to the Independents petition to this effect: " That the houſe gave them thanks for their " great pains and care of the public good of the kingdom, and would ſpeedily take their deſires into conſideration." Ruſhwolth, Vol. VII. p. 1258.

(2) He had, in the begining of September, above ſeven thouſand men, Engliſh, Scots and Iriſh, under his command. p. 1250.

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Articles between Argyle and Monroe. Rushworth, Vol. VII. p. 1288.

" 2. That a parliament ſhould be called, to ſit " before the twentieth of January.

" 3. That the ſetling of religion be refered to " the determination of the general aſſembly, and " all civil queſtions to the determination of parliament.

" 4. That a new commitee of eſtates be appointed, to conſiſt only of ſuch members as proteſted in parliament againſt the late ingagement: and in caſe any of the forces under Monroe ſhould continue in arms, that then the ſaid commitee ſhould raiſe troops to ſuppreſs the ſame.

" 5. That none who had been acceſſary to the late ingagement, ſhould be challenged to take away their lives and eſtates, &c. provided they did declare, under their hand-writing, to the lord chancellor, or preſident of the commitee of eſtates, that they accepted of, and ſubmited to the preſent ingagement.

" 6. That all perſons taken in war, ſince the ſecond of Auguſt, be releaſed."

Cromwell received into Edinburg. Returns into England; leaving Lambert in Scotland.

The face of affairs being thus changed, and King Charles's party diſperſed, Cromwell repaired to Edinburg, where he was received with great reſpect. He obtained the reſtitution of Berwick and Carliſle, and, having concerted proper meaſures with the marquis of Argyle, returned triumphantly into England. He however left Lambert in Scotland, with three or four regiments, at requeſt of the Scots, who believed they ſhould want them, to awe thoſe who might be deſirous of raiſing freſh combuſtions.

Conferences for peace at Newport. Septemb. 18. p. 1263, &c. Walker's collect. Heath.

The three bills preſented to his Majeſty.

While Cromwell was in queſt of Monroe, in Scotland, and three days before general Fairfax came to St. Albans, the pacific conferences commenced at Newport (1). Notwithſtanding both houſes had deſiſted from their condition, that Charles ſhould ſign the three bills before any treaty began, the thing itſelf they had not relinquiſhed. The very firſt day, their commiſſioners preſented to his Majeſty the draughts of thoſe bills. By the firſt, the Preſbyterian government was eſtabliſhed for ever in the Engliſh church, Epiſcopacy aboliſhed, with the whole hierarchy, and the ſale of biſhops lands appointed. By the ſecond, Charles left all power of the Militia, for thirty years, in the hands of both houſes. By the third, all that Prince's proclamations and declarations againſt the parliament, or their adherents, were recalled. The latter of theſe bills began with theſe words, " Whereas the par- " liament have been neceſſitated to make and pro- " ſecute a war in their juſt and lawful defenſe, &c." His Majeſty ſcrupled not agreeing to the ſubſtance of the bill, but objected againſt its preamble, which directly charged himſelf with having made war upon the parliament, and deſired it might be omited; to which the commiſſioners would never conſent, becauſe they were, by their inſtructions, not to depart from a tittle of what was contained in thoſe three bills. This diſpute held ſeven days, and it was the twenty-fifth of September before Charles finally conſented to paſs that bill, with its preamble: and even then he did it only on condition, that nothing ſhould be binding, except the whole was agreed on, and the treaty ſigned. This article being thus diſpatched, they proceeded to the reſt, whereon were great debates, and particularly concerning religion. As his Majeſty found the commiſſioners would or could not make any conceſſions, he hoped to ſhorten the negociation by ſhewing the two houſes how far he could comply with regard to the moſt important articles. He ſent therefore a meſſage, explaining his intentions, and making them the following offers.

Diſpute about the preamble of one of thoſe bills. Rushworth, Vol. VII. p. 1270, 1275. Clarendon, Vol. III. p. 163, &c.

The King yields.

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A meſſage from him to both houſes, with his offers. Rushworth, Vol. VII. p. 1281.

1. Concerning religion. " His Majeſty will con- " ſent, that the calling and ſiting of the aſſembly " of divines, at Weſtminſter, be confirmed for " three years, by act of parliament, and confirms " for three years the Directory, and the form of " church-government, to be uſed for the churches " of England and Ireland, and dominion of Wales; " provided that his Majeſty, and thoſe of his judg- " ment, or any other, who cannot in conſcience " ſubmit thereunto, be not in the mean time obliged " to comply with the ſame; and that a free conſul- " tation and debate be had with the aſſembly of " divines, at Weſtminſter, in the mean time, twenty " of his Majeſty's nomination being added to them, " whereby it may be determined, by his Majeſty, " and his two houſes of parliament, how the ſaid " church-government and form of public worſhip, " after the ſaid time, and how religion may be " ſetled, the articles determined, and care taken " for the eaſe of tender conſciences."

2. Concerning the biſhops lands and revenue. " His Majeſty will conſent to an act or acts of " parliament, whereby legal eſtates for lives, or " for years not exceeding ninety-nine, ſhall be " made for thoſe lands, towards the ſatisfaction of " purchaſers, and others to whom they are in- " gaged, whereby they may receive ſatisfaction; " provided that the propriety and inheritance of " thoſe lands may ſtill remain to the Church, and " the reſt which ſhall be reſerved to be for their " maintenance.

" 3. His Majeſty will give his royal aſſent for " the better obſervation of the Lord's-day, for ſup- " preſſing of innovations in churches and chapels, " in and about the worſhip of God, and for " better advancing the preaching of God's holy " word in all parts of this kingdom; and to an " act againſt injoying pluralities of benefices, by " ſpiritual perſons, and non-reſidency; for regu- " lating and reforming both univerſities, and the " colleges of Weſtminſter, Wincheſter, and Eaton; " for the better diſcovery, and ſpeedy conviction " of Popiſh recuſants: for the education of the " children of Papiſts, by Proteſtants, in the Pro- " teſtant religion; for levying penalties againſt " Papiſts; to an act to prevent the practiſes of " Papiſts againſt the ſtate, and for puting the " laws in execution, and for a ſtricter courſe to " prevent hearing and ſaying Maſs.

4. As to the covenant. " His Majeſty is not yet " therein ſatisfied, that he can ſign or ſwear it, or " conſent to impoſe it on the conſciences of others; " nor doth conceive it proper or uſeful, at this " time, to be inſiſted on (2).

5. Touching the militia. " His Majeſty will " conſent to an act of parliament, for its being " in the parliament's hands ten years.

6. Touching Ireland. " After advice with his " two houſes, he will leave it to their determina- " tion, and give his conſent accordingly.

7. Touching public debts. " His Majeſty will " give his conſent to ſuch an act; or to raiſing " monies by general and equal taxations.

8. He propoſeth; " That he may have liberty " forthwith to come to Weſtminſter, and be re- " ſtored to a condition of freedom and ſafety (a " thing which he ſhall never deny to any of his " ſubjects) and to the poſſeſſion of his lands and " revenues; and that an act of oblivion and in-

(1) They were held in ſir William Hodges's houſe. Rushworth, Vol. VII. p. 1259. ——The commiſſioners were five lords, viz. the earls of Pembroke, Saliſbury, Middleſex, Northumberland, and lord Say; ten commoners, viz. Denzil Holles, lord Wenman, mr. Pierrepoint, ſir Henry Vane, jun. ſir Harbottle Grimſtone, mr. Brown, mr. Crew, recorder Glyn, ſir John Potts, and mr. Bulkley. Whitelock, p. 334.

(2) This was to avoid inſenſing the Independents, who were intirely againſt ſubmiting to the covenant. Rapin.

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demnity may pass, to extend to all persons, for "all matters relating to the late differences; which "being agreed by his two houses of parliament, "his Majesty will be ready to make these his con- "cessions binding, by giving them the force of "laws by his royal assent (1).

Remark on these offers.

If these offers, touching religion are considered with respect to the King's private opinion, they may be said to be great condescensions, perhaps greater than his conscience allowed; since it was his real belief, there was no true church without prelates. But if these same offers are considered, with regard to the Presbyterians and Independents, of whom the parliament consisted, they will be found not any way satisfactory: being only a sort of interim, which tended to make them lose the present opportunity of utterly abolishing Episcopacy.

Another remark.

I cannot forbear making another remark on this occasion. The King artfully indeavored so to order it, that his own propositions should be treated on, which the parliament had constantly refused; so apprehensive were they of the usual ambiguities and restrictions in this Prince's papers, and whereof we even here see a fresh instance, in the first article concerning religion: but he was disappointed now, as he has been at other times. The parliament, without taking notice of his offers (2), ordered the Commissioners to proceed conformably to their instructions only.

Charles's offers rejected. Rushworth, Vol. VII. p. 1282. p. 1286, 1287. Whitelock.

His Majesty hereupon delivered to the commissioners a paper, containing the reasons, why he could not consent to the abolition of Episcopacy, which he conceived (said he) to be of Apostolical institution. As to the sale of church-lands, he affirmed it to be real sacrilege; beside that, at his coronation, he had sworn to maintain the rights of the clergy. All these reasons, with many more which might have been added, signified nothing to the commissioners, who had no power to relax on any point: all they could do, was to send them to the parliament, and attend their orders. But, this delayed the treaty's conclusion, and consumed that time which both King and parliament equally ought to have improved.

Charles consents to the militia-article. Idem. p. 342. Rushworth, Vol. VII. p. 1291.

A few days after, his Majesty, desirous to gain the good-will of both houses, and some concession in favor of Episcopacy, which was the principal, if not indeed the only point which hindered the treaty from being concluded, declared to the commissioners, "That he consented for the setling the mi- "litia, by sea and land, in the parliament's hands "for twenty years, and for confirming, for three "years, by act of parliament, the Form of church- "government, and Directory for worship presented "to him. But he added, that he was not satisfied "in his conscience, nor could be content to the "utter abolishing of Episcopacy; the substance "whereof he conceived to consist in the power of "ordination and jurisdiction, as they were exer- "cised by the Apostles themselves, and others by "authority derived from them, superior to pres- "byters and deacons in the primitive times. His "resolution being to comply with his two houses, "for the alteration and regulating of the present "hierarchy and government, so as Episcopacy, "reduced to the primitive usage, might be setled "and continued in the church of England: and, if "his two houses should so advise, his Majesty "would be content to lessen the extent, and mul- "tiply the number of the dioceses.

"As to the exception, that his Majesty had not "expressed his consent for setling bishops lands "upon trustees, and for the sale of those lands; "it was true he had not, to alienate the inheri- "tance of those lands, and herein he believed he "had the concurrent opinions of many divines "who, in other points, differed much among "themselves: but his former answer containing a "large offer of satisfaction to all those who had "purchased, or disbursed monies upon those lands, "he hoped that answer would be satisfactory to his "two houses.

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"For the calling and siting of the assembly of "divines, his Majesty would assent as was desired.

"That his Majesty would confirm the pub- "lic use of the Directory in all churches and "chapels, as was desired in the proposition, and "would consent to the repeal of so much of "all statutes as only concerned the book of "Common-prayer, and also the taking the same "away out of all churches and chapels; pro- "vided that the use thereof might be continued "in his Majesty's chapel, for himself and his "household: and that the same should be con- "firmed, by act of parliament, for three years; "provided only, that a consultation in the mean "time be had with the assembly of divines, in "such a manner, and for the purposes as were, "in his former answer, expressed.

"Touching the articles of religion; his Majesty "professed, he had not had time, since they were "delivered to him, to look into them with that de- "liberation which was requisite before he bound "himself up and his subjects in matter of faith and "doctrine; and therefore desired that part of the "proposition might be respited by his two houses: "but he would consent to an act for the better "observation of the Lord's-day; as also to pre- "vent the saying of Mass.

"Lastly, concerning the covenant, and the or- "dinance concerning the same, his Majesty's an- "swer was; That, he being not satisfied to take "it, or to impose it on others, he conceived his "two houses would not insist upon it at that time; "and rather, because the ends thereof would be "obtained by the agreement, if happily concluded."

Some days after, the two houses received advice from their commissioners, that his Majesty had fully consented to the proposition concerning Ireland. p. 1293.

By a letter, which came the seventeenth of October, they learned that Prince's having also agreed to the propositions concerning public debts, and for taking away all honors and titles confered since the twentieth of May, 1642.

By another of the eighteenth, they found that, concerning delinquents, he offered;

Charles's proposals, concerning delinquents. p. 1299. Whitelock.

"That all persons, who had any hand in the "ploting, designing, or assisting the rebellion in "Ireland, should expect no pardon, as was ex- "pressed in the first branch of the proposition. As to "all other propositions, his Majesty could not con- "sent thereunto, as was proposed, otherwise than in "the following manner: viz. as for all other persons "comprised in the said first branch, his Majesty, "for satisfaction of his two houses, would give "way, that they might moderately compound for "their estates, and desired they might be admited "to the same; and for removing distrust and in- "terruptions of the public setlements, his Ma- "jesty would consent as followeth: That such of "them as the two houses of parliament would insist "on, should not be admited to his councils, and be "restrained from coming to court, at such distance "as both houses shall think fit, and should not

(1) More than this, says Whitelock (Mem. p. 340) could not be obtained of the King, tho' most earnestly begged by some of the commissioners (great persons) with tears, and on their knees; particularly as to the proposition touching religion.

(2) They voted them unsatisfactory. See ibid. as also Rushworth. Vol. VII. p. 1282.

"have

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" have any office and imployment in the common-
" wealth, without the conſent of both houſes of
" parliament; or ſhould abſent themſelves out of
" the kingdom for ſome time, if both houſes
" ſhould think fit. That all other perſons, in that
" propoſition, ſhould ſubmit to a moderate com-
" poſition, and for the ſpace of three years ſhould
" not ſit, or ſerve as members, or aſſiſt in either
" houſe of parliament, without conſent of both
" houſes."

The conferences prolonged a week. Ruſhworth, Vol. VII. p. 1299.

The time fixed for this treaty's continuance being near expired, and nothing ſetled on the article of epiſcopacy, which was properly the ſole point whereon difficulties occurred, the two houſes deviſed this expedient to prolong the negociation for another week; viz. by ordering, that neither Sundays nor Faſts ſhould be accounted part of the forty days alloted for the conferences.

New offers from the King touching epiſcopacy. p. 1301. Whitelock.

The twenty-firſt of October, Charles ſent to both houſes a freſh meſſage concerning epiſcopacy. Cromwell was on the road to join the army, and it was to be feared, if the treaty was not concluded before his arrival, he would raiſe invincible obſtacles. That Prince knew the man ſufficiently, to believe there was no good to be expected from him. His Majeſty was therefore of opinion, that, to haſten the treaty's concluſion, to which the affair of epiſcopacy was the grand obſtacle, he ought to make ſome farther conceſſions on that point. Wherefore he, by this meſſage, acquainted the two houſes:

" 1. That he conſented to the aboliſhing of
" archbiſhops, chancellors, deans and chapters,
" &c. and the whole hierarchy, except biſhops.

" 2. That, for three years, no other but Preſ-
" byterian government ſhould be uſed, and the
" exerciſe of Epiſcopal government ſhould be wholly
" ſuſpended, during that time.

" 3. Whereas Epiſcopal juriſdiction, if no other
" had been agreed upon in the mean time, might
" have riſen up after the three years, he now ex-
" preſſed his conſent, that none ſhould be exerciſed
" after that time ot her than ordination, which was re-
" ſtrained to the counſel and aſſiſtance of preſbyters,
" but ſuch and in ſuch manner as ſhould be agreed
" by him and his two houſes: whereby, until ſuch
" agreement, or, if it was not otherwiſe agreed,
" Epiſcopal juriſdiction was wholly laid aſide."

Charles's farther conceſſions.

His Majeſty, alſo that day, conſented to the following propoſitions:

" To that for nomination of the great officers of
" the kingdom, to be by both houſes, during the
" term of ten years.

" To thoſe concerning the city of London, and
" the great ſeal.

" To that concerning the court of Wards, &c. a
" recompenſe being aſſured to his Majeſty of one
" hundred thouſand pounds per annum to him,
" his heirs and ſucceſſors, in lieu of the court of
" Wards."

He refuſes to give up epiſcopacy. Ruſhworth, Vol. VII. p. 1302, 1303.

The commiſſioners telling his Majeſty, that his anſwer concerning epiſcopacy would not be ſatisfactory to the two houſes, and earneſtly preſſing him to give them one fuller, he told them in writing, he could not abſolutely relinquiſh epiſcopacy. He repeated his offers on that head, adding only; " That
" if, in the ſpace of three years, he was convinced,
" that the function of biſhops was not agree-
" able to the word of God, or that Chriſt com-
" manded any other government, he would moſt
" chearfully imbrace it: but 'till he was ſo con-
" vinced, he believed himſelf bound in conſcience
" to maintain epiſcopacy."

The parliament not ſatisfied with his offers.

The commons imployed four or five days in debates upon Charles's offers and anſwers, and voted them unſatisfactory, as to the point of epiſcopacy, the lords concurring with them.

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The like was voted concerning his anſwer about taking the covenant, and aboliſhing Popery, for that he deſired to have it tolerated in the Queen's chapel and family. Both houſes were likewiſe diſſatisfied with the anſwers about alienating biſhops lands, and ſale of deans and chapters, and concerning delinquents. Thus did a pacification ſeem remoter than ever, eſpecially as their lordſhips concurred with the commons in the alienation of church-lands.

Ruſhworth, Vol. VII. p. 1307, 1308. Whitelock.

New demand to the King about Ireland. Ruſhworth, Vol. VII. p. 1309.

As the term limited for theſe conferences was about to expire, the ſaid reſolutions were ſpeedily ſent to the commiſſioners, with orders to demand his Majeſty's final and poſitive anſwer, and by a ſpecial meſſage the commons alſo deſired of him, that he would be pleaſed to declare expreſly againſt the Iriſh rebellion, and the ceſſation concluded with thoſe rebels, and forbid the marquis of Ormond's joining his forces with the Iriſh Papiſts to make war upon the Proteſtants. But as there remained only three days, which was not a ſufficient time to procure Charles's anſwer, their lordſhips prevailed with the commiſſioners to prolong the treaty two weeks more, and the rather, as his Majeſty had deſired to confer with dr. Uſher, archbiſhop of Armagh, and the biſhops of Worceſter and Rocheſter, concerning eccleſiaſtical affairs: but, as much was not to be expected from this prolongation, the commiſſioners were allowed to return to the parliament, leaving three of their number to receive his Majeſty's definitive anſwer (1). Twelve of the commiſſioners, ariving at London, reported to both houſes King Charles's final anſwer, which had been delivered to them the ninth of November, and was to this purport: viz.

The treaty prolonged fourteen days. p. 1315, 1316. Clarendon, Vol. III. p. 171.

The commiſſioners report of his Majeſty's laſt anſwer. Ruſhworth, Vol. VII. p. 1321.

" That his conceſſions had been miſappre-
" hended, and that he did not intend to make any
" more new biſhops during the term of three
" years.

" That whereas it might be objected, That in
" the end of three years the power of ordination
" ſhould be practiſed in the old manner as for-
" merly, that is, the biſhops ſhould be at liberty
" to call what preſbyters they would to aſſiſt in
" ordaining, but were not bound to their counſel
" or conſent, his Majeſty did now intend and con-
" ſent, that biſhops ſhould not receive any into
" holy orders, without conſent of a limited num-
" ber of Preſbyterians, to be choſen in ſuch man-
" ner, as ſhould be agreed on, by his Majeſty and
" his two houſes, for that purpoſe.

" That his Majeſty did not intend that, after
" the end of three years, no certain way ſhould
" be ſetled concerning eccleſiaſtical government;
" for that his Majeſty did purpoſe, during the
" three years, to have a conſultation with the aſ-
" ſembly of divines, twenty being added of his
" nomination, which if his two houſes ſhould re-
" ſolve to entertain, it could not well be doubted
" but, upon the debate, ſuch a government would
" be agreed on, by his Majeſty and his two houſes,
" as ſhould be beſt for the peace of the church,
" and moſt proper to prevent thoſe diſtractions
" which his two houſes apprehended might inſue.

" As to that part of the propoſition concerning
" the book of Common-Prayer; for the ſatisfac-
" tion of his two houſes, that he would not inſiſt
" upon any proviſion for continuance of the ſame
" in his Majeſty's chapel, for himſelf and his
" houſhold: nevertheleſs his Majeſty declared, that
" he intended to uſe ſome other ſet form of di-
" vine ſervice.

" As to their requeſt, that an act be paſſed for

(1) The earl of Northumberland, mr. Pierrepoint, and mr. Denzil Holles. Whitelock, p. 347.

" a ſtricter

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" a ſtricter courſe to prevent the ſaying and hear-
" ing of Maſs in the court, or any part of the
" kingdom, or in Ireland, his Majeſty would con-
" ſent thereunto.

" As to all other particulars, mentioned in the
" parliament's paper, he refered himſelf to his for-
" mer anſwers."

Concluding, " That, ſince he had, by his con-
" ceſſions, brought all differences concerning the
" church into ſo narrow a compaſs, that the chief
" viſible obſtruction was that, wherein really, in
" conſcience, he was not ſatisfied, he hoped his two
" houſes would not put farther preſſures of ſo ten-
" der a nature upon him."

Wherewith the parliament are not ſatisfied. Nov. 11. p. 1323.

All this was not capable to induce the commons to deſiſt from the leaſt of their pretenſions. They voted, that his Majeſty's anſwers concerning the Church, Form of Prayer, hearing and ſaying Maſs, were unſatisfactory; and ordered the three commiſſioners attending the King to inform him of theſe votes, and preſs him for his concluſive anſwer.

As the parliament had not hitherto taken any notice of Charles's propoſitions or deſires, the houſe of commons finally took them into conſideration, and paſſed the following votes:

Votes upon the King's deſires. Nov. 13, 14. p. 1327.

" 1. That his Majeſty's coming to London ſhall
" be with freedom, ſafety and honor, ſo ſoon
" as the conceſſions of the treaty are concluded
" and agreed.

" 2. That his Majeſty ſhall have his lands and
" revenues (what is legally his) made good to
" him, according to the laws of the kingdom.

" 3. What his Majeſty ſhall paſs away of his
" legal rights, he ſhall have allowance for in com-
" penſation thereof.

" 4. That an act of oblivion be preſented to
" his Majeſty, to be paſſed, with ſuch limitations as
" ſhall be agreed on by both houſes of parliament."

It is certain, there was never any difficulty, either about his Majeſty's return, reſtitution of his revenues, or aboliſhing the court of Wards, inſtead of which latter he was to have a hundred thouſand pounds annually. Theſe three articles were conſidered as a natural conſequence of the treaty's concluſion. But with regard to the act of oblivion, the King and parliament agreed not. Theſe latter inſiſted on excepting from pardon a certain number of delinquents, i. e. of thoſe who had ſerved his Majeſty, and were conſidered as authors of the troubles: they intended to confiſcate their eſtates, and baniſh them the realm. Finally, after long debates, the number of excepted perſons was reduced to ſeven, about whom the two houſes did not agree (1): nay, as to thoſe who were to be included in the pardon, the parliament pretended to inflict pecuniary puniſhment on them, and had ranked them under various claſſes, according to which, ſome were to forfeit one half of their eſtates, others a third, others a fourth, and had aſſigned the money thence ariſing towards diſcharging public debts. Contrariwiſe, Charles pretended, that all, without exception, ſhould have the benefit of this act of oblivion. He conſented only, that ſome of thoſe whom the parliament termed delinquents, i. e. his faithful ſervants, ſhould be liable to a moderate compoſition; a general expreſſion, whereon many diſputes would have ariſen, had the matter come to be diſcuſſed. Howſoever it be, this important article was not yet adjuſted: but it would not have been impoſſible to find expedients to ſatisfy both King and parliament, had not the difficulties touching religion obſtructed the treaty's concluſion; on which ſubject I cannot forbear making two remarks.

Conteſt about the act of oblivion. p. 1299, 1309, 1310.

p. 1299. Whitelock, p. 347, 348.

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Remarks on the difficulties with reſpect to religion.

The firſt is, that if the commons inſiſted ſo long upon ſigning the three bills, it was becauſe they knew how inflexible King Charles was in the point of Epiſcopacy, and deſpaired of concluding a treaty with him, except he previouſly granted this article, upon which they were no leſs inflexible than he, as in the conferences manifeſtly appeared. This was the main point, without which perhaps there would have been no war, and whence the Preſbyterians could not recede, without loſing the fruit of all their labors and ſucceſſes againſt his Majeſty.

My ſecond obſervation is, that the Epiſcopalian zealots had, in theſe conferences, room to ſee what prejudice their former rigid and exceſſive ſeverity againſt Preſbytery now brought them, ſince it was not poſſible to find any other way than the abolition of Epiſcopacy to content the Preſbyterians. Theſe latter, by long experience, knowing King Charles's ſiniſter intentions towards them, judged they could not truſt to conceſſions extorted from him by neceſſity, and were not to be ſatisfied ſo long as even the name of biſhop ſubſiſted. They were apprehenſive, and perhaps very juſtly, that the prelatical function, tho' reduced to almoſt nothing by Charles's offers, would ſtill be a foundation whereon that Prince intended to raiſe the ſuperſtructure of his beloved hierarchy; a reſerve which plainly ſhewed, that his meaning was not to leave the fabric in its then condition. The example of what happened in Scotland had confirmed their fears and jealouſies. In that kingdom, all the epiſcopal functions had been aboliſhed: biſhops had retained only the bare name, with ſome temporal privileges, utterly deſtitute of authority or juriſdiction; but even this had ſufficed to give King James occaſion to reſtore them to all the rights they had injoyed before the reformation. His ſon, King Charles, might intend to do the very ſame in England; and the Preſbyterians but too well remembered, even at the time when he granted the Scots their required extirpation of Epiſcopacy, he wrote to the Scotiſh prelates, that it was only thro' compulſion, and 'till he ſhould have opportunity to reſtore the church to her former ſplendor. Without this prejudice of the Preſbyterians, without this want of confidence, whereof King Charles may be affirmed to have been himſelf the cauſer, it is certain his offers with regard to Epiſcopacy might have ſerved for foundation to a peace, as the parliament, when too late, frankly acknowledged. Mean while the two houſes, not deſpairing to bring this Prince intirely to their terms, continued the treaty a week longer.

A farther prolongation of the treaty. Ruſhworth, Vol. VII. p. 1330.

While both houſes where buſied in what related to this treaty, the army officers, whoſe head-quarters were then at Windſor, met in a council of war, to labor againſt all accommodation. They were no ſtrangers to what had paſſed at Newport, and knew that the treaty's concluſion depended but on a ſingle point, which they queſtioned not Charles would finally concede: wherefore they reſolved to hinder the concluſion forcibly. Cromwell was not yet come to the army, but remained about Pontefract, to order the ſiege of that place, which had been ſurpriſed by the Royaliſts, and their gariſon kept in awe the whole country, and commited great violences. Colonel Rainſborough had been detached from the army, to command at this ſiege; but had been ſurpriſed in a neighboring town by a party of the

The army prepares to obſtruct the peace. p. 1338. Ludlow.

Cromwell ſtays before Pontefract. Whitelock. Clarendon. Vol. III. p. 141, &c. Ruſhworth, Vol. VII. p. 1141—1314, 1315.

(1) The perſons excepted by both houſes were, lord Digby, ſir Marmaduke Langdale, ſir Richard Greenvill, judge Jenkins, ſir Francis Dodington; and inſtead of the earl of Newcaſtle and ſir John Winter, the lords voted, ſir George Ratcliffe and lord Byron. Ruſhworth, Vol. VII. p. 1324.

garison, who had killed him, not having been able to carry him off(1). Cromwell had ever loved and esteemed him, and therefore earnestly wished to revenge his death; beside that he was importuned by the Yorkshire commitee, to imploy the forces he was leading from Scotland, for the reduction of this place. This had detained him some time in those quarters: but as he wanted not all his troops for that siege, because he had there already a detachment of the army, he dispatched away part of his forces to join general Fairfax. This reinforcement being arrived, the army believed themselves able to execute their resolves. To that purpose, the eighteenth of November, which would have been the last day of the Newport conferences, had not both houses continued them a week longer, colonel Ewers, attended with some officers, presented, in the army's name, a remonstrance to the commons, which manifestly discovered the Independent faction's designs. The army's desires were in substance as follows: viz.

He sends part of his forces to the general.

Remonstrance of the army. Nov. 20. Rushworth, Vol. VII. p. 1330. Whitelock.

" 1. That the King be brought to justice, as " the capital cause of all the evils in the kingdom, " and of so much blood being shed.

" 2. That a timely and peremptory day be set for " the Prince of Wales and duke of York, to come " in and surrender themselves; if not, that they " be declared incapable of government, or any " right in England, and stand exiled for ever as " traitors; and if they render themselves by the " time, then the Prince to be proceeded against or " remited, as he shall give satisfaction, and the " duke the like; and that the revenue of the " crown be sequestered: also the ten thousand " pounds to be added, be disposed of to public use.

" 3. That public justice may be done upon " some capital causers, or actors in the war.

" 4. That the rest, upon submission, may have " mercy for their lives.

" 5. That the soldiers have their arrears.

" 6. That public debts be paid chiefly to those " who voluntarily laid out their estates, and ven- " tured their lives; and this to be done by fines of " delinquents, and the estates of those excluded " from pardon.

" 7. After public justice thus done, then that a " reasonable certain period be put to this parlia- " ment.

" 8. That there be a certain succession of future " parliaments, annual or biennial, with secure " provision; 1. For the certainty of meeting. " 2. For equal distribution of elections, to render " the commons house an equal representative. " 3. For certainty of the peoples meeting, and that " none who have ingaged in the late war, or shall " ingage against the right of parliament and king- " dom, or adhere to the enemies thereof, be ca- " pable of electing, or being elected, during some " years; nor those who shall not join with them, " but oppose this setlement. 4. For clearing the " power of this representative, it be declared to " have the supreme power; as to the governing " and preservation of the whole; as to the people " of England, and to altering, repealing, or abo- " lishing laws; the making war or peace; the " highest or final judgment in all civil things; and " all ministers or officers of state shall be accountable " to them, bound and concluded thereby; pro- " vided, First: They may not censure, or ques- " tion any man after the end of this parliament, " for any thing said, or done, in reference to the " late war. Secondly: They may not render up, " give or take away any right, liberty, or safety, " contained in this setlement or agreement: that " there be a liberty of entering dissents in the said " representative; in case of corruption in these " highest trusts, the people may know who are " free, and who guilty, that so they may not trust " such for the future; but with farther penalty to " any for their future judgment there.

" 9. That no King be hereafter admited, but " upon election of, and as upon trust from the peo- " ple, by such their representative, not without first " disclaiming and disavowing all pretense to a ne- " gative voice against the determination of the said " representative, or commons in parliament, and " that to be done in such form more clear than " heretofore in the coronation-oath.

" These matters of a general setlement are pro- " pounded to be done by this parliament, and to " be farther established by a general contract or " agreement of the people, with subscriptions " thereunto; also, that it be provided, that none " be capable of benefit, by this agreement, who " shall not consent and subscribe thereunto, nor " any King be admited to the crown, or other " person to any other office or place of public " trust, without expres accord and subscription to " the same."

The parliament returns no answer.

The parliament returned not any answer to this remonstrance, nor to some others of a like nature, presented them during the treaty. I have already mentioned that of the eleventh of September, from thousands of the inhabitants in and about London, and that of the masters and commanders of ships. The thirtieth ditto, they received another, in the name of many thousands of the county of Oxon. The tenth of October, a petition was presented to the commons, signed by those of Newcastle, desiring that speedy justice might be executed upon the greatest delinquents. That same day, those of Yorkshire sent in a like petition, saying, " his " Majesty had confessed himself, and his party, to " be guilty of the blood which had been shed." The thirtieth ditto, the officers of Ingoldsby's regiment, garisoned at Oxford, presented a petition to the general, desiring, " immediate care be taken, " that justice be done upon the principal invaders " of their liberties, namely, the King and his " party, and sufficient caution given to future " Kings for preventing their inslaving the people " hereafter." Adding, " That, being apprehen- " sive the issue of the treaty now in hand could " neither be just nor safe, they prayed his excel- " lency to re-establish a general council of the " army, to consider of some effectual remedies to " this evil, either by representing the same to the " house of commons, as the petitioners of London, " or by some other way." On the other hand, while Cromwell was at Pontefract, every regiment of his army presented petitions to him, demanding justice upon the King; which were all sent to the general (2). Hence it appears, that the army's remonstrance was purely the effect of such plots as had been laid by the Independents, who, in diverse parts of England, infused these violent resolutions into the officers and people, to hinder the conclusion of a treaty which could not but ruin their

Several petitions demanding justice upon the King. Rushworth, Vol. VII. p. 1279, 1290.

p. 1311. Whitelock.

Rushworth, Vol. VII. p. 1288.

(1) Forty horse sallied out of Pontefract towards Doncaster, where they killed the centinel; then three of them rode on to Doncaster, and asked for colonel Rainsborough's quarters, and coming to his chamber, there called to him, and said, They had a letter from lieutenant-general Cromwell. The colonel rose and opened the door to them (expecting such a letter that morning) and presently the three Pontefract soldiers fell upon him, shot him in the neck, another shot him thro' the heart, with other wounds, and left him dead, escaping without any alarm given. Whitelock, p. 346.

(2) October 18, Ireton's regiment presented also a petition to the general; which, as Whitelock (p. 343.) observes, was the begining of the design against the King's person.

party.

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party. There is great likelihood the Preſbyterians fully penetrated the Independents deſigns; and indeed theſe petitions were but too convincing evidences: but they hoped to amuſe them 'till the treaty was ended; not doubting but that at length King Charles would conſent to the abolition of Epiſcopacy. As for the other articles, which were not yet adjuſted, they would probably have rather choſen to yield them to the King, than retard the treaty's concluſion, which was to them ſo neceſſary. Affairs being in this ſituation, it was not proper ſtill farther to exaſperate the Independents by diſagreeable anſwers. On the other ſide, they could not bear the thoughts of agreeing with his Majeſty, without obtaining the abolition of Epiſcopacy, not believing themſelves in any ſafety while even the name of biſhop was ſubſiſting. In a word, it was not proper to attempt reſiſting the army by force; ſince, to all appearance, their preparations would but have haſtened the execution of the army's reſolutions, whereas it was their intereſt to amuſe them, were it only for a few days. Their ſole hope was therefore grounded on the King's compliance, which they ſcarcely queſtioned, conſidering the manifeſt danger to which his obſtinacy would expoſe him: for it is not likely that he was ignorant of the petitions brought in againſt him, or was not ſoon informed of the army's remonſtrance, ſince all comers had free acceſs to his perſon.

Both houſes indeavor to amuſe the army.

Three days after the parliament had received the remonſtrance, letters came from the commiſſioners at Newport, with his Majeſty's anſwer concerning the marquis of Ormond, and biſhops lands, viz. that he could not give Ormond any orders before the treaty was ſigned, but then would do as both houſes deſired; and, if the marquis refuſed to obey, would take ſuch meaſures againſt him as ſhould be ſatisfactory to the two houſes: that, as to the biſhops lands, he perſiſted in his former offers. This anſwer afforded no great proſpect of a ſpeedy accommodation. However, as it was delivered on the ſixteenth, two days before the army's remonſtrance was preſented, it was hoped, the next news from Newport would be more ſatisfactory. But, on the twenty-fifth, both houſes were informed, by letters from the commiſſioners, that his Majeſty had poſitively refuſed making any addition to his former anſwers (1).

Charles rejects the laſt propoſition concerning Ireland. Nov. 21, 23. Ruſhworth, Vol. VII. p. 1332—1334.

p. 1338.

This was not all. They were alſo then acquainted, that the general had required colonel Hammond to attend him at the head-quarters, and ſent colonel Ewers to take care of his Majeſty, in the iſle of Wight, who kept the King very ſtrictly guarded. Thus the precautions taken by the parliament, to prevent King Charles's coming to treat perſonally at London, for fear he ſhould meet with too many friends, were the cauſe they could not be maſter of his perſon, when it would have been neceſſary. Two days after, the commons received a letter from colonel Hammond, with general Fairfax's order for his repairing to the army, and reſigning his command to colonel Ewers; whereupon the commons voted, that colonel Hammond ſhould be required to ſtay in the iſle of Wight, and the general be acquainted with this vote: but Hammond was already gone to the army, and had reſigned the cuſtody of his Majeſty to Ewers. Notwithſtanding all this, the parliament ſeems not to have deſpaired of agreeing with Charles, ſince the commons defered taking into conſideration the army's remonſtrance 'till the firſt of December, in order to be better able to anſwer it when they ſhould know the King's ultimate determination. That ſame day, general Fairfax received from thoſe troops which were in the North, and in Wales, petitions wholly agreeable to the army's remonſtrance.

Hammond recalled to the army, and Ewers ſent in his room. Nov. 25. Ibid.

Nov. 27.

Fruitleſs vote of the commons. Ibid.

Conſideration of the remonſtrance put off. p. 1341. Whitelock,

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Petitions to the general.

After this general had thus made himſelf maſter of the King's perſon, without the two houſes privity, there was no great likelihood, he ſhould be diſpoſed to receive their injunctions. However, the commons gave him to underſtand, that his orders to Ewers were contrary both to their reſolves, and colonel Hammond's inſtructions, and that it was the houſes pleaſure, he ſhould recall his orders, and re-admit Hammond to attend his charge in the iſle of Wight. But the general and council of war had no manner of regard to this order.

Letter and order to Fairfax from the commons; Ruſhworth, Vol. VII. p. 1340.

of no effect.

Next day, his Majeſty was, by Fairfax's command, removed to Hurſt-caſtle, in Hampſhire, ſituated on a narrow ſlip of land, advancing into the ſea, oppoſite to the iſle of Wight; nor had the two houſes notice thereof 'till three days after (2).

His Majeſty removed to Hurſt-caſtle. Nov 30. Cook. Firebrace. Herbert.

Mean while the army was not idle; being reſolved to run all hazards to prevent the treaty's being concluded. The ſame day, November the thirtieth, they publiſhed a declaration, or manifeſto, wherein they plainly diſcovered their deſigns. It ran thus: viz.

The army's declaration. Nov. 30. Whitelock. Ruſhworth, Vol. VII. p. 1341.

" That the army, being full of ſad apprehenſions " concerning the danger and evil of the treaty " with the King, and of any accommodation with " him, or reſtitution of him thereupon, they did, " by a remonſtrance, make their application to the " houſe of commons. That they took this courſe " thro' their earneſt deſire, that thoſe matters, of " higheſt concernment to the public intereſt of the " nation, might be purſued and provided for, if poſ- " ſible by thoſe whoſe proper work and truſt it was: " but, to their grief, they found that, inſtead of any " ſatisfaction, or reaſonable anſwer thereunto, they " were wholly rejected, without any conſideration " of them. For they were laid aſide 'till the " Monday following, by which time the treaty, " as then ſuppoſed, would have been concluded: " but that failing, and two days more being added " to the treaty, the conſideration of their remon- " ſtrance in the day appointed was waved and laid " aſide; the treaty mean while going on in the " former way and terms, and like to be concluded " the very next day. The army therefore, not " having received any anſwer to their former pro- " poſals, could not but remain confident, that the " prevailing part of thoſe to whom they did apply " had, as it were, their eyes wilfully ſhut, and ears " ſtoped againſt any thing of light or reaſon offered " them, ſo as not to diſcern the dangers where- " with the kingdom was threatened.

" The army then ſeeing nothing left, to which " the parliament's ingaging and perſiſting in ſuch " ways could rationally be attributed, leſs than a " treacherous or corrupt neglect of, and apoſtaſy " from the public truſt repoſed in them, they " thought fit to appeal to the common judgments " of indifferent and uncorrupted men, and to the " more righteous judgment of God above all."

After juſtifying this extraordinary appeal in the beſt manner they could, they " admoniſhed ſuch " members as were upright, and had a juſt ſenſe " of thoſe things, to proteſt againſt the houſe's con- " duct and reſolves, and withdraw," promiſing,

(1) The King alone diſputed, upon the ſeveral articles, with the parliament's commiſſioners, none of his attendants being permited to ſpeak. Warwick's Mem. p. 322.

(2) King Henry VIII founded this caſtle. It is joined to the land by a narrow neck of ſand, which, at ſpring tides, and in ſtormy weather, is covered by the ſea. The air is very moiſt and unhealthy.

" to

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" to look upon them as perſons who had the chief " truſt of the kingdom remaining in them, and " to adhere to them, and be guided by them, " 'till the introducing of a more formal power, in " a juſt repreſentative, was ſpeedily indeavored." Then they declared, " That they were ready to lay " down their arms, if their remonſtrance was an- " ſwered; but that the little notice taken of their " propoſitions made them ſenſible, there was no- " thing to be hoped: and therefore, the caſe " being ſo extraordinary, and the danger ſo preſ- " ſing, they were drawing up with their army to " London, there to follow Providence, as God " ſhould clear their way."

General Fairfax writes to London. Ruſhworth, Vol. VII. p. 1349,1350.

The firſt of December, Fairfax wrote to the city, informing them of the army's advance towards London, on account of the parliament's contempt of their remonſtrance: that they had no thought of plunder or other wrong to the city, or ſo much as troubling the inhabitants with quartering any ſoldiers; but that, for prevention of all violence, he deſired forty thouſand pounds might be provided by next day (1). The houſe of commons agreed, that the city ſhould ſend the army this ſum, and acquainted that general, it was the houſe's pleaſure, he ſhould not remove nearer London.

He comes to London. Ibid. Whitelock.

The ſecond ditto, the houſe took into conſideration his Majeſty's offers; but without coming to any concluſion. While they were debating, Fairfax arrived, with ſeveral regiments, and took up their quarters in Whitehall, St. James's, the Meuſe, and ſuch other places in the city-ſkirts as he judged moſt convenient for his purpoſes.

Votes upon his Majeſty's removal to Hurſt-caſtle. Idem. Clarendon, Vol. III. p. 183. Ruſhworth, Vol. VII. p. 1351, 1352.

The third, being Sunday, the parliament did not ſit: but on the fourth, the commons reſumed the debate of Charles's conceſſions, which was interrupted by the news of that Prince's removal to Hurſt-caſtle. Immediately hereupon they voted, That the carrying his Majeſty priſoner to Hurſt-caſtle, was without the houſe's advice and conſent. After that, they re-debated the King's offers, and ſat the whole day and night, 'till five in the morning. At length, it was propoſed, whether the queſtion ſhould be put; and was carried by a hundred and forty againſt a hundred and four. Then the main queſtion being put, it was voted, "That his Majeſty's conceſſions to the pro- " poſitions of parliament upon the treaty, were ſuf- " ficient grounds for ſetling the peace of the king- " dom." Yet I cannot think this vote was unanimous, as lord Clarendon affirms (2): what has been juſt ſeen ſeeming rather to ſhew, that a good number of members were diſſatisfied with this reſolution.

Commitee to confer with the general. p. 1352.

Immediately after, the houſe appointed a commitee to confer with general Fairfax, for the better procuring a good correſpondence between the parliament and army; and then adjourned to Wedneſday.

More regiments brought to London.

That ſame day, diverſe other regiments came and quartered in the ſuburbs of London, and Fairfax required, by a proclamation he got iſſued, that all delinquents, who had not perfected their compoſitions, ſhould depart ten miles from London *, on pain of being proceeded againſt as priſoners of war.

* For a month.

Fairfax poſſeſſes himſelf of the old palace.

Wedneſday, the ſixth of December, his ſaid excellency ſent two regiments to Weſtminſter, and the city trained-bands, who had been ſet there, ſome months ſince, for guards to the parliament, were diſcharged. After the ſoldiers were drawn up in the court of Requeſts, on the ſtairs, and in the Lobby, when the members offered to go in, colonel Pride, having in his hand a liſt of names, ſeized forty-one, and ſent them into the court of Wards, where they were kept under guard (3). The houſe having notice thereof ſent their ſerjeant at arms to acquaint theſe members, that they ſhould forthwith attend the ſervice of the houſe. But the officer of the guard anſwered, he had order to ſecure them, which order he was to obey before any other command (4).

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Forty-one members of the commons put under cuſtody. Ruſhworth, Vol. VII. p. 1353, 1355. Clarendon, Vol. III. p. 138. Whitelock, p. 359. Ludlow.

Not long after, colonel Whaley, with other officers, preſented to the houſe a paper intitled, " Propoſals and Deſires of the Army, in Vindica- " tion of their Conduct;" whereof here follows the ſubſtance: viz.

The army's propoſals preſented to the houſe of commons. Idem. Ruſhworth, Vol. VII. p. 1354.

" 1. Whereas ſeveral members of your houſe (5), " were, in the year 1647, impeached by yourſelves " for treaſon, or for high crimes and miſdemeanors, " in relation to the treaſonable ingagement in the " city of London, the violence then done upon the " parliament, the levying of a new war, and other " evils, in maintenance and proſecution thereof; " and, upon clear proofs againſt them, were by " your cenſure expelled the houſe, and diſabled " from farther truſt therein, and upon new writs " iſſued out, new members were choſen and re- " turned in ſome of their rooms; and yet by the " prevalence of their faction, when, in the laſt " ſummer's wars, diverſe faithful members were " ingaged abroad upon neceſſary public ſervice, " and others, thro' malignant tumults and diſturb- " ances, could not ſafely attend the houſe, the " ſame perſons were afterwards re-admited to ſit " in the houſe, and vote as formerly, without any " trial, or ſatisfaction in the things whereof they " were accuſed.

" 2. Whereas, by the confederacy of major-gene- " ral Brown (now ſherif of London) with the ſaid " impeached members and others, the Scots were " invited and drawn in to invade this kingdom, " laſt ſummer, inſomuch as when, upon their actual " invaſion, the houſe proceeded to declare them " enemies, and thoſe who adhered to them traitors; " yet the ſaid confederators, and other treacherous " members, to the number of ninety and odd, as " upon the diviſion of the houſe appeared, did, by " their counſels and votes, indeavor to hinder the " houſe from declaring againſt their confederate in- " vaders: We deſire, that the ſaid major-general " Brown may be alſo ſecured and brought to judg- " ment, and that the reſt of the ninety and odd " perſons diſſenting againſt the ſaid vote, may be " excluded the houſe.

" 3. Whereas, in a continued ſeries of your pro- " ceeding for many months together, we have ſeen " the prevalence of the ſame treacherous, corrupt " and divided counſels, thro' factions and private " intereſts, oppoſing or obſtructing juſtice in all " kinds, diverting your counſels from any thing of " public good, hindering all proceedings to any " ſuch ſetlement as would conſiſt with ſecurity to " the public intereſt, or put a real end to the " troubles, burdens, or hazards of the kingdom, " and precipitating into treacherous and deſtructive " compliances and conjunctions with the acknow- " ledged enemies thereof, as in the votes of 'No " more Addreſſes to the King, &c.' the juſtneſs and

(1) On ſecurity of arrears due to the army from the city. Whitelock, p. 358.

(2) Lord Clarendon (Vol. III. p. 183.) ſays, the main queſtion was ſo clearly voted, that the houſe was not divided.

(3) The place whither colonel Thomas Pride firſt conducted thoſe members, was (as ſome have reported) a houſe in New-palace-yard, Weſtminſter. It was thereupon archly ſaid, " That Pride had carried the Members to Hell." The ſaid houſe being ſtill known by that and no other name.

(4) Many, ſays Whitelock (p. 359.) were glad of any honeſt pretenſe to be excuſed from appearing in the houſe, becauſe of the army buſineſs, the debates about which went extremely high.

(5) Denzil Holles, Lionel Copley, major-general Maſſey, &c.

" neceſſity

Place before his Protectorship.

OLIVER CROMWELL.

Taken from an Original picture of S. Coopers.

R. Sheppard Sculp.

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" neceſſity whereof you had once ſo cleared to the " world; alſo in the votes for entertaining or ſeek- " ing, after all, that perſonal treaty: and laſtly, " in the votes declaring the King's paſſed conceſ- " ſions to be a ground for the houſe to proceed " upon, for ſetling the peace of the kingdom, not- " withſtanding the viſible inſufficiency and defects " of them in things eſſentially concerning the pub- " lic intereſt and liberties of the kingdom, as thoſe " propounded in our late remonſtrance are, and in " other matters both religious and civil. We there- " fore moſt earneſtly deſire, that all ſuch faithful " members who are innocent in theſe things, would " immediately, by proteſtation and public declara- " tion, acquit themſelves from any guilt of, or " concurrence in the ſeveral votes or counſels here " before particularly mentioned as corrupt or de- " ſtructive, that the kingdom may know thoſe who " have kept their truſt, and diſtinguiſh themſelves " from the reſt who have thus falſified the ſame; " and that all ſuch as cannot, or ſhall not ſo acquit " themſelves particularly, may be immediately ex- " cluded or ſuſpended the houſe, and not re-admited " until they have given clear ſatisfaction therein, " to the judgment of thoſe who now ſo acquit them- " ſelves, and the grounds of ſuch ſatisfaction be " publiſhed to the kingdom.

" 4. Thus, ſuch as, by faithfulneſs, have re- " tained their truſt, being ſet in a condition to " purſue and perform the ſame, without ſuch inter- " ruptions, diverſions and depravations of counſels " as formerly; we ſhall deſire, and hope you will " ſpeedily and vigorouſly proceed to take order " for the execution of juſtice; to ſet a ſhort period " to your own power; to provide for a ſpeedy " ſucceſſion of equal repreſentatives, according to " our late remonſtrance, wherein differences in the " kingdom may be ended, and we and others may " comfortably acquieſce; as, for our parts, we " hereby ingage and aſſure you we ſhall."

It would be needleſs to make any remark and obſervations upon this paper, the injuſtice and violence whereof are ſo very obvious. But it was neceſſary to acquaint our readers with its contents, for the following reaſon. There are hiſtorians whoſe partiality has induced them either to omit, or but juſt mention it, without relating the ſubſtance, for fear of convincing their readers, that the Preſbyterians were not concerned in what was afterwards tranſacted, and that the Independents were the true and ſole authors thereof.

A hundred members excluded the houſe by the ſoldiers. Ruſhworth, Vol. VII. p. 1355. Clarendon, Vol. III. p. 183. The houſe wholly conſiſts of Independents.

December the ſeventh, the commons, as they were repairing to their houſe, found the door within and without guarded by ſoldiers, who hindered many from going in (1). Lord Clarendon ſays, near one hundred were denied entrance. This makes me preſume thoſe ninety and odd, mentioned in the remonſtrance, to have been of this number. So, from this day, the houſe of commons is to be conſidered as conſiſting abſolutely of Independents: very ſeemingly, from that day, ſcarce any Preſbyterian members were admited. Howſoever this be, the face of that houſe was once more changed by this new revolution. The Preſbyterians had been ſuperior, from the begining of hoſtilities, to the ſixth of Auguſt, 1647. The Independents had prevailed from that day, 'till near the cloſe of 1648, when the army was forced to remove from London; after which the Preſbyterians were again maſters. Finally, on the ſixth and ſeventh of December, this ſame year, the Independents utterly expelled the Preſbyterians, or at leaſt diſabled them from ſupporting their party. This muſt be carefully remembered by thoſe who deſire to have a clear idea of our preſent hiſtory.

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This ſame day, December the ſeventh, Cromwell, who arrived at London the preceding night (2), ſat in the houſe, and received thanks for his ſignal ſervices.

Cromwell arrives at London. Ruſhworth, Vol. VII. p. 1355.

Notwithſtanding general Fairfax had promiſed the Londoners not to quarter his ſoldiers upon them, as this promiſe was only conditionally that the ſum demanded was diſburſed, and that city had not furniſhed the required monies, he ordered two regiments into the city, and next day a third; after which he took away twenty thouſand pounds from Weavers-hall, aſſuring the treaſurer he ſhould be reimburſed out of thoſe aſſeſſments which their citizens owed the army.

Fairfax ſeizes the money in Weavers-hall. p. 1356, 1358.

About this ſame time was preſented to general Fairfax a plan, intitled, "A new Repreſentative, " or, an Agreement of the People," for ſetling the government (3). This plan was wholly founded upon Independent principles, and agreeable to the army's remonſtrance, except that it was more extenſive on the reſpective articles. This agreement was propounded as a rule for future government, and to be ſubſcribed throughout the kingdom: but as this plan was not executed, tho' it was drawn with great pains by the council of war, and even ſeemed to be approved by the parliament, I do not think inſerting it here any way neceſſary (4).

Plan for ſetling the government. Dec. 11. p. 1358. Clarendon, Vol. III. p. 185.

The ſecluded members having publiſhed a proteſtation againſt the violence done them, both houſes declared the proteſtation to be falſe, ſcandalous and ſeditious, tending to deſtroy the fundamental government of the kingdom; and ordered, that all perſons, who had any hand in framing or publiſhing it, ſhould be incapable to bear any office, or to ſit as members of either houſe. They farther ordained, that all abſent members, upon their coming to the houſe, ſhould diſclaim their being concerned in, or giving conſent to the contriving or publiſhing this proteſtation.

The ſecluded members proteſtation, voted ſcandalous. Ibid. Ruſhworth, Vol. VII. p. 1363.

After that, both houſes paſſed an ordinance, that no perſons who had been delinquents, or aſſiſted the King againſt the parliament in the firſt or ſecond wars (5), or abeted the late tumults within the cities of London and Weſtminſter, or the counties of Eſſex, Kent, Middleſex, or Surrey, ſhould be elected, or give their voice for electing, the lord-mayor, aldermen, common-council-men, or any other officers. But within few days, a commitee of the common-council acquainted the houſe, that the city was ſo generally

Order concerning the election of lord-mayor, &c. Dec. 18. p. 1365.

Repreſentation of the common-council. p. 1370.

(1) On pretenſe, that ſomething was to be that day debated concerning them, and therefore they ought not to be judges in their own cauſe. Ruſhworth, Vol. VII. p. 1355.

(2) He lay in one of the King's rich beds, at Whitehall. Whitelock, p. 362.

(3) One of the agitators, who was the author of this paper, was ſhot to death for it laſt year by Cromwell's order. Clarendon, Vol. III. p. 185.

(4) It contained rules for future elections of repreſentatives of the people. They to have the ſupreme authority, and this parliament to be diſſolved in April next, and then a new one to ſit. Diverſe rules for the election of the members. Officers and malignants, to be incapable of electing, or being elected; and generally of the power and equal diſtribution of the members, to be in all three hundred perſons, &c. The frame of this Agreement of the People was thought to be, for the moſt part, made by commiſſary-general Ireton, a man full of invention and induſtry, who had a little knowledge of the law, which led him into more errors. Whitelock, p. 361.

(5) Or being aiding in bringing in the Scots army, or ſubſcribed to the treaſonable ingagement, in 1647, for a perſonal treaty. Our author ſhould not have omited this; particularly on account of what follows.

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concerned in the ingagement for a perſonal treaty, that there would not be a ſufficient number of perſons to ſupply the neceſſary offices of the city, if that reſtriction in the late ordinance ſhould continue.

Some of the arreſted members releaſed. Ruſhworth. Vol. VII. p. 1369. Whitelock.

The twentieth of December, general Fairfax ordered fifteen or ſixteen of thoſe members whom the army had ſecured, to be releaſed, with liberty to reſume their places in the houſe, if they pleaſed.

Obſervation on the houſe of lords.

We have juſt ſeen how greatly the countenance of affairs was changed, thro' the notable turn they took on the ſixth and ſeventh of December. The commons were now all Independents, openly ſupported by the army, and their deſign was equally to deſtroy King, Monarchy, Epiſcopacy and Preſbytery. As for the houſe of lords, who had uſed their indeavor, tho' in vain, to haſten the accommodation, they ſaw themſelves, ſince this revolution, obliged to follow the ſtream, which was too rapid to be oppoſed. There were in the houſe but few peers, moſt of them indeed Preſbyterians, but too weak, in their preſent ſituation, to aſſert their negative voice, and their other privileges. While the King was able to protect ſuch as applied to him, their lordſhips retained ſome authority, becauſe they were not without a reſourſe, if ſlighted by the commons: but, after Naſeby-fight, the caſe was altered. The commons aſſumed ſuch a ſuperiority, that the peers had no other way to ſupport themſelves, but by approving, or feigning to approve whatever was done by the lower-houſe, for fear of creating a rupture which muſt have been fatal to them, ſince they would have been utterly at a loſs how to proceed. If they were obliged to behave in this manner while their own party prevailed in that houſe, it is no wonder they did not dare to deviate from this politic procedure when the Independents had gained the aſcendant. To what purpoſe would it have been to reſiſt the torrent? We ſhall preſently ſee their firſt oppoſition to a material point irrecoverably ruined them. They therefore who cenſure them for too much compliance with the tranſactions ſince the ſixth of December, 1648, ought to remember, that this is not a matter wherein we are to reaſon upon the general ideas of the Engliſh parliament's conſtitution, but rather upon the particular idea of the ſituation this parliament was in at that juncture.

Sundry petitions for juſtice upon the King. Ruſhworth, Vol. VII. p. 1367, 1373, 1374.

Since the Independents were maſters in parliament, petitions againſt King Charles came in ſo faſt, that ſcarce a day paſſed without ſome one being preſented to the commons, particularly from the gariſons, which were part of the army. Lambert being returned from Scotland, the regiments under his command failed not preſenting a petition agreeable to the army's remonſtrance. Somerſetſhire, where the King had formerly many adherents, diſtinguiſhed itſelf, on this occaſion, above all the reſt, by preſenting a petition, deſiring that ſpeedy and effectual juſtice might be executed upon the chief delinquent, i. e. the King. The commons were ſo pleaſed with ſuch a petition from a whole county that, to incourage others to follow this example, the petitioners were called in and received the houſe's thankful acknowledgment; and the petition with the order of thanks were forthwith printed and publiſhed. It does not however appear that other counties did the like: only Norfolk, ſome few days after, deſired by a petition, that the King himſelf might be brought to impartial juſtice.

p. 1369.

p. 1372.

Commitee appointed to draw up a charge againſt him.

Finally, on the twenty-third of December, the houſe of commons having, purſuant to the army's deſires, determined on bringing to a trial the chief delinquents, and intending to begin with the King, appointed a commitee of thirty-eight to draw up a charge, and for that purpoſe to receive all informations and examinations of witneſſes for the matters of fact againſt him.

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This ſame day, the fleet under the earl of Warwick's command, ſent general Fairfax a declaration, that they concurred with the army in their remonſtrance. This redounded not much to the honor of that noble admiral, who having been one of the Preſbyterians chief leaders, was the very firſt who quited his party to join with the Independents.

Ruſhworth, Vol. VII. p. 1370. Clarendon, Vol. III. p. 186. Whitelock.

The fleet ſides with the army.

His Majeſty's trial being thus reſolved (a reſolution projected by ſeveral officers of the army, when he firſt retired to the iſle of Wight) colonel Harriſon was ordered to remove him from Hurſt-caſtle to Windſor. The whole time this Prince was in the iſle of Wight, he held a private correſpondence with lord Newburgh. Since his being at Hurſt, that nobleman had found means to acquaint him, he was to be removed to Windſor; and, as his houſe was in the road (1), counſelled him to indeavor dining there, and to complain of his horſe's pace; promiſing to ſupply him with one of the ſwifteſt in all England, by means whereof he might attempt his eſcape. Accordingly, all the morning Charles complained, that his horſe went very uneaſy, and managed ſo artfully, that he was conducted to dine with lord Newburgh: but when his Majeſty came there, he was preſently told, that the horſe ſo much depended on was, the day before, lamed with a kick. This ſtratagem failing, King Charles was conveyed to Windſor, where he was kept 'till the nineteenth of January, 1648-9, when he was removed to St. James's.

Idem. Ruſhworth, Vol. VII. p. 1370. p. 1375. T. Herbert.

Stratagem for the King's eſcape fruſtrated. Clarendon, Vol. III. p. 190, 191. Ludlow.

He is brought to Windſor, and thence to St. James's.

He was no ſooner at Windſor, than the council of war ordered laying aſide all thoſe ceremonies uſed towards Kings, as ſerving upon the knee, &c. and moſt of his domeſtics were diſmiſſed. For tho' the council of war had not then any right to take upon them, yet they daily incroached upon the privileges of both houſes, who acted wholly by their direction.

Is treated without any of the uſual ceremonies. Ruſhworth, Vol. VII. p. 1376. Whitelock.

Notice has been already taken of the common-council of London's repreſentation concerning the election of a lord-mayor, and other city-officers. The houſe of commons, having heard the report of their commitee appointed for that purpoſe, ordered, that their former ordinance ſhould be punctually executed; not regarding that the magiſtrates of London ſhould be choſen out of the ableſt and moſt ſubſtantial citizens, provided they were of the reigning party. They farther ordered, that thenceforwards freemen ſhould not be obliged to take the oaths of allegiance and ſupremacy.

Ordinance touching the election of the lord-mayor, &c. Idem. Ruſhworth, Vol. VII. p. 1365, 1369, 1376.

That ſame day, being the twenty-eighth of December, the commitee appointed to conſider of drawing up a charge againſt King Charles, reported an ordinance for attainting him of high-treaſon, and for trying him by ſuch commiſſioners as ſhould be named in the ordinance, which, being read the firſt time, was ordered to be read again next morning. But, as the houſe knew their ordinance would be approved at the third reading, they paſſed an act for erecting a High Court of Juſtice, with power to try the King. The preface to this extraordinary act was as follows: viz.

p. 1376.

Preface of the ordinance, for erecting a Court of Juſtice. p. 1379.

"Whereas it is notorious, That Charles Stuart, "the now King of England, not content with "thoſe many incroachments which his predeceſſors "had made upon the people in their rights and "freedoms, hath had a wicked deſign totally to "ſubvert the ancient and fundamental laws and "liberties of this nation, and in their ſtead to intro-

(1) The lodge in the King's park at Bagſhot.

duce

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" duce an arbitrary and tyrannical government; " and that, beſide all other evil ways and means " to bring this deſign to paſs, he hath proſecuted " it with fire and ſword, levied and maintained a " cruel war in the land againſt the parliament and " kingdom, whereby the country hath been miſe- " rably waſted, the public treaſure exhauſted, trade " decayed, thouſands of people murdered, and in- " finite other miſchiefs commited; for all which " high and treaſonable offenſes, the ſaid Charles " Stuart might long ſince juſtly have been brought " to exemplary and condign puniſhment. Where- " as alſo the parliament, well hoping that the " reſtraint and impriſonment of his perſon, after it " had pleaſed God to deliver him into their hands, " would have quieted the diſtempers of the king- " dom, did forbear to proceed judicially againſt " him; but found, by ſad experience, that ſuch " their remiſneſs ſerved only to incourage him and " his complices in the continuance of their evil " practiſe, and in raiſing new commotions, rebel- " lions and invaſions. For prevention therefore " of the like, or greater inconveniencies, and to " the end no chief officer, or magiſtrate whatſoever " may hereafter preſume, traiterouſly and mali- " ciouſly, to imagine or contrive the inſlaving or " deſtroying of the Engliſh nation, and to expect " impunity for ſo doing: Be it ordained and in- " acted, by the commons in parliament, and it is " hereby ordained and inacted by the authority " thereof, that Thomas lord Fairfax, Oliver " Cromwell, Henry Ireton, eſquires, Sir Hardreſs " Waller, knight, Philip Skippon (with a hun- " dred and forty-five others) ſhall be, and are " hereby appointed and required to be commiſ- " ſioners and judges for the hearing, trying and " adjudging of the ſaid Charles Stuart, &c. (1)"

The lords reject it. Jan. 3. Clarendon, Vol. III. p. 187. Ruſhworth, Vol. VII. p. 1382.

This ordinance for trying his Majeſty paſſed in the houſe of commons, the ſecond of January, and was ſent up the ſame day to the lords for their concurrence. Since the ſixth of December, the upper-houſe had conſiſted only of nine peers, the reſt having abſented themſelves, that they might not be obliged to countenance the commons outragious proceedings: but on notice, that the ordinance would that day be ſent up to the lords, there came more peers than uſual, as the earls of Northumberland, Mancheſter, Rutland, lords North, Rochford, Maynard, Dacres, in all ſixteen. * The ordinance being read, was unanimouſly rejected. However to gain time, if poſſible, their lordſhips agreed to acquaint the commons, that they would ſend anſwer by meſſengers of their own; and at the ſame time adjourned for ten days. This artifice was fruitleſs. The commons, having ordered the upper-houſe's journal to be examined, and finding the ordinance was rejected, voted. " That all mem- " bers of the houſe of commons, and others, ap- " pointed to act in any ordinance wherein the " lords were joined, ſhall be impowered to ſit, " act and execute, in the ſaid ſeveral commitees " of themſelves, notwithſtanding the houſe of peers " join not with them." And therefore they ordered the names of ſix lords, who had been appointed for judges, to be left out of the commiſſion, and others to be nominated in their ſtead. Among theſe latter was ſerjeant Bradſhaw, who was afterwards choſen preſident of the high court of juſtice. Then, the houſe voted

*Alſo the earl of Denbigh, ſpeaker.

Votes of the commons, that the peers concurrence was not neceſſary. p. 1382.

" 1. That the people, under God, are the ori- " ginal of all juſt power.

Other votes. Jan. 4. p. 1383. Whitelock.

" 2. That the commons of England aſſembled " in parliament, being choſen by, and repreſenting " the people, have the ſupreme authority of this " nation.

" 3. That whatſoever is inacted and declared " law by the commons of England, aſſembled in " parliament, hath the force of law, and all the " people of this nation are included thereby, altho' " the conſent and concurrence of the King and houſe " of peers be not had thereunto (2).

Theſe principles, tho' directly contrary to the true conſtitution of the Engliſh government, were however very agreeable to thoſe of the Independents, whoſe intention was to convert the Monarchy into a Republic.

Idem. Ruſhworth, Vol. VII. p. 1384.

The ordinance for trying his Majeſty, with the amendments requiſite to be made, for want of the lords concurrence, paſſed the houſe of commons, the ſixth of January.

The following days, to the twentieth, were imployed in preparation for the trial; the like whereof had never yet been ſeen in the univerſe. I intend not to ſwell this hiſtory with the circumſtances of this moſt memorable trial. They are to be found in a little book, intitled, " A True Ac- " count of the Trial of Charles Stuart, &c." publiſhed at London in 1650, and tranſlated into French, wherein nothing is omited. I imagine I ſhall do the reader no injury, to refer him to this little book, which is not ſcarce, and which will inform him of all particulars (3). I ſhall content myſelf therefore with briefly obſerving what to me ſeems moſt material in this affair.

See State-Trials. Vol. I.

Moſt material points in King Charles's trial

I. The high court of juſtice obſerved the ſame rules in trying the King, as in judging a common malefactor, there being no precedent of ſuch a trial.

II. The principal article of the accuſation was, that the King had levied war againſt the parliament, which was undeniable: the ſeveral ſieges and battles were evident proofs of it. But this ought not to have been the principal point: it ſhould have been proved, that he was the aggreſſor and real author of this war; for it is manifeſt that, had this war been only defenſive on his part, he was not to be blamed. And yet, in the charge, he was ſuppoſed to have put the parliament under a neceſſity of defending themſelves, and this point, which was the chief, not only was not proved, but even unattempted to be ſo. The witneſſes depoſitions tended not to ſhew, that this Prince had forced the parliament to take arms, but only that he had been ſeen ſword in hand againſt the parliament, and giving orders to levy war. The queſtion, which of the two commenced war (King or parliament) ought to have been fully

Concerning his levying war againſt the parliament.

(1) Both houſes declared, January 1. That, by the fundamental laws of this realm, it is treaſon in the King of England, for the time to come, to levy war againſt the parliament and kingdom of England. Ruſhworth, Vol. VII. p. 1380.

(2) Theſe votes, ſays Ruſhworth (p. 1383, of the ſame volume) being reported to the houſe, they put them one after another to the queſtion, and there was not one negative voice to any one of them. ——— At this time Mr. Elſynge deſired to be diſmiſſed from being clerk of the parliament, becauſe (ſays Whitelock, Mem. p. 364) of his own knowledge, he would have no hand in the buſineſs of the King. He was a juſt and honeſt man, and a moſt excellent clerk. ——— Jan. 6. The commitee of eſtates in Scotland reſiding in London, wrote a letter to the commons, deſiring they would not proceed to try or execute the King, without the advice of their nation. Ruſhworth, Vol. VII. p. 1384.

(3) John Bradſhaw, ſerjeant at law, was preſident of the court. William Steele, dr. Doriſlaus, and mr. Aſke, were counſellors aſſiſtants to draw up the charge againſt the King. John Coke, ſollicitor. Serjeant Dandy, ſerjeant at arms. Mr. Phelps and mr. Broughton, clerks to the court. Ludlow, Vol. I. p. 275.

cleared,

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cleared. But tho' it had been ſo, to the King's diſadvantage, who knows not, that he who actually begins a war is not always the aggreſſor? This was a point of great diſcuſſion, and which unbiaſſed judges would have found difficult to decide: for, on recollection of what has been advanced in the hiſtory of this reign, it will be obſerved that, tho' it is evident King Charles governed arbitrarily for ſome years, the ground of the war he undertook was not in maintenance of this arbitrary power. He had fully conſented to the annulling his uſurpations: but the war's ground, on his part, was the defenſe of that power which appertains to the Engliſh Kings by the laws of England. On the parliament's ſide, the war's ground was, That, in a ſuppoſition, King Charles could not any more be truſted, they would have diveſted him of the power his legal prerogatives afforded him to return to his priſtine courſes, govern futurely as he had done formerly. His Majeſty was unwilling to be curbed, and the parliament would ſet bounds to his power. This was the true ground of their quarrel, and the ſubſequent wars. It was not therefore eaſy to determine who was the firſt author thereof. The King refuſed to give other ſecurity for his future conduct than his word; and the parliament pretended to have ſtrong reaſons to ſuſpect the word of a Prince who had ſo often broke it. To determine on which ſide juſtice and reaſon lay, King Charles's heart muſt have been inſpected, to know whether he was ſincere, or intended to deceive his parliament. On the other hand, it was neceſſary to know, whether the parliament's directors had not ſome other end than public benefit, and whether private intereſts were not concealed under that pretext. But all this could be known only to the Omniſcient Creator. And yet, the parliament, being judge and party, ſuppoſed, without alleging any proof, that King Charles was the aggreſſor and ſole author of the war.

Of the parliament's making themſelves his Majeſty's judges.

III. There are, in hiſtory, frequent inſtances of Kings aſſaſſinated by their ſubjects, in conſequence either of public hatred, or of private revenge, or of the intereſt of ſome faction. The Engliſh hiſtory furniſhes, even ſince the Conqueſt, examples of two Kings ſolemnly depoſed and impriſoned: but, 'till Charles I, it no where appears, that any King was ever tried for his life, before his own ſubjects, as judges. I ſhall ſay nothing here of other Sovereigns, who are poſſeſſed of a greater authority over their vaſſals than are the Kings of England; for there may be a wide difference between Sovereigns in that reſpect. But confining myſelf wholly to the kingdom of England, and ſuppoſing the conſtitution of the government ſuch as it was from the Conqueſt to Charles I, I ſhall briefly ſet forth what has been ſaid, for and againſt ſo extraordinary a trial. Firſt, it is demanded, On what law, natural or poſitive, was founded the right aſſumed by the parliament of England to try their King? The moſt plauſible anſwer, in vindication of the parliament's proceedings, is as follows.

Reaſons for the parliament.

According to the conſtitution of the Engliſh government, the King is no leſs bound than the ſubject, to obſerve the laws to which himſelf, or predeceſſors aſſented, which is the principal clauſe of the coronation-oath. If this obligation be equal on both ſides, there muſt be therefore equally means to procure its being diſcharged, in caſe of neglect. As for the ſubject, there is no manner of difficulty: the penalties againſt offenders are univerſally known, and the courts of juſtice are appointed to inflict the ſame. It is true, the laws have ordained no penalty on ſuch Kings as diſcharge not their duty, as well thro' reſpect to the regal dignity, as becauſe it cannot be ſuppoſed that the King, to whom the execution of the laws is commited, ſhould be the firſt to break them, and betray the truſt lodged in him by his people: he is nevertheleſs bound to obſerve them himſelf, and cauſe them to be obſerved by the ſubject; this is a principle generally acknowledged. But what is this obligation, if the obſervance of the laws depends ſolely on his will, and there be no juſt means to compel him to obſerve them, or puniſh him when he breaks them? Will it not be a mere empty ſound, without any meaning? And will not the Engliſh government be as arbitrary as that of any other region throughout the globe? Since therefore the laws have not decreed any penalty againſt a King who ſhould neglect his duty, or the manner to conſtrain him to diſcharge it; and as, nevertheleſs, he is bound by the ſame laws to procure the obſervance thereof, and to obſerve them himſelf, the nation's repreſentative in parliament is, of courſe, to call him to account, ſince no other means can poſſibly be deviſed. Suppoſing the King has violated the nation's moſt fundamental laws, ſhall foreigners be applied to, in order to bring him to juſtice? Can a King of England, contrary to experience, be ſuppoſed under any impoſſibility of breaking a nation's fundamental laws, of indeavoring to ſubvert them, and of eſtabliſhing deſpotiſm? Will it be maintained, that he may do it with impunity? But if he is aſſured of impunity, what difference is there between the Engliſh, and the moſt deſpotic governments, ſince its preſervation will ſolely depend on the King's probity and will? If he runs no hazard in attempting to alter the conſtitution, after ten attempts, he will try again, even 'till he ſucceeds. As to the objection, That leſs violent means than war may be uſed to oblige Kings to the obſervance of the laws, and leſs unjuſt and extraordinary, than taking away their lives, to puniſh them for ſuch violation: it is anſwered, This is true, and the parliament had accordingly tried to ſecure the government by other methods, as by demanding of his Majeſty, that all power of the militia might be lodged in both houſes; had his Majeſty agreed to it, the realm would have been in peace, and the peoples jealouſies have ceaſed: but he had taken arms to prevent the parliament's uſing theſe means; a clear evidence that his deſign was to maintain himſelf in a condition to alter the government when he ſhould have opportunity. This unjuſt war had been the occaſion of infinite miſchiefs; had deſtroyed many thouſands of his ſubjects, and ruined all the reſt; and if he was brought to a trial, it was not ſo much to puniſh him for violating the laws, as for prefering the unjuſt and violent way of arms, before the expedients offered him to prevent his breaking them in after times.

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Reaſons againſt the parliament.

King Charles's advocates ſay, 1. Tho' the Kings of England have not ſo much authority in their realm as ſome other Potentates, it follows not that they may be put upon a level with the ſubjects, and made equally accountable for their actions.

2. The principle laid down for baſis, that there is equal obligation on both King and ſubject to obſerve the law, is falſe, and conſequently the whole reaſoning founded thereon of no force or validity. For, as private perſons are intruſted only with their own conduct, nothing can exempt them from due obſervance of the laws. But Kings being intruſted with the government of the ſtate, and execution of the laws, they have conſequently power to qualify them on certain occaſions; otherwiſe this truſt would be to no purpoſe. The laws could not foreſee every thing, and there are occaſions where it is abſolutely neceſſary for the public good, to act contrary to them, or at leaſt, to ſuſpend the obſervance of them; and therefore, the obligation of King and ſubject is not equal.

3. Admiting that his Majeſty had violated ſome

of

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of the realm's fundamental laws, and levied war againſt his parliament after the moſt unjuſt manner, it did not follow that he might be puniſhed with death, by reaſon he has neither ſuperior nor equal in the kingdom, and he could have none but ſubjects for his judges. Beſide, he was the fountain of juſtice; and it was abſurd to make liable to juſtice him from whom juſtice flows and derives its whole authority.

4. According to this ſuppoſition, the chance of war having put him in the power of his enemies, he might have been detained in priſon, and prevented from doing miſchief, 'till he was prevailed with to grant all the ſecurities required: but there was a wide difference between impriſonment and death; as the firſt could be conſidered as a reaſonable and neceſſary precaution, and the other as a puniſhment ſubjects were not impowered to inflict on their Sovereign, as indeed the like had never been heard of.

5. But the ſuppoſition, that King Charles had violated the laws, and levied unjuſt war againſt his parliament, was very far from being well-grounded. Firſt, as to the laws, if that Prince, miſ-led by evil counſels, had on ſome occaſions carried his power too far, when the parliament made him ſenſible of the ill conſequences of this conduct, he had chearfully and willingly renounced the exorbitant power to which he before believed himſelf to be juſtly intitled. He had, without delay, conſented to all the acts tendered him on that ſubject, and agreed, that his moſt intimate counſellors ſhould be brought to juſtice. The parliament had accepted this reparation, without expreſſing the leaſt deſire of making him ſuffer for his paſſed faults: after that, it was abſurd to allege theſe ſame faults, ſo amply repaired, as a motive of the juſtice pretended to be executed upon him.

6. As for the war he had levied againſt his parliament, it was wrongfully aſſerted, and without the leaſt proof, that his Majeſty had raiſed and begun it purpoſely to avoid giving his people ſecurity: and, under color of deſiring ſecurity for the future, a deſire wholly founded upon mere ſuſpicions and bare poſſibilities, that the King might abuſe his power, it was pretended to ſtrip him of all his prerogatives, in a word, of the regal authority, and leave him only a ſhadow of royalty. Thus, ſuppoſing it true, that his Majeſty did actually begin the war, which was not any how proved, it would alſo be true, that the parliament had excited it, by attempting, under a vain pretenſe of peace and concord, to reduce his Majeſty to the abjecteſt and moſt melancholy ſtate a Sovereign can poſſibly be in.

7. The juſtice, pretended to be executed upon this Monarch, was founded intirely on two ſuppoſitions, not ſupported by any proof. The firſt, that his Majeſty had undertaken the war, only to free himſelf from giving ſecurity. The ſecond, that there was reaſon to fear he would imploy what power ſhould be left him in ſubverting the conſtitution. All reaſonable perſons were therefore left to judge, whether there was juſtice in trampling upon all laws, divine and human, and inflicting upon their Sovereign a capital puniſhment on two ſuch raſh ſuppoſitions.

8. With regard to what rapines, deſolations, bloodſhed, or other calamitous miſchiefs, were occaſioned by the wars, before they could be charged to his Majeſty's account, it ought at leaſt to have been well proved that he was really author of the war: but if this point was fully ſcrutiniſed and examined, it would doubtleſs be found, that the complainers themſelves could alone be charged therewith.

9. The King was proceeded againſt, for intending to change the government, and render it arbitrary and tyrannical: but every Engliſhman was convinced, that the government had never been more deſpotic, more tyrannical and more arbitrary than ſince this parliament aſſembled. There was ſcarce a law but what had been violated. The two houſes had, for ſeveral years, uſurped the ſupreme authority, contrary to the known laws: and, lately, the commons had voted, that all power was lodged in them, without the concurrence of King and peers; a maxim unknown to the Engliſh, from their Monarchy's original foundation.

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10. The commons, in eſtabliſhing by a bare vote, that it belonged to them alone to try his Majeſty, had plainly declared, they owned neither ſuperior nor equal; which was introducing deſpotiſm in good earneſt.

11. Laſtly, 'till 1643, the parliament had only ſuſpected his Majeſty's intention to alter the government; but after the parliament had aſſumed the direction, the government was really and truly changed. The King was moreover ſuſpected of deſigning to alter the eſtabliſhed religion: but the parliament had indeed changed it, and reduced it to a deplorable confuſion, and the project of this unfortunate change had been the true cauſe of theſe wars, and of all the ſubſequent calamities.

IV. The fourth circumſtance I intend to obſerve, is, that King Charles was thrice brought before the High-court of Juſtice, and as often called upon to anſwer the charge entered againſt him, which was read in his hearing: but he conſtantly refuſed to own the authority of the court, and of thoſe who erected it. On the other hand, the court would never hear his reaſons for declining their juriſdiction: they always took for granted, that they had ſufficient authority to eſtabliſh the court, and this was the very point his Majeſty would have combated, but he was never ſuffered. Finally, ſeeing he could not prevail to be heard on that ſubject, he left his reaſons in writing to this effect.

Charles's reaſons for not owning the court's authority. Ruſhworth, Vol. VII. p. 1403.

" That no earthly power could juſtly call him " (who was their King) in queſtion as a delinquent.

" That there were no proceedings juſt againſt " any man, but what were warranted, either by " God's laws, or the municipal laws of the country " where he lives. As for the proceedings againſt " him, they could not be warranted by God's " laws. For, on the contrary, it is there ſaid, " " Where the word of a King is, there is power; " and who may ſay unto him, what doſt thou? " Eccleſ. viii. 4." Then, for the law of the land, " no impeachment can lie againſt the King, they " all going in his name: and one of their maxims " is, " That the King can do no wrong." Beſide, " the law upon which they grounded their proceed- " ings, muſt either be old or new. If old, they " ought to ſhew it; if new, they ſhould tell what " authority, warranted by the fundamental laws of " the land, had made it, and when.

" How the houſe of commons could erect a " court of judicature, which was never one itſelf, " he left to God and the world to judge.

" And it was full as ſtrange, that they ſhould " pretend to make laws without King, or lords " houſe, to any who had heard ſpeak of the laws " of England. And admiting, that the people " of England's commiſſion could grant their pre- " tended power, he ſaw nothing they could ſhew " for that; for certainly they never aſked the queſ- " tion of the tenth man in the kingdom.

" That having concluded, as much as in him " lay, a treaty at Newport, and expecting the " houſe's agreement thereunto, he was ſuddenly " ſupriſed and hurried from thence as a priſoner; " that the higher-houſe, for any thing he could ſee, " was totally excluded; and for the houſe of com-

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" mons, it was too well known, that the major-
" part of them were detained, or deterred from
" ſiting: ſo, as if he had no other, this would
" have been a ſufficient reaſon for him to proteſt
" againſt the lawfulneſs of their pretended court.
" That the arms he took up, were only to de-
" fend the fundamental laws of the kingdom,
" againſt thoſe who had ſuppoſed his power had
" totally changed the ancient government (1).

Remarkable depoſitions againſt his Majeſty. Ruſhworth, Vol. VII. p. 1406.

V. Of all the witneſſes examined againſt King Charles (2), there was not (as I hinted) one who proved that Prince to have been really author of the war. But among the depoſitions, two very particular ones muſt not paſs unobſerved, ſuppoſing they were neither forged nor altered. The firſt ſhews the King was much leſs inſenſed againſt the Independents than againſt the Preſbyterians, tho' afterwards he had but too much cauſe to know, that the principles of the former were more deſtructive to him than thoſe of the latter. The ſecond ſeems to prove this Prince not to have acted with ſincerity, even in the Newport treaty.

p. 1414. * Richard Price.

A ſcrivener of London * depoſed, that the commitee of Safety being informed, that Charles was privately negociating with the Independents, ſent the deponent to Oxford, under color of carrying his Majeſty propoſals from the Independents: that he was introduced to him by the earl of Briſtol, and received orders to acquaint the leading Independents, from his Majeſty, that if they would take his part againſt the parliament, he would grant them whatever freedom they required.

p. 1413.

The ſecond depoſition was of Henry Gooche, of Grey's-inn, who ſaid: " That, on the thirtieth
" of September laſt, having acceſs to, and diſ-
" courſe with the King at Newport, he told him
" that, ſince his Majeſty had juſtified the parlia-
" ment's taking up arms, by conſenting to the pre-
" face of the bill, he did not queſtion, but moſt of
" the Preſbyterian party, both ſoldiers and others,
" would ſtick cloſe to him." Whereto Charles replied: " That he would have all his old friends
" know, that tho' for the preſent he was con-
" tented to give the parliament leave to call
" their own war what they pleaſed, yet that he
" neither did then, nor ever ſhould decline the
" juſtice of his own cauſe." Moreover, upon the deponent's ſaying, " That his buſineſs was
" much retarded thro' want of commiſſions."
The King made anſwer, " That being upon a
" treaty, he would not diſhonor himſelf; but if
" the deponent would go over to the Prince his
" ſon (who had full authority from him) he, or
" any for him, ſhould receive whatever commiſ-
" ſions ſhould be deſired." That moreover he expreſſed much joy, that his good ſubjects would ingage themſelves for his reſtoration.

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King Charles refuſing to anſwer before the High-court of Juſtice, his refuſal was, according to the laws of England, taken for a confeſſion, and ſentence of death paſſed upon him, the twenty-ſeventh of January (3). A little before his ſentence was pronounced, he earneſtly deſired to be heard before the two houſes, ſaying, he had ſomething of great importance to offer them: but his requeſt was rejected. It is generally believed, he intended to propoſe to the parliament, that he would abdicate the crown in favor of his eldeſt ſon.

Sentence pronounced upon him, and he is refuſed being heard. Ruſhworth, Vol. VII. p. 1418. Welwood. Ludlow.

This ſentence was executed the thirtieth of January, 1648-9, on a ſcaffold erected in the ſtreet, under the Banqueting-houſe windows, at Whitehall (4). His Majeſty ſuffered death with exemplary conſtancy, and without ſhewing the leaſt ſigns of weakneſs or conſternation. His body, after having been for ſome days expoſed to view, in one of the chambers at Whitehall, was carried to Windſor, and buried, without any pomp, in St. George's chapel (5).

He is executed. Ruſhworth, Vol. VII. p. 1428.

It is no eaſy matter to give a juſt and exact character of Charles I, amidſt the orbitant eulogeis beſtowed on him by ſome, and the calumnies wherewith others have indeavored to blacken his reputation. Had the factions, which took birth in his reign, expired alſo when he did, we might have found in the hiſtories of that time, compoſed after the troubles were over, a candidneſs and impartiality which might help to form a true judgment of this Prince's character. But theſe ſame parties continuing in the following reigns, with a mutual animoſity, it may be affirmed, that not one unbiaſſed Engliſh writer upon this ſubject is to be met with. Some had no other view than their royal maſter's juſtification; and others, whoſe aim was to juſtify the parliament, could not do it without loading that Monarch, and rendering him odious. We muſt therefore proceed with the utmoſt caution when we are in ſearch of this King's character, for fear of being miſ-led, and drawn into error, by the different repreſentations the hiſtorians have exhibited to their readers. Notwithſtanding theſe difficulties, I ſhall ſuccinctly deliver my ſentiments, free from all party-paſſion and prejudice.

King Charles's character.

I find not the commendations given to King Charles the Firſt, with regard to ſobriety, temperance and chaſtity, ever conteſted. All agree likewiſe, that he was a good huſband, a good father, and a good maſter. But ſome accuſe him, and perhaps not unjuſtly, of ſuffering his Queen to have too much aſcendant over him, and too large a ſhare in ſtate-affairs (6). The kingdom being Proteſtant, and her Majeſty a very zealous Romaniſt, her power, which ſhe greatly

(1) This, ſays the King, I intended to ſpeak in Weſtminſter-hall, on Monday, Jan. 22, but, againſt reaſon, was hindered to ſhew my reaſon.

(2) See their names at length in Echard's Hiſt. Vol. II. p. 633, and their depoſitions in Ruſhworth, Vol. VII. p. 1406, &c. and in State-trials.

(3) See the Names, &c. of thoſe preſent in Ruſhworth, Vol. VII. p. 1416; and in Heath, p. 196. &c.

(4) Two men in diſguiſes and vizors, ſtood upon the ſcaffold for executioners. Whitelock, p. 375. William Hulet was tried and condemned, Octob. 15, 1660, for being one of them. State-Trials, Vol. II. p 381, &c. In the ſame trial it is ſaid, That Brandon the hangman cut of the King's head, p. 385. Others ſay, it was colonel Joyce. Life of Cromwell.

(5) After the King's head was ſtruck off. at one blow, his body was put in a coffin, covered with black velvet, and removed to his lodging-room in Whitehall. Being imbalmed, it was delivered, February 7, to four of his ſervants, Herbert, Mildmay, Preſton, and Joyner, who had been appointed to wait upon him during his impriſonment, and by them, that ſame day, removed to Windſor, whither came, by permiſſion, the duke of Richmond, the marquis of Hertford, that earls of Southampton and Lindſey, with dr. Juxon biſhop of London. Colonel Whichcot, the governor, not permiting the biſhop to ſay the burial-office, according to the liturgy, the body was ſilently interred, February 9, in a vault about the middle of the choir, over againſt the eleventh ſtall on the Sovereign's ſide, near Henry VIII, and Jane Seymour, with this inſcription in capital letters, on a fillet of lead, KING CHARLES, 1648. The whole funeral charge came but to 229 l. 5 s. Herbert's Mem.

(6) Sir Philip Warwick (p. 204.) ſays, that King Charles " was always more chairy of the Queen's perſon, than of " his buſineſs."

abuſed

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abuſed in geting the moſt important imploys confered on Papiſts, muſt have been looked on with a jealous eye. This was the chief ground of that notion ſpread about the kingdom, that the court intended to reſtore Popery in England.

Clarendon, Vol. III. p. 197.

" He was ſo great a lover of juſtice, that no " temptation could diſpoſe him to a wrongful " action, except it was ſo diſguiſed to him, " that he believed it to be juſt." Theſe are lord Clarendon's own words, which may be very true, if applied to the concerns of particular perſons. But beſide the juſtice which a King ought to adminiſter impartially, to private perſons, there is another kind of juſtice due from him, to all his people in general. With reſpect to this latter, it may juſtly be doubted, that lord Clarendon's encomium is inconſiſtent with the project of altering the conſtitution, and aſſuming a power which certainly was illegal: nay, I do not believe this to have been one of the affairs ſecreted from him; but ſhould rather think it was by him that his miniſters and courtiers framed their conduct, and adapted their notions to his, in order to make their court, and advance their fortune.

No Prince was, perhaps, ever ſo punctual and regular in his devotions, both public and private. This was of ſome uſe to him, to repel the charge of his not being well-affected to the Proteſtant religion; and he knew how to improve it occaſionally.

He abhorred all debauchery, and could not indure a profane or obſcene expreſſion. His court was very different from that of his father, where profaneneſs and obſcenity were but too much in vogue. It is hard to conceive, how the duke of Buckingham, who was inured to King James's ways, could accommodate himſelf to the gravity and ſeverity of King Charles, or how King Charles could adapt himſelf to the manners of that duke.

King James was profuſe, and his Son Charles inclined towards avarice: but this failing may be excuſed by the conſideration, that from the begining to the end of his reign he never abounded with money.

His adverſaries would repreſent him as a cruel and bloody-thirſty tyrant. But, as they have not been able to reproach him with any particular action denoting ſuch a diſpoſition, it is eaſy to perceive, this charge is founded on the ſuppoſition of his having been author of a war wherein ſo much blood was laviſhed.

Sincerity, as appears in his hiſtory, was not his favorite virtue. He made frequent uſe of mental reſervations concealed in ambiguous terms and general expreſſions, whereof he reſerved the explication for a proper place and ſeaſon. On this account, the parliament could never confide in his promiſes, wherein was always either ſome ambiguous term, or ſome reſtriction which rendered them uſeleſs. This may be ſaid to be one of the main cauſes of his ruin, becauſe giving thereby occaſion of diſtruſt, it was not poſſible to find any expedient for a pacification with his two houſes. He was thought to act with ſo little probity in his ingagements, that it was believed there was no dependence on his word. The parliament could not even reſolve to debate on this Prince's propoſitions, ſo convinced were they of his ability to hide his real intentions under equivocal expreſſions: but they ſent him their own propoſitions, with liberty only of ſaying Content, or Not Content; ſo apprehenſive were they of his explications. But as I may be taxed with overloading his ſaid Majeſty on the point of ſincerity, I think it incumbent on me, to juſtify what I advance by a moſt unexceptionable evidence: I mean the earl of Clarendon.

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Vol. III. p. 335.

" A law inacted by violence and force (ſays " that illuſtrious hiſtorian) is not rightfully inacted, " was one of thoſe poſitions of Ariſtotle, which " has never been ſince contradicted, and was an " advantage which, being well managed, and " ſtoutly inſiſted upon, would, in ſpite of all their " machination, have brought his Majeſty's ene- " mies to a temper of being treated with. But " I have ſome cauſe to believe, that even this " argument, which was unanſwerable, for reject- " ing the bill* was applied for the confirming it; " and an opinion, that the violence and force " uſed in procuring it, rendered it abſolutely in- " valid and void, made the confirmation of it " leſs conſidered, as not being of ſtrength to " make that act good which was in itſelf null. " And I doubt this logic had an influence upon " other acts of no leſs moment than theſe.

* For excluding prelates from voting.

Let the reader judge after this, if we may boaſt of King Charles's ſincerity; ſince, even in paſſing acts of parliament, which is the moſt authentic and ſolemn promiſe a King of England can make, he gave his aſſent, merely in a belief of their being void in themſelves, and conſequently he was not bound by this ingagement. I paſs over in ſilence the manifeſt breach of the Petition of Right, perhaps upon the ſame principle, and of his many aſſurances to his parliament of his intention to maintain their privileges, which he violated within a few days, becauſe theſe matters have been ſufficiently handled in the hiſtory of his reign.

Some accuſe him of being inclined to the Romiſh creed; nay, ſome ſcruple not carrying this charge ſo high as to ſay, he intended to reſtore it in England. Theſe imputations are groundleſs. But it cannot be denied, that he gave occaſion for them by his conduct, tho' contrary to his intention. During the firſt fifteen years of his reign, Papiſts were not only ſcreened from the rigor of the law, but incouraged and countenanced, even to ſuch a degree, that he made them privy-counſellors, ſecretries of ſtate, and lords-lieutenants of counties. Two motives led him to this condeſcenſion: one, the importunities of his Queen, who was exceſſively zealous for her religion. The ſecond, his project to render himſelf abſolute, for the execution whereof he believed the aſſiſtance of the Catholics, as well Engliſh as foreigners, to be very neceſſary: but I will not affirm, that her Majeſty, and ſome of the miniſtry had not formed, with regard to religion, more extenſive projects, which they did not think proper to impart to the King. The aſſiſtance of the Papiſts, whom Charles had managed for another occaſion, became neceſſary for his own defenſe, after his breach with the parliament. How unwilling ſoever he ſeemed to receive any aid from Catholics, it is certain many were entertained in his ſervice, and that he was privately aſſiſted by thoſe of that perſuaſion on ſundry important occaſions.

Tho' it cannot be proved that he excited the Iriſh rebellion, it may however be affirmed, it was not againſt him that the Iriſh took arms, ſince they never had leſs cauſe to complain than in this and the preceding reigns: beſide the Papiſts, both Iriſh and Engliſh, always looked on this Prince as their protector, and were ever ready to aſſiſt him. Had he ſucceeded in his deſigns, in all probability, the condition of the Papiſts, both in England and Ireland, would have been abundantly happier, and the penal laws in great meaſure repealed: but it follows not that the King himſelf had any inclination to Popery, or intended its

eſtabliſhment.

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eſtabliſhment. In ſhort, that he was a ſincere member of the church of England, can ſcarcely be doubted, ſince he affirmed it on the ſcaffold, at a time when it could not have done him any ſervice to diſſemble his religion.

Many ſur-name him "The Martyr;" pretending he ſuffered death in maintenance of the Proteſtant religion's verities againſt the Preſbyterians and Independents, and call the day of his death (which is ſolemniſed annually on the thirtieth of January) the day of his Martyrdom. But there was, 1. Too great a complication of cauſes which brought him to this tragical end, to aſcribe his death ſolely to religion. 2. Admiting it fact, that religion was the ſole cauſe of his death, it would not be univerſally agreed, that he died for defending the Proteſtant faith's truths, ſince, among Proteſtants, the Engliſh alone, or rather a good many of the Engliſh, hold Epiſcopacy to be a doctrine of faith. 3. Tho' dying for Epiſcopacy was really martyrdom, King Charles, in his laſt propoſals at Newport, agreed to reduce Epiſcopacy to little more than a cypher. 4. Had he been condemned by the Preſbyterians, he might in ſome manner be deemed a ſufferer for Epiſcopacy; but it is evident the Preſbyterians had no ſhare in this ſentence, nor ever thought of bringing him to a trial: the Independents were the men who condemned and executed him; and ſurely, it was not on any religious account, but to transform the Monarchy into a Republic. 5. If the ſcrivener's evidence be true, King Charles cannot be ſaid to ſuffer death for ſupporting religion againſt the Independents; ſince, according to that man's depoſition, he offered to grant them all the liberty they deſired, if they would but take his part. Howſoever this be, the church of England, having recovered, under Charles II, the advantage ſhe had loſt in Charles I's reign, appointed the day of his death to be kept yearly with faſting and humiliation, which has induced ſome people to beſtow on this Prince the glorious title of Martyr.

Charles I An' 1648.

To conclude, King Charles the Firſt was indowed with many virtues, and noble qualities. There is even room to believe, that his failings flowed wholly from his deſign to inſlave England; and if, on ſome occaſions, he followed not exactly the rules of ſincerity, it was only in order to execute what he had undertaken with more facility. Without this unfortunate project, he might be counted one of the moſt accompliſhed Princes ever appeared on the Engliſh throne (1). The duke of Buckingham, the earl of Strafford, archbiſhop Laud, and the Queen herſelf (accuſtomed to a government very different from that of England) were the perſons who ruined this unhappy Prince, whom they paſſionately deſired to exalt to a pitch above that of his predeceſſors. But who can forbear making a very natural reflection on this ſubject? I mean, on the puniſhment of thoſe evil counſellors, and even of his ſaid Majeſty. Buckingham loſt his life by the aſſaſſinating hand of a villain: Laud, Strafford, and the King himſelf left their heads on ſcaffolds, and his Queen paſſed the reſidue of her days in a melancholy widowhood, being even ſlighted by her neareſt relatives. She however ſurvived long enough to ſee the Prince her ſon's reſtoration; but found not with him all the ſatisfaction ſhe expected, which doubtleſs occaſioned her return to France, where, in 1669, ſhe died.

(1) Dr. Welwood in his character of King Charles (Mem. p. 68, &c.) has theſe particulars, not taken notice of by our hiſtorian, viz. "He was a Prince of a comely preſenſe, of a ſweet, grave, but melancholy aſpect. His face was regular, "handſome, and well complexioned; his body ſtrong, healthy, and well-made; and, tho' of a low ſtature, was capable to "indure the greateſt fatigues. He had a good taſte of learning, and a more than ordinary ſkill in the liberal arts, eſpe- "cially painting, ſculpture, architecture, and medals; he acquired the nobleſt collection of any Prince in his time, and "more than all the Kings of England before him. He ſpake ſeveral languages very well, and with a ſingular good grace; "tho' now and then, when warm in diſcourſe, he was inclinable to ſtammer. He wrote a tolerable hand for a King; "but his ſenſe was ſtrong, and his ſtile laconic."

END of the SECOND VOLUME.

BRITISH 20 AP 75 MUSEUM

THE TRIAL OF CHARLES STUART * *King of* England,

Before the High-Court of Juſtice, for High-Treaſon, *January* 20--27, 1648, 24 Car. I.

ON Saturday being the twentieth day of January, 1648, the lord preſident of the High-court of Juſtice, with near fourſcore of the members of the ſaid court, having ſixteen gentlemen with partizans, and a ſword, and a mace, with their and other officers of the ſaid court, marching before them, came to the place ordered to be prepared for their ſiting at the Weſt-end of the great hall at Weſtminſter; where the lord preſident, in a crimſon-velvet chair, fixed in the midſt of the court, placed himſelf, having a deſk with a crimſon-velvet cuſhion before him; the reſt of the members placing themſelves on each ſide of him upon ſeveral ſeats, or benches, prepared and hung with ſcarlet for that purpoſe; and the partizans dividing themſelves on each ſide of the court before them.

The court being thus ſat, and ſilence made, the great gate of the ſaid hall was ſet open, to the end that all perſons, without exception, deſirous to ſee or hear, might come into it. Upon which the hall was preſently filled, and ſilence again ordered.

This done, colonel Thomlinſon, who had the charge of the priſoner, was commanded to bring him to the court; who within a quarter of an hour's ſpace brought him, attended with about twenty officers with partizans, marching before him, there being other gentlemen, to whoſe care and cuſtody he was likewiſe commited, marching in his rear.

Being thus brought up within the face of the court, the ſerjeant at arms, with his mace, received and conducted him ſtrait to the bar, having a crimſon-velvet chair ſet before him. After a ſtern looking upon the court, and the people in the galleries on each ſide of him, he placed himſelf, not at all moving his hat, or otherwiſe ſhewing the leaſt reſpect to the court; but preſently roſe up again, and turned about, looking downwards upon the guards placed on the left ſide, and on the multitude of ſpectators on the right ſide of the ſaid great hall. After ſilence made among the people, the act of parliament for the trying of Charles Stuart, King of England, was read over by the clerk of the court, who ſat on one ſide of a table covered with a rich Turkey-carpet, and placed at the feet of the ſaid lord preſident; upon which table were alſo laid the ſword and mace.

After reading the ſaid act, the ſeveral names of the commiſſioners were called over, every one who was preſent, being eighty, as aforeſaid, riſing up, and anſwering to his call.

Having again placed himſelf in his chair, with his face towards the court, ſilence being again ordered, the lord preſident ſtood up, and ſaid:

LORD PESIDENT. Charles Stuart, King of England, the commons of England aſſembled in parliament being deeply ſenſible of the calamities which have been brought upon this naton (which are fixed upon you as the principal author thereof) have reſolved to make inquiſition for blood; and according to that debt and duty they owe to juſtice, to God, the kingdom, and themſelves, and according to the fundamental power which reſts in themſelves, they have reſolved to bring you to trial and judgment; and for that purpoſe have conſtituted this High-court of Juſtice, before which you are brought.

This ſaid, mr. Cook, ſollicitor for the common-wealth (ſtanding within a bar on the right hand of the priſoner) offered to ſpeak: but the King having a ſtaff in his hand, held it up, and laid it upon the ſaid mr. Cook's ſhoulder two or three times, biding him hold. Nevertheleſs, the lord preſident ordering him to go on, he ſaid:

MR. COOK. My lord, I am commanded to charge Charles Stuart, King of England, in the name of the commons of England, with treaſon and high miſdemeanors: I deſire the ſaid charge may be read.

The ſaid charge being delivered to the clerk of the court, the lord preſident ordered it ſhould be read; but the King bid him hold. Nevertheleſs, being commanded by the lord preſident to read it, the clerk began, and the priſoner ſat down again in his chair, looking ſometimes on the High-court, ſometimes up to the galleries; and having riſen again, and turned about to behold the guards and ſpectators, ſat down, looking very ſternly, and with a countenance not at all moved, 'till theſe words, viz. "Charles Stuart to be a tyrant and traitor, "&c." were read; at which he laughed, as he ſat, in the face of the court.

The charge being read, the lord preſident replied:

LD PRES. Sir, you have now heard your charge, containing ſuch matter as appears in it; you find that, in the cloſe of it, it is prayed to the court, in the behalf of the commons of England, that you anſwer to your charge. The court expects your anſwer.

KING. I would know by what power I am called hither. I was not long ago in the iſle of Wight: how I came there, is a longer ſtory than I think it fit at this time for me to ſpeak of; but there I entered into a treaty with both houſes of parliament, with as much public faith as it is poſſible to be had of

* Clar. Hiſt. Vol. III. p. 195——199. Ruſh. Col. Vol. VII. p. 1400.

any people in the world. I treated there with a number of honorable lords and gentlemen, and treated honeſtly and uprightly: I cannot ſay but they did very nobly with me, we were upon the concluſion of the treaty. Now I would know by what authority, I mean lawful; there are many unlawful authorities in the world, thieves and robbers by the highways; but I would know by what authority I was brought from thence, and carried from place to place, and I know not what: and when I know what lawful authority, I ſhall anſwer. Remember I am your King, your lawful King, and what ſins you bring upon your heads, and the judgment of God upon this land: think well upon it, I ſay, think well upon it, before you go farther from one ſin to a greater: therefore let me know by what lawful authority I am ſeated here, and I ſhall not be unwilling to anſwer. In the mean time, I ſhall not betray my truſt: I have a truſt commited to me by God, by old and lawful deſcent, I will not betray it, to anſwer to a new unlawful authority: therefore reſolve me that, and you ſhall hear more of me.

LD PRES. If you had been pleaſed to have obſerved what was hinted to you by the court, at your firſt coming hither, you would have known by what authority; which authority requires you, in the name of the people of England, of which you are elected King, to anſwer them.

KING. No, ſir, I deny that.

LD PRES. If you acknowledge not the authority of the court, they muſt proceed.

KING. I do tell them ſo, England was never an elective kingdom, but an hereditary kingdom for near theſe thouſand years; therefore let me know by what authority I am called hither: I do ſtand more for the liberty of my people, than any here who come to be my pretended judges; and therefore let me know by what lawful authority I am ſeated here, and I will anſwer it; otherwiſe I will not anſwer it.

LD PRES. Sir, how really you have managed your truſt, is known: your way of anſwer is to interrogate the court, which beſeems you not in this condition. You have been told of it twice or thrice.

KING. Here is a gentleman, lieutenant-colonel Cobbet; aſk him, if he did not bring me from the iſle of Wight by force. I do not come here as ſubmiting to the court: I will ſtand as much for the privilege of the houſe of commons, rightly underſtood, as any man here whatſoever. I ſee no houſe of lords here, which may conſtitute a parliament; and the King too ſhould have been. Is this the bringing the King to his parliament? Is this the bringing an end to the treaty in the public faith of the world? Let me ſee a legal authority warranted by the word of God, the ſcriptures, or warranted by the conſtitutions of the kingdom, and I will anſwer.

LD PRES. Sir, you have propounded a queſtion, and have been anſwered. Seeing you will not anſwer, the court will conſider how to proceed: in the mean time, they who brought you hither, are to take charge of you back again. The court deſires to know, whether this be all the anſwer you will give, or no.

KING. Sir, I deſire that you would give me, and all the world, ſatisfaction in this: let me tell you, it is not a ſlight thing you are about. I am ſworn to keep the peace, by that duty I owe to God and my country, and I will do it to the laſt breath of my body; and therefore you ſhall do well to ſatisfy firſt God, and then the country, by what authority you do it: if you do it by uſurped authority, you cannot anſwer. There is a God in heaven that will call you, and all who give you power, to account. Satisfy me in that, and I will anſwer; otherwiſe I betray my truſt, and the liberties of the people: and therefore think of that, and then I ſhall be willing: for I do avow, that it is as a great ſin to withſtand lawful authority, as it is to ſubmit to a tyrannical, or any other ways unlawful authority; and therefore ſatisfy me that, and you ſhall receive my anſwer.

LD PRES. The court expects you ſhould give them a final anſwer: their purpoſe is to adjourn to Monday next. If you do not ſatisfy yourſelf, tho' we do tell you our authority; we are ſatisfied with our authority, and it is upon God's authority and the kingdom's; and that peace you ſpeak of will be kept in the doing of juſtice, and that's our preſent work.

KING. For anſwer, let me tell you, you have ſhewn no lawful authority to ſatisfy any reaſonable man.

LD PRES. That is in your apprehenſion; we are ſatisfied, who are your judges.

KING. It is not my apprehenſion, nor yours neither, which ought to decide it.

LD PRES. The court hath heard you, and you are to be diſpoſed of as they have commanded.

The court adjourns to the Painted-chamber, on Monday at ten in the fore-noon, and thence hither.

It is to be obſerved, That as the charge was reading againſt the King, the head of his ſtaff fell off, which he wondered at; and ſeeing none to take it up, he ſtooped for it himſelf.

As the King went away, facing the court, he ſaid, I do not fear that; meaning the ſword: The people in the hall, as he went down the ſtairs, cryed out, ſome, God ſave the King!: but moſt for Juſtice.

At the High-court of Juſtice ſiting in Weſtminſter-hall, Monday Jan. 22. 1648.

OYes made; ſilence commanded; the court called, and anſwered to their names.

Silence commanded upon pain of impriſonment, and the captain of the guard to apprehend all ſuch as made diſturbance.

Upon the King's coming, a ſhout was made.

Command given, by the court, to the captain of the guard, to fetch and take into his cuſtody thoſe who made any diſturbance.

MR. SOLLICITOR. May it pleaſe your lordſhip, my lord preſident. I did at the laſt court, in the behalf of the commons of England, exhibit and give into this court a charge of high-treaſon, and other high crimes againſt the priſoner at the bar; whereof I do accuſe him in the name of the people of England: and the charge was read unto him, and his anſwer required. My lord, he was not then pleaſed to give any anſwer; but inſtead of anſwering, did diſpute the authority of this High-court. My humble motion to this High-court, in behalf of the kingdom of England, is, That the priſoner may be directed to make a poſitive anſwer, either by way of confeſſion or negation; which if he ſhall refuſe to do, that the matter of the charge may be taken "pro confeſſo," and the court may proceed according to juſtice.

LD PRES. Sir, you may remember, at the laſt court, you was told the occaſion of your being brought hither, and you heard a charge read againſt you, containing a charge of high-treaſon, and other high crimes againſt this realm of England: you heard likewiſe, that it was prayed, in the behalf of the people, that you ſhould give an anſwer to that charge, that thereupon ſuch proceedings might be had as ſhould be agreeable to juſtice. You were then pleaſed to make ſome ſcruples concerning the authority of this court, and knew not by what authority you were brought hither; you did diverſe times propound your queſtions, and were as often anſwered, That it was by authority of the commons of England, aſſembled in parliament, who did think fit to call you to account for thoſe high and capital miſdemeanors wherewith you were then charged. Since that the court hath taken into conſideration what you then ſaid, they are fully ſatisfied with their own authority, and they hold it fit you ſhould ſtand ſatisfied with it too; and they do require it, that you do give a poſitive and particular anſwer to this charge which is exhibited againſt you; they do expect you ſhould either confeſs or deny it: if you deny, it is offered, in the behalf of the kingdom, to be made good againſt you. Their authority they do avow to the whole world, that the whole kingdom are to reſt ſatisfied in, and you are to reſt ſatisfied with it: and therefore you are to loſe no more time, but to give a poſitive anſwer thereunto.

KING. When I was here laſt, it is very true, I made that queſtion: and truly if it were only my own particular caſe, I would have ſatisfied myſelf with the proteſtation I made, the laſt time I was here, againſt the legality of this court, and that a King cannot be tried by any ſuperior juriſdiction on earth. But it is not my caſe alone, it is the freedom and liberty of the people of England; and, do you pretend what you will, I ſtand more for their liberties. For if power without law may make laws, may alter the fundamental laws of the kingdom, I do not know what ſubject he is in England, who can be ſure of his life, or any thing he calls his own: therefore when I came here, I did expect particular reaſons to know by what law, what authority you did proceed againſt me here; and therefore I am a little to ſeek what to ſay to you in this particular, becauſe the affirmative is to be proved, the negative often is very hard to do: but ſince I cannot perſuade you to do it, I ſhall tell you my reaſons, as ſhort as I can.

My

My reaſons why, in conſcience and the duty I owe to God firſt, and my people next for the preſervation of their lives, liberties and eſtates, I conceive I cannot anſwer this, 'till I be ſatisfied of the legality of it.

All proceedings againſt any man whatſoever ———

LD PRES. Sir, I muſt interrupt you, which I would not do, but that what you do is not agreeable to the proceedings of any court of juſtice: you are about to enter into argument, and diſpute concerning the authority of this court, before whom you appear as a priſoner, and are charged as a high delinquent; if you take upon you to diſpute the authority of the court, we may not do it, nor will any court give way unto it: you are to ſubmit unto it, you are to give a punctual and direct anſwer, whether you will anſwer your charge or no, and what your anſwer is.

KING. Sir, by your favor, I do not know the forms of law; I do know law and reaſon, tho' I am no lawyer profeſſed, but I know as much law as any gentleman in England; and therefore (under favor) I do plead for the liberties of the people of England more than you do: and therefore, if I ſhould impoſe a belief upon any man, without reaſons given for it, it were unreaſonable; but I muſt tell you, that the reaſon I have, as thus informed, I cannot yield unto it.

LD PRES. Sir, I muſt interrupt you, you may not be permited: you ſpeak of law and reaſon; it is fit there ſhould be law and reaſon, and there are both againſt you. Sir, the vote of the commons of England, aſſembled in parliament, is the reaſon of the kingdom, and they are theſe who have given to that law, according to which you ſhould have ruled and reigned. Sir, you are not to diſpute our authority, you are told it again by the court. Sir, it will be taken notice of, that you ſtand in contempt of the court, and your contempt will be recorded accordingly.

KING. I do not know how a King can be a delinquent; but by any law I ever heard of, all men (delinquents, or what you will) let me tell you they may put in demurrers againſt any proceeding as legal: and I do demand that, and demand to be heard with my reaſons; if you deny that, you deny reaſon.

LD PRES. Sir, you have offered ſomething to the court; I ſhall ſpeak ſomething unto you, the ſenſe of the court. Sir, neither you nor any man are permited to diſpute that point; you are excluded; you may not demur to the juriſdiction of the court: if you do, I muſt let you know, that they over-rule your demurrer. They ſit here by the authority of the commons of England, and all your predeceſſors, and you are reſponſible to them.

KING. I deny that, ſhew me one precedent.

LD PRES. Sir, you ought not to interrupt while the court is ſpeaking to you. This point is not to be debated by you, neither will the court permit you to do it; if you offer it by way of demurrer to the juriſdiction of the court, they have conſidered of their juriſdiction; they do affirm their own juriſdiction.

KING. I ſay ſir, by your favor, that the commons of England were never a court of judicature; I would know how they came to be ſo.

LD PRES. Sir, you are not permited to go on in that ſpeech, and theſe diſcourſes.

Then the clerk of the court read as follows.

" Charles Stuart, King of England, you have been accuſed, " on the behalf of the people of England, of high treaſon, " and other high crimes; the court have determined that you " ought to anſwer the ſame."

KING. I will anſwer the ſame ſo ſoon as I know, by what authority you do this.

LD PRES. If this be all you will ſay, then, gentlemen, you who brought the priſoner hither, take charge of him back again.

KING. I do require that I may give in my reaſons why I do not anſwer, and give me time for that.

LD PRES. Sir, it is not for priſoners to require.

KING. Priſoners! Sir, I am not an ordinary priſoner.

LD PRES. The court hath conſidered of their juriſdiction, and they have already affirmed their juriſdiction; if you will not anſwer, we ſhall give order to record your default.

KING. You never heard my reaſons yet.

LD PRES. Sir, your reaſons are not to be heard againſt the higheſt juriſdiction.

KING. Shew me that juriſdiction where reaſon is not to be heard.

LD PRES. Sir, we ſhew it you here, the commons of England; and next time you are brought, you will know more of the pleaſure of the court; and, it may be, their final determination.

KING. Shew me where ever the houſe of commons was a court of judicature of that kind.

LD PRES. Serjeant, take away the priſoner.

KING. Well, ſir; remember that the King is not ſuffered to give in his reaſons for the liberty and freedom of all his ſubjects.

LD PRES. Sir, you are not to have liberty to uſe this language: how great a friend you have been to the laws and liberties of the people, let all England and the world judge.

KING. Sir, under favor, it was the liberty, freedom and laws of the ſubject, that ever I took —— defended myſelf with arms; I never took up arms againſt the people, but for the laws.

LD PRES. The command of the court muſt be obeyed; no anſwer will be given to the charge.

KING. Well, ſir!

And ſo he was guarded forth to ſir Robert Cotton's houſe.

Then the court adjourned to the Painted-chamber on Tueſday at twelve o'clock, and from thence to Weſtminſter-hall; at which time all perſons concerned were to give their attendance.

At the High-court of Juſtice ſiting in Weſtminſter-hall, Tueſday Jan. 23, 1648.

OYes made, ſilence commanded, the court called, ſeventy three perſons preſent.

The King came in with his guard, looked with an auſtere countenance upon the court, and ſat down.

The ſecond O yes made, and ſilence commanded.

MR. COOK, ſollicitor-general. May it pleaſe your lordſhip, my lord preſident. This is now the third time, that by the great grace and favor of this High-court, the priſoner hath been brought to the bar, before any iſſue joined in the cauſe. My lord, I did at the firſt court exhibit a charge againſt him, containing the higheſt treaſon was ever wrought upon the theater of England; That a King of England, truſted to keep the law, who had taken an oath ſo to do, who had tribute paid him for that end, ſhould be guilty of a wicked deſign to ſubvert and deſtroy our laws, and introduce an arbitrary and tyrannical government, in defiance of the parliament and their authority, ſet up his ſtandard for war againſt his parliament and people: and I did humbly pray, in the behalf of the people of England, that he might ſpeedily be required to make anſwer to the charge.

But, my lord, inſtead of making any anſwer, he did then diſpute the authority of this High-court. Your lordſhip was pleaſed to give him a farther day to conſider, and put in his anſwer; which day being yeſterday, I did humbly move, that he might be required to give a direct and poſitive anſwer, either by denying or confeſſing it: but, my lord, he was then pleaſed to demur to the juriſdiction of the court; which the court did then over-rule, and command him to give a direct and poſitive anſwer. My lord, beſide this great delay of juſtice, I ſhall now humbly move your lordſhip for ſpeedy judgment againſt him. My lord, I might preſs your lordſhip upon the whole, that, according to the known rules of the law of this land, That if a priſoner ſhall ſtand as contumacious in contempt, and ſhall not put in an iſſuable plea, guilty or not guilty of the charge given againſt him, whereby he may come to a fair trial; that, as by an implicit confeſſion, it may be taken 'pro confeſſo,' as it hath been done to thoſe who have deſerved more favor than the priſoner at the bar has done. But beſide, my lord, I ſhall humbly preſs your lordſhip upon the whole fact. The houſe of commons, the ſupreme authority and juriſdiction of the kingdom, they have declared, that it is notorious, that the matter of the charge is true, as it is in truth, my lord, as clear as chryſtal, and as the ſun which ſhines at noon-day: which if your lordſhip and the court be not ſatisfied in, I have notwithſtanding, on the people of England's behalf, ſeveral witneſſes to produce. And therefore I do humbly pray, and yet I muſt confeſs it is not ſo much I, as the innocent blood which hath been ſhed, the cry whereof is very great for juſtice and judgment; and therefore I do humbly pray, that ſpeedy judgment be pronounced againſt the priſoner at the bar.

LD

LD PRES. Sir, you have heard what is moved by the counſel on the behalf of the kingdom againſt you. Sir, you may well remember, and if you do not, the court cannot forget, what dilatory dealings the court hath found at your hands. You were pleaſed to propound ſome queſtions, you have had your reſolution upon them. You were told over and over again, That the court did affirm their own juriſdiction; that it was not for you, nor any other man, to diſpute the juriſdiction of the ſupreme and higheſt authority of England, from which there is no appeal, and touching which there muſt be no diſpute: yet you did perſiſt in ſuch carriage, as you gave no manner of obedience, nor did you acknowledge any authority in them, nor the High-court which conſtituted this court of Juſtice.

Sir, I muſt let you know from the court, that they are very ſenſible of theſe delays of yours, and that they ought not, being thus authoriſed by the ſupreme court of England, to be thus trifled withal; and that they might in juſtice, if they pleaſed, and according to the rules of juſtice, take advantage of theſe delays, and proceed to pronounce judgment againſt you: yet nevertheleſs they are pleaſed to give direction, and on their behalfs I do require you, that you make a poſitive anſwer unto this charge which is againſt you, ſir, in plain terms, for juſtice knows no reſpect of perſons; you are to give your poſitive and final anſwer in plain Engliſh, whether you be guilty, or not guilty, of theſe treaſons laid to your charge.

The King, after a little pauſe, ſaid,

KING. When I was here yeſterday, I did deſire to ſpeak for the liberties of the people of England; I was interrupted: I deſire to know yet, whether I may ſpeak freely or not.

LD PRES. Sir, you have had the reſolution of the court upon the like queſtion the laſt day, and you were told, that, having ſuch a charge of ſo high a nature againſt you, and your work was that you ought to acknowledge the juriſdiction of the court, and to anſwer to your charge. Sir, if you anſwer to your charge, which the court gives you leave now to do, tho' they might have taken the advantage of your contempt; yet if you be able to anſwer to your charge, when you have once anſwered, you ſhall be heard at large, make the beſt defenſe you can. But, ſir, I muſt let you know from the court, as their commands, that you are not to be permited to iſſue out into any other diſcourſes, 'till ſuch time as you have given a poſitive anſwer concerning the matter which is charged upon you.

KING. For the charge, I value it not a ruſh, it is the liberty of the people of England I ſtand for. For me to acknowledge a new court which I never heard of before, I who am your King, who ſhould be an example to all the people of England for to uphold juſtice, to maintain the old laws; indeed I do not know how to do it. You ſpake very well the firſt day I came here (on Saturday) of the obligations I had laid upon me by God, to the maintenance of the liberties of my people; the ſame obligation you ſpake of, I do acknowledge to God that I owe to him, and to my people, to defend as much as in me lies the ancient laws of the kingdom: therefore until I may know that this is not againſt the fundamental laws of the kingdom, by your favor, I can put in no particular * charge. If you will give me time, I will ſhew you my reaſons, why I cannot do it, and this———

* This is as the King expreſſed it, but I ſuppoſe he meaned anſwer.

Here being interrupted, he ſaid,

By your favor, you ought not to interrupt me: how I came here I know not, there is no law for it to make your King your priſoner. I was in a treaty upon the public faith of the kingdom, that was the known——two houſes of parliament, which was the repreſentative of the kingdom; and when I had almoſt made an end of the treaty, then I was hurried away, and brought hither: and therefore———

Here the lord preſident ſaid, ſir, you muſt know the pleaſure of the court.

KING. By your favor, ſir.

LD PRES. Nay, ſir, by your favor, you may not be permited to fall into thoſe diſcourſes; you appear as a delinquent; you have not acknowledged the authority of the court; the court craves it not of you: but once more they command you to give your poſitive anſwer——Clerk, do your duty.

KING. Duty, ſir!

The clerk reads.

" Charles Stuart, King of England, you are accuſed, in the " behalf of the commons of England, of diverſe high crimes " and treaſons, which charge hath been read unto you; the " court now requires you to give your poſitive and final an- " ſwer, by way of confeſſion, or denial of the charge.

KING. Sir, I ſay again to you, ſo that I might give ſatisfaction to the people of England of the clearneſs of my proceeding, not by way of anſwer, not in this way, but to ſatisfy them that I have done nothing againſt that truſt which hath been commited to me, I would do it: but to acknowledge a new court, againſt their privileges, to alter the fundamental laws of the kingdom, ſir you muſt excuſe me.

LD PRES. Sir, this is the third time you have publicly diſowned this court, and put an affront upon it: how far you have preſerved the privileges of the people, your actions have ſpoke it; but truly, ſir, mens intentions ought to be known by their actions; you have written your meaning in bloody characters throughout the whole kingdom. But, ſir, you underſtand the pleaſure of the court.——Clerk, record the default.——And gentlemen, you who took charge of the priſoner, take him back again.

KING. I will only ſay this one word more to you: if it were only my own particular, I would not ſay any more, nor interrupt you.

LD PRES. Sir, you have heard the pleaſure of the court, and you are (notwithſtanding you will not underſtand it) to find that you are before a Court of Juſtice.

Then the King went forth with his guard, and proclamation was made, That all perſons who had then appeared, and had farther to do at the court, might depart into the Painted-chamber; to which place the court did forthwith adjourn, and intended to meet in Weſtminſter-hall by ten next morning.

Cryer. God bleſs the kingdom of England.

Wedneſday, January 24th, 1648.

THIS day it was expected the High-court of Juſtice would have met in Weſtminſter-hall, about ten o'clock; but at the time appointed, one of the uſhers, by direction of the court (then ſiting in the Painted-chamber) gave notice to the people there aſſembled, That, in regard the court was then upon the examination of witneſſes, in relation to preſent affairs, in the Painted-chamber, they could not ſit there; but all perſons appointed to be there, were to appear upon farther ſummons.

The proceedings of the High-court of Juſtice, ſiting in Weſtminſter-hall, on Saturday the twenty-ſeventh of January, 1648.

OYes made; ſilence commanded; the court called: ſerjeant Bradſhaw lord preſident (in a ſcarlet robe) with ſixty-eight other members of the court.

As the King came in, a cry was made in the hall for Execution! Juſtice! Execution!

KING. I ſhall deſire a word to be heard a little, and I hope I ſhall give no occaſion of interruption.

LD PRES. You may anſwer in your time, hear the court firſt.

KING. If it pleaſe you, ſir, I deſire to be heard, and I ſhall not give any occaſion of interruption, and it is only in a word: a ſudden judgment———

LD PRES. Sir, you ſhall be heard in due time, but you are to hear the court firſt.

KING. Sir, I deſire, it will be in order to what I believe the court will ſay; and therefore, ſir, a haſty judgment is not ſo ſoon recalled.

LD PRES. Sir, you ſhall be heard before the judgment is given, and in the mean time you may forbear.

KING. Well, ſir, ſhall I be heard before the judgment is given?

LD PRES. Gentlemen, it is well known to all, or moſt of you here preſent, that the priſoner at the bar hath been ſeveral times convened and brought before the court to make anſwer to a charge of treaſon, and other high crimes exhibited againſt him in the name of the people of * England; to which charge being required to anſwer, he hath been ſo far from obeying the commands of the court by ſubmiting to their juſtice, as he began to take upon him to offer reaſoning and debate unto the authority of the court, and of the higheſt court which conſtituted them to try and judge him: but being over-ruled in that, and required to make his anſwer, he was ſtill pleaſed to continue contumacious,

* Here a malignant lady (lady Fairfax) interrupted the court, ſaying, 'Not half 'the people;' but ſhe was ſoon ſilenced.

contumacious, and to refuſe to ſubmit or anſwer. Hereupon the court, that they may not be wanting to themſelves, to the truſt repoſed in them, nor that any man's wilfulneſs prevent juſtice, have thought fit to take the matter into their conſideration: they have conſidered of the charge, they have conſidered of the contumacy, and of that confeſſion which, in law, does ariſe upon that contumacy: they have likewiſe conſidered of the notoriety of the fact charged upon this priſoner, and upon the whole matter they are reſolved, and have agreed upon a ſentence to be now pronounced againſt this priſoner: but in reſpect he does deſire to be heard, before the ſentence be read and pronounced, the court has reſolved, that they will hear him. Yet, ſir, thus much I muſt tell you before-hand, which you have been minded of at other courts, that if what you have to ſay be to offer any debate concerning juriſdiction, you are not to be heard in it; you have offered it formerly, and you have indeed ſtruck at the root, that is, the power and ſupreme authority of the commons of England, which this court will not admit a debate of; and which indeed is an irrational thing in them to do, being a court which acts upon authority derived from them, that they ſhould preſume to judge upon their ſuperior, from whom there is no appeal. But, ſir, if you have any thing to ſay in defenſe of yourſelf, concerning the matter charged, the court has given me in command to let you know they will hear you.

KING. Since I ſee that you will not hear any thing of debate concerning that which I confeſs I thought moſt material for the peace of the kingdom, and for the liberty of the ſubject, I ſhall wave it; I ſhall ſpeak nothing to it, but only I muſt tell you that, this many a day, all things have been taken away from me, but that which I call more dear to me than my life, which is my conſcience and my honor: and if I had reſpect to my life more than the peace of the kingdom, the liberty of the ſubject, certainly I ſhould have made a particular defenſe for myſelf; for by that at leaſtwiſe I might have delayed an ugly ſentence, which I believe will paſs upon me. Therefore certainly, ſir, as a man, who hath ſome underſtanding, ſome knowledge of the world, if that my true zeal to my country had not over-borne the care I have of my own preſervation, I ſhould have gone another way to work than that I have done. Now, ſir, I conceive that a haſty ſentence once paſſed, may ſooner be repented than recalled; and truly, the ſelf-ſame deſire which I have for the peace of the kingdom, and the liberty of the ſubject, more than my own particular, does make me now at laſt deſire that, having ſomething for to ſay which concerns both, I deſire, before ſentence be given, that I may be heard in the Painted-chamber before the lords and commons. This delay cannot be prejudicial to you, whatſoever I ſay; if that I ſay no reaſon, thoſe who hear me muſt be judges; I cannot be judge of that which I have: if it be reaſon, and really for the welfare of the kingdom, and the liberty of the ſubject, I am ſure on it, very well it is worth the hearing; therefore I do conjure you, as you love that which you pretend, I hope it is real, the liberty of the ſubject, the peace of the kingdom, that you will grant me the hearing, before any ſentence be paſſed. I only deſire this, that you will take this into your conſideration; it may be you have not heard of it before-hand; if you will, I will retire, and you may think of it: but if I cannot get this liberty, I do here proteſt, that ſo fair ſhews of liberty and peace, are pure ſhews, and not otherwiſe, ſince you will not hear your King.

LD PRES. Sir, you have now ſpoken.

KING. Yes, ſir.

LD PRES. And this which you have ſaid is a farther declining of the juriſdiction of this court, which was the thing wherein you were limited before.

KING. Pray excuſe me, ſir, for my interruption, becauſe you miſtake me: it is not a declining of it, you do judge me before you hear me ſpeak. I ſay it will not, I do not decline it, tho' I cannot acknowledge the juriſdiction of the court: yet, ſir, in this give me leave to ſay, I would do it, tho' I do not by this acknowledge it; I do proteſt it is not the declining of it, ſince I ſay, if that I do ſay any thing but that which is for the peace of the kingdom, and the liberty of the ſubject, then the ſhame is mine. Now I deſire, that you will take this into your conſideration; if you will, I will withdraw.

LD PRES. Sir, this is not altogether new which you have moved unto us; not altogether new to us, tho' it is the firſt time in perſon you have offered it to the court. Sir, you ſay you do not decline the juriſdiction of the court.

KING. Not in this, which I have ſaid.

LD PRES. I underſtand you well, ſir: but nevertheleſs that which you have offered ſeems to be contrary to that ſaying of yours; for the court are ready to give a ſentence. It is not as you ſay, That they will not hear their King; for they have been ready to hear you; they have patiently waited your pleaſure for three courts together, to hear what you would ſay to the peoples charge againſt you, to which you have not vouchſafed to give any anſwer at all. Sir, this tends to a farther delay: truly, ſir, ſuch delays as theſe, neither may the kingdom, nor juſtice well bear; you have had three ſeveral days to have offered in this kind what you would have pleaſed. This court is founded upon that authority of the commons of England, in whom reſts the ſupreme juriſdiction; that which you now tender, is to have another juriſdiction, and a co-ordinate juriſdiction. I know very well you expreſs yourſelf, ſir, that notwithſtanding that you would offer to the lords and commons in the Painted-chamber, yet nevertheleſs you would proceed on here, I did hear you ſay ſo. But, ſir, that you would offer there, whatever it is, it muſt needs be in delay of the juſtice here; ſo as if this court be reſolved, and prepared for the ſentence, this which you offer they are not bound in juſtice to grant: but, ſir, according to what you ſeem to deſire, and becauſe you ſhall know the farther pleaſure of the court upon that which you have moved, the court will withdraw for a time.

KING. Shall I withdraw?

LD PRES. Sir, you ſhall know the pleaſure of the court preſently.—— The court withdraws for half an hour into the court of Wards.

SERJEANT at ARMS. The court gives command, that the priſoner be withdrawn; and they give order for his return again.

The court withdraws for half an hour, and returns.

LD PRES. Serjeant at arms, ſend for your priſoner.

Sir, you were pleaſed to make a motion here to the court to offer a deſire of yours, touching the propounding of ſomewhat to the lords in the Painted-chamber, for the peace of the kingdom. Sir, you did, in effect, receive an anſwer before the court adjourned: truly, ſir, their withdrawing and adjournment was 'pro formâ tantum;' for it did not ſeem to them, that there was any difficulty in the thing: they have conſidered of what you have moved, and have conſidered of their own authority, which is founded, as has been often ſaid, upon the ſupreme authority of the commons of England aſſembled in parliament: the court acts according to their commiſſion. Sir, the return I have to you from the court, is this: That they have been too much delayed by you already, and this which you now offer has occaſioned ſome little farther delay; and they are judges appointed by the higheſt judges; and "Judges are no more to delay, than they are to deny Juſtice:" they are good words in the great old Charter of England; "Nulli negabimus, nulli vendemus, nulli differemus Juſti-"tiam." There muſt be no delay; but the truth is, ſir, and ſo every man here obſerves it, that you have much delayed them in your contempt and default, for which they might long ſince have proceeded to judgment againſt you; and notwithſtanding what you have offered, they are reſolved to proceed to puniſhment, and to judgment, and that is their unai mous reſolution.

KING. Sir, I know it is in vain for me to diſpute: I am no Sceptick, for to deny the power which you have; I know that you have power enough: ſir, I confeſs, I think it would have been for the kingdom's peace, if you would have taken the pains to have ſhewn the lawfulneſs of your power; for this delay which I have deſired, I confeſs it is a delay; but it is a delay very important for the peace of the kingdom: for it is not my perſon which I look on alone; it is the kingdom's welfare, and the kingdom's peace; it is an old ſentence, That we ſhould think long, before we reſolve of great matters. Therefore, ſir, I do ſay again, that I do put at your doors all the inconveniency of a haſty ſentence. I confeſs I have been here now, I think, this week; this day eight days was the day I came here firſt; but a little delay of a day or two farther may give peace; whereas a haſty judgment may bring on that trouble and perpetual inconveniency to the kingdom, which the child who is unborn may repent it: and therefore again, out of the duty I owe to God, and to my country, I do deſire that I may be heard, by the lords and commons, in the Painted-chamber, or any other chamber which you will appoint me.

LD PRES. Sir, you have been already anſwered to what

you even now moved, being the ſame you moved before, ſince the reſolution and the judgment of the court in it: and the court now requires to know, whether you have any more to ſay for yourſelf, than you have ſaid, before they proceed to ſentence?

KING. I ſay this, ſir, That if you will hear me, if you will give but this delay, I doubt not but I ſhall give ſome ſatisfaction to you all here, and to my people after that; and therefore I do require you, as you will anſwer it at the dreadful day of judgment, that you will conſider it once again.

LD PRES. Sir, I have received direction from the court.

KING. Well, ſir.

LD PRES. If this muſt be re-inforced, or any thing of this nature, your anſwer muſt be the ſame; and they will proceed to ſentence, if you have nothing more to ſay.

KING. Sir, I have nothing more to ſay, but I ſhall deſire, that this may be entered what I have ſaid.

LD. PRES. The court then, ſir, has ſomething elſe to ſay to you; which, altho' I know it will be very unacceptable, yet notwithſtanding they are willing, and are reſolved to diſcharge their duty.

Sir, you ſpeak very well of a precious thing, which you call peace: and it had been much to be wiſhed, that God had put it into your heart, that you had as effectually and really indeavored and ſtudied the peace of the kingdom, as now in words you ſeem to pretend: but, as you was told the other day, actions muſt expound intentions; yet actions have been clean contrary. And truly, ſir, it does appear plainly enough to them, that you have gone upon very erroneous principles: the kingdom has felt it to their ſmart; and it will be no eaſe to you to think of it: for, ſir, you have held yourſelf, and let fall ſuch language, as if you had been no ways ſubject to the law, or that the law had not been your ſuperior. Sir, the court is very ſenſible of it, and I hope ſo are all the underſtanding people of England, that the law is your ſuperior; that you ought to have ruled according to the law; you ought to have done ſo. Sir, I know very well your pretenſe has been, that you have done ſo; but, ſir, the difference has been, who ſhall be the expoſitors of this law: ſir, whether you and your party, out of courts of juſtice, ſhall take upon them to expound law, or the courts of juſtice, who are the expounders? Nay, the Sovereign and the High-court of Juſtice, the parliament of England, which are not only the higheſt expounders, but the ſole makers of the law? Sir, for you to ſet yourſelf with your ſingle judgment, and thoſe who adhere unto you, to ſet yourſelf againſt the higheſt court of juſtice, that is not law. Sir, as the law is your ſuperior, ſo truly, ſir, there is ſomething which is ſuperior to the law, and which is indeed the parent or author of the law, and that is the people of England: for, ſir, as they are thoſe who at the firſt (as other countries have done) did chuſe to themſelves this form of government, even for juſtice ſake, that juſtice might be adminiſtered, that peace might be preſerved; ſo, ſir, they gave laws to their governors, according to which they ſhould govern: and if thoſe laws ſhould have proved inconvenient or prejudicial to the public, they had a power in them, and reſerved to themſelves, to alter as they ſhall ſee cauſe. Sir, it is very true, what ſome of your ſide have ſaid, "Rex non habet parem in regno," ſo they: This court will ſay the ſame, while King, that you have not your peer in ſome ſenſe, for you are "major ſingulis;" but they will aver again, that you are "minor uni-verſis." And the ſame author tells you, that "non debet eſſe major eo in regno ſuo in exhibitione juris, "minimus autem eſſe debet in judicio ſuſcipiendo."

Bract. de leg. lib. 1. c. 8.

This we know to be law, "Rex habet ſuperiorem, Deum "& Legem, etiam & Curiam;" ſo ſays the ſame author. And truly, ſir, he makes bold to go a little farther, "Debent "ei ponere frænum:" they ought to bridle him. And, ſir, we know very well the ſtories of old: thoſe wars which were called the Barons War, when the nobility of the land did ſtand out for the liberty and property of the ſubject, and would not ſuffer the Kings, who did invade, to play the tyrants freer, but called them to account for it; we know that truth, that they did "frænum ponere." But, ſir, if they do forbear to do their duty now, and are not ſo mindful of their own honor, and the kingdom's good, as the barons of England of old were, certainly the commons of England will not be unmindful of what is for their preſervation, and for their ſafety; "Juſtitiæ "fruendi cauſa Reges conſtituti ſunt." This we learn; the end of having Kings, or any other governors, it is for the injoying of juſtice; that is the end. Now, ſir, if ſo be the King will go contrary to that end, or any other governor will go contrary to the end of his government; ſir, he muſt underſtand, that he is but an officer in truſt, and he ought to diſcharge that truſt; and they are to take order for the animadverſion and puniſhment of ſuch an offending governor.

This is not law of yeſterday, ſir (ſince the time of the diviſion betwixt you and your people) but it is law of old. And we know very well the authors and the authorities which do tell us what the law was in that point upon the election of Kings, upon the oath which they took unto their people: and if they did not obſerve it, there were thoſe things called parliaments; the parliaments were they who were to adjudge (the very words of the author) the plaints and wrongs done of the King and the Queen, or their children; ſuch wrongs eſpecially, when the people could have no where elſe any remedy. Sir, that has been the people of England's caſe: they could not have their remedy elſewhere but in parliament.

Sir, parliaments were ordained for that purpoſe, to redreſs the grievances of the people; that was their main end. And truly, ſir, if ſo be that the kingdom of England had been rightly mindful of themſelves, they were never more in majeſty and ſtate than in the parliament: but how forgetful ſome have been, ſtories have told us: We have a miſerable, a lamentable, a ſad experience of it. Sir, by the old laws of England, I ſpeak theſe things the rather to you, becauſe you were pleaſed to let fall the other day, you thought you had as much knowledge in the law as moſt gentlemen in England: it is very well, ſir. And truly, ſir, it is very fit for the gentlemen of England to underſtand that law under which they muſt live, and by which they muſt be governed. And then, ſir, the ſcripture ſays, "They who know their maſter's will and do it not:" what follows? The law is your maſter; the acts of parliament.

The parliaments were to be kept anciently, we find in our old author, twice in the year, that the ſubject, upon any occaſion, might have a ready remedy and redreſs for his grievance. Afterwards, by ſeveral acts of parliament, in the days of your predeceſſor Edward the Third, they ſhould have been once a year. Sir, what the intermiſſion of parliaments has been in your time it is very well known, and the ſad conſequences of it; and what in the interim, inſtead of theſe parliaments, has been by you by a high and arbitrary hand introduced upon the people, that likewiſe has been too well known and felt. But when God, by his providence, had ſo far brought it about, that you could no longer decline the calling a parliament, ſir, yet it will appear, what your ends were againſt the ancient and your native kingdom of Scotland: the parliament of England not ſerving your ends againſt them, you were pleaſed to diſſolve it. Another great neceſſity occaſioned the calling of this parliament; and what your deſigns, and plots, and indeavors all along have been, for the cruſhing and confounding of this parliament, has been very notorious to the whole kingdom. And truly, ſir, in that you did ſtrike all; that had been a ſure way to have brought about that which this charge lays upon you, your intention to ſubvert the fundamental laws of the land: for the great bulwark of the liberties of the people is the parliament of England; and to ſubvert and root up that, which your aim has been to do, certainly, at one blow, you had confounded the liberties and the property of England.

Truly, ſir, it makes me call to mind; I cannot forbear to expreſs it; for, ſir, we muſt deal plainly with you, according to the merits of your cauſe, ſo is our commiſſion: it makes me call to mind theſe proceedings of yours that which we read of a great Roman Emperor (by the way let us call him a great Roman Tyrant) Caligula, who wiſhed who the people of Rome had but one neck, that at one blow he might cut it off. And your proceedings have been ſomewhat like this: for the body of the people of England has been (and where elſe) repreſented but in the parliament; and could you have but confounded that, you had at one blow cut off the neck of England. But God has reſerved better things for us, and has pleaſed to confound your deſigns, and to break your forces, and to bring your perſon into cuſtody, that you might be reſponſible to juſtice.

Sir, we know very well that it is a queſtion much on your ſide preſſed, By what precedent we ſhall proceed? Truly, ſir, for precedents, I ſhall not, upon theſe occaſions, inſtitute any long diſcourſe; but it is no new thing to cite precedents almoſt of all nations, where the people (when power has been in their

their hands) have made bold to call their Kings to account; and where the change of government has been upon occaſion of the tyranny and miſgovernment of thoſe who have been placed over them. I will not ſpend time to mention either France, or Spain, or the Empire, or other countries; volumes may be written of it. But truly, ſir, that of the kingdom of Aragon, I ſhall think ſome of us have thought upon it, where they have the Juſtice of Aragon, that is, a man, "tanquam in "medio poſitus," betwixt the King of Spain and the people of the country; that if wrong be done by the King, he who is the King of Aragon, the Juſtice has power to reform the wrong; and he is acknowledged to be the King's ſuperior, and is the grand preſerver of their privileges, and has proſecuted Kings upon their miſcarriages.

Sir, what the Tribunes of Rome were heretofore, and what the Ephori were to the Lacedemonian ſtate, we know that is the parliament of England to the Engliſh ſtate: and tho' Rome ſeemed to loſe its liberty when once the Emperors were; yet you ſhall find ſome famous acts of juſtice even done by the Senate of Rome; that great tyrant of his time, Nero, condemned and judged by the Senate. But truly, ſir, to you I ſhould not need mention theſe foreign examples and ſtories: if you look but over Tweed, we find enough in your native kingdom of Scotland: if we look to your firſt King Fergus, whom your ſtories make mention of, he was an elective King: he died and left two ſons, both in their minority; the kingdom made choice of their uncle, his brother, to govern in the minority. Afterwards, the elder brother giving ſmall hopes to the people that he would rule or govern well, ſeeking to ſupplant that good uncle of his, who governed them juſtly, they ſet the elder aſide and took to the younger. Sir, if I ſhould come to what your ſtories make mention of; you know very well, you are the hundred and ninth King of Scotland: for to mention ſo many Kings as that kingdom, according to their power and privilege, have made bold to deal withal, ſome to baniſh, and ſome to impriſon, and ſome to put to death, it would be too long; and as one of your own authors ſays, it would be too long to recite the manifold examples which your own ſtories make mention of. Reges, &c. (ſay they) we do create; we created Kings at firſt: Leges, &c. we impoſed laws upon them. And as they are choſen by the ſuffrages of the people at firſt; ſo upon juſt occaſion, by the ſame ſuffrages they may be taken down again. And we will be bold to ſay, that no kingdom has yielded more plentiful experience than that your native kingdom of Scotland has done, concerning the depoſition and the puniſhment of their offending and tranſgreſſing Kings, &c.

It is not far to go for an example near you: your grandmother ſet aſide, and your father, an infant, crowned. And the ſtate did it here in England: here has not been a want of ſome examples. They have made bold (the parliament and the people of England) to call their Kings to account: there are frequent examples of it in the Saxons time, the time before the Conqueſt. Since the Conqueſt there want not ſome precedents neither; King Edward the Second, King Richard the Second, were dealed with ſo by the parliament, as they were depoſed and deprived. And truly, ſir, whoever ſhall look into their ſtories, they ſhall not find the articles, which are charged upon them, to come near to that height and capitalneſs of crimes which are laid to your charge; nothing near.

Sir, you were pleaſed to ſay, the other day, wherein they diſſent; and I did not contradict it. But take all together, ſir; if you were, as the charge ſpeaks, and no otherwiſe, admited King of England: but for that you were pleaſed then to allege how that, almoſt for a thouſand years, theſe things have been, ſtories will tell you, if you go no higher than the time of the Conqueſt; if you do come down ſince the Conqueſt, you are the twenty-fourth King from William called the Conqueror, you ſhall find one half of them to come merely from the ſtate, and not merely upon the point of deſcent. It were eaſy to be inſtanced to you; but time muſt not be loſt that way. And truly, ſir, what a grave and learned judge ſaid, in his time, and well known to you, and is ſince printed for poſterity, That altho' there was ſuch a thing as a deſcent many times, yet the Kings of England ever held the greateſt aſſurance of their titles, when it was declared by parliament. And, ſir, your oath, the manner of your coronation, do ſhew plainly, that the Kings of England, altho' it is true, by the law the next perſon in blood is deſigned, yet if there was juſt cauſe to refuſe him, the people of England might do it. For there is a contract and a bargain made between the King and his people, and your oath is taken: and certainly, ſir, the bond is reciprocal; for as you are the liege Lord, ſo they liege ſubjects. And we know very well what has been ſo much ſpoken of, "Ligeantia eſt duplex." This we know now, The one tie, the one bond, is the bond of protection, which is due from the Sovereign; the 'others is the bond of ſubjection, which is due from the ſubject. Sir, if this bond be once broken, farewell ſovereignty; "Subjectio trahit, &c."

Theſe things may not be denied, ſir: I ſpeak it rather and I pray God it may work upon your heart, that you be ſenſible of your miſcarriages. For whether you have been, as by your office you ought to be, a protector of England, or the deſtroyer of England, let all England judge, or all the world, which has looked upon it. Sir, tho' you have it by inheritance, in the way which is ſpoken of, yet it muſt not be denied that your office was an office of truſt, and indeed an office of the higheſt truſt lodged in any ſingle perſon: for as you were the grand adminiſtrator of juſtice, and others were, as your delegates, to ſee it done throughout your realms; if your greateſt office was to do juſtice, and preſerve your people from wrong, and inſtead of doing that, you will be the great wrong-doer yourſelf; if inſtead of being a conſervator of the peace, you will be the grand diſturber of the peace, ſurely this is contrary to your office, contrary to your truſt. Now, ſir, if it be an office of inheritance, as you ſpeak of, your title by deſcent, let all men know, that great offices are ſeizable and forfeitable, as if you had it but for a year, and for your life. Therefore, ſir, it will concern you to take into your ſerious conſideration your great miſcarriages in this kind.

Truly, ſir, I ſhall not particulariſe the many miſcarriages of your reign whatſoever; they are famouſly known: it had been happy for the kingdom, and happy for you too, if it had not been ſo much known, and ſo much felt, as the ſtory of your miſcarriages muſt needs be, and has been already.

Sir, that which we are now upon, by the command of the higheſt court, has been, and is to try and judge you for theſe great offenſes of yours. Sir, the charge has called you "Tyrant, a Traitor, a Murderer, and a public Enemy to the "Common-wealth of England." Sir, it had been well if any of all theſe terms might rightly and juſtly have been ſpared, if any one of them at all.

KING. Ha!

LD PRES. Truly, ſir, we have been told, "Rex eſt "dum bene regit, Tyrannus qui populum opprimit:" and if ſo be that be the definition of a Tyrant, then ſee how you come ſhort of it in your actions, whether the higheſt tyrant, by that way of arbitrary government, and which you have ſought to introduce, and which you have ſought to put, you were puting upon the people? Whether that was not as high an act of tyranny as any of your predeceſſors were guilty of, nay, many degrees beyond it?

Sir, the term Traitor cannot be ſpared. We ſhall eaſily agree it muſt denote and ſuppoſe a breach of truſt; and it muſt ſuppoſe it to be done to a ſuperior. And therefore, ſir, as the people of England might have incurred that reſpecting you, if they had been truly guilty of it, as to the definition of law; ſo, on the other ſide, when you did break your truſt to the kingdom, you did break your truſt to your ſuperior: for the kingdom is that for which you were truſted. And therefore, ſir, for this breach of truſt, when you are called to account, you are called to account by your ſuperiors. "Mi- "nimus ad majorem in judicium vocat." And, ſir, the people of England cannot be ſo far wanting to themſelves, God having dealed ſo miraculouſly and glorioufly for them; but that, having power in their hands, and their great enemy, they muſt proceed to do juſtice to themſelves and to you: for, ſir, the court could heartily deſire, that you would lay your hand upon your heart, and conſider what you have done amiſs, that you would indeavor to make your peace with God. Truly, ſir, theſe are your "High Crimes, Tyranny and Treaſon."

There is a third thing too, if thoſe had not been; and that is Murder, which is laid to your charge. All the bloody murders, which have been commited ſince this time when the diviſion was betwixt you and your people, muſt be laid to your charge, which have been acted or commited in theſe late wars. Sir, it is a heinous and crying ſin: and truly, ſir, if any man will aſk us, what puniſhment is due to a Murderer, let God's law, let man's law ſpeak. Sir, I will preſume, that you are ſo well read in ſcripture, as to know what God himſelf has ſaid concerning the ſheding of man's blood: Gen. 9. Num. 35. will tell you what the puniſhment is: and which this court, in behalf

behalf of the whole kingdom, are ſenſible of, of that innocent blood which has been ſhed, whereby indeed the land ſtands ſtill defiled with that blood; and, as the text has it, it can no way be cleanſed but with the ſheding of the blood of him who ſhed this blood. Sir, we know no diſpenſation from this blood in that commandment, "Thou ſhalt do no murder:" we do not know but that it extends to Kings as well as to the meaneſt peaſants, the meaneſt of the people; the command is univerſal. Sir, God's law forbids it; man's law forbids it: nor do we know that there is any manner of exception, not even in man's laws, for the puniſhment of murder in you. It is true that, in the caſe of Kings, every private hand was not to put forth itſelf to this work, for their reformation and puniſhment: but, ſir, the people repreſented, having power in their hands, had there been but one wilful act of murder by you commited, had power to have convened you, and to have puniſhed you for it.

But then, ſir, the weight which lies upon you in all thoſe reſpects which have been ſpoken, by reaſon of your Tyranny, Treaſon, Breach of Truſt, and the Murders which have been commited; ſurely, ſir, it muſt drive you into a ſad conſideration concerning your eternal condition. As I ſaid at firſt, I know it cannot be pleaſing to you to hear any ſuch things as theſe are mentioned unto you from this Court, for ſo we do call ourſelves, and juſtify ourſelves to be a court and a High-court of Juſtice, authoriſed by the higheſt and ſolemneſt court of the kingdom, as we have often ſaid: and altho' you do yet indeavor what you may to diſ-court us, yet we do take knowledge of ourſelves to be ſuch a court as can adminiſter juſtice to you; and we are bound, ſir, in duty to do it. Sir, all I ſhall ſay before the reading of your ſentence, it is but this; the court does heartily deſire, that you will ſeriouſly think of thoſe evils which you ſtand guilty of. Sir, you ſaid well to us the other day, you wiſhed us to have God before our eyes. Truly, ſir, I hope all of us have ſo: that God, who we know is a King of Kings, and Lord of Lords; that God with whom there is no reſpect of perſons; that God, who is the avenger of innocent blood: we have that God before us; that God, who does beſtow a curſe upon them, who with-hold not their hands from ſheding of blood, which is the caſe of guilty malefactors, and who do deſerve death: that God we have before our eyes. And were it not that the conſcience of our duty has called us unto this place, and this imployment, ſir, you ſhould have had no appearance of a court here. But, ſir, we muſt prefer the diſcharge of our duty unto God, and unto the kingdom, before any other reſpect whatſoever. And altho' at this time many of us, if not all of us, are ſeverely threatened by ſome of your party, what they intend to do, ſir, we do here declare, That we ſhall not decline or forbear the doing our duty in the adminiſtration of juſtice, even to you, according to the merit of your offenſe, altho' God ſhould permit thoſe men to effect all that bloody deſign in hand againſt us. Sir, we will ſay, and we will declare it, as thoſe children in the fiery furnace, who would not worſhip the golden image which Nebuchadnezzar had ſet up, "That their God was able to "deliver them from that danger which they were near unto:" but yet if he would not do it, yet notwithſtanding that, they would not fall down and worſhip the image. We ſhall thus apply it: that tho' we ſhould not be delivered from thoſe bloody hands and hearts, who conſpire the overthrow of the kingdom in general, of us in particular, for acting in this great work of juſtice, tho' we ſhould periſh in the work, yet, by God's grace, and by God's ſtrength, we will go on with it. And this is all our reſolutions. Sir, I ſay for yourſelf, we do heartily wiſh and deſire, that God would be pleaſed to give you a ſenſe of your ſins, that you would ſee wherein you have done amiſs, that you may cry unto him, that God would deliver you from blood-guiltineſs. A good King was once guilty of that particular thing, and was clear otherwiſe, ſaving in the matter of Uriah. Truly, ſir, the ſtory tells us that he was a repentant King; and it ſignifies enough, that he had died for it, but that God was pleaſed to accept of him, and to give him his pardon, "Thou ſhalt not die, but the child ſhall die: thou haſt given "cauſe to the enemies of God to blaſpheme."

KING. I would deſire only one word before you give ſentence; and that is, That you would hear me concerning thoſe great imputations, which you have laid to my charge.

LD PRES. Sir. you muſt give me now leave to go on; for I am not far from your ſentence, and your time is now paſſed.

KING. But I ſhall deſire you will hear me a few words to you: for truly, whatever ſentence you will put upon me in reſpect of thoſe heavy imputations, that I ſee by your ſpeech you have put upon me; ſir, it is very true, that——

LD PRES. Sir, I muſt put you in mind: truly, ſir, I would not willingly, at this time eſpecially, interrupt you in any thing you have to ſay, which is proper for us to admit of; but, ſir, you have not owned us as a court, and you look upon us as a ſort of people met together; and we know what language we receive from your party.

KING. I know nothing of that.

LD PRES. You diſavow us as a court; and therefore for you to addreſs yourſelf to us, not acknowledging us as a court to judge of what you ſay, it is not to be permited. And the truth is, all along, from the firſt time you were pleaſed to diſavow and diſown us, the court needed not to have heard you one word: for unleſs they be acknowledged a court, and ingaged, it is not proper for you to ſpeak. Sir, we have given you too much liberty already, and admited of too much delay, and we may not admit of any farther. Were it proper for us to do it, we ſhould hear you freely, and we ſhould not have declined to hear you at large, what you could have ſaid or proved on your behalf, whether for totally excuſing, or for in part excuſing thoſe great and heinous charges, which in whole or in part are laid upon you. But, ſir, I ſhall trouble you no longer; your ſins are of ſo large a dimenſion, that if you do but ſeriouſly think of them, they will drive you to a ſad conſideration of it, and they may improve in you a ſad and ſerious repentance: and that the court does heartily wiſh, that you may be ſo penitent for what you have done amiſs, that God may have mercy, at leaſtwiſe, upon your better part: truly, ſir, for the other, it is our parts and duties to do that which the law preſcribes. We are not here 'jus dare,' but 'jus dicere.' We cannot be unmindful of what the ſcripture tells us, "For to acquit the guilty is of equal abomination, as "to condemn the innocent:" we may not acquit the guilty. What ſentence the law affirms to a Traitor, Tyrant, a Murderer, and a public Enemy to the country, that ſentence you are now to hear read unto you; and that is the ſentence of the court.

The Lord Preſident commands the Sentence to be read; make an O Yes, and command ſilence while the ſentence is read.

O Yes made: ſilence commanded.

The clerk read the ſentence, which was drawn up in parchment: viz.

"WHEREAS the Commons of England in Parlia-
"ment had appointed them a High-court of Juſtice,
"for the trying of Charles Stuart, King of England, before
"whom he had been three times convened; and at the firſt
"time a Charge of High-treaſon, and other Crimes and Miſ-
"demeanors, was read in the behalf of the Kingdom of Eng-
"land, &c.

Here the clerk read the charge.

"Which charge being read unto him, as aforeſaid, he the
"ſaid Charles Stuart was required to give his anſwer: but he
"refuſed ſo to do;"—— and ſo expreſſed the ſeveral paſſages at his trial in refuſing to anſwer.

"For all which treaſons and crimes this Court doth adjudge,
"That the ſaid Charles Stuart, as a Tyrant, Traitor, Mur-
"derer, and a public Enemy, ſhall be put to death, by the
"ſevering his head from his body."

After the Sentence read, the lord preſident ſaid,

This Sentence now read and publiſhed, is the Act, Sentence, Judgment, and Reſolution of the whole Court.

Here the court ſtood up, as aſſenting to what the preſident ſaid.

KING. Will you hear me a word, ſir?

LD PRES. Sir, you are not to be heard after the ſentence.

KING. No, Sir?

LD PRES. No, Sir; by your favor, Sir. Guard, withdraw your priſoner.

KING. I may ſpeak after ſentence ———

By your favor, Sir, I may ſpeak after the ſentence ever.

By your favor, (hold!) the ſentence, ſir——

I ſay, ſir, I do———

I am not ſuffered for to ſpeak: expect what juſtice other people will have.

O Yes. All manner of perſons, who have any thing elſe to do,

do, are to depart at this time, and to give their attendance in the Painted-chamber; to which place this court doth forthwith adjourn itſelf.

Then the court roſe, and the King went with his guard to ſir Robert Cotton's, and from thence to Whitehall.

The Speech COOK deſign'd to have delivered, if the King had pleaded.

May it pleaſe your lordſhip,

MY lord preſident, and this High-court, erected for the moſt comprehenſive, impartial, and glorious piece of juſtice, which ever was acted and executed upon the theater of England, for the trying and judging of Charles Stuart, whom God in his wrath gave to be a King to this nation, and will, I truſt, in great love, for his notorious prevarications and blood-guiltineſs, take him away from us: he who hath been the original of all injuſtice, and the principal author of more miſchiefs to the free-born people of this nation, than the beſt arithmetician can well enumerate, ſtands now to give an account of his ſtewardſhip, and to receive the good of juſtice, for all the evil of his injuſtice and cruelty. Had he ten thouſand lives, they could not all ſatisfy for the numerous, horrid, and barbarous maſſacres of myriads and legions of innocent perſons, which by his commands, commiſſions, and procurements (or at leaſt all the world muſt needs ſay, which he might have prevented; and he who ſuffers any man to be kill'd, when he may ſave his life without danger of his own, is a murderer) have been cruelly ſlain, and inhumanly murdered, in this renowned Albion: Anglia hath been made an Akeldama, and her younger ſiſter Ireland a land of ire and miſery. And yet this hard-hearted man, as he went out of the court down the ſtairs, Jan. 22, ſaid (as ſome of his guard told me and others) That he was not troubled for any of the blood which has been ſhed, but for the blood of one man (peradventure he meaned Strafford.) He was no more affected with a liſt which was brought into Oxford of five or ſix thouſand ſlain at Edgehill, than to read one of Ben. Johnſon's tragedies. You gentlemen Royaliſts who fought for him, if ye had loſt your lives for his ſake, you ſee he would have no more pitied you by his own confeſſion, than you do a poor worm: and yet what heart but would cleave, if it were a rock; melt if it were ice; break if it were a flint; or diſſolve if it were a diamond, to conſider that ſo much precious Proteſtant blood ſhould be ſhed in theſe three kingdoms; ſo many gallant valiant men of all ſorts and conditions to be ſacrificed and loſe their lives, and many of them to die ſo deſperately in regard of their eternal conditions; and all this merely, and only for the ſatisfying and fulfilling of one man's ſinful luſt and wicked will? A good ſhepherd is he who lays down his life, or ventures it to ſave the ſheep; but for one to be ſo proudly wedded to his own conceits, as ſo maliciouſly to oppoſe his private opinion againſt the public judgment and reaſon of ſtate, and to make head againſt the parliament, who acknowledged him to be head thereof, ſo far as to give him the honor of the royal aſſent, in ſetling the militia and ſafety of the people: I ſay, for a Proteſtant Prince, ſo beloved at home, and feared abroad, who in love, and by gentle means might have had any thing from the parliament, for him to occaſion the ſhedding of ſo much blood for a pretended prerogative, as hereafter will appear, nothing in effect but to fix and perpetuate an abſolute tyranny; I can ſay no leſs, "But, O Lucifer, from whence art thou fallen?" And what heretics are they in politics, who would have had ſuch a man to live? Much more, that think his actions to have merited love and praiſe from heaven and earth. But now to diſſect the charge.

I. That the Kings of England are truſted with a limited power to govern by law, the whole ſtream and current of legal authorities run ſo limpid and clear, that I ſhould but weary thoſe who know it already, and trouble thoſe who need not know the particular caſes; for it is one of the fundamentals of law, that the King is not above the law, but the law above the King. I could eaſily deraign it from 1 Edw. 3. to the juriſdiction of courts, That the King has no more power or authority, than what by law is concredited and commited to him: but the moſt famous authority is Forteſcue, chancellor to Henry VI (and therefore undoubtedly would not clip his maſter's prerogative) who moſt judiciouſly takes a difference between a government wholly regal and ſeignoral, as in Turkey, Ruſſia, France, Spain, &c. and a goverment politic and mixed; where the laws keeps the beam even between ſovereignty and ſubjection, as in England, Denmark, Sweden, and Poland. The firſt, where the edict of a Prince makes the law, reſembles an impetuous inundation of the waters, whereby the corn and hay, and other fruits of the earth are ſpoiled, as when it is midwinter at midſummer; the latter is like a ſweet ſmooth ſtream, running by the pleaſant fields and meadows. That by the law of England the King ought not to impoſe any thing upon the people, or take any thing away from them to the value of a farthing, but by common conſent in parliaments or national meetings; and that the people of common right, and by ſeveral ſtatutes ought to have parliaments yearly, or oftner if need be, for the redreſs of public grievances, and for the enacting of good and wholeſome laws, and repealing of old ſtatutes of Omeri which are prejudicial to the nation: and that the King hath not by law ſo much power as a juſtice of peace, to commit any man to priſon for any offenſe whatſoever, becauſe all ſuch matters were commited to proper courts and officers of juſtice: and if the King by his verbal command ſend for any perſon to come before him, if the party refuſe to attend, and the meſſenger indeavoring to force him they fell to blows; if the meſſenger killed the party ſent for, this by the law is murder in him, but if he killed the meſſenger, this was juſtifiable in him, being in his own defenſe, ſo as to ſue forth a pardon of courſe: theſe and many other caſes of like nature are ſo clear and well known, that I will not preſume to multiply particulars.

That the King took an oath at his coronation to preſerve the peace of the nation, to do juſtice to all, and to keep and obſerve the laws which the people have, himſelf confeſſes: and it was charged upon the late archbiſhop, that he emaſculated the oath, and left out very material words, "Which the people ſhall chuſe:" which certainly he durſt not have done, without the King's ſpecial command. And it ſeems to me no light preſumption, that from that very day he had a deſign to alter and ſubvert the fundamental laws, and to introduce an arbitrary and tyrannical government. But tho' there had been no oath, yet by ſpecial office and duty of his place, every King of England is obliged to act for the peoples good: for all power, as it is originally in the people (he muſt needs be extreme ignorant, malicious, or a ſelf-deſtroyer, who ſhall deny it) ſo it is given forth for their preſervation, nothing for their deſtruction. For a King to rule by luſt, and not by law, is a creature which was never of God's making, not of God's approbation, but his permiſſion: and tho' ſuch men are ſaid to be gods on earth, it is in no other ſenſe than the devil is called the god of this world. It ſeems that one paſſage which the King would have offered to the court (but it was not permited him to diſpute the ſupreme authority in the nation; and ſtanding mute, the charge being for high-treaſon, it is a conviction in law) was, 1 Sam. viii. is a copy of the King's commiſſion, by virtue whereof, he, as King, might rule and govern as he "liſt; "That he might take the peoples ſons, and appoint "them for himſelf, for his chariots, and to be his horſemen, "and take their daughters to be his confectioners, and take "their fields, and vine-yards, and olive-yards, even the beſt "of them, and the goodlieſt young-men, and their aſſes, "and give them to his officers, and to his ſervants," which indeed is a copy and pattern of an abſolute tyrant and abſolute ſlaves, where the people have no more than the tyrant will afford them. The holy ſpirit in that chapter does not inſinuate what a good King ought to do, but what a wicked King would preſume to do. Beſide, Saul and David had extraordinary callings, but all juſt power is now derived from and confered by the people: yet, in the caſe of Saul, it is obſervable, that the people, out of pride to be like other nations, deſired a King, and ſuch a King as the heathens had, who were all tyrants: for they who know any thing in hiſtory, know that the firſt four Monarchs were all tyrants originally, 'till they gained the peoples conſent. Nimrod, the great hunter, was Ninus who builded Nineveh, the firſt tyrant and conqueror who had no title; and ſo were all kingdoms, which are not elective, 'till the peoples ſubſequent conſent: and tho' it be by deſcent, yet it is a continuation of a conqueſt: until the people conſent, and voluntarily ſubmit to a government, they are but ſlaves, and in reaſon they may free themſelves if they can. In France, the King begins his reign from the day of his coronation: the archbiſhop aſks the people, if he ſhall be King; the twelve peers, or ſome who perſonate them, ſay, Yes.

1ſt Book of Ord. fol.

Yes. They girt the ſword about him: then he ſwears to defend the laws. And is any thing more natural than to keep an oath? And tho' virtuous Kings have prevailed with the people to make their crowns hereditary, yet the coronation ſhews the ſhell the kernel hath been in. Samuel was a good judge, and there was nothing could be objected againſt him; therefore God was diſpleaſed at their inordinate deſire of a King; and it ſeems to me, that the Lord declares his diſlike of all ſuch Kings as the heathens were: that is, Kings with an unlimited power; who are not tied to laws; for he gave them a King in his wrath, therein dealing with them as the wiſe phyſician with the diſtempered and impatient patient, who deſiring to drink wine, tells him the danger of inflammation; yet wine he will have, and the phyſician, conſidering a little wine will do but little hurt, rather than his patient, by freting ſhould take greater hurt, preſcribes a little white-wine: wherein the phyſician doth not approve his drinking of wine; but of two evils chuſes the leaſt. The Jews would have a King for majeſty and ſplendor, like the heathens; God permits this, he approves it not: it ſeems to me, that the Lord renounces the very 'Genus' of ſuch Kings as are there mentioned, and the old word 'Coning' (by contraction King) does not ſignify power or force to do what he will, but a knowing, wiſe, diſcrete man, who opens the peoples eyes, and does not lead them by the noſes, but governs them with wiſdom and diſcretion for their own good. Therefore, gentlemen-Royaliſts, be not ſo mad as to miſconſtrue either the oaths of allegiance or ſupremacy, or any league or covenant, that any man ſhould ſwear to give any one leave to cut his throat: the true meaning is, that the King of England was ſupreme in this land, in oppoſition to the Pope, or any other Prince or Potentate, as the words of the oath do import, "That no foreign "State, Prince, or Potentate, &c." In caſe of any foreign invaſion, the King was, by law, to be generaliſſimo, to command the people for their own ſafety; and ſo it was expounded by the parliament, in 13 Eliz. which, for ſome reaſon of ſtate, was not permited to be printed with the ſtatutes. Beſide, God told thoſe Kings, whom he had formerly anointed, what their duty was; not to exalt themſelves overmuch above their brethren, but to delight themſelves in the law of God. Out of which I infer, that the Turks, Tartars, Muſcovites, French, Spaniards, and all people who live at the beck and nod of tyrannical men, may and ought to free themſelves from that tyranny, if, and when, they can; for ſuch tyrants who ſo domineer with a rod of iron, do not govern by God's permiſſive hand of approbation or benediction, but by the permiſſive hand of his providence, ſuffering them to ſcourge the people, for ends beſt known to himſelf, until he open a way for the people to work out their own infranchiſements.

But before I ſpeak of the war, it will be neceſſary, for the ſatisfaction of rational men, to open and prove the King's wicked deſign, wherewith he ſtands charged. Now that he had from the begining of his reign ſuch a deſign and indeavor ſo to tear up the foundations of government, that law ſhould be no protection to any man's perſon or eſtate, will clearly appear by what follows:

1. By his not taking the oath ſo fully as his predeceſſors did, that ſo when the parliament ſhould tender good laws to him for the royal aſſent, he might readily anſwer, that he was not, by oath, obliged to confirm or corroborate the ſame.

2. By his diſhonorable and perfidious dealing with the people at his coronation, when he ſet forth a proclamation, That, in regard of the infection then ſpread thro' the kingdom, he promiſed to diſpenſe with thoſe knights, who, by an old ſtatute, were to attend at the coronation, who were thereby required not to attend; but did notwithſtanding within a few months after take advantage of their abſenſe, and raiſed a vaſt ſum of money out of their eſtates at the Council-table: where they, pleading the ſaid proclamation for their juſtification, were anſwered, That the law of the land was above any proclamation: like that tyrant, who, when he could not, by law, execute a virgin, commanded her to be deflowered, and then put to death.

3. By his altering the patents and commiſſions to the judges, which having heretofore had their places granted to them for "ſo long as they ſhould behave themſelves well therein;" he made them but, "during pleaſure;" that if ſo the judges ſhould not declare the law to be as he would have it, he might with a wet finger remove them, and put in ſuch as ſhould not only ſay, but ſwear, if need were, "That the "law was as the King would have it." For when a man ſhall give five or ten thouſand pounds for a judge's place, during the King's pleaſure, and he ſhall, the next day, ſend to him, to know his opinion of a difference in law between the King and ſubject; and it ſhall be intimated to him, "That, if he "do not deliver his opinion for the King, he is likely to be re-"moved out of his place the next day:" which, if ſo, he knows not how to live, but muſt rot in a priſon for the money which he borrowed to buy his place; as was well known to be ſome of their caſes, who under-hand and cloſely bought great places to elude the danger of the ſtatute. Whether this was not too heavy a temptation for the ſhoulders of moſt men to bear, is no hard matter to determine. So as upon the matter, that very act of his made the King at leaſt a potential tyrant; for when that ſhall be law which a King ſhall declare himſelf, or which ſhall be declared by thoſe whom he chuſes, this brings the people to the very next ſtep to ſlavery.

But that which does irrefragably prove the deſign, was his reſtleſs deſire to deſtroy parliaments, or to make them uſeleſs: and for that, who knows not but that there were three or four national meetings in parliament in the firſt four years of his reign, which were called for ſupply, to bring money into his coffers, in point of ſubſidies, rather than for any benefit to the people; as may appear by the few good laws which were then made? But that which is moſt memorable, is the untimely diſſolving of the parliament in 4 Car. when ſir John Elliot (and others who managed a conference with the houſe of peers concerning the duke of Buckingham, who among other things, was charged concerning the death of King James) were commited cloſe priſoners to the Tower, where he loſt his life by cruel indurance; which I may not paſs over without a ſpecial animadverſion: for ſure, there is no Turk or Heathen but will ſay, that if he was any way guilty of his father's death, let him die for it.

I would not willingly be ſo injurious to the honeſt reader, as to make him buy that again which he hath formerly met with in the parliament's declaration, or elſewhere; in ſuch a caſe a marginal reference may be ſufficient. Nor would I herein be ſo preſumptuous, as to prevent any thing which haply may be intended in any declaration for more general ſatisfaction; but humbly to offer a ſtudent's mite, which ſatisfies myſelf, with ſubmiſſion to better judgments.

How the King firſt came to the crown, God and his own conſcience beſt knew. It was well known and obſerved at court that, a little before, he was a profeſſed enemy to the duke of Buckingham; but inſtantly, upon the death of King James, took him into ſuch ſpecial protection, grace and favor, that upon the matter he divided the kingdom with him. And when the earl of Briſtol had exhibited a charge againſt the ſaid duke, the 13th article whereof concerned the death of King James, he inſtantly diſſolved that parliament, that ſo he might protect the duke from the juſtice thereof, and would never ſuffer any legal inquiry to be made for his father's death. The rabbins obſerve, that what ſtuck moſt with Abraham about God's command to ſacrifice Iſaac, was this; "Can I not be "obedient, unleſs I be unnatural? What will the Heathens "ſay, when they hear I have killed my only ſon?" What will an Indian ſay to this caſe? A King has all power in his hand to do juſtice. There is one accuſed, upon ſtrong preſumptions at leaſt, for poiſoning that King's father; the King protects him from juſtice: whether do you believe that himſelf had any hand in his father's death? Had the duke been accuſed for the death of a beggar, he ought not to have protected him from a judicial trial. We know that, by law, it is no leſs than miſpriſion of treaſon to conceal a treaſon; and to conceal a murder, ſtrongly implies a guilt thereof, and makes him a kind of acceſſary to the fact. He who hath no nature to do juſtice to his own father, could it ever be expected that he ſhould do juſtice to others? Was he fit to continue a father to the people, who was without natural affection to his own father? Will he love a kingdom, who ſhewed no love to himſelf, unleſs it was, that he durſt not ſuffer inquiſition to be made for it? But I leave it as a riddle which, at the day of judgment, will be expounded and unriddled; for ſome ſins will not be made maniteſt 'till that day, with this only, That had he made the law of God his delight, and ſtudied therein night and day, as God commanded his Kings to do; or had he but ſtudied ſcripture half ſo much as Ben. Johnſon or Shakeſpear, he might have

have learned, That when Amaziah was ſetled in the kingdom, he ſuddenly did juſtice upon thoſe ſervants who had killed his father Joaſh: he did not, by any pretended prerogative, excuſe or protect them, but delivered them up into the hands of that juſtice which the horridneſs of the fact did undoubtedly demerit.

2 Kings 12. 20. and 14. 1, 5.

That parliament (4 Car.) proving ſo abortive, the King ſets forth a proclamation; that none ſhould preſume to move him to call parliaments, for he knew how to raiſe monies enough without the help of parliaments: therefore in twelve years refuſes to call any. In which interval and intermiſſion, how he had oppreſſed the people, by incroachments and uſurpations upon their liberties and properties; and what vaſt ſums of money he had forcibly exacted and exhauſted, by illegal patents and monopolies of all ſorts, I refer the reader to that moſt judicious and full "Declaration of the ſtate of the kingdom," publiſhed in the begining of this parliament. That judgment of ſhip-money did, upon the matter, formaliſe the people abſolute ſlaves, and him an abſolute tyrant: for if the King may take from the people, in caſe of neceſſity, and himſelf ſhall be judge of that neceſſity, then cannot any man ſay that he is worth ſix pence: for if the King ſays, that he hath need of that ſix pence, then by law he muſt have it. I mean that great Nimrod, who would have made all England a foreſt; and the people whom the biſhop calls his ſheep, to be his veniſon to be hunted at his pleaſure.

27. Mar. 5 Car.

Nor does the common objection, "That the judges and "evil counſellors, and not the King, ought to be reſponſible "for ſuch male-adminiſtration, injuſtice and oppreſſion," bear the weight of a feather in the balance of right reaſon. For, firſt: Who made ſuch wicked and corrupt judges? Were they not his own creatures? And ought not every man to be accountable for the works of his own hands? He who does not hinder the doing of evil, if it lies in his power to prevent it, is guilty of it, as a commander thereof. He who ſuffered thoſe black ſtars to inflict ſuch barbarous cruelties, and unheard-of puniſhments, as brandings, ſliting of noſes, &c. upon honeſt men, to the diſhonor of the Proteſtant religion, and diſgrace of the image of God ſhining in the face of man, he well deſerved to have been ſo ſerved. But ſecondly, He had the benefit of thoſe illegal fines and judgments. I agree, that if a judge ſhall oppreſs I. S. for the benefit of I. D. the King ought not to anſwer for this, but the judge, unleſs he protect the judge againſt the complaint of I. S. and in that caſe he makes himſelf guilty of it. But when unjuſt judgment is given againſt I. S. for the King's benefit, and the fine to come immediately into his coffers; he who receives the money muſt needs be preſumed to conſent to the judgment. But, thirdly: Mark a Machiavel-policy; "Call no parliaments to queſtion the in-"juſtice and corruption of judges for the peoples relief; and "make your own judges, and let that be law which they "declare; whether it be reaſonable or unreaſonable it is no "matter."

But then, how came it to paſs that we had any more parliaments? Had we not a gracious King to call a parliament when there was ſo much need of it, and to paſs ſo many gracious acts to put down the Star-chamber, &c.? Nothing leſs; it was not any voluntary free act of grace, not the leaſt ingredient or tincture of love or good affection to the people, which called the ſhort parliament in 1640; but to ſerve his own turn againſt the Scots, whom he then had deſigned to inſlave; and thoſe ſeven acts of grace, which the King paſſed, were no more than his duty to do, nor half ſo much; but giving the people a taſte of their own griſts; and he diſſents with them about the militia, which commanded all the reſt: he never intended thereby any more good and ſecurity to the people, than he who, ſtealing the gooſe, leaves the feathers behind him. But to anſwer the queſtion; thus it was.

The King, being wholly given up to be led by the counſels of a jeſuited party, who indeavored to throw a bone of diſſention among us, that they might caſt their net into our troubled waters, and catch more fiſh: for St. Peter's ſee perſuaded the King to ſet up a new form of prayer in Scotland, and laid the bait ſo cunningly, that whether they ſaw it or not, they were undone. If they ſaw the myſtery of iniquity couched in it, they would reſiſt, and ſo merit puniſhment for rebelling; if they ſwallowed it, it would make way for worſe. Well; they ſaw the poiſon, and refuſed to taſte it. The King makes war, and many who loved honor and wealth more, than God, aſſiſted him: down he went with an army; but his treaſure waſted in a ſhort time: fight they would not, for fear of an after-reckoning. Some commanders propound, that they ſhould make their demands; and the King grants all, comes back to London, and burns the pacification, ſaying it was counterfeit. They re-aſſume their forces; he raiſes a ſecond war againſt them, and was neceſſitated to call a parliament, offering to lay down ſhip-money for twelve ſubſidies. They refuſe; the King in high diſpleaſure breaks off the parliament, and in a declaration commands them, not to think of any more parliaments, for he would never call another.

There was a King of Egypt who cruelly oppreſſed the people. They, poor ſlaves, complaining to one another, he feared a riſing, and commanded, that none ſhould complain upon pain of cruel death. Spies being abroad, they often met, yet durſt not ſpeak, but parted with tears in their eyes; which declared, that they had more to utter, but durſt not. This ſtruck him to greater fears: he commanded, that none ſhould look upon one another's eyes at parting; therefore their griefs being too great to be ſmothered, they fetched a deep ſigh when they parted, which moved them ſo much to compaſſionate one another's wrongs, that they ran in and killed the tyrant. The long-hatching Iriſh treaſon was now ripe, and therefore it was neceſſary that England and Scotland ſhould be in combuſtion, leſt we might help the Iriſh Proteſtants. Well; the Scots get Newcaſtle; he knew they would truſt him no more, he had ſo often broke with them, therefore no hopes to get them out by a treaty. Many lords and the city petition for a parliament; the King was at ſuch a neceſſity, that yield he muſt to that which he moſt abhorred; God had brought him to ſuch a ſtrait, that he who, a few months before, aſſumed the power of God, commanding men not to think of parliaments, to reſtrain the free thoughts of the heart of man, was conſtrained to call one, which they knew he would break off when the Scots were ſent home, and therefore got a confirmation of it, that he ſhould not diſſolve it without the conſent of both houſes, of which he had no hopes, or by force, which he ſuddenly attempted; and the Engliſh army, in the north, was to have come up to confound the parliament, and this rebellious and diſloyal city, as the King called it; and for their pains were promiſed thirty thouſand pounds and the plunder, as by the examinations of colonel Goring, Legg, &c. doth moſt fully appear.

And here, by the way, I cannot but commend the city-malignants: he calls them rebels, they call him a gracious King: he, by his proclamation at Oxford, prohibits all commerce and intercourſe of trade between this populous city (the life and intereſt whereof conſiſts in trade, without which many thouſands cannot ſubſiſt) and other parts of the kingdom: ſtill they do good againſt evil; and, petitioning him ſo often to cut their throats, are troubled at nothing ſo much as that they are not reduced to that former and a worſe bondage than when there was a lord-warden made in the city, and the King ſent for as much of their eſtates as he pleaſed. But ſurely, the Oxfordſhire men are more to be commended; for when the King had commanded, by his proclamation, That what corn, hay, and other proviſion in the county of Oxford, could not be fetched into the ſaid city for his gariſon, ſhould be conſumed and deſtroyed by fire, for fear it ſhould fall into the hands of the parliament's friends (a cruelty not to be paralleled by any infidel, heathen, or pagan King; nor to be precedented among the moſt avowed and profeſſed enemies, much leſs from a King to his ſubjects) they reſolved never to truſt him more.

Darlingrub.

15 April. 20 Car.

But the great queſtion will be; What hath been the true ground and occaſion of the war? Which, unleſs I clear and put it out of queſtion, as the charge imports, I ſhall fall ſhort of what I chiefly aim at, viz. "That the King ſet up his "Standard of war, for the advancement and upholding of his "perſonal intereſt, power and pretended prerogative, againſt "the publick intereſt of common right, peace and ſafety:" and thus I prove it.

1. He fought for the militia by ſea and land, to have it at his abſolute diſpoſe, and to juſtify and maintain his illegal commiſſions of array; and this he pretended was his birthright, by the law of England: which if it were ſo, then might he, by the ſame reaſon, command all the money in the kingdom; for he who carries the ſword, will command the purſe.

2. The next thing which he pretended to fight for, was his power

power to call parliaments when he pleaſed, and diſſolve them when he liſt: if they will ſerve his turn, then they may ſit by a law to inſlave the people; ſo that the people had better chuſe all the courtiers and King's favorites at firſt, than to trouble themſelves with ludibrious elections, to aſſemble the freeholders together, to their great labor and expenſe both of time and coin; and thoſe who are choſen knights and burgeſſes, to make great preparations, to take long journies to London, themſelves and their attendants, to ſee the King and lords in their parliament-robes ride in ſtate to the houſe, and, with Domitian, to catch flies: and, no ſooner ſhall there be any breathings, or a ſpirit of juſtice ſtiring and diſcovered in the houſe of commons, but the King ſends the black-rod, and diſſolves the parliament, and ſends them back again as wiſe as they were before, but not with ſo much money in their purſes, to tell ſtories to the freeholders of the bravery of the King and lords.

3. Well; but if this be too groſs, and that the people begin to murmur and clamor for another parliament, then there goes out another ſummons, and they meet, and ſit for ſome time; but to as much purpoſe as before: for, when the commons have preſented any bill for redreſs of a public grievance, then the King has ſeveral games to play, to make all fruitleſs: as, firſt, his own negative voice, that if lords and commons are both agreed, then he will adviſe; which (I know not by what ſtrange doctrine) has been of late conſtrued to be a plain denial; tho', under favor, at the firſt it was no more but to allow him two or three days time to conſider of the equity of the law; in which time if he could not convince them of the injuſtce of it, then ought he, by his oath and by law, to conſent to it.

4. But if, by this means, the King had contracted hard thoughts from the people, and that, not only the commons, but many of the lords, who, have the ſame noble blood runing in their veins, as thoſe Engliſh barons whoſe ſwords were the chief inſtruments which purchaſed Magna Charta; then, that the King might be ſure to put ſome others between him and the peoples hatred, the next prerogative he pretended to have, was, to be the ſole judge of chivalry; to have the ſole power of confering honors; to make as many lords as he pleaſed, that ſo he might be ſure to have two againſt one, if the houſe of commons (by reaſon of the multitude of burgeſſes, which he likewiſe pretended a power to make as many borough-towns and corporations as he pleaſed) were not packed alſo. And this is that glorious privilege of the Engliſh parliaments, ſo much admired for——juſt nothing. For if this pretended prerogative might ſtand for law, as was challenged by his adherents, never was there a nicer cheat put upon any people, nor a more ready way to inſlave them, than by privilege of parliament: being juſt ſuch a mockery of the people, as was that mock-parliament at Oxford, were the King's conſent muſt be the figure, and the repreſentative ſtand for a cypher.

5. But then, out of parliament, the people are made to believe, that the King has commited all juſtice to the judges, and diſtributed the execution thereof into ſeveral courts; and that the King cannot ſo much as impriſon a man, or impoſe any thing upon, nor take any thing away from the people, as by law he ought not to do. But now ſee what prerogative he challenges.

1. If the King has a mind to have any public-ſpirited man removed out of the way, this man is killed, the murderer known, a letter comes to the judge, and, it may be, it ſhall be found but manſlaughter; if it be found murder, the man is condemned, but the King grants him a pardon, which the judge will allow, if the word "Murder" be in it: but becauſe it is too groſs to pardon murder, therefore the King ſhall grant him a leaſe of his life for ſeven years, and then renew it (like a biſhop's leaſe) as he did to major Pritchard, who was lately juſticed; who, being a ſervant to the earl of Lindſey, murdered a gentleman in Lincolnſhire, and was condemned, and had a leaſe of his life from the King, as his own friends have credible told me.

2. For matter of liberty. The King, or any courtier, ſends a man to priſon: if the judge ſets him at liberty, then put him out of his place; a temptation too heavy, for thoſe who love money and honor more than God, to bear: therefore any judgment which is given between the King and a ſubject, is not worth a ruſh; for what will not money do?

Next, he challenges a prerogative to inhance and debaſe monies, which by law was allowed him, ſo far as to balance trade, and no farther; that if gold went high beyond ſea, it might not be cheap here, to have it all bought up and tranſported: but under color of that, he challenges a prerogative, That the King may, by proclamation, make leather current, or make a ſix-pence go for twenty ſhillings, or twenty ſhillings for a ſix-pence. Which, not to mention any thing of the project of farthings, or braſs money, he who challenges ſuch a prerogative, is a potential tyrant: for if he may make my twelve-pence in my pocket worth but two-pence, what property has any man in any thing that he injoys?

Another prerogative pretended was, That the King may avoid any grant; and ſo may cozen and cheat any man by a law. The ground whereof is, That the King's grants ſhall be taken according to his intention; which, in a ſober ſenſe, I wiſh that all mens grants might be ſo conſtrued according to their intention expreſſed by word or writing. But, by this means, it being hard to know what the King intended, his grants have been like the devil's oracles, taken in any contrary ſenſe, for his own advantage.

1. REP. In the famous caſe of Altonwood, there is vouched lord Lovel's caſe: that the King granted lands to lord Lovel, and his heirs males; not for ſervice done, but for a valuable conſideration of money paid. The patentee well hoped to have injoyed the land, not only during his life, but that his heirs males, at leaſt of his body, ſhould have likewiſe injoyed it: but the judges finding it ſeems, that the King was willing to keep the money, and have his land again (for what other reaſon, no mortal man can fathom) reſolved, that it was a void grant, and that nothing paſſed to the patentee. I might inſtance many caſes of like nature, throughout all the reports. As one once made his boaſt, That he never made or paſſed any patent, or charter, from the crown, but he reſerved one ſtarting hole or other, and knew how to avoid it; and ſo merely to cozen and defraud the poor patentee. So that now, put all theſe prerogatives together, 1. The militia by ſea and land. 2. A liberty to call parliaments when he pleaſed; and to adjourn, prorogue, or diſſolve them at pleaſure. 3. A negative voice, that the people cannot ſave themſelves without him, and muſt cut their own throats, if commanded ſo to do. 4. The nomination and making of all the judges, who, upon peril of the loſs of their places, muſt declare the law to be as he pleaſes. 5. A power to confer honors upon whom, and how he pleaſes; a covetous baſe wretch, for five or ten thouſand pounds, to be courted, who deſerves to be carted. 6. To pardon murderers, whom the Lord ſays, ſhall not be pardoned. 7. To ſet a value and price of monies as he pleaſes; that if he be to pay ten thouſand pounds, he may make leather by his proclamation to be current that day, or five ſhillings to paſs for twenty ſhillings; and, if to receive ſo much twenty ſhillings to paſs for five ſhillings: and laſtly, a legal theft to avoid his own grants. I may boldly throw the gantlet, and challenge all the Machiavels in the world, to invent ſuch an exquiſite platform of tyrannical domination, and ſuch a perfect tyranny, without maim or blemiſh, as this is, and that by a law, which is worſt of all. But, the truth is, theſe are no legal prerogatives, but uſurpations, incroachments and invaſions upon the peoples rights and liberties: and this is eaſily effected, without any great depth of policy; for it is but being ſure to call no parliaments, or make them uſeleſs, and make the judges places profitable, and fix avarice upon the bench, and no doubt but the law ſhall ſound as the King would have it. But let me thus far ſatisfy the ingenuous reader, That all the judges in England cannot make one caſe to be law which is not reaſon, no more than they can prove a hair to be white which is black; which if they ſhould ſo declare or adjudge, it is a mere nullity: for law muſt be reaſon adjudged, where reaſon is the 'Genus;' and the judgment in ſome court makes the 'Differentiæ.' And I never found that the fair hand of the common law of England ever reached out any prerogative to the King above the meaneſt man, but in three caſes; 1. In matters of honor and pre-eminence to his perſon; and in matters of intereſt: that he ſhould have mines royal of gold and ſilver, in whoſe land ſoever they were diſcovered; and fiſhes-royal, as ſturgeons and whales, in whoſe ſtreams or water ſoever they were taken, which very rarely happened; or to have Tithes out of a pariſh which no body elſe could challenge: for ſays the law, "The moſt noble perſons "are to have the moſt noble things." 2. To have his patents freed from deceit, that he be not over-reached or cozened in his contracts, being imployed about the great and arduous affairs of the kingdom. 3. His rights to be freed from incurſion of time, not to be bound up by any ſtatute of non-claim: for indeed poſſeſſion is a vain plea, when the matter of right is in queſtion;

ſtion; for right can never die: and ſome ſuch honorable privileges of mending his plea, or ſuing in what court he will; and ſome ſuch prerogatives, of a middle, indifferent nature, which could not be prejudicial to the people. But that the law of England ſhould give the King any ſuch vaſt, immenſe, precipitating power, or any ſuch God-like ſtate, That he ought not to be accountable for wicked actions, or male-adminiſtrations and miſgovernment, as he has challenged and averred in his anſwer to the "Petition of Right," or any ſuch principles of tyranny; which are as inconſiſtent with the peoples liberties and ſafety as the Ark and Dagon, light and darkneſs, in an intenſive degree, is a moſt vain and irrational thing to imagine. And yet that was the ground of our war, as himſelf often declared; and that would not have half-contented him, if he had come in by the ſword. But ſome rational men object, How can it be murder (ſay they) for the King to raiſe forces againſt the parliament, ſince there is no other way of determining differences between the King and his ſubjects, but by the ſword? for the law is no competent judge between two ſupreme powers; and then if it be only a contending for each other's right, where is the malice which makes the killing of a man murder? Take the anſwer thus. Firſt; how is it poſſible to imagine two ſupreme powers in one nation, any more than two ſuns in one firmament? If the King be ſupreme, the parliament muſt be ſubordinate: if they ſupreme, then he ſubordinate. But then it is alleged, That the King challenged a power only co-ordinate that the parliament could do nothing without him, nor he without them. Under favor, two powers co-ordinate is as abſurd as the other: for tho', in quiet times, the commons have waited upon the King, and allowed him a negative voice in matters of leſs concernment, where delay could not prove dangerous to the people; yet when the commons ſhall vote, that the kingdom is in danger, unleſs the militia be ſo and ſo ſetled, if he will not then agree to it, they are bound in duty to do it themſelves: and it is impoſſible to imagine that ever any man ſhould have the peoples conſent to be their King upon other conditions; without which no man ever had right to wear the diadem: for conqueſt makes a title among wolves and bears, but not among men.

When the firſt agreement was concerning the power of parliaments, if the King ſhould have ſaid: Gentlemen; are you content to allow me any negative voice, that if you vote the kingdom to be in danger, unleſs ſuch an act paſs, if I refuſe to aſſent, ſhall nothing be done in that caſe? Surely no rational man but would have anſwered: may it pleaſe your majeſty; we ſhall uſe all dutiful means to procure your royal aſſent: but if you ſtill refuſe, we muſt not ſit ſtill, and ſee ourſelves ruined: we muſt and will ſave ourſelves, whether you will or no. And will any man ſay that the King's power is diminiſhed, becauſe he cannot hurt the people? Or that a man is leſs in health, who has many phyſicians to attend him? God is omnipotent, who cannot ſin; and all power is for the peoples good; but a Prince may not ſay, that is for the peoples good, which they ſee and feel to be for their hurt: and as for the malice the law implies, that, as when a thief ſets upon a man to rob him, he has no ſpite to the man, but love to the money: but it is an implied malice, that he will kill the people unleſs they will be ſlaves.

Q. "But, by what law is the King condemned?"

REP. By the fundamental law of this kingdom; by the general law of all nations, and the unanimous conſent of all rational men in the world, written in every man's heart, with the pen of a diamond, in capital letters, and a character ſo legible, that he who runs may read, viz. That when any man is intruſted with the ſword, for protection and preſervation of the people, if this man ſhall imploy to their deſtruction what was put into his hand for their ſafety, by the law of that land he becomes an enemy to that people, and deſerves the moſt exemplary and ſevere puniſhment can be invented. And this is the firſt neceſſary fundamental law of every kingdom, which, by intrinſical rules of government, muſt preſerve itſelf: and this law needed not be expreſſed, That, if a King become a Tyrant, he ſhall die for it; it is ſo naturally implied. We do not uſe to make laws which are for the preſervation of nature; that a man ſhould eat, and drink, and buy himſelf clothes, and injoy other natural comforts; no kingdom ever made any laws for it: and as we are to defend ourſelves, naturally, without any written law, from hunger and cold; ſo from outward violence; therefore, if a King would deſtroy a people, it is abſurd and ridiculous to aſk, by what law he is to die. And this law of nature is the law of God, written in the fleſhly tables of mens hearts; that, like the elder ſiſter, has a prerogative right of power before any poſitive law whatſoever: and this law of nature is an indubitable legiſlative authority of itſelf, which has a ſuſpenſive power over all human laws. If any man ſhall, by expreſs covenant under hand and ſeal, give power to another man to kill him, this is a void contract, being deſtructive to humanity. And, by the law of England, any act, or agreement, againſt the laws of God or nature; is a mere nullity: for as man has no hand in making the laws of God or nature; no more has he power to mar or alter them. If the pilot of a ſhip be drunk, and runing upon a rock; if the paſſengers cannot otherwiſe prevent it, they may throw him into the ſea to cool him: and this queſtion has received reſolution this parliament. When the militia of an army is commited to a general, it is not with any expreſs condition, that he ſhall not turn the mouths of his cannons againſt his own ſoldiers; for that is ſo naturally and neceſſarily implied, that it is needleſs to be expreſſed: inſomuch, as if he did attempt or command ſuch a thing againſt the nature of his truſt and place, it did "ipſo facto" eſtate the army in a right of diſobedience; unleſs any man be ſo groſly ignorant to think, that obedience binds men to cut their own throats, or their companions. Nor is this any ſecret of the law, which has lain hid from the begining, and now brought out to bring him to juſtice; but that which is connatural with every man, and innate in his judgment and reaſon and is as ancient as the firſt King, and an epidemical binding law to all nations in the world: for when many families agree, for the preſervation of human ſociety, to inveſt any King or governor with power and authority, upon the acceptance thereof, there is a mutual truſt and confidence between them, that the King ſhall improve his power for their good, and make it his work to procure their ſafeties, and they to provide for his honor; which is done to the common-wealth in him, as the ſword and enſigns of honor carried before the lord-mayor, are for the honor of the city. Now, as, when any one of this people ſhall compaſs the death of the governor, ruling well, this is a treaſon puniſhable with death, for the wrong done to the community, and Anathema be to ſuch a man; ſo when he, or they, who are truſted to fight the peoples battles, and to procure their welfare, ſhall prevaricate, and act to the inſlaving or deſtroying of the people, who are his liege lords, and all governors are but the peoples creatures, and the work of their hands, to be accountable as their ſtewards; and is it not ſenſeleſs for the veſſel to aſk the potter, by what law he calls it to account? this is high-treaſon with a witneſs, and far more tranſcendent than in the former caſe; becauſe the King was paid for his ſervice, and the dignity of the perſon does increaſe the offenſe. For a great man of noble education and knowledge, to betray ſo great a truſt, and abuſe ſo much love as the parliament ſhewed to the King, by petitioning him as good ſubjects, praying him as good chriſtians, adviſing him as good counſellors, and treating with him as the great council of the kingdom, with ſuch infinite care and tenderneſs of his honor; a courſe which God's people did not take with Rehoboam; they never petitioned him, but adviſed him; he refuſed their counſel and hearkened to young counſellors, and they cry, "To thy tents, O Iſrael:" and made quick and ſhort work of it: after all this, and much more longanimity and patience (which God exerciſes towards man to bring him to repentance) from the lord to the ſervant, for him not only to ſet up a ſtandard of war, in defiance of his dread ſovereign the people (for ſo they truly were in nature, tho' names have befooled us) but to perſiſt ſo many years in ſuch cruel perſecutions; who, with a word of his mouth, might have made a peace: If ever there was ſo ſuperlative a treaſon, let the Indians judge. And whoſoever ſhall break and violate ſuch a truſt and confidence, "Anathema Maranatha" be unto them.

Com. E. Leiceſter's caſe.

Q. "But, why was there not a written law, to make it "treaſon for the King to deſtroy the people, as well as for "a man to compaſs the King's death?

REP. Becauſe our anceſtors did never imagine, that any King of England would have been ſo deſperately mad, as to levy a war againſt the parliament and people; as, in the common inſtance of paricide, the Romans made no law againſt him who ſhould kill his father, thinking no child would be ſo unnatural as to be the death of him who was the author of his life: but when a child came to be accuſed for paricide

there was a more cruel puniſhment inflicted, than for other homicides; for he was thrown into the ſea in a great leather barrel with a dog, a jackanapes, a cock, and a viper, ſignificant companions for him, to be deprived of all the elements, as in my "Poor man's caſe," fol. 10. Nor was there any law made againſt parents, who ſhould kill their children; yet if any man was ſo unnatural, he had an exemplary puniſhment.

OBJ. "But is it not a maxim in law, That the King can "do no wrong?"

REP. For any man to ſay ſo, is blaſphemy againſt the great God of truth and love: for only God cannot err; becauſe what he wills is right, becauſe he wills it: and it is a ſad thing to conſider, how learned men, for unworthy ends, ſhould uſe ſuch art to ſubdue the people, by tranſportation of their ſenſes, as to make them believe the law is, "That the King "can do no wrong."

Firſt, for law; I do aver it, with confidence, but in all humility, that there is no ſuch caſe to be found in law, That if the King rob, or murder, or commit ſuch horrid extravagancies, it is no wrong. Indeed the caſe is put in Hen. 7. by a chief judge, That "if the King kill a man, it is no felony, "to make him ſuffer death;" that is, to be meaned in ordinary courts of juſtice: but there is no doubt but the parliament might try the King, or appoint others to judge him for it. We find caſes in law, that the King has been ſued even in civil actions.

In 43 Edw. 3. c. 22. it is reſolved, That all manner of actions did lie againſt the King, as againſt any lord; and 24 Edw. 3. c. 23. Wilby a learned judge ſaid, That there was writ "Præ-"cipe Henrico Regi Angliæ."

Indeed, Edw. I. did make an act of ſtate, That men ſhould ſue to him by petition; but this was not agreed unto in parliament: Thelwal. tit. Roye Digeſt. of Writs, 71. But after, when judges places grew great, the judges and biteſheeps began to ſing "Lullaby," and ſpeak "Placentia" to the King, that "my Lord the King is an Angel of "Light:" now Angels are not reſponſible to men, but God; therefore not Kings. And the judges, they begin to make the King a God, and ſay; That, by law, his ſtile is "Sa-"cred Majeſty," tho' he ſwears ever hour; and "Gracious "Majeſty," tho' gracious men be the chief objects of his hatred; and that the King hath an Omnipotency and Omnipreſenſe.

But, I am ſure, there is no caſe in law, That if the King levy a war againſt the parliament, and people, it is not treaſon. Poſſibly, that caſe in H. 7. may prove, That if the King ſhould, in his paſſion, kill a man, this ſhall not be felony to take away the King's life; for the inconveniency may be greater to the people, by puting a King to death for one offenſe and miſcarriage, than the execution of juſtice upon him can advantage them. But what is this to a levying war againſt a parliament? Never any judge was ſo devoid of underſtanding, as to deny that to be treaſon. But ſuppoſe a judge, who held his place at the King's pleaſure, did ſo, I am ſure never any parliament ſaid ſo. But what if there had, in dark times of Popery, been an act made, That the King might murder, raviſh, burn and perpetrate all miſchiefs, and play reaks with impunity; will any man, who has but wit enough to meaſure an ell of cloth, or to tell twenty, ſay, That this is an obligation for men to ſtand ſtill, and ſuffer a monſter to cut their throats, and grant commiſſion to rob at Shuters-hill; as ſuch, and no better, are all legal thefts and oppreſſions. The doctor ſays, That a ſtatute againſt giving alms to a poor man is void: he is no ſtudent, I mean, was never bound 'prentice to reaſon, who ſays, a King cannot commit treaſon againſt the people.

OBJ. "But are there not negative words, in the ſtatute of "25 Edw. 3. That nothing elſe ſhall be conſtrued to be trea-"ſon, but what is there expreſſed?"

REP. That the ſtatute was intended for the peoples ſafety, that the King's judges ſhould not make traitors by the dozens, to gratify the King or courtiers; but it was never meaned to give the King liberty to deſtroy the people: and tho' it be ſaid, That the King and parliament only may declare treaſon; yet, no doubt, if the King will neglect his duty, it may be ſo declared without him: for when many are obliged to do any ſervice, if ſome of them fail, the reſt muſt do it.

OBJ. "But is there any precedent, that ever any man was "put to death who did not offend againſt ſome written law; "for where there is no law there is no tranſgreſſion."

REP. It is very true, where there is neither law of God, nor nature, nor poſitive law, there can be no tranſgreſſion; and therefore that ſcripture is much abuſed, to apply it only to laws poſitive. For,

1. "Ad ea quæ frequentius, &c." It is out of the ſphere of all earthly law-givers to comprehend and expreſs all particular caſes which may poſſibly happen, but ſuch as are of moſt frequent concurrence; particulars being different, like the ſeveral faces of men different from one another; elſe laws would be too tedious; and, as particulars occur, rational men will reduce them to general reaſons of ſtate, ſo as every thing may be adjudged for the good of the community.

2. The law of England is "Lex non ſcripta", and we have a direction in the epiſtle to the 3 Rep. That when our law-books are ſilent, we muſt repair to the law of nature and reaſon. Hollingſhed, and other hiſtorians tell us, That, in 20 H. 8. lord Hungerford was executed for buggery, for which there was then no poſitive law to make it felony: and before any ſtatute againſt witchcraft, many witches have been hanged in England, becauſe it is death by God's law. If any Italian mountebank ſhould come over hither, and give any man poiſon, which ſhould lie in his body above a year and a day, and then kill him, as it is reported they can give a man poiſon which ſhall conſume the body in three years; will any make ſcruple or queſtion to hang up ſuch a raſcal? At Naples, the great treaſurer of corn, being intruſted with many thouſand quarters, at three ſhillings per buſhel, for the common good, finding opportunity to ſell it for five ſhillings per buſhel to foreign merchants, inriched himſelf exceedingly thereby. Corn growing ſuddenly dear, and the council calling him to account for it, he proffered to allow three ſhillings for it, as it was delivered into his cuſtody, and hoped thereby to eſcape: but for ſo great a breach of truſt, nothing would content the people but to have him hanged; and tho' there was no poſitive law for it, to make it treaſon, yet it was reſolved, by the beſt politicians, that it was treaſon to break ſo great a truſt, by the fundamental conſtitution of the kingdom, and that for ſo great an offenſe he ought to die, who durſt preſume to inrich himſelf by that which might indanger the lives of ſo many citizens: for, as ſociety is natural, ſo governors muſt of neceſſity, and in all reaſon, provide for the preſervation and ſuſtenance of the meaneſt member; they who are but as the little toe of the body-politic.

But concerning Ireland, where there were no fewer than one hundred fifty two thouſand men, women and children moſt barbarouſly and ſatanically murdered, in the firſt four months of the rebellion, as appeared by ſubſtantial proofs, at the King's-Bench, on the trial of Macguire: if the King had a hand or but a little-finger in that maſſacre, every man will ſay, "Let him die the death:" but how ſhall we be aſſured of that? How can we know the tree, better than by its fruits? For my own particular, I have imployed many ſerious thoughts about it, and I deſire in doubtful caſes to give charity the upper-hand; but I cannot, in my conſcience, acquit him of it. Many ſtrong preſumptions, and ſeveral oaths of honeſt men, who have ſeen the King's commiſſion for it, cannot but amount to a clear proof. If I meet a man runing down ſtairs with a bloody ſword in his hand, and find a man ſtabed in the chamber, tho' I did not ſee this man run into the body by that man whom I met, yet if I were of the jury, I durſt not but find him guilty of the murder; and I cannot but admire any man ſhould deny that for him, which he durſt never deny for himſelf. How often was that monſtrous rebellion thrown in his diſh? and yet he durſt never abſolutely deny it. Never was Bear ſo unwillingly brought to the ſtake, as he was to declare againſt the rebels, and when he did once call them rebels, he would ſuffer but forty copies to be printed, and thoſe to be ſent to him ſealed: and he has ſince, above forty times, called them his ſubjects, his good ſubjects, and ſent to Ormond to give ſpecial thanks to ſome of theſe rebels, as Muſkerry and Plunket: which I am confident, by what I ſee of his height of ſpirit and undaunted reſolution at his trial and ſince, acting the laſt part, anſwerable to the former part of his life, he would rather have loſt his life, than to have ſent thanks to two ſuch incarnate devils, if he not been as guilty as themſelves. Queſtionleſs, if the King had not been guilty of that blood, he would have made a thouſand declarations againſt thoſe blood-hounds and hell-hounds, who are not to be named but with fire and brimſtone, and have ſent to all Princes in the world for aſſiſtance againſt ſuch accurſed devils in the ſhape of men: but he durſt not offend thoſe fiends

and

and fire-brands; for if he had, I verily believe, they would ſoon have produced his commiſſion, under his hand and ſeal of Scotland at Edinburg, 1641, a copy whereof is in the parliament's hands, atteſted by oath, diſperſed by copies in Ireland, which cauſed the general rebellion.

OBJ. "He did not give commiſſion to kill the Engliſh, "but to take their forts, caſtles, towns and arms, and come "over and help him."

REP. And is it likely, all this could be effected without the ſlaughter of the poor Engliſh? Did the King ever call them rebels, but in forty proclamations, wrung from him forcibly, by the parliament's importunity? (murdering the Proteſtants was ſo acceptable to him!) and with this limitation, That none ſhould be publiſhed without his farther directions, as appears under Nicols's hand, now in the parliament's cuſtody. But the Scots were proclaimed rebels before they had killed a man, or had an army, and a prayer againſt them injoined in all churches; but no ſuch matter againſt the Iriſh.

Well; when the rebels were worſted in Ireland, the King makes war here to protect them, which, but for his fair words, had been prevented; often calling God to witneſs, he would as ſoon raiſe war on his own children: and men from Popiſh principles aſſiſt him. Well! we fought in jeſt, and were kept between wining and loſing: the King muſt not be too ſtrong, leſt he revenge himſelf; nor the parliament too ſtrong, for the commons would rule all; 'till Naſeby fight, and then the King could keep no more days of thankſgiving ſo well as we. Then he makes a ceſſation in Ireland, and many Iriſh came over to help him: Engliſh came over with Papiſts, who had ſcarce wiped their ſwords ſince they had killed their wives and children, and had their eſtates.

But thus I argue. The rebels knew that the King had proclamed them traitors, and forty copies were printed; and the firſt clauſe of an oath, injoined by the general-council of rebels, was, "To bear true faith and allegiance to King Charles, and "by all means to maintain his Royal prerogative, againſt the "Puritans in the parliament of England." Now, is any man ſo weak in his intellectuals, as to imagine that, if the rebels had, without the King's command or conſent, murdered ſo many Proteſtants, and he thereupon had really proclaimed them rebels, they would after this have taken a new oath to have maintained his prerogative? No, thoſe bloody devils had more wit than to fight in jeſt. If the King had once, in good earneſt, proclaimed them rebels, they would have burned their ſcabbards, and would not have ſtiled themſelves the King's and Queen's army, as they did. And truly, what the King ſaid for himſelf, That he would have adventured, to have gone in perſon, into Ireland, to ſuppreſs that rebellion, is but a poor argument to inforce any man's belief, that he was not guilty of the maſſacre: for it makes me rather think, that he had ſome hopes to have returned at the head of twenty or thirty thouſand rebels, to have deſtroyed this nation. For when the earl of Leiceſter was ſent, by the parliament, to ſubdue thoſe rebels, did not the King hinder him from going? And where not the clothes and proviſions, which were ſent by the parliament for the relief of the poor Proteſtants there, ſeized on by his command, and his men of war, and ſold or exchanged for arms and ammunition to deſtroy this parliament? And does not every man know, that the rebels in Ireland gave letters of mart for taking the parliament's ſhips, but freed the King's, as their very good friend's? And I have often heard it credibly reported, that the King ſhould ſay, That nothing more troubled him, but that there was not as much Proteſtant blood runing in England and Scotland, as in Ireland. And when that horrid rebellion began to break forth, how did the Papiſts here triumph and boaſt, that they hoped ere long to ſee London ſtreets run down in blood? And yet I do not think that the King was a Papiſt, or that he deſigned to introduce the Pope's ſupremacy in ſpiritual things into this kingdom: but thus it was. A Jeſuitical party at court was too prevalent in his councils, and ſome mungrel Proteſtants, who leſs hated the Papiſts than the Puritans, by the Queen's mediation joined all together to deſtroy the Puritans; hoping that the Papiſts and the Laodicean Proteſtants would agree well enough together. And laſtly, if it be ſaid, that if the King and the rebels were never fallen out, what need had Ormond to make a pacification, or peace, with them, by the King's commiſſion under the great-ſeal of Ireland? Truly there has been ſo much daubing, and ſo little plain-dealing, that I wonder how there comes to be ſo many beggars.

Concerning the betraying Rochel, to the inſlaving of the Proteſtant party in France, I confeſs, I heard ſo much of it, and was ſo ſhamefully reproached for it in Geneva, and by the Proteſtant miniſters in France, that I could believe no leſs than that the King was guilty of it. I have heard fearful exclamations, from the French Proteſtants, againſt the King and the late duke of Buckingham, for betraying Rochel; and ſome of the miniſters told me, ten years ſince, That God would be revenged of the wicked King of England, for betraying Rochel. And I have often heard Deodati ſay, concerning Henry IV of France, That the Papiſts had his body, but the Proteſtants had his heart and ſoul; but for the King of England, the Proteſtants had his body, but the Papiſts had his heart: not that I think he did believe Tranſubſtantiation; but I verily believe, that he loved a Papiſt better than a Puritan.

The duke of Rohan, who was a gallant honeſt man, and the King's godfather, would often ſay, "That all the blood "which was ſhed in Dauphiné would be caſt upon the King "of England's ſcore." For thus it was: The King ſent a letter to the Rochelers, by ſir William Beecher, to aſſure them, that he would aſſiſt them to the uttermoſt againſt the French King, for the liberty of their religion; conditionally, That they would not make any peace without him: and Montague was ſent into Savoy, and to the duke of Rohan, to aſſure them from the King, that thirty thouſand men ſhould be ſent out of England, to aſſiſt them againſt the French King, in three fleets; one to land in the iſle of Rheé; a ſecond in the river of Bourdeaux; and a third in Normandy. Upon this, the duke of Rohan, being general for the Proteſtants, not ſuſpecting that the French durſt aſſault him in Dauphiné (becauſe the King of England was ready to invade him as he had promiſed) drew out his army upon diſadvantage: whereupon the French King imployed all his army into Dauphiné againſt the Proteſtants, who were forced to retreat, and the duke of Rohan to flee to Geneva, and the Proteſtants to accept of peace upon very hard conditions, to ſtand barely at the King's devotion for their liberties, without any cautionary towns of aſſurance, as formerly they had; being ſuch a peace, as the ſheep make with the wolves, when the dogs are diſmiſſed. And the Proteſtants have, ever ſince, cryed out to this very day, It is not the French King who did us wrong, for then we could have borne it; but it was the King of England, a profeſſed Proteſtant, who betrayed us. And when I have many times intreated Deodati, and others, to have a good opinion of the King; he would anſwer me, That we are commanded to forgive our enemies, but not to forgive our friends.

There is a Frenck book, printed about two years ſince, called "Memoires du Monſieur de Rohan," where the King's horrid prefidiouſneſs, and deep diſſimulation, is very clearly unfolded and diſcovered. To inſtance but in ſome particulars; the King having ſolemly ingaged to the Rochelers, that he would hazard all the forces he had in his three kingdoms, rather than they ſhould periſh, did, in order thereunto, to gain credulity with them, ſend out eight ſhips to ſea, commanded by ſir John Pennington, to aſſiſt the Rochelers, as was pretended, but nothing leſs intended; for Pennington aſſiſted the French King againſt the Rochelers, which made ſir Ferdinando Gorge to go away with the Great Neptune, in deteſtation of ſo damnable a plot: and the Engliſh maſters and owners of ſhips refuſing to lend their ſhips to deſtroy the Rochelers, whom with their ſouls they deſired to relieve, Pennington, in a mad ſpite, ſhot at them.

Soubiſe, being agent here in England for the French Proteſtants, acquainted the King how baſely Pennington had dealed, and that the Engliſh ſhips had mowed down the Rochel ſhips like graſs, not only to the great danger and loſs of the Rochelers, but to the eternal diſhonor of this nation, ſcandal of our religion, and diſadvantage of the general affairs of all the Proteſtants in Chriſtendom. The King ſeems to be diſpleaſed, and ſays; "What a knave is this Pennington!" but whether it was not feigned, let all the world judge. But the thing being ſo plain, ſaid Soubiſe to the King, "Sir, why did the Engliſh "ſhips aſſiſt the French King, and thoſe who would not, were "ſhot at by your admiral? The French Proteſtants are no "fools; how can I make them believe that you intend their "welfare?" The King was much put to it for a ready anſwer, but at laſt thus it was patched up; That the French King had a deſign to be revenged on Genoua, for ſome former affront, and that the King lent him eight Engliſh ſhips to be imployed for Genoua;

Genoua; and that, ſailing towards Genoua, they met with ſome of the Rochelers accidentaly, and that the Engliſh did but look on, and could not help it, not having any commiſſion to fight, at that preſent: wherein the Rochelers might and would have declined a ſea-fight if they had not expected our aſſiſtance. But ſtill the poor Proteſtants were willing rather to blame Pennington than the King, who, in great ſeeming zeal, being ſurety for the laſt peace between the French King and his Proteſtant ſubjects, ſends Devick to the duke of Rohan, to aſſure him, that if Rochel was not ſpeedily ſet at liberty (which the French King had beſieged, contrary to his agreement) he would imploy his whole ſtrength, and in his own perſon ſee it performed. Which being not done, then the King ſends the duke of Buckingham to the iſle of Rheé, and gives new hopes of better ſucceſs to Soubiſe; commanding the admiral and officers in the fleet, in Soubiſe's hearing, to do nothing without his advice. But when the duke came to land at the iſle of Rheé, many gallant Engliſh loſt their lives, and the duke brought back three hundred tons of corn from the Rochelers, which he had borrowed of them, pretending a neceſſity for his Engliſh, which was but feigned, knowing it was a city impregnable, ſo long as they had proviſion within. I confeſs the Rochelers were not wiſe, to lend this duke their corn, conſidering how they had been dealed with. But what a baſe thing was it ſo to betray them, and to ſwear unto them, that they ſhould have corn enough ſent from England, before they wanted it! And for a long time, God did miraculouſly ſend them in a new kind of fiſh, which they never had before. But when the duke came to court, he made the honeſt Engliſh believe, that Rochel would ſuddenly be relieved, and that there was not the leaſt danger of the loſs of it: but ſecretary Cook, an honeſt underſtanding gentlemen, and the only friend at court to the Rochelers, laboring to improve his power to ſend ſome ſuccor to Rochel, was ſuddenly ſent away from court upon ſome ſleeveleſs errand, or, as ſome ſay, to Portſmouth, under color of providing corn for Rochel; but the duke ſoon after went thither, and ſaid, His life upon it, Rochel is ſafe enough. And the next day, Soubiſe being at Portſmouth, he preſſed the duke of Buckingham moſt importunately to ſend relief to Rochel, then or never. The duke told him, that he had juſt then heard good news of the victualing of Rochel, which he was going to tell the King: which Soubiſe making doubt of, the duke affirmed it by an oath; and having the words in his mouth, he was ſtabbed by Felton, and inſtantly died. The poor Rochelers ſeeing themſelves ſo betrayed, exclaimed on the Engliſh and were conſtrained thro' famine to ſurrender the city; yet new aſſurances came from the King to the duke of Rohan, that he ſhould never be abandoned, and that he ſhould not be diſmayed nor aſtoniſhed for the loſs of Rochel.

But Soubiſe ſpoke his mind freely at court, that the Engliſh had betrayed Rochel, and that the loſs of that city was the apparent perdition and loſs of thirty two places of ſtrength from the French Proteſtants in Languedoc, Piedmont, and Dauphiné: therefore it was thought fit that he ſhould have a fig given him to ſtop his mouth. Well; not long after, two capuchins were ſent into England to kill honeſt Soubiſe, and the one of them diſcovered the other. Soubiſe rewarded the diſcoverer, and demanded juſtice here againſt the other, who was a priſoner; but by what means you may eaſily imagine, that aſſaſſinate raſcal, inſtead of being whiped, or receiving ſome more ſevere puniſhment, was releaſed, and ſent back into France with money in his purſe: and one of the meſſengers, who was ſent from Rochel to complain of thoſe abominable treacheries, was taken here; and, as the duke of Rohan writes, was hanged for ſome pretended felony or treaſon: and much more to this purpoſe may be found in the duke of Rohan's memorials. But yet I know many wiſe ſober men do acquit the King from the guilt of the loſs of Rochel, and lay it upon the duke, as if it were but a loſs of his reputation. They ſay, that the duke of Buckingham agitated his affairs neither for religion, nor the honor of his maſter; but only to ſatisfy his paſſion in certain fooliſh vows which he made in France, entered upon a war: and that the buſineſs miſcarried thro' ignorance, and for want of underſtanding to manage ſo difficult a negociation, he being unfit to be either admiral or general.

I confeſs that, for many years, I was of that opinion, and thought the King was ſeduced by evil counſel; and ſome thought Buckingham and others ruled him as a child, and durſt do what they liſt: but certainly he was too politic and ſubtil a man to be ſwayed by any thing but his own judgment. Since Naſeby-letters, I ever thought him principal in all tranſactions of ſtate, and the wiſeſt about him but acceſſaries. He never acted by any implicit faith in ſtate-matters: the proudeſt of them all durſt never croſs him in any deſign, when he had once reſolved upon it. Is any man ſo ſoft-brained to think, that the duke, or Pennington, durſt betray Rochel without his command? Would not he have hanged them up at their return, if they had wilfully tranſgreſſed his commands? A thouſand ſuch excuſes made for him, are but like Iriſh quagmires, which have no ſolid ground or foundation in reaſon. He was well known to be a great ſtudent in his younger days, that his father would ſay, He muſt make him a biſhop. He had more learning and dexterity in ſtate-affairs, undoubtedly, than all the Kings in Chriſtendom: if he had had grace anſwerable to his ſtrong parts, he had been another Solomon; but his wit and knowledge proved like a ſword in a mad-man's hand: he was a ſtranger to the work of grace and the ſpirit of God; and all thoſe meanders in ſtate, his ſerpentine turnings and windings, have but brought him to ſhame and confuſion. But I am fully ſatisfied, none of his council durſt ever adviſe him to any thing, but what they knew before he reſolved to have done; and that they durſt as well take a bear by the tooth, as do, or conſent to the doing of any thing, but what they knew would pleaſe him: they did but hew and ſquare the timber, he was the maſter-builder who gave the form to every architecture: and being ſo able and judicious to diſcern of every man's merits, never think that the duke, or Pennington, or any judge or officer, did ever any thing for his advantage without his command, againſt law or honor.

Upon all which premiſes, may it pleaſe your lordſhip, I do humbly demand and pray the juſtice of this High-court; and yet not I, but the innocent blood, which has been ſhed in theſe three kingdoms, demands juſtice againſt him. This blood is vocal, and cries aloud, and yet ſpeaks no better, but much louder than the blood of Abel; for what proportion has the blood of that righteous man, to the blood of ſo many thouſand? If King Ahab and Queen Jezabel, for the blood of one righteous Naboth (who would not ſell his inheritance for the full value) were juſtly put to death; what puniſhment does he deſerve, who is guilty of the blood of thouſands, and fought for a pretended prerogative, that he might have any man's eſtate which he liked, without paying for it? This blood has long cried; How long parliament, how long army, will ye forbear to avenge our blood? Will ye not do juſtice upon the capital author of all injuſtice? When will ye take the proud lion by the beard which defies you with imperious exultations? What is the houſe of commons? What is the army? As Pharaoh ſaid, "Who is the Lord? and who is Moſes?" I am not accountable to any power on earth; thoſe who were murdered at Brentford, knocked on the head in the water, and thoſe honeſt ſouls who were killed in cold blood at Bolton and Liverpool in Lancaſhire, at Bartomly in Cheſhire, and many other places, their blood cries night and day for juſtice againſt him; their wives and their children cry, "Juſtice upon the murderer, "or elſe give us our fathers and huſbands again." Nay, ſhould the people be ſilent, the very ſtones and timber of the houſes would cry for juſtice againſt him. But, my lord, before I pray judgment, I humbly crave leave to ſpeak to two particulars. 1. Concerning the priſoner. When I conſider what he was, and how many prayers have been made for him, tho' I know that all the world cannot reſtore him nor ſave his life, becauſe God will not forgive his temporal puniſhment; yet if God, in him, will be pleaſed to add one example more to the church of his unchangeable love to his elect in Chriſt, not knowing but that he may belong to the election of grace; I am troubled in my ſpirit, in regard of his eternal condition, for fear that he ſhould depart this life without love and reconciliation to all thoſe ſaints whom he hath ſcorned under the notion of Preſbyterians, Anabaptiſts, Independents and Sectaries. It cannot be denied, but that he hath paſſed all his days in unmeaſurable pride; that, during his whole reign, he has deported himſelf as a God, been depended upon, and adored as God; who has challenged and aſſumed an omnipotent power, an earthly omnipotence; who with the breath of his mouth has diſſolved parliaments; his "Non placet" has made all the counſels of that ſupreme court to become abortives. "Non "curo" has been his motto, who, inſtead of being honored as good Kings ought to be, and no more, has been idolized and adored, as our good God only ought to be. A man who has ſhot all his arrows againſt the upright in the land; hated

Chriſt

Chriſt in his members; ſwallowed down unrighteouſneſs as the ox drinks water; eſteemed the needy as his footſtool; cruſhed honeſt public-ſpirited men, and grieved when he could not afflict the honeſt more than he did; counted it the beſt art and policy to ſuppreſs the righteous, and to give way to his courtiers ſo to gripe, grind, oppreſs and over-reach the free people of this land, that he might do what he liſt (the remembrance whereof would pierce his ſoul, if he knew the precioufneſs of it) but all ſins to an infinite mercy are equally pardonable: therefore my prayer for this poor wretch ſhall be, That God would ſo give him repentance to life, that he may believe in that Chriſt, whom he hath impriſoned, perſecuted and murdered in the ſaints; that he who has lived a tyrant, and hated nothing ſo much as holineſs, may die a convert, and in love to the ſaints in England; that ſo the tears of the oppreſſed and the afflicted may not be as ſo many fiery ſtinging ſerpents, cauſing an eternal deſpairing, continual horror to this miſerable man, when all tyrants ſhall be aſtoniſhed, and innocent blood will affright more than twelve legions of devils. All the hurt I wiſh to him, is, That he may look the ſaints in the face with comfort; for the ſaints muſt judge the world: and however it may be, he or his adherents may think it a brave Roman ſpirit, not to repent of any thing, nor expreſs ſorrow for any ſin, tho' never ſo horrid, taking more care and fear not to change their countenance upon the ſcaffold, than what ſhall become of them after death; yet I beſeech your lordſhip, that I may tell him, and all the malignants now living, but this; Charles Stuart, unleſs you depart this life in love and reconciliation to all thoſe ſaints and godly men, whom you have either ignorantly or maliciouſly oppoſed, mocked, and perſecuted, and ſtill ſcorn and jeer at, as heretics and ſectaries, there is no more hopes for you ever to ſee God in comfort, than for me to touch the heavens with my finger, or with a word to annihilate this great building, or for the devil to be ſaved; which he might be, if he could love a ſaint as ſuch. No, ſir, it will be too late for you to ſay to thoſe ſaints, whom you have defied, Give me ſome of your holineſs, that I may behold God's angry countenance. You can expect no anſwer, but, Go buy, ſir, of thoſe ſoul-huckſters, your biſhops, who fed you with chaff and poiſon; and now you muſt feed upon fire and brimſtone to all eternity.

2. Concerning myſelf, I bear no more malice to the man's perſon, than I do to my dear father; but I hate that curſed principle of tyranny, which has ſo long lodged and harbored within him, which has turned our waters of law into blood. And therefore, upon that malignant principle, I hope this High-court (which is a habitation of juſtice, and a royal palace of principles of freedom) will do ſpeedy juſtice; that this lion which has devoured ſo many ſheep, may not only be removed out of the way, but that this iron ſcepter, which has been lifted up to break this poor nation in pieces like a potter's veſſel, may be wreſted out of the hands of tyrants; that my honorable clients (for whom I am a moſt unworthy advocate) the people of England, may not only taſte, but drink abundantly of thoſe ſweet waters of that well of liberty, which this renowned army has digged with their ſwords, which was ſtoped by the Philiſtines, the fierce Jew, and uncircumciſed Canaanite; the hopes whereof made me readily hearken to the call to this ſervice, as if it had been immediately from heaven, being fully ſatisfied, that the priſoner was long ſince condemned to die by God's law, which being more noble and ancient than any law of man, if there had been a ſtatute that he ſhould not die, yet he ought to be put to death notwithſtanding; and that this High-court was but to pronounce the ſentence and judgment written againſt him. And tho' I might have been ſufficiently diſcouraged, in reſpect that my reaſon is far leſs than others of my profeſſion; yet, conſidering that there are but two things deſirable, to make a dumb man eloquent, namely, a good cauſe, and good judges; the firſt whereof procures the juſtice of heaven, and the ſecond, juſtice upon earth; and thinking that happily God might make uſe of one mean man at the bar, among other learned counſel, that more of his mind might appear in it (for many times the leſs there is of man, the more God's glory does appear; and hitherto very much of the mind of God has appeared in this action) I went as cheerfully about it, as to a weding. And that the glory of this adminiſtration may be wholly given to God, I deſire to obſerve, to the praiſe of his great name, the work of God upon my own ſpirit, in his gracious aſſiſtance and preſenſe with me, as a return of prayer, and fruit of faith; believing that God never calls to the acting of any thing ſo pleaſing to him, as this moſt excellent court of juſtice is, but he is preſent with the honorable judges, and thoſe who wait upon them. I have been ſometimes of counſel againſt felons and priſoners; but I never moved the court to proceed to judgment againſt any felon, or to keep any man in priſon, but I trembled at it in my thoughts, as thinking it would be eaſier to give account of mercy and indulgence, than of any thing which might look like rigor: but now my ſpirits are quite of another temper, and I hope it is meat and drink to good men to have juſtice done; and recreation to think what benefit this nation will receive by it.

And now, my lord, I muſt, as the truth is, conclude him guilty of more tranſcendent treaſons, and enormous crimes, than all the Kings in this part of the world have ever been. And as he who would picture Venus, muſt take the eyes of one, the cheeks of another beautiful woman, and ſo other parts, to make a complete beauty; ſo to delineate an abſolute tyrant, the cruelty of Richard the Third, and all the ſubtilty, treachery, deep diſſimulation, abominable projects, and diſhonorable ſhifts, which ever were ſeparately in any who ſwayed the Engliſh ſcepter, conſpired together to make their habitation in this whited wall. Therefore I humbly pray, That as he has made himſelf a precedent in commiting ſuch horrid acts, which former Kings and ages knew not, and have been afraid to think of, That your lordſhip and this High-court, out of your ſublime wiſdoms, and for juſtice-ſake, would make him an example for other kingdoms for the time to come, that the Kings of the earth may hear and fear, and do no more ſo wickedly; that he, who would not be a pattern of virtue, and example of juſtice in his life, may be a precedent of juſtice to others by his death.

The Journal of the High-court of Juſtice, for the trial of King CHARLES I; as it was read in the Houſe of Commons, and atteſted under the hand of Phelps, clerk to that court; with additions by J. Nalſon, L.L.D.

Act of the Commons of England, aſſembled in parliament, for erecting a High-court of Juſtice, for the trying and judging of Charles Stuart, King of England.

" WHereas it is notorious, That Charles Stuart, the " now King of England, not content with thoſe many " incroachments which his predeceſſors had made " upon the people in their rights and freedoms, has " had a wicked deſign totally to ſubvert the ancient and fun- " damental laws and liberties of this nation, and in their place " to introduce an arbitrary and tyrannical government; and " that beſide all other evil ways and means to bring this deſign " to paſs, he has proſecuted it with fire and ſword, levied and " maintained a cruel war in the land, againſt the parliament " and kingdom; whereby the country has been miſerably " waſted; the public treaſure exhauſted; trade decayed; thou- " ſands of people murdered, and infinite other miſchiefs com- " mited; for all which high and treaſonable offenſes, the ſaid " Charles Stuart might long ſince juſtly have been brought to " exemplary and condign puniſhment. Whereas alſo the par- " liament, well hoping that the reſtraint and impriſonment of " his perſon, after it had pleaſed God to deliver him into " their hands, would have quieted the diſtempers of the king- " dom, did forbear to proceed judicially againſt him; but " found by ſad experience, that ſuch their remiſſneſs ſerved only " to incourage him and his complices in the continuance of

" their evil practiſes, and in raiſing new commotions, rebel-
" lions and invaſions: for prevention therefore of the like,
" or greater inconveniencies, and to the end no chief officer
" or magiſtrate whatſoever may hereafter preſume traitorouſly
" and maliciouſly to imagine or contrive the inſlaving or de-
" ſtroying of the Engliſh nation, and to expect impunity for
" ſo doing: Be it ordained and inacted by the commons in
" parliament, and it is hereby ordained and inacted by au-
" thority thereof," That Thomas lord Fairfax; Oliver Cromwell, Henry Ireton, eſquires; ſir Hardreſs Waller, knight; Philip Skippon, Valentine Wauton, Thomas Harriſon, Edward Whaley, Thomas Pride, Iſaac Ewer, Richard Ingoldsby, Henry Mildmay, eſquires; ſir Thomas Honywood, Thomas lord Grey of Grooby, Philip lord Liſle, William lord Monſon; ſir John Danvers, ſir Thomas Maleverer, baronet; ſir John Bourchier, ſir James Harrington, ſir William Allanſon, ſir Henry Mildmay, ſir Thomas Wroth, knights; ſir William Maſham, ſir John Barrington, ſir William Brereton, baronets; Robert Wallop, William Heveningham, eſquires; Iſaac Pennington, Thomas Atkins, Rowland Wilſon, aldermen of the city of London; ſir Peter Wentworth, knight of the Bath; Henry Martin, William Pureſoy, Godfrey Boſvile, John Trenchard, Herbert Morley, John Berkſtead, Matthew Thomlinſon, John Blackiſtone, Gilbert Millington, eſquires; ſir William Conſtable, baronet; Edmund Ludlow, John Lambert, John Hutchinſon, eſquires; ſir Arthur Hazlerig, ſir Michael Liveſey, baronets; Richard Salwey, Humphry Salwey, Robert Tichbourn, Owen Roe, Robert Manwaring, Robert Lilbourn, Adrian Scroop, Richard Dean, John Okey, Robert Overton, John Huſon, John Deſborough, William Goff, Robert Duckenfield, Cornelius Holland, John * Carey, eſquires; ſir William Armyn, baronet; John Jones, eſquire; Miles Corbet, Francis Allen, Thomas Liſter, Benjamin Weſton, Peregrine Pelham, John Gourdon, eſquires; Francis Thorp, ſerjeant at law; John Nutt, Thomas Challoner, Algernoon Sidney, John Anlaby, John Moore, Richard Darley, William Say, John * Aldred, John Fagg, James Nelthrop, eſquires; ſir William Roberts, knight; Francis Laſſels, Alexander Rigby, Henry Smith, Edmond Wild, James Challoner, Joſias Berners, Dennis Bond, Humphrey Edwards, Gregory Clement, John Fry, Thomas Wogan, eſquires; ſir Gregory Norton, baronet; John Bradſhaw, ſerjeant at law; Edmond Harvey, John Dove, John Ven, eſquires; John Fowks, alderman of the city of London; Thomas Scot, eſq; Thomas Andrews, alderman of the city of London; William Cawley, Abraham Burrell, Anthony Stapeley, Roger Gratwick, John Downs, Thomas Horton, Thomas Hammond, George Fenwick, eſquires; Robert Nicholas, ſerjeant at law; Robert Reynolds, John Liſle, Nicholas Love, Vincent Potter, eſquires; ſir Gilbert Pickering, baronet; John Weaver, Roger Hill, John Lenthall, eſquires; ſir Edward Bainton; John Corbet, Thomas Blunt, Thomas Boon, Auguſtine Garland, Auguſtine Skinner, John Dixwell, George Fleetwood, Simon Meyne, James Temple, Peter Temple, Daniel Blagrave, eſquires; ſir Peter Temple, knight and baronet; Thomas Wayte, John Brown, John Lowry, eſquires; " ſhall be, and are hereby
" appointed and required to be commiſſioners and judges for
" the hearing, trying and adjudging of the ſaid Charles Stuart.
" And the ſaid commiſſioners, or any twenty, or more of
" them, ſhall be and are hereby authoriſed and conſtituted a
" High-court of Juſtice, to meet and ſit at ſuch convenient
" time and place as, by the ſaid commiſſioners, or the major part
" of twenty, or more of them, under their hands and ſeals,
" ſhall be appointed and notified by public proclamation in
" the great hall or palace-yard at Weſtminſter; and to ad-
" journ from time to time, and from place to place, as the
" ſaid High-court, or major part thereof meeting, ſhall hold
" fit; and to take order for the charging of him, the ſaid
" Charles Stuart, with the crimes and treaſons above-men-
" tioned, and for the receiving of his perſonal anſwer there-
" unto; and for the examination of witneſſes upon oath,
" which the court has hereby authority to adminiſter, or other-
" wiſe, and taking any other evidence concerning the ſame,
" and thereupon; or in default of ſuch anſwer, to proceed to
" final ſentence, according to juſtice and the merit of the
" cauſe; and ſuch final ſentence to execute, or cauſe to be
" executed, ſpeedily and impartially. And the ſaid court is
" hereby authoriſed and required to appoint and direct all
" ſuch officers, attendants, and other circumſtances, as
" they, or the major part of them, ſhall in any ſort judge
" neceſſary or uſeful for the orderly and good managing of
" the premiſes. And Thomas lord Fairfax, the general,
" and all officers and ſoldiers under his command, and all
" officers of juſtice, and other well-affected perſons, are here-
" by authoriſed and required to be aiding and aſſiſting unto the
" ſaid court in the due execution of the truſt hereby commited.
" Provided, that this act, and the authority hereby granted,
" do continue in force for the ſpace of one month, from the
" making hereof, and no longer."

* Carew.

* Alured.

Hen. Scobell, Cler. Parl. Dom. Com.

In purſuance of which ſaid act, the houſe of commons ordered as follows; viz.

Die Sabbati, 6 Jan. 1648.

ORdered by the commons aſſembled in parliament, That the commiſſioners nominated in the act, for erecting a High-court of Juſtice for the trying and judging of Charles Stuart, King of England, do meet on Monday next, at two in the after-noon, in the Painted-chamber.

By virtue of which ſaid recited act, and of the ſaid order grounded thereupon, the commiſſioners, whoſe names are h er under written, met on Monday the ſaid eighth day of January, 1648, in the ſaid Painted-chamber, at Weſtminſter; where the ſaid act was openly read, and the court called.

Commiſſioners preſent.

Thomas lord Fairfax.	John Alured, eſq;	Daniel Blagrave, eſq;
Oliver Cromwell, eſq;	Henry Smith, eſq;	Robert Tichbourn, eſq;
Henry Ireton, eſq;	John Liſle, eſq;	Will. Heveningham, eſq;
Sir Hardreſs Waller.	James Temple, eſq;	William Pureſoy, eſq;
Valentine Wauton.	Adrian Scroope, eſq;	John Blackiſtone, eſq;
Edward Whaley.	Edmund Ludlow, eſq;	William lord Monſon.
Thomas Pride.	John Huſon, eſq;	John Okey, eſq;
Iſaac Ewers.	Thomas Harriſon, eſq;	John Carew, eſq;
Sir Gregory Norton, bar.	Nicholas Love, eſq;	Peregrine Pelham, eſq;
Peter Temple, eſq;	Tho. ld Grey of Grooby.	Francis Laſſells, eſq;
John Ven, eſq;	Sir John Danvers.	John Downs, eſq;
Thomas Challoner, eſq;	Sir Tho. Maleverer, bar.	John Brown, eſq;
Henry Martin, eſq;	Sir John Bourchier.	John Hutchinſon, eſq;
John Berkſtead, eſq;	Sir Henry Mildmay.	Miles Corbet, eſq;
Gilbert Millington, eſq;	James Challoner, eſq;	Humphrey Edwards, eſq;
Richard Dean, eſq;	Gregory Clement, eſq;	Edmond Harvey, eſq;
Cornelius Holland, eſq;	John Fry, eſq;	William Goff, eſq;
John Jones, eſq;	Auguſtine Garland, eſq;	

The commiſſioners of the court being, as aforeſaid, met, and informing themſelves of the tenor of their commiſſion, they accordingly appoint the ſaid court to be holden, in the ſame place, on Wedneſday the tenth of the ſaid month of January; and ordered proclamation thereof to be made in the great hall at Weſtminſter by Edward Dendy, ſerjeant at arms; authoriſing him thereunto by precept, under their hands and ſeals, in theſe words following, viz.

BY virtue of an act of the commons of England, aſſembled in parliament, for erecting a High-court of Juſtice, for the trying and judging of Charles Stuart, King of England, we, whoſe names are here-under written (being commiſſioners, among others nominated in the ſaid act) do hereby appoint, That the High-court of Juſtice, mentioned in the ſaid act, ſhall be holden in the Painted-chamber, in the palace of Weſtminſter, on Wedneſday the tenth day of this inſtant January, by one of the clock in the after-noon. And this we do appoint to be notified by public proclaiming hereof in the great hall at Weſtminſter, to-morrow, being the ninth day of this inſtant January, betwixt the hours of nine and eleven in the forenoon. In teſtimony whereof, we have hereunto ſet our hands and ſeals, this eighth day of January, Anno Domini 1648.

We the commiſſioners, whoſe names are hereunto ſubſcribed, do hereby authoriſe and appoint Edward Dendy, ſerjeant at arms, to cauſe this to be proclaimed, according to the tenor thereof, and to make due return of the ſame, with this precept, to the ſaid court, at the time and place above-mentioned.

Sealed and ſubſcribed by

William Monſon.	William Conſtable.	James Challoner.
Tho. Grey.	John Liſle.	Thomas Harriſon.
Oliver Cromwell.	Henry Martin.	John Jones.
Gregory Norton.	Valentine Wauton.	John Huſon.
Henry Ireton.	John Blackiſtone.	Peregr. Pelham.
H. Edwards.	Gilbert Millington.	Edmond Ludlow.
John Hutchinſon.	Adrian Scroope.	John Berkſtead.
Har. Waller.	James Temple.	Peter Temple.

Edw.

Edw. Whaley.	Thomas Maleverer.	John Carew.
John Okey.	Thomas Challoner.	Aug. Garland.
Rob. Tichbourn.	John Fry.	Richard Dean.
Thomas Pride.	John Bourchier.	Daniel Blagrave.
Henry Smith.		

Which ſaid precept is thus returned on the backſide; viz. I have cauſed due proclamation to be made hereof, according to the tenor of the precept within writen.

E. Dendy, Serjeant at Arms.

And in order to the more regular and due proceedings of the ſaid court, they nominate officers; and accordingly choſe mr. Aſke, dr. Doriſlaus, mr. Steel, and mr. Cook, counſel, to attend the ſaid court; mr. Greaves and mr. John Phelps, clerks; to whom notice thereof was ordered to be given.

Mr. Edward Walford, mr. John Powell, mr. John King, mr. Phineas Payne, and mr. Hull, are choſen meſſengers to attend this court.

January nine, 1648, according to the precept of the eighth inſtant, ſerjeant Dendy made proclamation for the ſiting of the ſaid court, in the manner following; viz.

About ten that day, the ſaid ſerjeant, being attended with ſix trumpets, and a guard of two troops of horſe, himſelf with ten on horſe-back, bearing his mace, rode into the middle of Weſtminſter-hall (the court of Chancery then ſiting at a general ſeal) where, after the ſaid trumpet ſounding (drums then likewiſe beating in Palace-yard) he cauſed the ſaid precept to be openly read: which being done, the houſe of commons, then alſo ſiting, order as follows; viz.

Die Martis, 9 Jan. 1648.

ORdered by the commons aſſembled in parliament, That the ſame proclamation which was made this morning in Weſtminſter-hall, touching the trial of the King, be made at the Old-exchange, and at Cheapſide, forthwith, and in the ſame manner; and that ſerjeant Dendy, the ſerjeant at arms, do proclaim the ſame accordingly; and that the guard lying in Paul's do ſee the ſame done.

In purſuance whereof, ſerjeant Dendy, about twelve that ſame day, accompanied with ten trumpets, and two troops of horſe, drawn out for that purpoſe in Paul's church-yard, himſelf mounted, bearing his mace, marched thence unto the Old-exchange, London; where, after the trumpets had ſounded, he made proclamation, as he had done before in Weſtminſter-hall: and from thence immediately marched to Cheapſide, making the like proclamation there alſo, in manner as aforeſaid. During all which time, all the ſtreets were thronged with ſpectators, without the leaſt violence, injury, or affront, publicly done or offered.

Mercurii, 10 Jan. 1648. Painted-chamber.

Commiſſioners preſent.

Oliver Cromwell, eſq;	John Ven.	Sir Henry Mildmay, knt.
Henry Ireton, eſq;	Henry Martin.	Thomas Challoner, eſq;
Sir Hardreſs Waller, knt.	William Purefoy.	Peregrine Pelham, eſq;
Valentine Wauton, eſq;	John Blackiſtone.	John Moor, eſq;
Edward Whaley, eſq;	Gilbert Millington.	William Say, eſq;
Thomas Harriſon, eſq;	Edmond Ludlow.	Francis Laſſells, eſq;
Thomas Pride, eſq.	John Hutchinſon.	Henry Smith, eſq;
Sir Tho. Maleverer, bar.	John Corbet.	Thomas Scot, eſq;
James Challoner.	Robert Tichbourn, eſq;	Nicholas Love, eſq;
Sir John Danvers.	Owen Roe, eſq;	Vincent Potter, eſq;
John Fry.	John Dean, eſq;	Adrian Scroope, eſq;
Sir Gregory Norton.	John Huſon, eſq;	John Dixwell, eſq;
Auguſtine Garland.	Cornelius Holland, eſq;	John Liſle, eſq;
Peter Temple.	John Carew, eſq;	John Okey, eſq;
Daniel Blagrave.	Thomas Liſter, eſq;	John Berkſtead, eſq;

The court being ſat in the place aforeſaid, began to take into conſideration the manner and order which they intended to obſerve at the King's trial, and appointed two uſhers of the court, viz. Mr. Edward Walford and mr. Vowel; and mr. Litchman was choſen a meſſenger to the court.

John Bradſhaw, ſerjeant at law, a commiſſioner of this court, was then choſen preſident of the ſaid court; who being abſent, mr. Say, one of the commiſſioners then preſent, was appointed preſident "pro tempore," and until ſerjeant Bradſhaw ſhould attend the ſaid ſervice. Mr. Say accordingly took his place, and gave the court's thanks to mr. Garland, one of the commiſſioners of this court, for his great pains by him formerly taken about the court's buſineſs.

The court were informed of the great and important imployment which at preſent lay upon mr. Greaves, in behalf of the common-wealth, from which he cannot be ſpared, without prejudice to the public; and it was therefore moved in his behalf, that he might be excuſed from attending the ſervice of one of the clerks of the ſaid court; which the court admited as a ſufficient excuſe. And thereupon mr. Andrew Broughton was named and appointed one of the clerks of this court, with John Phelps. The ſaid John Phelps being then ſent for by a meſſenger of the court, and accordingly making his appearance, was commanded to attend the ſaid ſervice; who attended the ſame accordingly. And a meſſenger of the court was ſent to ſummon the ſaid mr. Broughton.

Mr. Aſke, mr. Steel, dr. Doriſlaus, and mr. Cook, were appointed counſel in the behalf of the common-wealth, to prepare and proſecute the charge againſt the King, according to the act of the commons aſſembled in parliament in that behalf; and, in particular, the court did appoint mr. Steel attorney, and mr. Cook ſollicitor, to take care thereof. And the act for conſtituting the ſaid court was ordered to be tranſcribed, and delivered to the ſaid counſel; which was done accordingly.

Mr. Love, mr. Liſle, mr. Millington, mr. Garland, mr. Martin, mr. Tho. Challenor, ſir John Danvers, and ſir Henry Mildmay, or any two of them, were appointed a commitee, to conſider of all circumſtances in matter of order or method for the carrying on and managing the King's trial, and for that purpoſe to adviſe with the counſel aſſigned to prove the charge againſt the King, and to make report therein the next ſiting: and care of the buſineſs was particularly recommended to mr. Love.

Edward Dendy, ſerjeant at arms, made return of the precept of the eighth inſtant, for proclaiming the court's ſiting; which was received: the ſaid ſerjeant Dendy having proclaimed the ſame by ſound of trumpet, in Weſtminſter-hall; as alſo at the Old-exchange, and in Cheapſide.

Edward Dendy, ſerjeant at arms, appointed ſerjeant at arms to attend the ſaid court; mr. John King appointed cryer of the ſaid court.

The court having thus made preparations for the ſaid trial (during all which time they ſat private) the doors now ſtand open for all parties, who had any thing to do there, to give their attendance.

Three proclamations being made by the cryer, the act for conſtituting the ſaid court was openly read, and the court called: the commiſſioners preſent were as before named.

Such commiſſioners as were abſent ordered to be ſummoned, to attend the ſaid ſervice; and ſummons iſſued accordingly.

The court adjourned 'till Friday, January twelve, at two after-noon, to the ſame place.

January 12, 1648.

AT which time the commiſſioners preſent were as after named.

Die Veneris, 12 Jan. 1648, Painted-chamber.

Commiſſioners preſent.

Oliver Cromwell, eſq;	John Moor, eſq;	John Fagg, eſq;
Sir John Danvers.	John Brown, eſq;	Henry Martin, eſq;
Thomas Hammond, eſq;	John Fry, eſq;	John Blackiſtone, eſq;
Peregrine Pelham, eſq;	Sir Hardreſs Waller, knt.	John Dove, eſq;
Herbert Morley, eſq;	Adrian Scroope, eſq;	Henry Smith, eſq;
James Temple, eſq;	Tho. Challoner, eſq;	John Ven, eſq;
William Say, eſq;	Tho. Pride, eſq;	John Downs, eſq;
John Huſon, eſq;	John Liſle, eſq;	Nicholas Love, eſq;
Sir John Bourchier, knt.	Owen Roe, eſq;	Tho. Harriſon, eſq;
John Bradſhaw, ſerj. at law.	Thomas Scot, eſq;	John Berkſtead, eſq;
	John Jones, eſq;	
Gilbert Millington, eſq;	John Carew, eſq;	With diverſe more.

Serjeant Bradſhaw, upon ſpecial ſummons, attended this court, being one of the commiſſioners thereof. And being, according to former order, called to take his place as preſident of the ſaid court, made earneſt apology for himſelf to be excuſed; but therein not prevailing, in obedience to the commands and deſires of this court, he ſubmited to their order, and took place accordingly, and thereupon the ſaid court ordered concerning him as follows; viz. "That John Bradſhaw, ſerjeant at law, "who is appointed preſident of this court, ſhould be called by "the name, and have the title of Lord-preſident, and that as "well without as within the ſaid court, during the commiſſion "and ſiting of the ſaid court." Againſt which title, he preſſed much to be heard to offer his exceptions; but was therein overruled by the court.

Mr.

Mr. Andrew Broughton attended according to former order: and it was thereupon again ordered, That Andrew Broughton and John Phelps, gent. be, and they are hereby conſtituted clerks of the ſaid court, and injoined to give their attendance from time to time accordingly.

ORdered, that the counſel aſſigned, or ſuch as they or any of them ſhall appoint, ſhall have power to ſearch for all records and writing concerning the King's trial, and to take into their cuſtody, or order the producing of all ſuch records and papers, or copies thereof, by any clerk, or other perſon whatſoever, at or before the ſaid trial, as they ſhall judge requiſite; the ſaid counſel giving a note under their hands of their receipt of all ſuch original book and papers, which they ſhall ſo take into their cuſtody. And that the ſaid counſel ſhall have power to ſend for ſuch perſon or perſons, at or before the ſaid trial, and to appoint, by writing under their hands, their attendance for the ſervice of the ſtate in this buſineſs, as they ſhall think requiſite, requiring all perſons concerned to yield obedience thereunto, at their perils.

Sir Hardreſs Waller, knight, and colonel Harriſon, were ordered to deſire the lord-general from time to time to appoint ſufficient guards to attend and guard the ſaid court during their ſiting.

ORdered, That colonel Tichbourne, colonel Roe, mr. Blackiſtone, and mr. Fry, members of this court, ſhall and do make preparations for the trial of the King, "That "it may be performed in a ſolemn manner." And that they take care for other neceſſary proviſions and accommodations in and about that trial; and are to appoint and command ſuch workmen, in and to their aſſiſtance, as they ſhall think fit.

Mr. Love reported, from the commitee appointed, January ten, to conſider of the circumſtances in matters of order for trial of the King: and it is thereupon ordered, That in managing the proceedings in open court, at the time of the King's trial, none of the court do ſpeak but the preſident and counſel; and in caſe of any difficulty ariſing to any one, that he ſpeak not to the matter openly, but deſire the preſident that the court may pleaſe to adviſe. By which order it is not intended, that any of the commiſſioners be debared, at the examination of any witneſs, to move the lord-preſident to propound ſuch queſtion to the witneſs, as ſhall be thought meet for the better diſquiſition and finding out the truth.

Ordered, That there ſhall be a marſhal to attend this court, if there be cauſe.

Ordered, That the lord-preſident and counſel do manage the trial againſt the King, according to inſtructions to be given them by the court; and that the commitee for conſidering of all circumſtances for the managing of the King's trial, do conſider of rules and inſtructions in that behalf; and are to conſult with the counſel, and addreſs themſelves to the lord-preſident for advice in the premiſes.

Ordered, That the counſel do bring in the charge againſt the King on Monday next.

The commitee for conſidering of the circumſtances of order for the King's trial, together with ſir Hardreſs Waller, colonel Whaley, mr. Scot, colonel Tichbourne, colonel Harriſon, lieutenant-general Cromwell, and colonel Deane, are appointed to conſider of the place for trying the King, and make report to-morrow in the after-noon; and are to meet to-morrow morning in the Inner-court of Wards, at nine o'clock: and who elſe of the court pleaſe may be there.

The court adjourned 'till the morrow at two in the after-noon.

Sabbati, 13 Jan. 1648.

PRoclamation being made, and all parties concerned required to give attendance, the court is called openly.

Commiſſioners preſent.

John Bradſhaw, Serjeant at Law, Lord-Preſident of this Court.

Oliver Cromwell, eſq;	John Blackiſtone, eſq;	William Say, eſq;
Henry Ireton, eſq;	Gilbert Millington, eſq;	John Fagg, eſq;
Sir Hardreſs Waller, knt.	Sir Will. Conſtable, bar.	Francis Laſſels, eſq;
Edward Whaley, eſq;	John Hutchinſon, eſq;	Valentine Wauton, eſq;
Thomas Pride, eſq;	William Goffe, eſq;	Henry Smith, eſq;
Iſaac Ewer, eſq;	Cornelius Holland, eſq;	Humphrey Edwards, eſq;
Sir John Danvers.	John Carew, eſq;	John Fry, eſq;
Sir Gregory Norton.	Thomas Challoner, eſq;	Sir Tho. Maleverer, bar.
William Purefoy, eſq;	Algernon Sidney, eſq;	Will. Heveningham, eſq;
John Dove, eſq;	Adrian Scroope, eſq;	John Dixwell, eſq;
John Venn, eſq;	John Liſle, eſq;	Daniel Blagrave, eſq;
Thomas Scot, eſq;	Auguſtine Garland, eſq;	John Brown, eſq;
John Downs, eſq;		

The court, being to make farther preparations for the King's trial, ſit private. The ſerjeant at arms is authoriſed to imploy ſuch other meſſengers as ſhall be needful for the ſervice of the court, giving in their names to the clerks of this court.

Ordered, That the ſerjeant at arms do ſearch and ſecure the vaults under the Painted-chamber, taking ſuch aſſiſtance therein from the ſoldiery as ſhall be needful.

Mr. Garland reported from the commitee for conſidering of the place for the King's trial: and the court thereupon ordered, That the ſaid trial of the King ſhall be in Weſtminſter-hall; That the place for the King's trial ſhall be where the courts of King's-Bench and Chancery ſit in Weſtminſter-hall; and that the partition between the ſaid two courts be therefore taken down; and that the commitee for making preparations for the King's trial are to take care thereof accordingly.

The court adjourned 'till Monday at two in the after-noon, to this place.

Lunæ, 15 Jan. 1648.

THREE proclamations made, and all parties concerned required to give attendance.

The court called openly.

Coumiſſioners preſent.

John Bradſhaw, Serjeant at Law, Lord-Preſident of this Court.

John Deane, eſq;	John Okey, eſq;	Thomas Horton, eſq;
John Berkſtead, eſq;	John Huſon, eſq;	Henry Ireton, eſq;
Iſaac Ewer, eſq;	Peregrine Pelham, eſq;	Algernon Sidney, eſq;
Robert Lilbourn, eſq;	Thomas Challoner, eſq;	Peter Temple, eſq;
Thomas Hammond, eſq;	John Moor, eſq;	Nicholas Love, eſq;
Edward Whaley, eſq;	John Alured, eſq;	Valentine Wauton, eſq;
Thomas Pride, eſq;	Henry Smith, eſq;	John Liſle, eſq;
Tho. ld. Grey of Grooby.	James Chaloner, eſq;	John Venn, eſq;
William lord Monſon.	Humphrey Edwards, eſq;	Cornelius Holland, eſq;
Sir John Danvers.	Vincent Potter, eſq;	Thomas Scot, eſq;
Sir John Maleverer, bart.	Auguſtine Garland, eſq;	Sir Will. Conſtable, bart.
Sir Thomas Wroth.	James Temple, eſq;	Herbert Morley, eſq;
Robert Wallop, eſq;	Daniel Blagrave, eſq;	Miles Corbet, eſq;
Henry Martin, eſq;	John Blakiſtone, eſq;	John Fry, eſq;
William Purefoy, eſq;	Oliver Cromwell, eſq;	William Goffe, eſq;
Gilbert Millington, eſq;	Robert Tichbourne, eſq;	John Fagg, eſq;
Edmond Ludlow, eſq;	John Jones, eſq;	John Carew, eſq;
John Hutchinſon, eſq;	John Downs, eſq;	Sir Henry Mildmay.
Adrian Scroope, eſq;	Sir Hardreſs Waller.	Sir Gregory Norton, bar.

Fifty eight Commiſſioners preſent.

Here the court ſit private.

The counſel attended, and preſented to the court the draught of a charge againſt the King. Which being read, the court appointed commiſſary-general Ireton, mr. Millington, mr. Martin, col. Harvey, mr. Challoner, col. Harriſon, mr. Miles Corbet, mr. Scot, mr. Love, mr. Liſle, mr. Say, or any three of them, to be a commitee; to whom the counſel might reſort, for their farther advice concerning any thing of difficulty in relation to the charge againſt the King: who were likewiſe, with the counſel, to compare the charge againſt him with the evidence, and to take care for the preparing and fiting the charge for the court's more clear proceedings in the buſineſſes; as likewiſe to adviſe of ſuch general rules as are fit for the expediting the buſineſs of the ſaid court, and to meet the morrow morning at eight, in the Queen's-court.

Col. Ludlow, col. Pureſoy, col. Hutchinſon, col. Scroope, col. Deane, col. Whaley, col. Huſon, col. Pride, ſir Hardreſs Waller, ſir William Conſtable, together with the commitee for making preparations for the King's trial, or any three of them, are appointed a commitee to conſider of the manner of bringing the King to the court at his trial, and of the place where he ſhall be kept, and lodge at, during his ſaid trial; and to take conſideration of the ſecure ſiting of the ſaid court, and placing the guards who ſhall attend it, and are to meet to-morrow morning, at eight, in the Inner Star-chamber.

The court, taking notice of the nearneſs of Hilary-Term, and neceſſity they apprehended of adjourning it, in regard of the King's trial, thereupon were of opinion, That it is fit that a fortnight of the ſaid term be adjourned: and mr. Liſle is deſired to move the houſe therein.

Three proclamations.

The court adjourned 'till Wedneſday next, at eight in the morning.

Mercurii,

Mercurii, 17 Jan. 1648.

THREE proclamations made, and all parties concerned required to give attendance.
The court called.

Commiſſioners preſent.

John Bradſhaw, Serjeant at Law, Lord-Preſident of this Court.

Oliver Cromwell, eſq;	John Brown.	Humphrey Edwards.
Edward Whaley, eſq;	Thomas Scot.	John Fry, eſqrs.
Tho. ld Grey of Grooby.	Thomas Liſter.	Sir Gregory Norton, knt.
Sir John Danvers.	John Jones.	John Venn.
Sir Tho. Maleverer, bar.	Vincent Potter.	William Cawley.
Sir Hardreſs Waller.	Daniel Blagrave.	Thomas Horton.
John Blackiſtone, eſq;	William Say.	Thomas Hammond.
John Berkſtead, eſq;	Nicholas Love.	Iſaac Ewers.
Sir William Conſtable.	Robert Lilbourn.	Cornelius Holland, eſqrs.
John Hutchinſon.	William Goffe.	Sir John Bourchier, knt.
Robert Tichbourne.	John Carew.	Edmond Ludlow.
Owen Roe.	Thomas Pride.	Edmond Harvey.
Adrian Scroope.	Francis Allen.	Edmond Wild.
Richard Deane.	Peregrine Pelham.	Thomas Heath.
John Okey.	John Moor.	William Heveningham.
John Huſon.	Francis Laſſels.	Henry Martin.
Auguſtine Garland.	Henry Smith.	William Pureſoy.
Simon Meyne.	James Challoner, eſqrs.	John Liſle, eſqrs.
Peter Temple, eſqrs.		

Fifty-ſix commiſſioners preſent.

Ordered, That the commiſſioners of this court, who have not hitherto appeared, be ſummoned by warrants under the hands of the clerks of this court, to give their perſonal attendance at this court, to perform the ſervice to which they are, by act of the commons of England aſſembled in parliament, appointed and required.

Ordered, That the ſerjeant at arms attending this court, or his deputy, do forthwith ſummon all the aforeſaid commiſſioners making default, who reſide or dwell within twenty miles of London.

Particular warrants to every one of them were accordingly iſſued forth, for their attendance.

Upon report made, by col. Hutchinſon, from the commitee to conſider of the manner of bringing the King to trial, &c. the court order as follows; viz.

Ordered, That ſir Robert Cotton's houſe be the place where the King ſhall lodge during his trial.

That the chamber in ſir Robert Cotton's houſe, next the ſtudy there, ſhall be the King's bed-chamber.

That the great chamber, before the ſaid lodging-chamber, be for the King's dining-room; and that a guard, conſiſting of thirty officers, and other choice men, do always attend the King, who are to attend him at his lodging above ſtairs; and that two of the ſaid thirty do always attend in his bed-chamber.

That a place for a court of guard, for two hundred foot-ſoldiers, be built in ſir Robert Cotton's garden, near the water-ſide.

That ten companies of foot be conſtantly upon the guards, for ſecuring ſir Robert Cotton's houſe; and thoſe companies to be quartered in the court of Requeſts, the Painted-chamber, and other neceſſary places thereabouts.

That the paſſage coming from the Old-Palace into Weſtminſter-hall be made up at the entrance of the ſaid paſſage next the ſaid guard.

That the top of the ſtairs at the court of Wards door have a croſs bar made to it.

That the King be brought out of ſir Robert Cotton's houſe to his trial the lower way into Weſtminſter-hall, and ſo brought to the bar in the face of the court, attended by the aboveſaid guard above ſtairs.

That two rails of about forty feet diſtance from the place where this court ſhall ſit, in Weſtminſter-hall, be made croſs the ſaid hall: for the effectual and ſubſtantial doing whereof, this court do refer it to the care of the commitee appointed to conſider of the manner of bringing the King to trial; who are likewiſe to take care for raiſing the floor in ſuch part of the hall as they ſhall think fit, for placing the guards: and that a rail, or rails, from the court down to the hall-gate, be made in ſuch manner as they ſhall think fit, on the Common-Pleas ſide, to keep the people from the ſoldiers.

That there be guards ſet upon the leads, and other places which have windows to look into the hall.

That the general be deſired, from time to time, to ſend and appoint convenient guards of horſe, for the convenient ſiting of the court.

That twenty officers, or other gentlemen, do attend upon the lord-preſident, from time to time, to and from this court, thro' Weſtminſter-hall.

That the officers of the ordnance do ſend to this court two hundred halberts, or partizans, lying within the tower of London, for arming the guards who are to attend this court.

That at the time of the King's trial, the commiſſioners do, before their ſiting in the court, meet in the Exchequer-chamber, and do from thence come up to the hall in the court.

That all back-doors from the houſe called Hell, be ſtoped up during the King's trial.

That lodgings be prepared for the lord-preſident at ſir Abraham Williams's houſe in new Palace-yard, during the ſiting of this court; and that all proviſions and neceſſaries be provided for his lordſhip.

That ſir Henry Mildmay, mr. Holland, and mr. Edwards, do take care for providing all proviſions and neceſſaries for the King, during his trial.

That ſir Henry Mildmay, mr. Holland, and mr. Edwards, do likewiſe take care for all neceſſaries for the lord-preſident.

Ordered, That the commitee for conſidering of the manner of bringing the King to trial, do conſider what habits the officers of this court ſhall have; who are to adviſe with ſome heralds at arms therein, and concerning the ordering of the ſaid officers.

That a ſword be carried before the lord-preſident at the King's trial.

That John Humphreys, eſq; do bear the ſword before the lord-preſident.

That a mace, or maces, together with a ſword, be likewiſe caried before the lord-preſident.

The court adjourned to three in the after-noon.

Jan. 17, 1648. Poſt Meridiem.

Three proclamations. The court is cleared of ſtrangers; and they ſit private.

The charge againſt the King preſented by the counſel, and ordered to be re-commited to the commitee appointed for advice with the counſel concerning the charge againſt the King, who are to contract the ſame, and fit it for the court's proceeding thereupon, according to the act of parliament in that behalf. And the ſame commitee are likewiſe to take care for the King's coming to Weſtminſter, to trial, at ſuch time as to them ſhall ſeem meet; and lieutenant-general Cromwell is added to the ſaid commitee. And the counſel are to attend this court with the ſaid charge to-morrow, at two in the afternoon. And thereupon,

Ordered, That the commitee for conſidering of the manner of bringing the King to trial do meet to-morrow morning at eight, in the Exchequer-chamber.

The court adjourned 'till the morrow at two in the afternoon, to the ſame place.

Jovis, 18 Jan. 1648.

THREE proclamations made.

Commiſſioners preſent.

John Bradſhaw, Serjeant at Law, Lord-Preſident of this Court.

Oliver Cromwell.	John Moor.	George Fleetwood.
Edward Whaley.	Richard Dean.	Francis Laſſels.
Tho. ld Grey of Grooby.	John Okey.	Adrian Scroope.
Sir John Danvers.	Thomas Hammond.	Peregrine Pelham.
Sir Tho. Maleverer, bar.	John Carew.	John Fry.
Sir Hardreſs Waller.	William ld Monſon.	Sir Gregory Norton.
John Berkſtead.	John Huſon.	Humphrey Edwards.
John Blackiſtone.	Thomas Pride.	John Venn.
Sir William Conſtable.	William Cawley.	William Pureſoy.
John Hutchinſon.	Henry Smith.	Simon Meyne.
Robert Tichbourne.	Peter Temple.	John Brown.
Cornelius Holland.	Thomas Wogan.	Herbert Morley.

Here the court ſit private.

Col. Tichbourne, one of the commiſſioners of this court, informeth the court, That he was with mr. Steel, attorney of this court, and found him in his bed very ſick; and by reaſon thereof not like as yet, to attend the ſervice of this court, according to former order: and deſired him, the ſaid colonel, to ſignify, That he, the ſaid mr. Steel, no way declines the ſervice of the ſaid court, out of any diſaffection to it; but profeſſes himſelf to be ſo clear in the buſineſs, that if it ſhould pleaſe God to reſtore him, he ſhould manifeſt his good affec-

tion to the ſaid cauſe; and that it is an addition to his affliction, that he cannot attend this court, to do that ſervice which they have expected from him, and as he deſires to perform.

The court adjourned 'till to-morrow, at two after-noon.

Veneris, 19 Jan. 1648.

THREE proclamations. The court called openly.

Commiſſioners preſent.

John Bradſhaw, Serjeant at Law, Lord-Preſident.

Henry Ireton.	Robert Tichbourne.	Sir Gregory Norton, bar.
Sir Hardreſs Waller, kt.	Owen Roe.	John Dove.
Thomas Harriſon.	Robert Lilbourn.	Thomas Scot.
Edward Whaley.	Adrian Scroope.	William Cawley.
Iſaac Ewers.	Richard Deane.	Thomas Horton.
William ld Monſon.	John Huſon.	John Liſle.
Sir John Danvers.	Cornelius Holland.	Nicholas Love.
Sir Tho. Maleverer, bar.	John Jones.	Vincent Potter.
Sir John Bourchier, kt.	Peregrine Pelham.	John Dixwell.
William Heveningham.	Thomas Challoner.	Simon Meyne.
William Purefoy.	Algernon Sidney.	Peter Temple.
John Berkſtead.	William Say.	John Brown.
John Blackiſtone.	Francis Laſſels.	John Okey.
Gilbert Millington.	Henry Smith.	William Goffe.
John Hutchinſon.	Humphrey Edwards.	John Carew.
Sir Michael Liveſey, kt.	John Fry.	

Here the court ſit private.

Col. Hutchinſon reporteth from the commitee appointed to conſider of the habits of the officers; and it is thereupon

Ordered, That three gowns be provided for three uſhers, and three clokes for three meſſengers of this court.

Mr. Millington reporteth from the commitee for advice with the counſel concerning the charge againſt the King, that the counſel have perfected the charge, and are ready to preſent it. He likewiſe reporteth the draught of an order, whereby the charge may, by the command of this court, be exhibited, together with a form of words, the effect whereof the commitee think fit to be pronounced by him, whom this court ſhall appoint ſo to exhibit the ſaid charge: which ſaid order and form of words the court have, with ſome alterations, agreed to as follows.

It is ordered, That mr. Attorney, and in his abſenſe mr. Sollicitor, do, in behalf of the people of England, exhibit and bring into this court a charge of high-treaſon, and other high crimes, againſt Charles Stuart, King of England, and charge him thereupon in the behalf aforeſaid.

The form of words are as follows.

My Lord,

"ACcording to an order of this High-court to me di-
"rected for that purpoſe, I do, in the name, and on
"the behalf of the people of England, exhibit and bring into
"this court a charge of high-treaſon, and other high crimes,
"whereof I do accuſe Charles Stuart King of England, here
"preſent. And I do, in the name, and on the behalf afore-
"ſaid, deſire the ſaid charge may be received accordingly,
"and due proceedings had thereupon.

The counſel likewiſe, according to mr. Millington's report, preſented a draught of the charge againſt the King; which was read the firſt, ſecond, and third times, and refered back to the ſaid counſel, to make ſome ſmall amendments, as to the form thereof.

Ordered, That commiſſary-general Ireton, col. Whaley, col. Harriſon, ſir Hardreſs Waller, or any two of them, do appoin the thirty perſons who are, by order of the ſeventeenth inſtant, to attend the King, and the twenty who are to attend the lord-preſident.

Ordered, That the ſerjeant at arms do ſecure mr. Squibb's gallery by ſuch ways and means as he ſhall conceive meet.

The court adjourned 'til nine to-morrow morning.

Sabbati, 20 Jan. 1648.

THREE proclamations and attendance commanded.

Ordered, that ſir Henry Mildmay be deſired to deliver unto John Humphreys, eſq; the ſword of ſtate in his cuſtody; which ſaid ſword the ſaid mr. Humphreys is to bear before the lord-preſident of this court.

The court being ſat as aforeſaid, before they ingaged in farther buſineſs, the ſerjeant at arms of the houſe of commons came thither, and acquainted the court, that the houſe wanted their members who were of that court; the court thereupon adjourned 'till twelve the ſame day.

The court accordingly met at twelve. Three proclamations made.

Painted-chamber, 20 Jan. 1648.

Commiſſioners preſent.

John Bradſhaw, Serjeant at Law, Lord-Preſident.

Tho. ld Grey of Grooby.	Owen Roe.	Edward Whaley.
Henry Martin.	Thomas Wogan.	John Okey.
Oliver Cromwell.	William Say.	Thomas Pride.
Henry Ireton.	Francis Laſſels.	Adrian Scroope.
Auguſtine Garland.	John Jones.	Valentine Wauton.
Thomas Challoner.	Sir John Bourchier.	Tho. Hammond.
Nicholas Love.	John Carew.	James Temple.
William Cawley.	John Downs.	Peregrine Pelham.
John Venn.	John Fry.	Thomas Liſter.
William Purefoy.	Sir Michael Liveſey.	Edmond Ludlow.
John Berkſtead.	Sir John Danvers.	Simon Meyne.
James Challoner.	Mr. Millington.	Thomas Scot.
Peter Temple.	Sir Hardreſs Waller.	Edmond Harvey.
Tho. Harriſon.	John Blackiſtone.	William lord Monſon.
Robert Tichbourne.	John Huſon.	Henry Smith.
John Hutchinſon.	Humphrey Edwards	Sir William Conſtable.
Sir Gregory Norton.	Iſaac Pennington, Alder-	Iſaac Ewers.
Sir Tho. Maleverer, bar.	man of London.	Sir Henry Mildmay.
Daniel Blagrave.	John Brown.	Anthony Stapely.

Here the court ſit private.

Ordered, That the form and method of the court's proceeding to, and in reading the commiſſion by which they ſit; ſending for and bringing in the priſoner to the bar, acquainting him in brief with the cauſe of his bringing thither; receiving and reading the charge, and demanding what the priſoner ſays thereto, be refered to the diſcretion of the lord-preſident: as alſo, That, in caſe the priſoner ſhall in language or carriage towards the court be inſolent, outrageous, or contemptuous, that it be left to the lord-preſident to reprehend him therefore, and admoniſh him of his duty, or to command the taking away of the priſoner; and if he ſee cauſe, to withdraw or adjourn the court. But as to the priſoner's puting off his hat, the court will not inſiſt upon it for this day; and that if the King deſired time to anſwer, the lord-preſident is to give him time.

Ordered, upon the lord-preſident's deſire and motion, That mr. Liſle and mr. Say, commiſſioners of this court, be aſſiſtants to the lord-preſident; and for that purpoſe, it is ordered, That they ſit near the lord-preſident in court.

Mr. Sollicitor preſented the charge againſt the King ingroſſed on parchment; which was read, and being by mr. Sollicitor ſigned, was returned to him to be exhibited againſt the King, in his preſenſe in open court. And thereupon the court adjourned forthwith to the great hall in Weſtminſter.

The manner of the trial of Charles Stuart King of England.

ON Saturday, being the twentieth day of January, 1648. the lord-preſident of the High-court of Juſtice, his two aſſiſtants, and the reſt of the commiſſioners of the ſaid court, according to the adjournment of the ſaid court from the Painted-chamber, came to the bench, or place prepared for their ſiting, at the Weſt-end of the great hall at Weſtminſter; diverſe officers of the ſaid court, twenty-one gentlemen with partizans, and a ſword and mace, marching before them up into the court, where the lord-preſident, in a crimſon-velvet chair fixed in the midſt of the court, placed himſelf, having a deſk with a crimſon-velvet cuſhion before him; the reſt of the members placing themſelves on each ſide of him, upon ſeveral ſeats or benches prepared, and hung with ſcarlet for that purpoſe. The lord-preſident's two aſſiſtants ſiting next on each ſide of him, and the two clerks of the court placed at a table ſomewhat lower, and covered with a Turkey-carpet; upon which table was alſo laid the ſword and mace; the ſaid guard of partizans dividing themſelves on each ſide of the court before them.

Three proclamations are made, for all perſons, who were adjourned over thither, to draw near.

The court being thus ſat, and ſilence injoined, the great gate of the hall was ſet open, to the intent that all perſons (without exception) deſirous to ſee or hear, might come unto it: upon which the hall was preſently filled, and ſilence again ordered and proclaimed.

After

After ſilence proclaimed as aforeſaid, the act of the commons of England aſſembled in Parliament, for erecting a High-court of Juſtice, for trying and judging of Charles Stuart, King of England, was openly read by one of the clerks of the court.

The act being read, the court was called, every commiſſioner preſent thereupon riſing to his name.

Weſtminſter-Hall, Jan. 20. 1648.

Commiſſioners preſent.

John Bradſhaw, Serjeant at Law, Lord-preſident.

Oliver Cromwell.	Sir Michael Liveſey, bar.	John Moor.
Henry Ireton.	Robert Tichbourne.	William Say.
Sir Hardreſs Waller.	Owen Roe.	John Alured.
Valentine Wauton.	Robert Lilbourn.	Francis Laſſells.
Thomas Harriſon.	Adrian Scroope.	Henry Smith.
Edward Whaley.	Thomas Horton.	James Challoner.
Thomas Pride.	Thomas Hammond.	Humphrey Edwards.
Iſaac Ewers.	John Liſle.	Gregory Clement.
Tho. ld Grey of Grooby.	Nicholas Love.	John Fry.
William lord Monſon.	Vincent Potter.	Sir Gregory Norton, bar.
Sir John Danvers.	Auguſtine Garland.	Edmond Harvey.
Sir Tho. Maleverer, bar.	Richard Deane.	John Venn.
Sir John Bourchier, kt.	John Okey.	Thomas Scot.
Iſaac Pennington, alderman of London.	John Huſon.	William Cawley.
	William Goffe.	Anthony Stapeley.
Henry Martin.	Cornelius Holland.	John Downs.
William Pureſoy.	John Carew.	John Dixwell.
John Berkſtead.	John Jones.	Simon Meyne.
John Blackiſtone.	Thomas Liſter.	James Temple.
Gilbert Millington.	Peregrine Pelham.	Peter Temple.
Sir Will. Conſtable, bar.	Francis Allen.	Daniel Blagrave.
Edmond Ludlow.	Thomas Challoner.	John Brown.
John Hutchinſon.		

This done, the court commanded the ſerjeant at arms to ſend for the priſoner: and thereupon col. Thomlinſon, who had the charge of the priſoner, within a quarter of an hour's ſpace brought him, attended by col. Hacker, and thirty-two officers with partizans, guarding him to the court, his own ſervants immediately attending him.

Being thus brought up in the face of the court, the ſerjeant at arms with his mace received and conducted him ſtrait to the bar, having a crimſon velvet chair ſet before him. After a ſtern looking upon the court, and the people in the galleries on each ſide of him, he placed himſelf in the chair, not at all moving his hat, or otherwiſe ſhewing the leaſt reſpect to the court; but preſently roſe up again, and turned about, looking downwards upon the guards placed on the left ſide, and on the multitude of ſpectators on the right ſide of the ſaid great hall: the guard which attended him in the mean time dividing themſelves on each ſide the court, and his own ſervants, following him to the bar, ſtood on the left hand of the priſoner.

The priſoner having again placed himſelf in his chair, with his face towards the court, and ſilence being again ordered and proclaimed, the lord-preſident, in the name of the court, addreſſed himſelf to the priſoner, acquainting him, That the commons of England aſſembled in Parliament, being deeply ſenſible of the evils and calamities that had been brought upon this nation, and of the innocent blood which had been ſpilled in it, which was fixed upon him as the principal author of it, had reſolved to make inquiſition for this blood; and according to the debt they did owe to God, to juſtice, the kingdom, and themſelves, and according to the fundamental power which reſted, and truſt repoſed in them by the people, other means failing thro' his default, had reſolved to bring him to trial and judgment; and had therefore conſtituted that court of juſtice, before which he was then brought, where he was to hear his charge, upon which the court would proceed according to juſtice.

Hereupon mr. Cook, ſollicitor for the common-wealth, ſtanding within a bar, with the reſt of the counſel for the common-wealth, on the right hand of the priſoner, offered to ſpeak; but the priſoner having a ſtaff in his hand, held it up, and ſoftly laid it upon the ſaid mr. Cook's ſhoulder, twice or thrice, biding him, Hold. Nevertheleſs, the lord-preſident ordering him to go on, mr. Cook did, according to the order of the court to him directed, in the name, and on the behalf of the people of England, exhibit a charge of high-treaſon, and other high crimes, and did therewith accuſe the ſaid Charles Stuart, King of England; praying in the name, and on the behalf aforeſaid, that the charge might be accordingly received and read, and due proceedings had thereupon. And accordingly prefer'd a charge in writing, which being received by the court, and delivered to the clerk of the court, the lord-preſident, in the name of the court, ordered it ſhould be read.

But the King interrupting the reading it, the court notwithſtanding commanded the clerk to read it; acquainting the priſoner, that if he had any thing to ſay after, the court would hear him: whereupon the clerk read the charge, the tenor whereof is as follows; viz:

A charge of high-treaſon, and other high crimes, exhibited to the High-court of Juſtice by John Cook, eſq; ſollicitor-general, appointed by the ſaid court, for and on the behalf of the people of England, againſt Charles Stuart, king of England.

" THAT he, the ſaid Charles Stuart, being admited " King of England, and therein truſted with a limited " power to govern by and according to the laws of the land, " and not otherwiſe; and by his truſt, oath and office, being " obliged to uſe the power commited to him, for the good " and benefit of the people, and for the preſervation of their " rights and liberties: yet nevertheleſs, out of a wicked deſign " to erect and uphold in himſelf an unlimited and tyrannical " power to rule according to his will, and to overthrow the " rights and liberties of the people; yea to take away " and make void the foundations thereof, and of all redreſs " and remedy of miſgovernment, which by the fundamental " conſtitutions of this kingdom were reſerved on the peoples " behalf, in the right and power of frequent and ſucceſſive " parliaments, or national meetings in council; he the ſaid " Charles Stuart, for accompliſhment of ſuch his deſigns, and " for the protecting of himſelf and his adherents, in his and " their wicked practiſes, to the ſame ends, has traiterouſly and " maliciouſly levied war againſt the preſent parliament, and " the people therein repreſented. Particularly, upon or about " the thirtieth day of June, in the year of our Lord 1642, at " Beverley in the county of York; and upon or about the " thirtieth day of July in the year aforeſaid, in the county of " the city of York; and upon or about the four and twentieth " day of Auguſt in the ſame year, at the county of the town " of Notingham, where, and when he ſet up his ſtandard of " war; and alſo on or about the twenty-third day of October, " in the ſame year, at Edge-hill and Keynton-field, in the " county of Warwick; and on or about the thirtieth day of " November, in the ſame year, at Brentford, in the county " of Middleſex; and on or about the thirtieth day of Auguſt, " in the year of our Lord 1643, at Caverſham-bridge near " Reading, in the county of Berks; and on or about the thir- " tieth day of October, in the laſt year mentioned, at or near " the city of Gloceſter; and on or about the thirtieth day of " November, in the year laſt mentioned, at Newbury, in the " county of Berks; and on or about the thirty-firſt day of " July, in the year of our Lord 1644, at Cropredy-bridge, " in the county of Oxon; and on or about the thirtieth day of " September, in the laſt year mentioned, at Bodmyn, and " other places near adjacent, in the county of Cornwal; and " on or about the thirtieth day of November, in the year laſt " mentioned, at Newbury aforeſaid; and on or about the " eighth day of June, in the year of our Lord 1645, at the " town of Leiceſter; and alſo on the fourteenth day of the " ſame month, in the ſame year, at Naſeby-field in the county " of Northampton. At which ſeveral times and places, or " moſt of them, and at many other places in this land, at " ſeveral other times within the years afore-mentioned, and " in the year 1646, he the ſaid Charles Stuart, has cauſed " and procured many thouſands of the free people of this " nation to be ſlain; and by diviſions, parties, and inſur- " rections within this land, by invaſions from foreign parts, " indeavored and procured by him, and by many other evil " ways and means, he, the ſaid Charles Stuart has not only " maintained and carried on the ſaid war, both by land and " ſea, during the years before mentioned, but alſo has renewed " or cauſed to be renewed the ſaid war againſt the parliament " and good people of this nation, in this preſent year 1648, " in the counties of Kent, Eſſex, Surrey, Suſſex, Middleſex, " and many other places of England and Wales; and alſo by " ſea. And particularly, he, the ſaid Charles Stuart, has for " that purpoſe given commiſſion to his ſon the Prince, and " and others; whereby, beſide multitudes of other perſons, " many ſuch as were by the parliament intruſted and imployed " for the ſafety of the nation (being by him or his agents " corrupted to the betraying their truſt, and revolting from

" the

" the parliament) have had entertainment and commiſſion for " the continuing and renewing of war and hoſtility againſt " the ſaid parliament and people as aforeſaid. By which cruel " and unnatural wars, by him, the ſaid Charles Stuart, levied, " continued and renewed as aforeſaid, much innocent blood " of the free people of this nation has been ſpilled, many " families have been undone, the public treaſure waſted and " exhauſted, trade obſtructed and miſerably decayed, vaſt " expenſe and damage to the nation incurred, and many " parts of this land ſpoiled, ſome of them even to deſolation. " And for farther proſecution of his ſaid evil deſigns, he, " the ſaid Charles Stuart, doth ſtill continue his commiſſions " to the ſaid Prince, and other rebels and revolters, both " Engliſh and foreigners, and to the earl of Ormond, and " to the Iriſh rebels and revolters aſſociated with him; from " whom farther invaſions upon this land are threatened, upon " the procurement and on the behalf of the ſaid Charles Stuart.

" All which wicked deſigns, wars and evil practiſes of him, " the ſaid Charles Stuart, have been and are carried on for " the advancement and upholding of a perſonal intereſt of " will and power, and pretended prerogative to himſelf and " his family, againſt the public intereſt, common right, li- " berty, juſtice and peace of the people of this nation, by " and for whom he was intruſted as aforeſaid.

" By all which it appears, that he, the ſaid Charles Stuart, " has been, and is the occaſioner, author and continuer of the " ſaid unnatural, cruel, and bloody wars, and therein guilty " of all the treaſons, murders, rapines, burnings, ſpoils, de- " ſolations, damages, and miſchiefs to this nation, acted " and commited in the ſaid wars, or occaſioned thereby.

" And the ſaid John Cook by proteſtation ſaving, on the " behalf of the ſaid people of England, the liberty of exhi- " biting at any time hereafter any other charge againſt the " ſaid Charles Stuart, and alſo of replying to the anſwers which " the ſaid Charles Stuart ſhall make to the premiſes, or any " of them, or any other charge which ſhall be ſo exhibited; " does for the ſaid treaſons and crimes, on the behalf of the " ſaid people of England, impeach the ſaid Charles Stuart as " a tyrant, traitor, murderer, and a public and implacable " enemy to the common-wealth of England; and pray, that " the ſaid Charles Stuart, King of England, may be put to " anſwer all and every the premiſes; and that ſuch proceed- " ings, examinations, trials, ſentences and judgments may " be thereupon had, as ſhall be agreeable to juſtice.

Subſcribed, John Cook.

The priſoner, while the charge was reading, ſat down in his chair, looking ſometimes on the High-court, and ſometimes on the galleries; and roſe again, and turned about to behold the guard and ſpectators, and after ſat down, looking very ſternly, and with a countenance not at all moved, 'till theſe words, viz. Charles Stuart to be a tyrant, traitor, &c. were read; at which he laughed, as he ſat, in the face of the court.

The charge being read, the lord-preſident, in name of the court, demanded the priſoner's anſwer thereto.

But the priſoner declining that, fell into a diſcourſe of the late treaty in the Iſle of Wight, and demanded, by what lawful authority he was brought from the iſle thither? upbraiding the court with the many unlawful authorities in the world, inſtancing in robbers and takers of purſes; pleading his Kingſhip, and thereby a truſt commited to him from God, by deſcent, which he ſhould betray, together with the liberties of the people, in caſe he ſhould anſwer to any unlawful power, which he charged the court to be, and that they were raiſed by uſurped power; and affirmed, that he ſtood more for the liberties of the people, than any of the judges there ſiting: and again demanded, by what authority he was brought thither?

To which it was replied by the court, That had he been pleaſed to have obſerved what was declared to him by the court, at his firſt coming, and the charge which he had heard read unto him, he might have informed himſelf by what authority he was brought before them; namely, by the authority of the commons of England aſſembled in parliament, on the behalf of the people of England: and did therefore again ſeveral times adviſe him to conſider of a better anſwer; which he refuſed to do, but perſiſted in his contumacy. Whereupon the court at length told him, That they did expect from him a poſitive anſwer to the charge; affirming their authority, and giving him to underſtand, that they were upon God's and the kingdom's errand, and that the peace ſtood for would be better had and kept when juſtice was done, and that was their preſent work: and adviſed him ſeriouſly to conſider what he had to do at his next appearance; which was declared ſhould be upon Monday following, and ſo remanded him to his former cuſtody.

The priſoner, having all the while kept on his hat, departed, without ſhewing any the leaſt reſpect to the court: but going out of the bar, ſaid, " He did not fear that bill;" pointing to the table where the ſword and charge lay.

The priſoner being withdrawn, three proclamations were made, and the court adjourned to the Painted-chamber, on Monday morning then next at nine; declaring, that from thence they intended to adjourn to the ſame place again.

[But that the reader may have the intire relation of this deplorable tragedy, I have, from the moſt authentic prints inſerted at large the interlocutory paſſages between the King and Bradſhaw, of which mr. Phelps, in his journal, gives only a ſuccinct account; which take as follows.]

His Majeſty with his wonted patience heard all theſe ſlanders and reproaches, ſiting in the chair, and looking ſometimes on the pretended court, ſometimes up to the galleries; and riſing again, turned about to behold the guards and ſpectators: then he ſat down, with a majeſtic and unmoved countenance, and ſometimes ſmiling, eſpecially at thoſe words, Tyrant, Traitor, and the like.

Alſo the ſilver head of his ſtaff happened to fall off, at which he wondered; and ſeeing none to take it up, he ſtooped for it himſelf.

The charge being read, Bradſhaw began:

Sir, You have now heard your charge read, containing ſuch matters as appear in it: You find that, in the cloſe of it, it is prayed to the court, in the behalf of the commons of England, that you anſwer to your charge. The court expects your anſwer.

KING. I would know by what power I am called hither; I was not long ago in the Iſle of Wight, how I came there, is a longer ſtory than I think is fit at this time for me to ſpeak of; but there I entered into a treaty with both houſes of parliament, with as much public faith as it is poſſible to be had of any people in the world. I treated there with a number of honorable lords and gentlemen, and treated honeſtly and uprightly; I cannot ſay but they did very nobly with me, we were upon a concluſion of the treaty. Now I would know by what authority, I mean lawful; there are many unlawful authorities in the world, thieves and robbers by the high-ways; but I would know by what authority I was brought from thence, and carried from place to place, and I know not what: and when I know by what lawful authority, I ſhall anſwer. Remember I am your King, your lawful King, and what ſins you bring upon your heads, and the judgment of God upon this land; think well upon it, I ſay think well upon it, before you go farther from one ſin to a greater: therefore let me know, by what lawful authority I am ſeated here, and I ſhall not be unwilling to anſwer. In the mean time I ſhall not betray my truſt; I have a truſt commited to me by God, by old and lawful deſcent, I will not betray it, to anſwer to a new unlawful authority: therefore reſolve me that, and you ſhall hear more of me.

BRADSHAW. If you had been pleaſed to have obſerved what was hinted to you by the court, at your firſt coming hither, you would have known by what authority; which authority requires you, in the name of the people of England, of which you are elected King, to anſwer.

KING. No ſir, I deny that.

BRADSHAW. If you acknowledge not the authority of the court they muſt proceed.

KING. I do tell them ſo, England was never an elective kingdom, but an hereditary kingdom for near theſe thouſand years; therefore let me know by what authority I am called hither: I do ſtand more for the liberty of my people, than any here who come to be my pretended judges; and therefore let me know by what lawful authority I am ſeated here, and I will anſwer it; otherwiſe I will not anſwer it.

BRADSHAW. Sir, how well you have managed your truſt, is known: your way of anſwer is to interrogate the court, which beſeems you not in this condition. You have been told of it twice or thrice.

KING. Here is a gentleman, lieutenant-colonel Cobbet; aſk him, if he did not bring me from the Iſle of Wight by force. I do not come here as ſubmiting to the court: I will ſtand as much for the privilege of the houſe of commons, rightly underſtood,

underſtood, as any man here whatſoever. I ſee no houſe of lords here, which may conſtitute a parliament; and the King too ſhould have been. Is this the bringing of the King to his parliament? Is this the bringing an end to the treaty in the public faith of the world? Let me ſee a legal authority warranted by the word of God, the ſcriptures, or warranted by the conſtitutions of the kingdom, and I will anſwer.

BRADSHAW. Sir, you have propounded a queſtion, and have been anſwered. Seeing you will not anſwer, the court will conſider how to proceed: in the mean time, they who brought you hither, are to take charge of you back again. The court deſires to know, whether this be all the anſwer you will give, or no.

KING. Sir, I deſire that you would give me, and all the world, ſatisfaction in this: let me tell you, it is not a ſlight thing you are about. I am ſworn to keep the peace, by that duty I owe to God and my country, and I will do it to the laſt breath of my body; and therefore you ſhall do well to ſatisfy firſt God, and then the country, by what authority you do it: if you do it by an uſurped authority, you cannot anſwer it. There is a God in heaven, who will call you, and all that give you power, to account. Satisfy me in that, and I will anſwer; otherwiſe I betray my truſt, and the liberties of the people: and therefore think of that, and then I ſhall be willing. For I do avow, that it is as great a ſin to withſtand lawful authority, as it is to ſubmit to a tyrannical or any other ways unlawful authority: and therefore ſatisfy God and me, and all the world in that, and you ſhall receive my anſwer. I am not afraid of that bill.

BRADSHAW. The court expects you ſhould give them a final anſwer, their purpoſe is to adjourn to Monday next: if you do not ſatisfy yourſelf, tho' we do tell you our authority; we are ſatisfied with our authority, and it is upon God's authority and the kingdom's; and that peace you ſpeak of will be kept in the doing of juſtice, and that is our preſent work.

KING. For anſwer, let me tell you, you have ſhewn no lawful authority to ſatisfy any reaſonable man.

BRADSHAW. That is in your apprehenſion; we are ſatisfied, who are your judges.

KING. It is not my apprehenſion, nor yours neither, which ought to decide it.

BRADSHAW. The court has heard you, and you are to be diſpoſed of as they have commanded.

So commanding the guard to take him away, his Majeſty only replied, Well, Sir!

And at his going down, pointing with his ſtaff towards the ſword *, he ſaid, "I do not fear that."

As he went down ſtairs, the people in the hall cried out, "God ſave the King!" notwithſtanding ſome were ſet there by the faction to lead the clamor for juſtice. [Nalſon.]

Painted-chamber, 22 January, 1648.

Commiſſioners preſent.

John Bradſhaw, Serjeant at Law, Lord-preſident.

William Say.	Oliver Cromwell.	Cornelius Holland.
John Downs.	Tho. ld Grey of Grooby.	Humphrey Edwards.
Edward Whaley.	Sir Gregory Norton, bar.	Vincent Potter.
Francis Allen, eſqrs.	Robert Wallop.	John Okey.
Sir Tho. Maleverer, bar.	James Temple.	John Blackiſtone.
Valentine Wauton,	Owen Roe.	Thomas Hammond.
Peter Temple.	Richard Deane.	Daniel Blagrave.
John Fry.	William Goffe.	Will. Heveningham.
Thomas Scot.	Francis Laſſells.	Sir Michael Liveſey.
Henry Smith.	Edmond Ludlow.	John Berkſtead.
Tho. Pride.	William Cawley.	Peregrine Pelham.
Auguſtine Garlant.	GilbertMillington, eſqrs.	John Downs.
John Venn, eſqrs.	Sir Hardreſs Waller, knt.	Adrian Scroope.
Sir John Bourchier, knt.	Anthony Stapeley.	John Dixwell.
William Pureſoy.	John Jones.	John Moor.
Sir Will. Conſtable, bar.	Nicholas Love.	Robert Tichbourn.
Iſaac Pennington, alder. of London.	John Carew, eſqrs.	James Challoner.
Thomas Harriſon.	Thomas Andrews, ald. of London.	Gregory Clement.
Edmund Harvey.	Iſaac Ewers.	William lord Monſon.
John Hutchinſon, eſqrs.	John Huſon, eſqrs.	Henry Martin.
		ThomasChalloner, eſqrs.

Sixty two Commiſſioners preſent.

Here the court ſit private.

Ordered, That the commitee for nominating the officers of this court, together with the commitee for nominating the guards, do conſider of an allowance for diet of the officers, and what other ſatisfaction they ſhall have for their ſervice.

Colonel Harvey informed the court, That he was deſired to ſignify, in behalf of mr. John Corbet, member of this court, that his abſenſe is not from any diſaffection to the proceedings of this court, but in regard of other eſpecial imployment which he hath in the ſervice of the ſtate.

Here the court conſidered of the King's carriage on the Saturday before, and of all had then paſſed on the court's behalf, and approved thereof, as agreeing to their ſenſe and directions. And perceiving what the King aimed at, viz. to bring in queſtion (if he could) the court's juriſdiction, and the authority whereby they ſat; and conſidering that he had not in the interim acknowledged them in any ſort to be a court, or in any judicial capacity to determine of his demand and plea, and that, thro' their ſides, he intended to wound (if he might be permited) the ſupreme authority of the commons of England, in their repreſentative, the commons aſſembled in parliament; after advice with their counſel learned in both laws, and mature deliberation had of the matter.

Reſolved, That the priſoner ſhould not be ſuffered to bring in queſtion theſe things which he aimed at, touching that higheſt juriſdiction; whereof they might not make themſelves judges, and from which there was no appeal. And therefore order and direct, viz.

Ordered, That in caſe the King ſhall again offer to fall into that diſcourſe, the lord-preſident do let him know, That the court have taken into conſideration his demands of the laſt day, and that he ought to reſt ſatisfied with this anſwer, "That the "commons of England aſſembled in parliament have conſti- "tuted this court, whoſe power may not nor ſhould be per- "mited to be diſputed by him, and that they were reſolved he "ſhould anſwer his charge."

That in caſe he ſhall refuſe to anſwer, or acknowledge the court, the lord-preſident do let him know, that the court will take it as a contumacy, and that it ſhall be ſo recorded.

That in caſe he ſhall offer to anſwer with a "Saving," notwithſtanding of his pretended prerogative, that the lord-preſident do, in name of the court, refuſe his proteſt, and require his poſitive anſwer to the charge.

That in caſe the King ſhall demand a copy of the charge, that he ſhall then declare his intention to anſwer; and that declaring ſuch his intention, a copy be granted unto him.

That in caſe the King ſhall ſtill perſiſt in his contempt, the lord-preſident do give command to the clerk to demand of the King, in name of the court, in theſe words following, viz.

"Charles Stuart, King of England, you are accuſed, in be- "half of the people of England, of diverſe high-crimes and "treaſons, which charge has been read unto you; the court "requires you to give a poſitive anſwer, whether you confeſs "or deny the charge; having determined, that you ought to "anſwer the ſame."

Ordered, That the commiſſioners ſhall be called in open court, at the court's ſiting in the hall, and that the names of ſuch appear ſhall be recorded.

Hereupon the court forthwith adjourned into Weſtminſter-hall.

Weſtminſter-hall, 22 January, 1648, poſt Merid.

The commiſſioners, coming from the Painted-chamber, took their place in the public court, in Weſtminſter-hall, as on Saturday before; and being ſat, and the hall-door ſet open, three proclamations were made for all perſons, who were adjourned over to this time, to give their attendance, and for all perſons to keep ſilence, on pain of impriſonment: the court was thereupon called.

Commiſſioners preſent.

John Bradſhaw, Serjeant at Law, Lord-preſident.

William Say.	Tho. ld. Grey of Grooby.	Robert Lilbourn.
John Liſle,	William lord Monſon.	John Jones.
Oliver Cromwell,	Sir John Danvers, knt.	Francis Allen.
Henry Ireton, eſqrs.	Sir Tho. Maleverer, bar.	Peregr. Pelham.
Sir Hardreſs Waller, knt.	Sir John Bourchier, knt.	Thomas Challoner.
Valentine Wauton.	Edmond Ludlow.	John Moor.
Tho. Harriſon.	John Huſon.	John Alured.
Edward Whaley.	William Goffe.	Francis Laſſells.
Thomas Pride.	Cornelius Holland.	Henry Smith.
Iſaac Ewers, eſqrs.	John Carew, eſqrs.	James Challoner, eſqrs.

* It is Bill in Phelps's Journal; which Bill was the Charge, and lay near the ſword of ſtate.

Gregory Clement.	Sir Will. Conſtable, bar.	William Cawley.
John Fry.	Sir Michael Liveſey, bar.	Anthony Stapeley.
Thomas Wogan.	Robert Tichbourne.	John Downs.
Peter Temple.	Owen Roe.	Thomas Horton.
Robert Wallop.	Adrian Scroope.	Thomas Hammond.
Will. Heveningham.	John Deane.	Nicholas Love.
Iſaac Pennington, alder. of London.	John Okey.	Vincent Potter, eſqrs.
	John Hutchinſon, eſqrs.	SirGilbertPickering,bar.
Henry Martin	Sir GregoryNorton, bar.	Aug. Garland.
William Purefoy.	Edmond Harvey.	John Dixwell.
John Berkſtead.	John Venn.	James Temple.
William Tomlinſon.	Thomas Scot.	Daniel Blagrave.
John Blackiſtone.	Tho. Andrews, alder.	Humph. Edwards, eſqrs.
Gilbert Millington, eſqrs	of London.	

Seventy commiſſioners preſent.

The court being called, the ſerjeant was commanded to fetch his priſoner.

The King again brought priſoner to the bar, as on Saturday before: proclamation made for ſilence, while pleas of the common-wealth were in hand; and order given to the captain of the guard to take into his cuſtody ſuch as ſhould diſturb the court.

Mr. ſollicitor moved the court, that the priſoner might give a poſitive anſwer to his charge, or otherwiſe that the court would take the matter of it "pro confeſſo," and proceed thereupon according to juſtice. Which being preſſed by the court upon the priſoner, and their judgment again made known to him, That he was to anſwer his charge, otherwiſe his contumacy would be recorded:

The priſoner, this notwithſtanding, ſtill inſiſted on his former plea, and that the court had no power, nor the commons of England who had conſtituted it, to proceed againſt him. Upon which the clerk of the court, by command, and according to former order, required his anſwer in the form preſcribed: and the priſoner ſtill refuſing to ſubmit thereto, his default and contempt were again recorded, the priſoner remanded, and the court adjourned 'till next day, being Tueſday, at twelve, to the Painted-chamber; withal, giving notice, that from thence they intended to adjourn to this place again.

[Sunday having paſſed in faſting and ſeditious preaching, according to the mode of theſe impious hypocrites, who uſed to preface rebellion and murder with the appearance of religion, the illuſtrious ſufferer was (as is before in Phelps's Journal related) placed before the infamous tribunal, where their mercenary ſollicitor, Cook, opened the tragic ſcene thus, diſplaying his talents of impudence and treaſon. Nalſon.]

COOK. May it pleaſe your lordſhip, my lord-preſident; I did at the laſt court, in behalf of the commons of England, exhibit and give into this court a charge of high-treaſon, and other high crimes againſt the priſoner at the bar, whereof I do accuſe him in name of the people of England: and the charge was read unto him, and his anſwer required. My lord; he was not pleaſed to give an anſwer, but inſtead of anſwering, did there diſpute the authority of this High-court. My humble motion to this High-court, in behalf of the kingdom of England, is, That the priſoner may be directed to make a poſitive anſwer, either by way of confeſſion or negation; which if he ſhall refuſe to do, that then the matter of charge may be taken "pro confeſſo," and the court may proceed according to juſtice.

BRADSHAW. Sir, you may remember, at the laſt court, you were told the occaſion of your being brought hither, and you heard a charge read againſt you, containing a charge of high-treaſon and other high crimes againſt this realm of England: you heard likewiſe, that it was prayed, in behalf of the people, that you ſhould give anſwer to this charge, that thereupon ſuch proceedings might be had as ſhould be agreeable to juſtice. You were then pleaſed to make ſome ſcruples concerning the authority of this court, and knew not by what authority you were brought hither; you did diverſe times propound your queſtions, and were as often anſwered, That it was by authority of the commons of England aſſembled in parliament, who did think fit to call you to account for thoſe high and capital miſdemeanors wherewith you were then charged. Since that, the court has taken into conſideration what you then ſaid; they are fully ſatisfied with their own authority, and they hold it fit that you ſhould be ſatisfied with it too; and they do require it, that you do give a poſitive and particular anſwer to this charge which is exhibited againſt you: they do expect you ſhould either confeſs or deny it; if you deny, it is offered, in behalf of the kingdom, to be made good againſt you: their authority they do avow to the whole world, that the whole kingdom are to reſt ſatisfied in, and you are to reſt ſatisfied with it: and therefore you are to loſe no more time, but to give a poſitive anſwer thereunto.

KING. When I was here laſt, it is very true, I made that queſtion; and, if it were only my own particular caſe, I would have ſatisfied myſelf with the proteſtation I made, the laſt time I was here, againſt the legality of this court, and that a King cannot be tried by any ſuperior juriſdiction on earth: but it is not my caſe alone, it is the freedom and the liberty of the people of England; and do you pretend what you will, I ſtand more for their liberties. For if power without law may make laws, may alter the fundamental laws of the kingdom, I do not know what ſubject he is in England who can be ſure of his life, or any thing which he calls his own: therefore when I came here, I did expect particular reaſons to know by what law, what authority you did proceed againſt me here. And therefore I am a little to ſeek what to ſay to you in this particular, becauſe the affirmative is to be proved, the negative often is very hard to do: but ſince I cannot perſuade you to do it, I ſhall tell you my reaſons as ſhort as I can.

My reaſons why, in conſcience and the duty I owe to God firſt, and my people next, for the preſervation of their lives, liberties and eſtates, I conceive I cannot anſwer this, 'till I be ſatisfied of the legality of it.

All proceedings againſt any man whatſoever——

BRADSHAW. Sir, I muſt interrupt you, which I would not do, but that what you do is not agreeable to the proceedings of any court of juſtice. You are about to enter into argument, and diſpute concerning the authority of this court, before whom you appear as a priſoner, and are charged as a high delinquent; if you take upon you to diſpute the authority of the court, we may not do it, nor will any court give way unto it: you are to ſubmit unto it, you are to give a punctual and direct anſwer, whether you will anſwer your charge or no, and what your anſwer is.

KING. Sir, by your favor, I do not know the forms of law; I do know law and reaſon, tho' I am no lawyer profeſſed, but I know as much law as any gentleman in England; and therefore (under favor) I do plead for the liberties of the people of England more than you do: and therefore, if I ſhould impoſe a belief upon any man, without reaſons given for it, it were unreaſonable; but I muſt tell you, that by that reaſon which I have, as thus informed, I cannot yield unto it.

BRADSHAW. Sir, I muſt interrupt you, you may not be permited: you ſpeak of law and reaſon, it is fit there ſhould be law and reaſon, and there is both againſt you. Sir, the vote of the commons of England aſſembled in parliament, it is the reaſon of the kingdom, and they are theſe too who have given that law, according to which you ſhould have ruled and reigned. Sir, you are not to diſpute our authority, you are told it again by the court. Sir, It will be taken notice of, that you ſtand in contempt of the court, and your contempt will be recorded accordingly.

KING. I do not know how a King can be a delinquent; but by any law which ever I heard of, all men (delinquents, or what you will) let me tell you they may put in demurrers againſt any proceeding as legal: and I do demand that, and demand to be heard with my reaſons; if you deny that, you deny reaſon.

BRADSHAW. Sir, you have offered ſomething to the court; I ſhall ſpeak ſomething unto you, the ſenſe of the court. Sir, neither you, nor any man, are permited to diſpute that point; you are concluded, you may not demur to the juriſdiction of the court: if you do, I muſt let you know, that they over-rule your demurrer; they ſit here by the authority of the commons of England, and all your predeceſſors and you are reſponſible to them.

KING. I deny that, ſhew me one precedent.

BRADSHAW. Sir, you ought not to interrupt while the court is ſpeaking to you. This point is not to be debated by you, neither will the court permit you to do it; if you offer it by way of demurrer to the juriſdiction of the court, they have conſidered of their juriſdiction, they do affirm their own juriſdiction.

KING. I ſay, ſir, by your favor, that the commons of England were never a court of judicature; I would know how they came to be ſo.

BRADSHAW. Sir, you are not to be permited to go on in that ſpeech and theſe diſcourſes.

Then the clerk of the court read,

"Charles Stuart, King of England, you have been accuſed "on the behalf of the people of England of high-treaſon, and

" and other high crimes; the court have determined that you " ought to anſwer the ſame."

KING. I will anſwer the ſame, ſo ſoon as I know by what authority you do this.

BRADSHAW. If this be all you will ſay, then gentlemen, you who brought the priſoner hither, take charge of him back again.

KING. I do require that I may give in my reaſons why I do not anſwer, and give me time for that.

BRADSHAW. Sir, it is not for priſoners to require.

KING. Priſoners! Sir, I am not an ordinary priſoner.

BRADSHAW. The court has conſidered of their juriſdiction, and they have already affirmed their juriſdiction; if you will not anſwer, we will give order to record your default.

KING. You never heard my reaſon yet.

BRADSHAW. Sir, your reaſons are not to be heard againſt the higheſt juriſdiction.

KING. Shew me that juriſdiction where reaſon is not to be heard.

BRADSHAW. Sir, we ſhew it you here, the commons of England; and the next time you are brought, you will know more of the pleaſure of the court; and, it may be, their final determination.

KING. Shew me where ever the houſe of commons was a court of judicature of that kind.

BRADSHAW. Serjeant, take away the priſoner.

KING. Well, ſir, remember that the King is not ſuffered to give in his reaſons for the liberty and freedom of all his ſubjects.

BRADSHAW. Sir, you are not to have liberty to uſe this language. How great a friend you have been to the laws and liberties of the people, let all England and the world judge.

KING. Sir, under favor, it was for the liberty, freedom and laws of the ſubject, that ever I took———defended myſelf with arms; I never took up arms againſt the people, but for the laws.

BRADSHAW. The command of the court muſt be obeyed; no anſwer will be given to the charge.

KING. Well, ſir!

Then Bradſhaw ordered the default to be recorded, and the contempt of the court; and that no anſwer would be given to the charge.

The King was guarded forth to ſir Robert Cotton's houſe.

The court adjourned to the Painted-chamber, on Tueſday at twelve, and from thence to Weſtminſter-hall; at which time all perſons concerned were to give their attendance.

[His majeſty, not being ſuffered to deliver his reaſons againſt the juriſdiction of their pretended court, by word of mouth, thought fit to leave them in writing, to the more impartial judgment of poſterity, as follows, viz.

" HAving already made my proteſtations, not only againſt " the illegality of this pretended court, but alſo, " That no earthly power can juſtly call me" (who am your " King) " in queſtion, as a delinquent;" I would not any " more open my mouth upon this occaſion, more than to re- " fer myſelf to what I have ſpoken, were I in this caſe alone " concerned: but the duty I owe to God, in the preſervation " of the true liberty of my people, will not ſuffer me at this " time to be ſilent. For how can any free-born ſubject of " England call life, or any thing he poſſeſſeth, his own, if " power without right daily make new, and abrogate the " old fundamental laws of the land, which I now take to be " the preſent caſe; Wherefore, when I came hither, I ex- " pected that you would have indeavored to have ſatisfied me " concerning theſe grounds which hinder me to anſwer to your " pretended impeachment: but ſince I ſee that nothing I can " ſay will move you to it (tho' negatives are not ſo naturally " proved as affirmatives) yet I will ſhew you the reaſon why " I am confident you cannot judge me, nor indeed the meaneſt " man in England: for I will not (like you) without ſhewing " a reaſon, ſeek to impoſe a belief upon my ſubjects.

" There is no proceeding juſt againſt any man, but what " is warranted either by God's laws, or the muni- " cipal laws of the country where he lives. Now " I am moſt confident, this day's proceeding " cannot be warranted by God's law; for, on " the contrary, the authority of obedience unto " Kings is clearly warranted, and ſtrictly com- " manded both in the Old and New Teſtament; " which, if denied, I am ready inſtantly to prove.

Hereabout I was ſtop'd and not ſuffered to ſpeak any more concerning reaſons.

" And for the queſtion now in hand, there it is ſaid, " That, " where the word of a King is, there is power; and " who may ſay unto him, what doſt thou?" Eccl. 8. 4. " Then for the law of this land, I am no leſs confident, that " no learned lawyer will affirm, That " an impeachment " can lie againſt the King, they all going in his name:" and " one of their maxims is, that " the King can do no wrong." " Beſides, the law upon which you ground your proceedings " muſt be either old or new; if old, ſhew it; if new, tell " what authority, warranted by the fundamental laws of the " land, hath made it, and when. But how the houſe of com- " mons can erect a court of judicature, which was never one " itſelf (as is well known to all lawyers) I leave to God and " the world to judge. And it were full as ſtrange, that " they ſhould pretend to make laws without King or lords " houſe, to any who have heard ſpeak of the laws of Eng- " land.

" And admiting, but not granting, that the people of " England's commiſſion could grant your " pretended power," " I ſee nothing you can ſhew for that; for certainly you never " asked the queſtion of the " tenth man" in the kingdom: " and in this way you manifeſtly wrong even the " pooreſt " ploughman," if you demand not his free conſent; nor can " you pretend any color for this your " pretended com- " miſſion," without the conſent at leaſt of the major part of " every man in England, of whatſoever quality or condition, " which I am ſure you never went about to ſeek; ſo far " are you from having it. Thus you ſee that I ſpeak not " for my own right alone, as I am your King, but alſo for " the true liberty of all " my ſubjects," which conſiſts not " in the " power of government," but in " living under " ſuch laws, ſuch a government," as may give themſelves " the beſt aſſurance of their lives, and property of their goods. " Nor in this muſt or do I forget the " privileges" of both " houſes of parliament, which this day's proceedings do not " only violate, but likewiſe occaſion the greateſt breach of " their public faith, was (I believe) ever heard of: with " which I am far from charging the two houſes; for all " pretended crimes" laid againſt me bear date long before " this treaty at Newport, in which I having concluded as " much as in me lay, and hopefully expecting the houſes " agreement thereunto, I was ſuddenly ſurpriſed, and hur- " ried from thence as a priſoner: upon which account I am " againſt my will brought hither; where ſince I am come, I " cannot but, to my power, defend the antient laws and liber- " ties of this kingdom, together with my own juſt right. " Then, for any thing I can ſee, the higher houſe is totally " excluded: and, for the houſe of commons, it is too well " known that the major part of them are detained, or de- " terred from ſiting; ſo as, if I had no other, this were ſuf- " ficient for me to proteſt againſt the lawfulneſs of your pre- " tended court. Beſide all this, the peace of the kingdom is " not the leaſt in my thoughts; and what hopes of ſetlement " is there, ſo long as power reigns without rule or law, " changing the whole frame of that government, under which " this kingdom hath flouriſhed for many hundred years? " (Nor will I ſay what will fall out, in caſe this lawleſs unjuſt " proceeding againſt me do go on.) And believe it, the " commons of England will not thank you for this change; " for they will remember how happy they have been of late " years under the reign of Queen Elizabeth, the King my " father, and myſelf, until the begining of theſe unhappy " troubles, and will have cauſe to doubt that they ſhall never " be ſo happy under any new. And by this time it will be " too ſenſibly evident, that the arms I took up were only to " defend the fundamental laws of this kingdom, againſt thoſe " who have ſuppoſed my power hath totally changed the an- " tient government.

" Thus having ſhewed you briefly the reaſons, why I can- " not ſubmit to your pretended authority, without violating " the truſt which I have from God, for the welfare and li- " berty of my people; I expect from you either clear reaſons " to convince my judgment, ſhewing me that I am in an " error (and then truly I will anſwer) or that you will with- " draw your proceeding."

This I intended to ſpeak in Weſtminſter-hall on Monday, January the 22d; but, againſt reaſon, was hindered to ſhew my reaſons.]

Martis,

Martis, 23 Jan. 1648. Painted-chamber.

THREE proclamations are made, and all parties concerned required to give their attendance.

Commiſſioners preſent.

John Bradſhaw, Serjeant at Law, Lord-preſident.

John Liſle.	Auguſtine Garland.	Sir Henry Mildmay.
William Say, eſqrs.	Nicholas Love.	John Hutchinſon.
Sir James Harrington, knt.	Tho. Hammond.	Peter Temple.
Francis Allen.	John Moor,	Henry Ireton, eſqrs.
Henry Martin.	Edmond Harvey.	Sir Michael Liveſey, bar.
Thomas Scot, eſqrs.	Thomas Pride.	John Jones.
Sir Hardreſs Waller.	Henry Smith.	James Temple.
Edm. Whaley.	Thomas Challoner.	Iſaac Ewers, eſqrs.
John Venn.	Miles Corbet.	Sir John Bourchier.
Richard Deane.	John Okey, eſqrs.	John Fry, eſqrs.
John Huſon, eſqrs.	Sir Will. Conſtable, bar.	Sir Tho. Maleverer, bar.
Tho. ld. Grey of Grooby.	Gilbert Millington.	Gregory Clement.
William Pureſoy.	Humphrey Edwards.	John Carew.
Daniel Blagrave.	Anthony Stapeley.	Thomas Andrews, ald.
Iſaac Pennington, alder. of London.	Robert Tichbourne, eſqrs.	of London.
	Sir John Danvers.	John Dixwell, eſqrs.
Thomas Harriſon.	Simon Meyne.	Sir Gilbert Pickering, bar.
Adrian Scroope.	Vincent Potter.	William Heveningham.
Robert Liſbourn. eſqrs.	Oliver Cromwell.	Valentine Wauton.
Sir Gregory Norton, bar.	Edmond Ludlow.	John Downs.
Cornelius Holland.	John Blackiſtone, eſqrs.	Owen Roe. eſqrs.
William Cawley, eſqrs.		

Sixty-three Commiſſioners preſent.

Here the court ſat private.

And taking into conſideration the proceeding of the laſt court the laſt day, fully approved of what, in their behalf, had been then ſaid and done; and likewiſe taking into conſideration the demeanor of the King at the ſaid court, have notwithſtanding reſolved to try him once more, whether he will own the court; and to that purpoſe,

Ordered, That the lord-preſident do acquaint the King, in caſe he ſhall continue contumacious, that he is to expect no farther time; and that the lord-preſident do therefore, in name of the court, require his poſitive and final anſwer; and if he ſhall ſtill perſiſt in his obſtinacy, that the lord-preſident give command to the clerk to read as follows, viz.

" Charles Stuart, King of England, you are accuſed, on the " behalf of the people of England, of diverſe high crimes and " treaſons, which charge hath been read unto you; the court " now requires you to give your final and poſitive anſwer, by " way of confeſſion or denial of the charge.

Nevertheleſs, if the King ſhould ſubmit to anſwer, and deſire a copy of his charge, that it be granted him by the lord-preſident; notwithſtanding giving him to know, That the court might in juſtice forthwith proceed to judgment for his former contumacy and failure to anſwer; and that he be required to give his anſwer to the ſaid charge, next day at one in the after-noon. Whereupon the court inſtantly adjourned to Weſtminſter-hall.

Weſtminſter-hall, 23 Jan. 1648, poſt Merid.

THREE proclamations being made made, and attendance and ſilence commanded, as formerly, the court was thereupon called.

Commiſſioners preſent.

John Bradſhaw, Serjeant at Law, Lord-preſident.

Oliver Cromwell,	Richard Deane.	Robert Wallop.
Henry Ireton. eſqrs.	John Okey.	William Heveningham.
Sir Hardreſs Waller, knt.	John Huſon.	Iſaac Pennington, alder.
Valentine Wauton.	William Goffe.	of London
Thomas Harriſon.	Cornelius Holland.	John Alured.
Edward Whaley.	John Carew.	Henry Smith.
Thomas Pride.	John Jones.	James Temple.
Iſaac Ewers.	Miles Corbet.	Peter Temple.
Henry Martin.	Francis Allen.	Daniel Blagrave.
William Pureſoy.	Peregrine Pelham.	Humphrey Edwards.
John Berkſtead.	Thomas Challoner.	Gregory Clement.
John Blackiſtone.	John Moor.	John Fry.
Gilbert Millington, eſqrs.	William Say.	Thomas Wogan.
Sir Will. Conſtable, bar.	John Dixwell, eſqrs.	Sir Gregory Norton.
Edmond Ludlow.	Sir Henry Mildmay, knt.	Edmond Harvey.
John Hutchinſon, eſqrs.	Tho. ld. Grey of Grooby.	John Venn.
Sir Michael Liveſey, bar.	William lord Monſon.	Thomas Scot.
Rob. Tichbourne.	Sir John Danvers.	Thomas Andrews, alder.
Owen Roe.	Sir Tho. Maleverer, bar.	of London.
Robert Lilbourn.	Sir John Bourchier, knt.	William Cawley.
Adrian Scroope, eſqrs.	Sir James Harrington, knt.	Anthony Stapeley, eſqrs.
John Downs, eſq;	John Liſle, eſq;	Sir Gilbert Pickering, bar.
Thomas Horton.	Nicholas Love, eſq;	Auguſtine Garland.
Thomas Hammond.	Vincent Potter.	Simon Meyne, eſqrs.

Seventy-one commiſſioners preſent.

The court being called, the ſerjeant was required to ſend for the priſoner, who was accordingly brought to the bar, where he took his ſeat as formerly. Proclamation was thereupon made for ſilence, while the pleas of the common-wealth were in hand, and the captain of the guard commanded, by proclamation, to take into cuſtody all who ſhould diſturb the proceedings of the court.

Mr. ſollicitor Cook, addreſſing himſelf to the court, repeated the former delays and contempts of the priſoner, ſo as that no more needed on his part, but to demand judgment; yet offered, notwithſtanding the notoriety of the facts charged, mentioned in the commons act appointing the trial, to prove the truth of the ſame by witneſſes, if thereto required: and therefore prayed, and yet (he ſaid) not ſo much he, as the innocent blood which had been ſhed, the cry whereof was very great, that a ſpeedy ſentence and judgment might be pronounced againſt the priſoner at the bar, according to juſtice.

Hereupon the court, puting the priſoner in mind of former proceedings, and that altho', by the rules of juſtice, if advantage was taken of his paſſed contempts, nothing would remain but to pronounce judgment againſt him, they had nevertheleſs determined to give him leave to anſwer his charge; which, as was told him in plain terms (for juſtice knew no reſpect of perſons) was to plead Guilty, or Not Guilty, thereto.

To which he made anſwer as formerly, That he would not acknowledge the juriſdiction of the court, and that it was againſt the fundamental laws of the kingdom; that there was no law to make a King a priſoner; that he had done nothing againſt his truſt; and iſſued out into ſuch-like diſcourſes.

Upon which the court's reſolution was again remembered to him, and he told; That he had now the third time publicly diſowned and affronted the court: that how good a preſerver he had been of the fundamental laws, and freedoms of the people, his actions had ſpoken: that mens intentions were uſed to be ſhewed by their actions, and that he had writen his meaning in bloody characters throughout the kingdom; and that he ſhould find at laſt, tho' at preſent he would not underſtand it, that he was before a court of juſtice.

Hereupon, in the manner appointed, the clerk, in name of the court, demanding the priſoner's anſwer to his charge, and the ſame refuſed, the default was recorded, the priſoner remanded, and the court adjourned to the Painted-chamber.

Painted-chamber.

The court, according to their former adjournment from Weſtminſter-hall, came together from thence into the Painted-chamber, where they ſat privately, and ordered as follows, viz.

Ordered, That no commiſſioner ought, or ſhall depart from the court, without the ſpecial leave of the ſaid court.

This court took into conſideration the managing of the buſineſs of the court this day, in the hall, and the King's refuſal to anſwer, notwithſtanding he had been three ſeveral times demanded and required thereunto; and thereupon fully approved of what, on the court's part, had then paſſed; and reſolved,

That, notwithſtanding the ſaid contumacy of the King, and refuſal to plead, which in law amounts to a ſtanding mute, and tacit confeſſion of the charge, and notwitſtanding the notoriety of the fact charged, the court would nevertheleſs however examine witneſſes, for the farther and clearer ſatisfaction of their own judgments and conſciences; the manner of whoſe examination was refered to farther conſideration the next ſiting, and warrants were accordingly iſſued forth for ſummoning witneſſes.

Mr. Peters moved the court, as a meſſenger from the King, viz. That the King deſires he might ſpeak with his chaplains, who came unto him privately: but the houſe of commons having taken that into their conſideration, the court conceived it not proper for them to intermedle therein.

The court adjourned 'till nine to-morrow morning, to this place.

" What paſſed in the hall more at large than is related by " Phelps, in this day's tranſactions, ſee in the following diſ- " courſe.

The

The King, being brought in by the guard, looked with a majeſtic countenance upon his pretended judges, and ſat down.

After the ſecond O Yes, and ſilence commanded, Cook began more inſolently:

COOK. May it pleaſe your lordſhip, my lord-preſident: this is now the third time, that, that by the great grace and favor of this High-court, the priſoner has been brought to the bar, before any iſſue joined in the cauſe. My lord, I did at the firſt court exhibit a charge againſt him, containing the higheſt treaſon was ever wrought upon the theater of England; that a King of England, truſted to keep the law, who had taken oath ſo to do, who had tribute paid him for that end, ſhould be guilty of a wicked deſign to ſubvert and deſtroy our laws, and introduce arbitrary and tyrannical government, in defiance of the parliament and their authority, ſet up his ſtandard for war againſt the parliament and people: and I did humbly pray, in behalf of the people of England, that he might ſpeedily be required to make anſwer to the charge.

But, my lord, inſtead of making any anſwer, he did then diſpute the authority of this High-court. Your lordſhip was pleaſed to give him a farther day to conſider, and to put in his anſwer; which day being yeſterday, I did humbly move, that he might be required to give a direct and poſitive anſwer, either by denying or confeſſion of it: but, my lord, he was then pleaſed to demur to the juriſdiction of the court; which the court did then over-rule, and command him to give a direct and poſitive anſwer. My lord; beſides this great delay of juſtice, I ſhall now humbly move your lordſhip for ſpeedy judgment againſt him. My lord, I might preſs your lordſhip upon the whole, that, according to the known rules of the law of the land, if a priſoner ſhall ſtand as contumacious in contempt, and ſhall not put in an iſſuable plea, Guilty, or Not Guilty of the charge given againſt him, whereby he may come to a fair trial; that as by an implicit confeſſion, it may be taken "pro confeſſo," as it has been done to thoſe who have deſerved more favor than the priſoner at the bar has done. But beſide, my lord, I ſhall humbly preſs your lordſhip upon the whole fact. The houſe of commons, the ſupreme authority and juriſdiction of this kingdom, have declared, that it is notorious, that the matter of the charge is true, as it is in truth, my lord, as clear as cryſtal, and as the ſun which ſhines at noon-day: which if your lordſhip and the court be not ſatisfied in, I have notwithſtanding, on the people of England's behalf, ſeveral witneſſes to produce. And therefore I do humbly pray (and yet I muſt confeſs it is not ſo much I, as the innocent blood which has been ſhed, the cry whereof is very great for juſtice and judgment; and therefore I do humbly pray) that ſpeedy judgment be pronounced againſt the priſoner at the bar.

Bradſhaw went on in the ſame ſtrain:

Sir, you have heard what is moved by the counſel, on behalf of the kingdom, againſt you. Sir, you may well remember, and if you do not, the court cannot forget, what dilatory dealings the court has found at your hands. You were pleaſed to propound ſome queſtions; you have had our reſolution upon them. You were told over and over again, that the court did affirm their own juriſdiction; that it was not for you, nor any other man, to diſpute the juriſdiction of the ſupreme and higheſt authority of England, from which there is no appeal, and touching which there muſt be no diſpute: yet you did perſiſt in ſuch carriage, as you gave no manner of obedience, nor did you acknowledge any authority in them, nor the High-court which conſtituted this court of juſtice.

Sir, I muſt let you know, from the court, that they are very ſenſible of theſe delays of yours, and that they ought not, being thus authorized by the ſupreme court of England, to be thus trifled withal; and that they might, in juſtice; if they pleaſed, and according to the rules of juſtice, take advantage of theſe delays, and proceed to pronounce judgment againſt you: yet nevertheleſs they are pleaſed to give direction, and on their behalfs I do require you, that you make a poſitive anſwer unto this charge which is againſt you, ſir, in plain terms (for juſtice knows no reſpect of perſons) you are to give your poſitive and final anſwer, in plain Engliſh, whether you be guilty, or not guilty, of theſe treaſons laid to your charge.

The King, after a little pauſe, ſaid.

When I was here yeſterday, I did deſire to ſpeak for the liberties of the people of England; I was interrupted. I deſire to know yet, whether I may ſpeak freely, or not.

BRADSHAW. Sir, you have had the reſolution of the court upon the like queſtion the laſt day, and you were told that, having ſuch a charge of ſo high a nature againſt you, your work was, that you ought to acknowledge the juriſdiction of the court, and to anſwer to your charge. Sir; if you anſwer to your charge, which the court gives you leave now to do, tho' they might have taken the advantage of your contempt; yet if you be able to anſwer to your charge, when you have once anſwered, you ſhall be heard at large, make the beſt defenſe you can. But, ſir, I muſt let you know from the court, as their commands, that you are not to be permited to iſſue out into any other diſcourſes, 'till ſuch time as you have given a poſitive anſwer concerning the matter which is charged upon you.

KING. For the charge, I value it not a ruſh: it is the liberty of the people of England which I ſtand for. For me to acknowledge a new court which I never heard of before, I who am your King, who ſhould be an example to all the people of England for to uphold juſtice, to maintain the old laws! indeed I know not how to do it. You ſpake very well the firſt day I came here (on Saturday) of the obligations which I had laid upon me by God, to the maintenance of the liberties of my people: the ſame obligation you ſpeak of, I do acknowledge to God that I owe to him, and to my people, to defend as much as in me lies the ancient laws of the kingdom. Therefore, 'till I may know that this is not againſt the fundamental laws of the kingdom, by your favor, I can put in no particular anſwer. If you will give me time, I will ſhew you my reaſons, why I cannot do it, and this——

Here being interrupted, he ſaid,

By your favor, you ought not to interrupt me. How I came here I know not; there is no law for it to make your King your priſoner. I was in a treaty upon the public faith of the kingdom, which was the known——two houſes of houſes of parliament, which was the repreſentative of the kingdom; and when I had almoſt made an end of the treaty, then I was hurried away, and brought hither: and therefore---

BRADSHAW. Sir, you muſt know the pleaſure of the court.

KING. By your favor, ſir.

BRADSHAW. Nay, ſir, by your favor, you may not be permited to fall into thoſe diſcourſes; you appear as a delinquent; you have not acknowledged the authority of the court; the court craves it not of you: but once more they command you to give your poſitive anſwer——clerk, do your duty.

KING. Duty, ſir!

Clerk reads:

"Charles Stuart, King of England, you are accuſed, in behalf of the commons of England, of diverſe high crimes and treaſons; which charge has been read unto you. The court now requires you to give your poſitive and final anſwer, by way of confeſſion, or denial of the charge."

KING. Sir, I ſay again to you, ſo that I might give ſatisfaction to the people of England of the clearneſs of my proceeding, not by way of anſwer, nor in this way, but to ſatisfy them, that I have done nothing againſt that truſt which has been commited to me, I would do it: but to acknowledge a new court, againſt their privileges, to alter the fundamental laws of the kingdom, ſir, you muſt excuſe me.

BRADSHAW. Sir, this is the third time you have publicly diſowned this court, and put an affront upon it. How far you have preſerved the privileges of the people, your actions have ſpoke it: but truly, ſir, mens intentions ought to be known by their actions; you have writen your meaning in bloody characters throughout the whole kingdom. But, ſir, you underſtand the pleaſure of the court.——Clerk, record the default.——And gentlemen, you who took charge of the priſoner, take him back again.

KING. I will only ſay this one word more to you: if it were only my own particular, I would not ſay any more, nor interrupt you.

BRADSHAW. Sir, you have heard the pleaſure of the court, and you are (notwithſtanding you will not underſtand it) to find, that you are before a court of juſtice.

Then the King went forth with the guard; and proclamation was made, That all perſons who had then appeared, and had farther to do at the court, might depart into the Painted-chamber; to which place the court did forthwith adjourn,

and intended to meet at Weſtminſter-hall, by ten next morning.

CRYER. God bleſs the kingdom of England.

Mercurii, 24 Jan. 1648. Painted-chamber.

THREE proclamations made.

Commiſſioners preſent.

John Bradſhaw, Serjeant at Law, Lord-preſident.

Sir Tho. Maleverer, bar.	Henry Martin.	Iſaac Pennington, alder.
Thomas Scot.	Oliver Cromwell.	of London.
Edward Whaley.	Sir John Danvers.	Simon Meyne.
John Carew.	John Moor.	Adrian Scroope.
Edmond Harvey.	Richard Deane.	John Dixwell.
Owen Roe.	Vincent Potter.	Iſaac Ewers.
John Blackiſtone.	Thomas Horton.	John Alured.
William Pureſoy.	Cornelius Holland.	Peter Temple.
Henry Smith.	John Berkſtead, eſqrs.	Peregrine Pelham.
John Fry.	Tho. ld. Grey of Grooby.	Edmond Ludlow.
Francis Laſſels.	John Huſon.	John Hutchinſon.
Daniel Blagrave.	John Okey.	Thomas Pride.
Anthony Stapeley, eſqrs.	Gilbert Millington.	Wil. Heveningham, eſqrs.
Sir Gregory Norton, bar.	John Jones.	Sir Wil. Conſtable, knt.
William Cawley.	William Goffe, eſqrs.	Francis Allen, eſq;
Rob. Tichbourne, eſqrs.	Sir John Bourchier, knt.	

The court took into conſideration the manner how the witneſſes ſhoud be examined; and in regard the King had not pleaded to iſſue, and that this examination was "ex abundanti" only, for the farther ſatisfaction of themſelves:

Reſolved, That the witneſſes ſhall be examined to the charge againſt the King, in the Painted-chamber, before the court there.

Ordered, That mr. Millington and mr. Tho. Challoner do forthwith repair to John Brown, eſq; clerk of the houſe of peers, for ſuch papers as are in his cuſtody, which are conducible for the buſineſs and ſervice of this court; and the ſaid mr. Brown is required to ſend the ſaid papers hither accordingly.

Witneſſes produced and ſworn in court to give evidence to the charge againſt the King.

Henry Hartford.	John Vinſon.	Tho. Whittington.
Edward Roberts.	George Seely.	William Jones.
William Braynes.	Tho. Ives.	Humphrey Browne.
Robert Lacy.	James Croſby.	Arthur Young.
Robert Loades.	Tho. Rawlins.	David Evans.
Samuel Morgan.	Richard Blomfield.	Diogenes Edwards.
James Williams.	John Thomas.	Robert Williams.
Michael Potts.	Samuel Lawſon.	John Bennet.
Giles Gryce.	John Pyneger.	Samuel Burdon.
William Arnop.	George Cornewall.	

Col. Horton, col. Deane, col. Okey, col. Huſon, col. Roe, col. Tichbourne, col. Whaley, col. Tomlinſon, col. Goffe, col. Ewers, col. Scroope, mr. Love, mr. Scot, mr. Tho. Challoner, mr. Millington, and ſir John Danvers, or any three of them, are a commitee appointed to take the examination of the ſaid witneſſes now ſworn, whom the clerks are to attend for that purpoſe.

The court granted their ſummons for ſummoning farther witneſſes, and adjourned 'till the morrow at nine in the morning, to this place.

Jovis, 25 Jan. 1648. Painted-chamber.

Commiſſioners preſent.

John Bradſhaw, Serjeant at Law, Lord-preſident.

Richard Deane.	Thomas Scot.	John Brown.
Sir Hardreſs Waller.	William Cawley.	Iſaac Ewers.
John Moor.	Gilbert Millington.	Robert Tichbourne.
Peregrine Pelham.	Thomas Challoner.	Auguſtine Garland.
John Huſon.	John Carew, eſqrs.	Francis Laſſels.
John Berkſtead.	Sir John Bourchier, knt.	John Dixwell, eſqrs.
Edward Whaley.	Sir Tho. Maleverer, bar.	Sir Michael Liveſey, bar,
John Okey.	Francis Allen.	John Venn.
Edmond Harvey.	Tho. Harriſon.	Edmond Wild, eſqrs.
Adrian Scroope.	John Jones.	With diverſe others.
Henry Smith, eſqrs.	John Alured, eſqrs.	

Here the court ſat private.

The court ordered, That the marſhal-gen. of this army, or his deputy, do bring forthwith mr. Holder, priſoner at Whitehall, to the end that he may teſtify his knowledge of all ſuch matters as ſhall be propounded to him concerning the charge againſt the King.

Ordered, That the dean's houſe, in Weſtminſter-abbey, be provided and furniſhed for the lodging of the lord-preſident and his ſervants, guards and attendants; and a commitee appointed to take care hereof accordingly.

Mr. Henry Gouge and mr. William Cuthbert, witneſſes produced to the charge againſt the King, were ſworn and examined.

The witneſſes ſworn in open court, and after examined by the commitee appointed for that purpoſe, the twenty-fourth inſtant, were now in open court called, and their reſpective depoſitions read to them: who did avow their ſaid ſeveral depoſitions, and affirm what was ſo read unto them reſpectively was true, upon the oaths they had taken.

The court being informed, that major Fox, being of the guard attending the lord-preſident, is arreſted, and commited to the keeper of Ludgate;

Ordered, That the ſaid keeper do forthwith bring the ſaid major before this court, and attend this court in perſon himſelf.

Mr. Holder being brought before this court, according to the order of this day, and his oath tendered unto him, to give evidence to ſuch matters as ſhould be propounded to him concerning the charge againſt the King; the ſaid mr. Holder deſired to be ſpared from giving evidence againſt the King.

Whereupon, the commiſſioners, finding him already a priſoner, and perceiving that the queſtions intended to be aſked him tended to accuſe himſelf, thought fit to wave his examination, and remanded him (and accordingly did ſo) to the priſon from whence he was brought.

The depoſitions, taken "ut ſupra", are as follow, viz.

Jan. 25, 1648.

William Cuthbert, of Patrington, in * Holderneſs, gent. aged forty-two years, or thereabouts, ſworn and examined, ſays, That he, this deponent, living at Hull-bridge, near Beverley, in July, 1642, did then hear, that forces were raiſed, about three thouſand foot, for the King's guard, under ſir Robert Strickland.

* Holderneſs is in the county of York.

And this deponent farther ſays, That about the ſecond of July, 1642, he ſaw a troop of horſe come to Beverley, being the Lord's Day, about four or five in the after-noon, called the Prince's troop; mr. James Nelthrop being then major of the ſaid town.

And this deponent farther ſays, That he did ſee that afternoon the ſaid troop march from Beverley aforeſaid into Holderneſs, where they received ammunition brought them up by the river Humber.

And this deponent farther ſays, That the ſame night, being Sunday, there came about three hundred foot-ſoldiers (ſaid to be ſir Robert Strickland's regiment) under the command of lieutenant-col. Duncombe, and called the King's guard, unto this deponent's houſe, called Hull-bridge, near Beverley, about mid-night, and broke open, entered and poſſeſſed themſelves of the ſaid houſe; and that the earl of Newport, the earl of Carnarvan, and diverſe others, came that night thither to the ſaid forces: and that the ſame night (as this deponent was then informed) ſir Tho. Gower, then high-ſheriff of the ſaid county came thither, and left there a warrant for ſtaying all proviſions from going to Hull, to ſir John Hotham; which ſaid warrant was then delivered to this deponent, being conſtable, by lieut. col. Duncombe.

And this deponent farther ſays, That he was, by the ſaid forces, put out of his houſe, and did with his family go to Beverley; and that after that, viz. the Thurſday following, to this deponent's beſt remembrance, he did ſee the King come to Beverley, to lady Gee's houſe there; where he, this deponent, did often ſee the King, with Prince Charles and the duke of York: and that the trained bands were then raiſed in Holderneſs; who were raiſed (as was generally reported) by the King's command.

And this deponent farther ſays, That the night after the ſaid forces had, as aforeſaid, poſſeſſed themſelves of this deponent's houſe, col. Legard's houſe was plundered by them, being upon a Monday; which aforeſaid entry of this deponent's houſe, was the firſt * act of hoſtility commited in thoſe parts.

* Sir John Hotham's keeping Hull as a gariſon againſt the King, which was before this, was, it ſeems, no act of hoſtility, in this perjured villain's account. Nalſon.

And this deponent farther ſays, That after the ſaid ſir Robert Strickland's ſaid company was gone from Hull-bridge, having continued there about ten days, there then came to the ſaid houſe col. Wivel, with about ſeven hundred foot-ſoldiers, who then took up his quarters at Hull-bridge aforeſaid. And this deponent farther ſays, That the warrant he now produces to this court is the ſame original warrant aforeſaid ſpoken of.

And

And this deponent farther ſays, that the general's name of the ſaid forces which were there, and raiſed as aforeſaid, was the earl of Lindſey; and that this deponent was brought before him, the ſaid general, in the name of the King's lord general, for holding intelligence with ſir John Hotham, then governor of Hull: and becauſe it was then informed to the ſaid general, that he, this deponent, had proviſions of corn to ſend over to Ireland, which he, this deponent, was forbid by the ſaid general to ſend to Ireland, or any place elſe, without his or the King's direction or warrant firſt had in that behalf.

The aforeſaid warrant, mentioned in the depoſition of the ſaid William Cuthbert, is as follows: viz.

"IT is his Majeſty's command, that you do not ſuffer any victuals or proviſion, of what ſort ſoever, to be carried into the town of Hull, without his Majeſty's ſpecial licenſe firſt obtained. And of this you are not to fail, at your peril."

Dated at Beverley, 3 Julii, 1642.

Tho. Gower, Vi. Co.

To all head-conſtables and conſtables in the Eaſt-riding of the county of York, and to all other his Majeſty's loyal ſubjects.

John Bennet, of Harwood, in the county of York, glover, ſworn and examined, ſays, That he being a ſoldier under the King's command, the firſt day the King's ſtandard was ſet up at Notingham, which was about the middle of ſummer laſt was ſix years, he, this examinant, did work at Notingham; and that he did ſee the King within the caſtle of Notingham, within two or three days after the ſaid ſtandard was ſo ſet up; and that the ſaid ſtandard did fly the ſame day the King was in the ſaid caſtle, as aforeſaid: and this deponent did hear, that the King was at Notingham the ſame day the ſaid ſtandard was firſt ſet up, and before.

And this deponent farther ſays; That he, this deponent, and the regiment of which he then was, had their colors then given them; and ſir William Penyman being colonel of the ſaid regiment, the ſaid ſir William Penyman was preſent with his ſaid regiment at that time.

And this deponent farther ſays, That there was then there the earl of Lindſey's regiment, who had then their colors given them, and that the ſaid earl of Lindſey was then alſo proclaimed there the King's general; and that it was proclaimed then there, likewiſe in the King's name, at the head of every regiment, that the ſaid forces ſhould fight againſt all who came to oppoſe the King, or any of his followers; and in particular againſt the earl of Eſſex, lord Brooke, and diverſe others: and that they, the ſaid earl of Eſſex, lord Brooke, and diverſe others, were then proclaimed traitors; and that the ſame proclamations were printed, and diſperſed by the officers of the regiments throughout every regiment.

And this deponent farther ſays; That the ſaid ſtandard was advanced upon the higheſt tower of Notingham-caſtle; and that he, this deponent, did ſee the King often in Notingham at the time when the ſaid forces continued at Notingham as aforeſaid, they continuing there for the ſpace of one month; and that the drums for raiſing volunteers, to fight under the King's command, were then beaten all the county over, and diverſe other forces were raiſed there.

And this deponent farther ſays, That he did take up arms under the King's command, as aforeſaid, for fear of being plundered; ſir William Penyman giving out, that it were a good deed to fire the ſaid town, becauſe they would not go forth in the King's ſervice: and that this deponent's father did thereupon command him, this deponent, to take up arms as aforeſaid, and that diverſe others (as they did confeſs) did then alſo take up arms for the King, for fear of being plundered.

And this deponent farther ſays, That in or about the month of October, 1642, he did ſee the King at Edge-hill in Warwickſhire; where he ſiting on horſeback, while his army was drawn up before him *, did ſpeak to the colonel of every regiment which paſſed by him, that he would have them ſpeak to their ſoldiers to incourage them to ſtand it, and to fight againſt the earl of Eſſex, lord Brooke, ſir William Waller, and ſir William Balfour.

* How is it poſſible this fellow could ſwear the King ſpoke this to every colonel, ſeeing it was as they paſſed by? and when his colonel was paſſed by, he could hear no more. Nalſon.

And this deponent ſays, That he did ſee many ſlain at the fight at Edge-hill, and that afterwards he did ſee a liſt brought in to Oxford, of the men who were ſlain in that fight; by which it was reported, that there were ſlain ſix thouſand five hundred and fifty nine men.

And this deponent farther ſays, afterwards, in or about the month of November, 1642, he did ſee the King at the head of his army, at Hounſlow-heath, in Middleſex, Prince Rupert then ſtanding by him. And he, this deponent, did then hear the King incourage ſeveral regiments of Welſhmen (then being in the field) which had run away at Edge-hill, ſaying to them, That he did hope they would regain their honour at Brentford, which they had loſt at Edge-hill.

WILLIAM BRAYNE, of Wixhall, in the county of Salop, gent. being ſworn and examined, depoſed, That about Auguſt, in the year 1642, this deponent ſaw the King at Notingham, while the ſtandard was ſet up, and the flag flying; and that he, this deponent, much about the ſame time, marched with the King's army from Notingham to Derby, the King himſelf being then in the army: and about September the ſaid year he, this deponent, was put upon his trial at Shrewſbury, as a ſpy, before ſir Robert Heath, and other commiſſioners of Oyer and Terminer, the King then being in perſon in Shrewſbury.

HENRY HERTFORD, of Stratford upon Avon, in Warwickſhire, ſworn and examined, depoſed, That about corn-harveſt, in the year 1642, this deponent ſaw the King in Notingham-caſtle, while the ſtandard was ſet upon one of the towers of the ſaid caſtle, and the flag flying.

And he farther ſays and depoſes, That he, this deponent, ſaw the King the ſame year, about the month of November, in Brentford town, on horſeback, with a great many commanders about him, on a Sunday morning, when on the Saturday night before there were a great many of the parliament's forces ſlain by the King's forces in the ſaid town.

ROBERT LACY, of the town and county of Notingham, painter, ſworn and examined, depoſed, That he, this deponent, in ſummer-time in the year 1642, by order from lord Beaumont, did paint the ſtandard-pole which was ſet up on the top of the old tower of Notingham-caſtle. And he farther ſays, That he ſaw the King in the town of Notingham diverſe times while the ſtandard was up there, and the flag flying; and the King did lie at the houſe of lord Clare, in Notingham town, and that he, this deponent, did then and there ſee the King many times.

EDWARD ROBERTS, of Biſhops-caſtle in the county of Salop, ironmonger, ſworn and examined, ſays and depoſes, That he, this deponent, ſaw the King in Notingham town while the ſtandard was ſet upon the high tower in Notingham-caſtle.

And he farther ſays, That he ſaw the King at the head of the army at Shrewſbury, upon the march towards Edge-hill, and that he likewiſe ſaw the King in the rear of his army in Keynton-field; and likewiſe ſaw the King upon the Sunday morning at Brentford, after the fight upon the Saturday next before, in the ſaid town.

ROBERT LOADES, of Cottam in Notinghamſhire, tiler, ſworn and examined, ſays, That he, this deponent, about October, in 1642, ſaw the King in the rear of his army in Keynton-field upon a Sunday, where he ſaw many ſlain on both ſides.

And he farther ſays, That he ſaw the King in Cornwall in his army, near the houſe of lord Mohun, about Leſtwithiel, about corn-harveſt, 1644.

SAMUEL MORGAN, of Wellington, in the county of Salop, felt-maker, ſworn and examined, depoſes, That he, this deponent, upon a Sunday morning, in Keynton-field, ſaw the King upon the top of Edge-hill in the head of the army, ſome two hours before the fight, which happened after Michaelmas, on a Sunday, 1642. And he, this deponent, ſaw many men killed on both ſides in the ſame time and place.

And he farther ſays, That, in the year 1644, he, this deponent, ſaw the King in his army near Cropredy-bridge, where he ſaw the King light off his horſe, and draw up the body of his army in perſon himſelf.

JAMES WILLIAMS, of Roſs in Herefordſhire, ſhoemaker, ſworn and examined, depoſes, That he, this deponent, about October, 1642, ſaw the King in Keynton-field, below the hill in the field with his ſword drawn in his hand; at which time and place there was a great fight, and many killed on both ſides.

And he farther depoſes, That he ſaw the King at Brentford, on a Sunday in the forenoon, in November the year aboveſaid, while the King's army was in the ſaid town, and round about it.

JOHN

JOHN PYNEGER, of the pariſh of Hainer in the county of Derby, yeoman, aged thirty-ſeven years, or thereabouts, ſworn and examined, ſays, That about Auguſt, 1642, he, this deponent, ſaw the King's ſtandard flying upon one of the towers of Notingham-caſtle; and that upon the ſame day he ſaw the King in Thurland-houſe, being the earl of Clare's houſe in Notingham, in the company of Prince Rupert, ſir John Digby, and other perſons, both noblemen and others; and that the King had, at the ſame time in the ſame town, a train of artillery, and the ſaid town was then full of the King's ſoldiers.

SAMUEL LAWSON, of Notingham, malſter, aged thirty years, or thereabouts, ſworn and examined ſays, That about Auguſt, 1642, he, this deponent, ſaw the King's ſtandard brought forth of Notingham-caſtle, borne upon diverſe gentlemens ſhoulders, who (as the report was) were noblemen; and he ſaw the ſame by them carried to the hill cloſe adjoining tothe caſtle, with a herald before it, and there the ſaid ſtandard was erected with great ſhoutings, acclamations, and ſound of drums and trumpets; and that when the ſaid ſtandard was ſo erected, there was a proclamation made; and that he, this deponent, ſaw the King preſent at the erecting thereof. And this deponent farther ſays, That the ſaid town was then full of the King's ſoldiers, of which ſome quartered in this deponent's houſe; and that when the King with his ſaid forces went from the ſaid town, the inhabitants of the ſaid town were forced to pay a great ſum of money to the King's army, being threatened that, in caſe they ſhould refuſe to pay it, the ſaid town ſhould be plundered.

ARTHUR YOUNG, citizen and barber-ſurgeon of London, being aged twenty-nine years, or thereabouts, ſworn and examined, ſays, That he, this deponent, was preſent at the fight at Edge-hill, between the King's army and the parliament's, in October, 1642, and he did then ſee the King's ſtandard advanced, and flying in his army in the ſaid fight. And that he, this deponent, did then take the King's ſaid ſtandard in that battle from the King's forces, which was afterwards taken from him by one Middleton, who was afterwards made a colonel.

THOMAS WHITTINGTON, of the town and county of Notingham, ſhoemaker, aged twenty-two years, ſworn and examined, ſays, That he, this deponent, ſaw the King in the town of Notingham the ſame day when his ſtandard was firſt ſet up in Notingham-caſtle, being about the begining of Auguſt, 1642, and that the King then went from his lodgings at Thurland-houſe towards the ſaid caſtle; and that he, this deponent, ſaw him ſeveral times, about that time, in Notingham, there being diverſe ſoldiers at that time in the ſaid town, who were called by the name of the King's ſoldiers.

And this deponent farther ſays, That he ſaw the King's ſtandard flying upon the old tower in the ſaid caſtle.

JOHN THOMAS, of Llangollen, in the county of Denbigh, huſbandman, aged twenty-five years, or thereabouts, ſworn and examined, ſays, That he ſaw the King at Brentford, in the county of Middleſex, on a Saturday-night at twelve o'clock, ſoon after Edge-hill fight, attended with horſe and foot ſoldiers, the King being then on horſeback, with his ſword by his ſide; and this deponent then heard the King ſay to the ſaid ſoldiers, as he was riding thro' the ſaid town, Gentlemen, you loſt your honor at Edge-hill, I hope you will regain it again here; or words to that effect.

And this deponent farther ſays, That there were ſome ſkirmiſhes between the King's and the parliament's army, at the ſame time, both before and after the King ſpake the ſaid words; and that many men were ſlain on both ſides.

RICHARD BLOMFIELD, citizen and weaver of London, aged thirty-five years, or thereabouts, ſworn and examined, ſays, That at the defeat of the earl of Eſſex's army, in Cornwall, he, this deponent, was there, it being at the latter end of the month of Auguſt, or begining of September 1644, at which time he, this deponent, ſaw the King at the head of his army, near Foy, on horſeback: and farther ſays, That he did then ſee diverſe of the earl of Eſſex's ſoldiers plundered, contrary to articles then lately made, near the perſon of the King.

WILLIAM JONES, of Uske in the county of Monmouth, huſbandman, aged twenty-two years, or thereabouts, ſworn and examined, ſays, That he, this deponent, did ſee the King within two miles of Naſeby-field, the King then coming fromwards Harborough, marching in the head of his army, towards Naſeby-field where the fight was; and that he, this deponent, did then ſee the King ride up to the regiment which was col. St. George's, and there the deponent did hear the King aſk the regiment; Whether they were willing to fight for him? To which the ſoldiers made an acclamation, crying, All, All.

And this deponent farther ſays, That he ſaw the King in Leiceſter, with his forces, the ſame day the King's forces had taken it from the parliament's forces.

And this deponent farther ſays, That he ſaw the King in his army which beſieged Gloceſter, at the time of the ſaid ſiege.

HUMPHREY BROWNE, of Whitſondine in the county of Rutland, huſbandman, aged twenty-two years or thereabouts, ſworn and examined, ſays, That at ſuch time as the town of Leiceſter was taken by the King's forces, being in or about June, 1645, Newark-fort in Leiceſter aforeſaid was ſurrendered to the King's forces, upon compoſition, that neither clothes nor money ſhould be taken away from any of the ſoldiers of that fort, which had ſo ſurrendered, nor any violence offered to them; and that as ſoon as the ſaid fort was upon ſuch compoſition ſo ſurrendered as aforeſaid, the King's ſoldiers, contrary to the articles, fell upon the ſoldiers of the ſaid fort, did ſtrip, cut and wound many of them: whereupon one of the King's officers rebuking ſome of thoſe who did ſo abuſe the ſaid parliament's ſoldiers, this deponent did then hear the King reply, "I do not care if they cut them three times more, for "they are mine enemies," or words to that effect: and that the King was then on horſeback, in bright armor, in the ſaid town of Leiceſter.

DAVID EVANS, of Abergenny in the county of Monmouth, ſmith, aged about twenty-three years, ſworn and examined, ſays, That about half an hour before the fight at Naſeby, about midſummer in June, 1645, he ſaw the King marching up to the battle in the head of his army, being about half a mile from the place where the ſaid battle was fought.

DIOGENES EDWARDS, of Carſton in the county of Salop, butcher, aged twenty-one, or thereabouts, ſworn and examined, ſays, That in June, 1645, he, this deponent, ſaw the King in the head of his army, an hour and a half before the fight in Naſeby-field, marching up to the battle, being then a mile and a half from the ſaid field: and this deponent ſays, That he did afterwards, the ſame day, ſee many ſlain at the ſaid battle.

GYLES GRYCE, of Wellington in Shropſhire, gent. ſworn and examined, depoſes, That he, this deponent, ſaw the King in the head of his army at Cropredy-bridge, with his ſword drawn in his hand that day, when the fight was againſt ſir William Waller, on a Friday, as this deponent remembers, in the year 1644, about the month of July. And he farther ſays,

That he ſaw the King in the ſame ſummer, in Cornwall, at the head of his army, about Leſtwithiel, at ſuch time as the earl of Eſſex was there with his army. And he farther ſays,

That he alſo ſaw the King at the head of his army at the ſecond fight near Newbury. And farther ſays,

That he ſaw the King in the front of the army in Naſeby-field, having back and breaſt on. And he farther ſays,

That he ſaw the King in the head of the army, at what time the town of Leiceſter was ſtormed, and ſaw the King ride into Leiceſter, after the town was taken; and he ſaw a great many men killed on both ſides at Leiceſter, and many houſes plundered.

JOHN VINSON, of Damorham in the county of Wilts, gent. ſworn and examined, ſays, That he did ſee the King at the firſt Newbury-fight, about the month of September, 1643, at the the head of his army, where this deponent did ſee many ſlain on both ſides. This deponent alſo ſays,

That he did ſee the King at the ſecond battle at Newbury, about the month of November, 1644, where the King was at the head of his army in complete armor, with his ſword drawn; and this deponent did then ſee the King lead up col. Tho. Howard's regiment of horſe, and did hear him make a ſpeech to the ſoldiers, in the head of that regiment, to this effect, viz. "That the ſaid regiment ſhould ſtand to him that day, for "that his crown lay upon the point of the ſword; and if he "loſt that day, he loſt his honor and his crown for ever." And that this deponent did ſee many ſlain on both ſides at that battle. This deponent farther ſays,

That he did ſee the King in the battle at Naſeby-field, in Northampton-ſhire, on or about the month of June, 1645, where the King was then completely armed with back, breaſt and helmet, and had his ſword drawn, where the King himſelf, after his party was routed, did rally up the horſe, and cauſed them

ſhem to ſtand; and at that time this deponent did ſee many ain on both ſides.

GEORGE SEELEY of London, cordwainer, ſworn and examined, ſays, That he did ſee the King at the head of a brigade of horſe, at the ſiege of Gloceſter, and did alſo ſee the King at the firſt fight at Newbury, about the month of September, 1643, where the King was at the head of a regiment of horſe; and that there were many ſlain at that fight on both ſides. This deponent alſo ſays,

That he did ſee the King at the ſecond fight at Newbury, which was about November, 1644, where the King was in the middle of his army.

JOHN MOORE, of the city of Cork in Ireland, gent. ſworn and examined, ſays, That at the laſt fight at Newbury, about the month of November, 1644, he, this deponent, did ſee the King in the middle of the horſe, with his ſword drawn; and that he did ſee abundance of men at that fight ſlain upon the ground, on both ſides. This deponent alſo ſays,

That he did ſee the King ride into Leiceſter, before a party of horſe, the ſame day Leiceſter was taken by the King's forces, which was about the month of June, 1645.

This deponent farther ſays, That he did ſee the King, before the fight at Leiceſter, at Cropredy-bridge, in the midſt of a regiment of horſe; and that he did ſee many ſlain at the ſame time, when the King was in the fight at Cropredy-bridge.

And laſtly, this deponent ſays, That he did ſee the King at the head of a regiment of horſe at Naſeby-fight, about the month of June, 1645, where he did ſee abundance of men cut, ſhot, and ſlain.

THOMAS IVES, of Boyſet in the county of Northampton, huſbandman, ſworn and examined, ſays, That he did ſee the King in his army at the firſt fight in Newbury in Berkſhire, in the month of September, 1643, and that he did ſee many ſlain at that fight; he, this deponent, and others, with a party of horſe, being commanded to face the parliament's forces, while the foot did fetch off the dead.

He alſo ſays, That he did ſee the King advance with his army to the fight at Naſeby-field, in Northamptonſhire, about June, 1645, and that he did again at that fight ſee the King come off with a party of horſe after his army was routed in the field; and that there were many men ſlain on both parts, at that battle at Naſeby.

THOMAS RAWLINS, of Hanſlop in the county of Bucks, gent. ſworn and examined, ſays, That he did ſee the King near Foy, in Cornwall, in or about the month of July, 1644, at the head of a party of horſe; and this deponent did ſee ſome ſoldiers plundered after the articles of agreement made between the King's army and the parliament's forces; which ſoldiers were ſo plundered by the King's party not far diſtant from the perſon of the King.

THOMAS READ, of Maidſtone in the county of Kent, gent. ſworn and examined, ſays, That preſently after the laying down of arms in Cornwall, between Leſtwithiel and Foy, in or about the latter end of the month of Auguſt, or the begining of September, 1644, he, this deponent, did ſee the King in the head of a guard of horſe.

JAMES CROSBY, of Dublin in Ireland, barber, ſworn and examined, ſays, That at the firſt fight at Newbury, about the time of barley-harveſt, 1643, he, this deponent, did ſee the King riding from Newbury-town, accompanied with diverſe lords and gentlemen, towards the place where his forces were then fighting with the parliament's army.

SAMUEL BURDON, of Lyneham in the county of Wilts, gent. ſworn and examined, ſays, That he, this deponent, was at Notingham in or about the month of Auguſt, 1642, at which time he ſaw a flag flying upon the tower of Notingham-caſtle; and that the next day afterwards he did ſee the King at Notingham, when the ſaid flag was ſtill flying; which flag this deponent then heard was the King's ſtandard.

He alſo ſays, That he did afterwards ſee the King at Cropredy-bridge in the head of his army, in a fallow-field there; and did ſee the King in purſuit of ſir William Waller's army, being then routed, which was about the month of July, 1644, and at that time this deponent did ſee many people ſlain upon the ground.

And farther this deponent ſays, That in or about the month of November, 1644, he did ſee the King at the laſt fight at Newbury, riding up and down the field, from regiment to regiment, while his army was there fighting with the parliament's forces; and this deponent did ſee many men ſlain at that battle, on both ſides.

MICHAEL POTTS, of Sharpereton in the county of Northumberland, vintner, ſworn and examined, depoſes, That he, this deponent, ſaw the King at the head of his army in the fields about a mile and a half from Newbury-town, upon the heath, the day before the fight was, it being about harveſt-tide, in the year 1643.

And he farther ſays, That he ſaw the King on the day after, when the fight was, ſtanding near a great piece of ordnance in the field.

And he farther ſays, That he ſaw the King in the ſecond Newbury-fight, at the head of his army, being after or about Michaelmas, 1644.

And he farther ſays, That he ſaw a great many men ſlain at both the ſaid battles.

And he farther ſays, That he ſaw the King at the head of his army near Cropredy-bridge, in the year 1644.

And he farther ſays, That he ſaw the King at the head of his army in Cornwall, near Leſtwithiel, while the earl of Eſſex lay there with his forces, about the middle of harveſt, 1644.

GEORGE CORNEWALL, of Aſton in the county of Hereford, ferry-man, aged fifty years, or thereabouts, ſworn and examined, ſays, That he, this deponent, did ſee the King near Cropredy-bridge, about the time of mowing of corn, 1644, in the van of the army there, and that he drew up his army upon a hill, and faced the parliament's army; and that there was thereupon a ſkirmiſh between the King's and the parliament's armies, where he, this deponent, ſaw diverſe perſons ſlain on both ſides.

"The examination of HENRY GOOCHE, of Gray's-Inn, "in the county of Middleſex, gent. ſworn and examined."

This deponent ſays, That on or about the thirtieth day of September laſt, he, this deponent, was in the Iſle of Wight, and had acceſs unto and diſcourſe with the King, by the means of the lord marquis of Hertford and commiſſary Morgan: where this deponent told the King, That his Majeſty had many friends; and that ſince his Majeſty was pleaſed to juſtify the parliament's firſt taking up arms, the moſt of the Preſbyterian party, both ſoldiers and others, would ſtick cloſe to him. To which the King anſwered thus; That he would have all his old friends know, that tho' for the preſent he was contented to give the parliament leave to call their own war what they pleaſed, yet that he neither did at that time, nor ever ſhould decline the juſtice of his own cauſe.

And this deponent told the King, That his buſineſs was much retarded, and that neither col. Thomas, nor any other, could proceed to action, thro' want of commiſſion.

The King anſwered, That he, being upon a treaty, would not diſhonor himſelf; but that if he, this deponent, would take the pains to go over to the Prince, his ſon (who had full authority from him) he the ſaid deponent, or any for him, ſhould receive whatſoever commiſſions ſhould be deſired; and to that purpoſe he would appoint the marquis of Hertford to write to his ſon in his name: and was pleaſed to expreſs much joy and affection, that his good ſubjects would ingage themſelves for his reſtauration.

ROBERT WILLIAMS, of the pariſh of St. Martins in the county of Cornwall, huſbandman, aged twenty three years, or thereabouts, ſworn and examined, ſays, That he, this deponent, did ſee the King marching in the head of his army about September, 1644, a mile from Leſtwithiel in Cornwall, in armor, with a ſhort coat over it unbuttoned.

And this deponent farther ſays, That he ſaw him after that, in St. Auſtell-downs, drawing up his army.

And this deponent ſays, He did after that ſee the King at the head of his army near Foy, and that the earl of Eſſex and his army did then lie within one mile and a half of the King's army.

The witneſſes being examined as aforeſaid, the court adjourned for an hour.

25 Jan. 1648. poſt Merid.

Commiſſioners preſent.

John Bradſhaw, Serjeant at Law, Lord-preſident.

Daniel Blagrave.	Oliver Cromwell,	John Jones.
John Okey.	William Goffe.	Valentine Wauton, eſqrs.
Henry Martin.	Richard Deane.	Sir Gregory Norton, bar.
John Carew.	Cornelius Holland.	Sir Tho. Maleverer, bar.
Thomas Horton, eſqrs.	Thomas Harriſon.	Adrian Scroope.
Sir Michael Liveſey, bar.	Robert Lilbourn.	Henry Smith.
Owen Roe, eſqrs.	John Downs.	Anthony Stapeley.
Sir John Bourchier, knt.	Edmond Ludlow.	John Huſon.
Thomas Scot.	Peregrine Pelham, eſqrs.	Sir Will. Conſtable, bar.
John Moor, eſqrs.	Sir Henry Mildmay, knt.	John Berkſtead, eſq;

Sir John Danvers, knt.	John Fry.	Humphrey Edwards.
Edm. Whaley.	John Blackiſtone, eſqrs.	Peter Temple.
Thomas Waite.	Sir Hardreſs Waller, knt.	Vincent Potter.
William Purefoy.	John Venn.	William Cawley.
Tho. Pride, eſqrs.	Rob. Tichbourne, eſqrs.	Iſaac Ewers, eſqrs.

RICHARD PRICE, of London, ſcrivener, was produced a witneſs to the charge againſt the King; who, being ſworn and examined, ſaid,

That, upon occaſion of ſome tampering by the King's agents with the Independents, in and about London, to draw them from the parliament's cauſe to the King's party; and this being diſcovered by ſome of thoſe ſo tampered with to ſundry members of the commitee of ſafety, who directed a carrying on of a ſeeming compliance with the King; he, this deponent, did travel to Oxford in January, 1643, having a ſafe-conduct under the King's hand and ſeal, which he, this deponent, knows to be ſo; for that the King did own it, when he was told that this deponent was the man who came to Oxon with that ſafe-conduct.

And this deponent alſo ſays, that after ſundry meetings between him and the earl of Briſtol, about drawing the Independents to the King's cauſe againſt the parliament, the ſubſtance of the diſcourſe at which meetings (the ſaid earl told this deponent) was communicated to the King; he, this deponent, was by the ſaid earl brought to the King to confer farther about that buſineſs; where the King declared, that he was very ſenſible that the Independents had been the moſt active men in the kingdom for the parliament againſt him: and thereupon perſuaded this deponent to uſe all means to expedite their turning to him and his cauſe. And for their better incouragement, the King promiſed, on the word of a King, That if they, the Independents, would turn to him, and be active for him againſt the parliament, as they had been active for them againſt him, then he would grant them whatſoever freedom they would deſire. And the King did then refer this deponent to the earl of Briſtol, for the farther proſecuting of the ſaid buſineſs.

And the ſaid earl thereupon (this deponent being withdrawn from the King) did declare to this deponent, and willed him to impart the ſame to the Independents for their better incouragement; That the King's affairs proſpered well in Ireland; that the Iriſh ſubjects had given the rebels (meaning the parliament's forces) a great defeat; that the King had ſent lord Byron with a ſmall party towards Cheſhire, and that he was greatly multiplied, and had a conſiderable army, and was then before Namptwich, and would be ſtrengthened with more ſoldiers out of Ireland, which were coming and expected daily. And when this deponent was to depart from Oxford, four ſafe-conducts with blanks in them, for the inſerting of what names this deponent pleaſed, were delivered to him, under the King's hand and ſeal. And one Ogle was ſent out of Oxon with this deponent, to treat about delivering up Ailſbury to the King, it being then a gariſon for the parliament, and at the ſame time Oxford was a gariſon for the King.

Several papers and letters of the King's, under his own hand, and of his own writing, and other papers were produced, and read in open court.

Mr. Thomas Challoner alſo reported ſeveral papers and letters of the King's writing, and under the King's own hand.

After which the court ſat private.

The court, taking into conſideration the whole matter in charge againſt the King, paſſed theſe votes following, as preparatory to the ſentence againſt the King; but ordered that they ſhould not be binding finally to conclude the court, viz.

Reſolved, upon the whole matter, That this court will proceed to ſentence of condemnation againſt Charles Stuart, King of England.

Reſolved, &c. That the condemnation of the King ſhall be for a Tyrant, Traitor, and Murderer.

That the condemnation of the King ſhall be likewiſe for being a public enemy to the common-wealth of England.

That this condemnation ſhall extend to death.

Memorandum, The laſt mentioned commiſſioners were preſent at theſe votes.

The court being then moved concerning the depoſition and deprivation of the King before, and in order to that part of his ſentence which concerned his execution, thought fit to defer the conſideration thereof to ſome other time; and ordered the draught of a ſentence, grounded upon the ſaid votes, to be accordingly prepared by mr. Scot, mr. Martin, col. Harriſon, mr. Liſle, mr. Say, commiſſary-general Ireton and mr. Love, or any three of them, with a blank for the manner of his death.

Ordered, that the members of this court, who are in or about London, and are not now preſent, be ſummoned to attend the ſervice of this court to-morrow at one in the after-noon: for whom ſummons were iſſued forth accordingly.

The court adjourned 'till the morrow at one in the after-noon.

Veneris, 26 Jan. 1648. poſt Merid. Painted-chamber.

THREE proclamations. The court called.

Commiſſioners preſent.

John Bradſhaw, Serjeant at Law, Lord-preſident.

Oliver Cromwell,	Owen Roe.	Thomas Wogan, eſq;
Henry Ireton.	Adrian Scroope.	Sir Gregory Norton, knt.
Sir Hardreſs Waller.	John Dixwell.	John Dove.
Valentine Wauton.	Simon Meyne.	John Venn.
Thomas Harriſon.	Peter Temple.	William Cawley.
Edward Whaley.	Thomas Waite.	Anthony Stapeley.
Thomas Pride.	Cornelius Holland.	John Downs.
Iſaac Ewers, eſqrs.	Thomas Scot.	Thomas Horton.
Tho. ld. Grey of Grooby.	Francis Allen.	Thomas Hammond.
Sir John Danvers, knt.	Richard Deane.	John Liſle.
Sir Henry Mildmay, knt.	John Okey.	Nicholas Love.
William Heveningham.	John Huſon.	Auguſtine Garland.
Henry Martin.	John Carew.	George Fleetwood.
William Purefoy.	John Jones.	James Temple.
John Blackiſtone.	Miles Corbet.	Daniel Blagrave.
Gilbert Millington, eſqrs.	William Goffe.	John Brown.
Sir Will. Conſtable, bar.	Peregrine Pelham.	Henry Smith.
Edmond Ludlow.	John Moor, eſqrs.	John Berkſtead, eſqrs.
John Hutchinſon, eſqrs.	William lord Monſon.	Sir Tho. Maleverer, bar.
Sir Michael Liveſey, bar.	Humph. Edwards, eſqrs.	Vincent Potter, eſq;
Robert Tichbourne, eſq;		

Sixty-two commiſſioners preſent.

Here the court ſat private.

The draught of a ſentence againſt the King, according to the votes of the twenty-fifth inſtant, was prepared; and after ſeveral readings, debates and amendments, by the court thereupon,

Reſolved, &c. That this court do agree to the ſentence now read.

That the ſaid ſentence ſhall be ingroſſed.

That the King be brought to Weſtminſter, to-morrow, to receive his ſentence.

The court adjourned 'till the morrow, at ten in the morning, to this place; the court giving notice, That they then intended to adjourn from thence to Weſtminſter-hall.

Sabbati, 27 Jan. 1648. Painted-chamber.

THREE proclamations being made, the court was thereupon called.

Commiſſioners preſent.

John Bradſhaw, Serjeant at Law, Lord-preſident.

Oliver Cromwell.	Robert Tichbourne.	Henry Smith.
Henry Ireton, eſqrs.	Owen Roe.	Humphrey Edwards.
Sir Hardreſs Waller.	Robert Lilbourn.	Gregory Clement.
Valentine Wauton.	Adrian Scroope.	Thomas Wogan, eſqrs.
Thomas Harriſon.	Richard Deane.	Sir Gregory Norton, bar.
Edward Whaley.	John Okey.	Edmond Harvey.
Thomas Pride.	Auguſtine Garland.	John Venn.
Iſaac Ewers, eſqrs.	George Fleetwood.	Thomas Scot, eſqrs.
Tho. ld. Grey of Grooby.	James Temple.	Thomas Andrews, alder.
Sir John Danvers.	Daniel Blagrave.	of London.
Sir Tho. Maleverer, bar.	John Brown.	William Cawley.
Sir John Bourchier, knt.	John Huſon.	Anthony Stapeley.
William Heveningham.	William Goffe.	John Downs.
Henry Martin.	Cornelius Holland.	Thomas Horton.
William Purefoy.	John Carew.	Thomas Hammond.
John Berkſtead.	John Jones.	John Liſle,
Matthew Tomlinſon.	Miles Corbet.	Nicholas Love.
John Blackiſtone.	Francis Allen.	Vincent Potter.
Gilbert Millington, eſqrs.	Peregrine Pelham.	John Dixwell.
Sir Will. Conſtable, bar.	Thomas Challoner.	Simon Meyne.
Edmond Ludlow.	John Moor.	Peter Temple.
John Hutchinſon, eſqrs.	William Say.	Thomas Waite, eſqrs.
Sir Michael Liveſey, bar.	John Alured, eſqrs.	

The ſentence agreed on, and ordered by this court, the twenty-ſixth inſtant, to be ingroſſed, being accordingly ingroſſed, was read.

Reſolved, that the ſentence now read, ſhall be the ſentence of this court for condemnation of the King, which ſhall be read and publiſhed in Weſtminſter-hall this day.

The court hereupon conſidered of certain inſtructions for the lord-

lord-preſident, to manage the buſineſs of this day in Weſtminſter-hall; and ordered,

That the lord-preſident do manage what diſcourſe ſhall happen between him and the King, according to his diſcretion, with the adviſe of his two aſſiſtants: and that in caſe the King ſhall ſtill perſiſt in excepting againſt the court's juriſdiction, to let him know, that the court do ſtill affirm their juriſdiction.

That, in caſe the King ſhall ſubmit to the juriſdiction of the court, and pray a copy of the charge, that then the cour do withdraw and adviſe.

That, in caſe the King ſhall move any thing elſe worth the court's conſideration, the lord-preſident, upon adviſe of his ſaid aſſiſtants, do give order for the court's withdrawing to adviſe.

That, in caſe the King ſhall not ſubmit to anſwer, and there happen no ſuch cauſe of withdrawing, that then the lord-preſident do command the ſentence to be read; but that the lord-preſident ſhould hear the King ſay what he would, before the ſentence, and not after.

And thereupon it being farther moved, Whether the lord-preſident ſhould uſe any diſcourſe or ſpeeches to the King, as, in the caſe of other priſoners to be condemned, was uſual before publiſhing the ſentence, he received general directions to do therein as he ſhould ſee cauſe, and to preſs what he ſhould conceive moſt ſeaſonable and ſuitable to the occaſion. And it was farther directed, That, after reading the ſentence, the lord-preſident ſhould declare, That the ſame was the ſentence, judgment and reſolution of the whole court, and that the commiſſioners ſhould thereupon ſignify their conſent by ſtanding up.

The court forthwith adjourned to Weſtminſter-hall.

Weſtminſter-hall, 27 Jan. 1648. poſt Merid.

The lord-preſident and others of the commiſſioners came together from the Painted-chamber to Weſtminſter-hall, according to their adjournment, and took their ſeats there, as formerly; and, three proclamations being made for attendance and ſilence, the court was called.

Commiſſioners preſent.

John Bradſhaw, Serjeant at Law, Lord-preſident.

John Liſle.	Richard Deane.	Gregory Clement.
William Say.	John Okey.	Tho. Wogan, eſqrs.
Oliver Cromwell.	John Huſon.	Sir Gregory Norton, bar.
Henry Ireton, eſqrs.	William Goffe.	Edmond Harvey.
Sir Hardreſs Waller, knt.	Cornelius Holland.	John Venn.
Sir John Bourchier, knt.	John Carew.	Thomas Scot.
Will. Heveningham, eſq;	John Jones.	Thomas Andrews, alder. of London.
Iſaac Pennington, alder. of London.	Miles Corbet.	
	Francis Allen.	William Cawley.
Henry Martin.	Peregrine Pelham.	Anthony Stapeley.
William Purefoy.	Daniel Blagrave.	John Downs.
John Berkſtead.	Valentine Wauton.	Thomas Horton.
Matthew Tomlinſon.	Tho. Harriſon.	Thomas Hammond.
John Blackiſtone.	Edward Whaley.	Nicholas Love.
Gilbert Millington, eſqrs.	Thomas Pride.	Vincent Potter.
Sir Will. Conſtable, bar.	Iſaac Ewers, eſqrs.	Auguſtine Garland.
Edmond Ludlow.	Tho. ld Grey of Grooby.	John Dixwell.
John Hutchinſon, eſqrs.	Sir John Danvers.	George Fleetwood.
Sir Michael Liveſey, bar.	Sir Tho. Maleverer, bar.	Simon Meyne.
Robert Tichbourne.	John Moor.	James Temple.
Owen Roe.	John Alured.	Peter Temple.
Robert Lilbourn.	Henry Smith.	Thomas Waite, eſqrs.
Adrian Scroope, eſqrs.	Humph. Edwards, eſqrs.	

Sixty ſeven Commiſſioners preſent.

The priſoner brought to the bar, and proclamation again (as formerly) made for ſilence; and the captain of the guard ordered to take into his cuſtody all ſuch as ſhould diſturb the court.

The preſident ſtood up with intention of addreſs to the people, and not to the priſoner, who had ſo often declined the juriſdiction of the court; which the priſoner obſerving, moved he might be heard before judgment given: whereof he received aſſurance from the court, and that he ſhould be heard after he had heard them firſt.

Whereupon the court proceeded, and remembered the great aſſembly, then preſent, of what had formerly paſſed betwixt the court and the priſoner; the charge againſt him in the name of the people of England exhibited to them, being a court conſtituted by the ſupreme authority of England; his refuſal three ſeveral days and times to own them as a court, or to anſwer to the matter of his charge; his thrice recorded contumacy, and other his contempts and defaults in the precedent courts. Upon which the court then declared, That they might not be wanting to themſelves, or to the truſt repoſed in them; and that no man's wilfulneſs ought to ſerve him to prevent juſtice; and that they had therefore thought fit to take the ſubſtance of what had paſſed into their ſerious conſideration, to wit, the charge and the priſoner's contumacy, and the confeſſion which in the law doth ariſe upon that contumacy, the notoriety of the fact charged and other the circumſtances material in the cauſe: and upon the whole matter, had reſolved and agreed upon a ſentence then ready to be pronounced againſt the priſoner. But that, in regard of his deſire to be farther heard, they were ready to hear him as to any thing material, which he would offer to their conſideration before the ſentence given, relating to the defenſe of himſelf, concerning the matter charged; and did then ſignify ſo much to the priſoner: who made uſe of that leave given only to proteſt his reſpects to the peace of the kingdom, and liberty of the ſubject, and to ſay, That the ſame made him at laſt to deſire that, having ſomewhat to ſay which concerned both, he might before the ſentence given be heard in the Painted-chamber before the lords and commons; ſaying, It was fit to be heard, if it were reaſon which he ſhould offer, whereof they were judges. And preſſing that point much, he was forthwith anſwered by the court and told,

That, what he moved was a declining of the juriſdiction of the court, whereof he had caution frequently given him.

That it tended to farther delay, of which he had been too much guilty.

That the court being founded (as often had been ſaid) upon the authority of the commons of England, in whom reſted the ſupreme juriſdiction, the motion tended to ſet up another, or a co-ordinate juriſdiction, in derogation of the power whereby the court ſat, and to the manifeſt delay of their juſtice; in which regard, he was told, they might forthwith proceed to ſentence. Yet, for his farther ſatisfaction of the intire pleaſure and judgment of the court upon what he had then ſaid, he was told, and accordingly it was declared, That the court would withdraw half an hour.

The priſoner by command being withdrawn, the court make their receſs into the room called the Court of Wards, conſidered of the priſoner's motion, and gave the preſident direction to declare their diſſent thereto, and to proceed to the ſentence.

The court being again ſet, and the priſoner returned, was, according to their direction, informed, That he had in effect received his anſwer before the court withdrew; and that their judgment was (as to his motion) the ſame to him before declared; that the court acted, and were judges, appointed by the higheſt authority; and that judges were not to delay, no more than to deny juſtice: that they were good words in the great old charter of England, "Nulli negabimus, nulli vende-"mus, nulli differemus Juſtitiam vel Rectum:" that their duty called upon them to avoid farther delays, and to proceed to judgment; which was their unanimous reſolution.

To which the priſoner replied, and inſiſted upon his former deſires, confeſſing a delay; but that it was important for the peace of the kingdom: and therefore preſſed again with much earneſtneſs to be heard before the lords and commons.

In anſwer whereto, he was told by the court; That they had before fully conſidered of his propoſal, and muſt give him the ſame anſwer to his renewed deſires; and that they were ready to proceed to ſentence, if he had nothing more to ſay.

Whereunto he ſubjoined, he had no more to ſay; but deſired that what he had ſaid might be entered.

Hereupon, after ſome diſcourſe uſed by the preſident, for vindicating the parliament's juſtice, explaining the nature of the crimes of which the priſoner ſtood charged, and for which he was to be condemned; and by way of exhortation to the priſoner to a ſerious repentance for his high tranſgreſſions againſt God and the people, and to prepare for his eternal condition.

The ſentence formerly agreed upon, and put down in parchment-writing, O Yes being firſt made for ſilence, was, by the court's command, ſolemnly pronounced and given. The tenor whereof here follows:

"WHEREAS the commons of England, aſſembled "in parliament, have, by their late act, intitled, "An "Act of the Commons of England, aſſembled in Parliament, "for erecting a High-court of Juſtice for the trying and judg-"ing of Charles Stuart, King of England," authoriſed and con-"ſtituted us a High-court of Juſtice for the trying and judg-"ing of the ſaid Charles Stuart for the crimes and treaſons in "the ſaid act mentioned. By virtue whereof, the ſaid Charles "Stuart

" Stuart has been three ſeveral times convented before this " High-court; where the firſt day, being Saturday the " twentieth of January inſtant, in purſuance of the ſaid act, a " charge of high-treaſon, and other high crimes, was, in be- " half of the people of England, exhibited againſt him, and " read openly unto him; wherein he was charged, That he, " the ſaid Charles Stuart, being admited King of England, and " therein truſted with a limited power to govern by and ac- " cording to the law of the land, and not otherwiſe; and, by " his truſt, oath and office, being obliged to uſe the power " commited to him, for the good and benefit of the people, " and for the preſervation of their rights and liberties; yet ne- " vertheleſs, out of a wicked deſign to erect and uphold in him- " ſelf unlimited and tyrannical power to rule according to his " will, and to overthrow the rights and liberties of the people, " and to take away and make void the foundations thereof, and " of all redreſs and remedy of miſgovernment, which, by the " fundamental conſtitutions of this kingdom, were reſerved, on " the peoples behalf, in the right and power of frequent and " ſucceſſive parliaments, or national meetings in council, he, the " ſaid Charles Stuart, for accompliſhment of ſuch his deſigns, " and for the protecting of himſelf and his adherents in his and " their wicked practiſes, to the ſame end, has traitorouſly and " maliciouſly levied war againſt the preſent parliament, and " people therein repreſented, as, with the circumſtances of time " and place, is in the ſaid charge more particularly ſet forth: " and that he has thereby cauſed and procured many thouſands " of the free people of this nation to be ſlain; and by diviſions, " parties and inſurrections within this land, by invaſions from " foreign parts, indeavored and procured by him, and by many " other evil ways and means, he, the ſaid Charles Stuart, has " not only maintained and carried on the ſaid war both by ſea " and land, but alſo has renewed, or cauſed to be renewed " the ſaid war againſt the parliament and good people of this " nation, in this preſent year 1648, in ſeveral counties and " places within this kingdom, in the charge ſpecified; and that " he has for that purpoſe given his commiſſion to his ſon the " Prince, and others, whereby, beſide multitudes of other " perſons, many ſuch as were, by the parliament, intruſted " and imployed for the ſafety of this nation being, by him " or his agents, corrupted, to the betraying of their truſt, " and revolting from the parliament, have had entertain- " ment and commiſſion for the continuing and renewing of " the war and hoſtility againſt the ſaid parliament and people. " And that, by the ſaid cruel and unnatural war ſo levied, " continued and renewed, much innocent blood of the free " people of this nation hath been ſpiled, many families undone, " the public treaſure waſted, trade obſtructed and miſerably " decayed, vaſt expenſe and damage to the nation incurred, " and many parts of the land ſpoiled, ſome of them even to " deſolation. And that he ſtill continues his commiſſion to " his ſaid ſon, and other rebels and revolters, both Engliſh and " foreigners, and to the earl of Ormond, and to the Iriſh " rebels and revolters aſſociated with him, from whom farther " invaſions upon this land are threatened by his procurement, " and on his behalf: and that all the ſaid wicked deſigns, " wars and evil practiſes, of him, the ſaid Charles Stuart, " were ſtill carried on for the advancement and upholding of " the perſonal intereſt of will, power and pretended preroga- " tive to himſelf and his family, againſt the public intereſt, " common right, liberty, juſtice and peace of the people of " this nation. And that he thereby has been, and is the occa- " ſioner, author and contriver of the ſaid unnatural, cruel and " bloody wars, and therein guilty of all the treaſons, murders, " rapines, burnings, ſpoils, deſolations, damage and miſchief " to this nation, acted and commited in the ſaid wars, or occa- " ſioned thereby. Whereupon the proceedings and judgment of " this court were prayed againſt him as a tyrant, traitor, and " murderer, and public enemy to the common-wealth, as by " the ſaid charge more fully appears. To which charge, " being read unto him as aforeſaid, he, the ſaid Charles " Stuart, was required to give his anſwer: but he refuſed ſo " to do. And upon Monday, the twenty-ſecond day of " January inſtant, being again brought before this court, and " there required to anſwer directly to the ſaid charge, he ſtill " refuſed ſo to do: whereupon his default and contumacy were " entered. And the next day, being the third time brought " before the court, judgment was then prayed againſt him on " behalf of the people of England for his contumacy, and for " the matters contained againſt him in the ſaid charge, as " taking the ſame for confeſſed, in regard of his refuſing to " anſwer thereto. Yet notwithſtanding, this court (not willing " to take advantage of his contempt) did once more require " him to anſwer to the ſaid charge; but he again refuſed ſo to " do. Upon which his ſeveral defaults, this court might juſtly " have proceeded to judgment againſt him, both for his con- " tumacy and the matters of the charge, taking the ſame for " confeſſed, as aforeſaid.

" Yet nevertheleſs this court, for their own clearer infor- " mation, and farther ſatisfaction, have thought fit to " examine witneſſes upon oath, and take notice of other " evidences touching the matters contained in the ſaid charge, " which accordingly they have done.

" Now therefore, upon ſerious and mature deliberation of the " premiſes, and conſideration had of the notoriety of the mat- " ters of fact charged upon him, as aforeſaid, this court is, in " judgment and conſcience, ſatisfied that he, the ſaid Charles " Stuart, is guilty of levying war againſt the ſaid parliament " and people, and maintaining and continuing the ſame; for " which in the ſaid charge he ſtands accuſed, and by the ge- " neral courſe of his government, counſels, and practiſes, " before and ſince this parliament began (which have been and " are notorious and public, and the effects whereof remain " abundantly upon record) this court is fully ſatisfied in their " judgments and conſciences, that he has been and is guilty of " the wicked deſigns and indeavors in the ſaid charge ſet " forth; and that the ſaid war has been levied, maintained " and continued by him, as aforeſaid, in proſecution and for " accompliſhment of the ſaid deſigns: and that he has been " and is the occaſioner, author and continuer of the ſaid unna- " tural, cruel and bloody wars, and therein guilty of high- " treaſon, and of the murders, rapines, burnings, ſpoils, de- " ſolations, damages and miſchief to this nation, acted and " commited in the ſaid war, and occaſioned thereby. For all " which treaſons and crimes this court does adjudge, that he, " the ſaid Charles Stuart, as a tyrant, traitor, murderer, and " public enemy to the good people of this nation, ſhall be put " to death, by the ſevering his head from his body."

This ſentence being read, the preſident ſaid thus; viz.

" The ſentence now read and publiſhed is the act, ſentence, " judgment and reſolution of the whole court."

Whereupon the whole court ſtood up, and owned it.

The priſoner being withdrawn, the court adjourned forth- with into the Painted-chamber.

The court being ſat in the Painted-chamber, according to adjournment from Weſtminſter-hall, aforeſaid:

Painted-chamber.

Commiſſioners preſent.

John Bradſhaw, Serjeant at Law, Lord-preſident.

John Liſle.	John Blackiſtone, eſq;	Cornelius Holland.
William Say.	Sir Wil. Conſtable, bar.	John Carew.
Oliver Cromwell.	John Hutchinſon, eſq;	John Jones.
Henry Ireton, eſqrs.	Sir Michael Liveſey, bar.	Miles Corbet.
Sir Hardreſs Waller, knt.	John Dixwell.	Francis Allen.
Thomas Waite.	James Temple.	Peregr. Pelham.
Thomas Harriſon.	Thomas Andrews, alder.	Thomas Challoner.
Edward Whaley.	of London.	John Moor.
Thomas Pride.	Anthony Stapeley.	John Alured.
Iſaac Ewers, eſqrs.	Tho. Hammond.	Henry Smith.
Tho. ld. Grey of Grooby.	Peter Temple.	Humphrey Edwards.
Sir John Danvers, knt.	Edmond Ludlow.	Gregory Clement.
Sir Tho. Maleverer, bar.	Robert Tichbourne.	Thomas Wogan, eſqrs.
Sir John Bourchier, knt.	Nicholas Love.	Sir Gregory Norton, bar.
Will. Heveningham.	Owen Roe.	John Venn.
Iſaac Pennington, alder.	Robert Lilbourn.	Thomas Scot.
of London.	Adrian Scroope.	Edmond Harvey.
John Downs.	Richard Deane.	William Cawley.
Henry Martin.	John Okey.	Thomas Horton,
John Berkſtead.	Simon Meyne.	Auguſtine Garland.
Matthew Tomlinſon.	John Huſon.	Daniel Blagrave, eſqrs.
Gilbert Millington, eſqrs.	William Goffe, eſqrs.	

Sixty-four commiſſioners preſent.

Sir Hardreſs Waller, colonel Harriſon, commiſſary-general Ireton, colonel Deane, and colonel Okey, were appointed to conſider of the time and place for execution of the ſentence againſt the King.

And then the court adjourned 'till Monday-morning, at eight to this place.

[The more full account of this day's action, take as follows:

THE King being come in, in his wonted poſture, with his hat on, ſome of the ſoldiers began to call for Juſtice, Juſtice,

Juſtice, and Execution. But ſilence being commanded, his Majeſty began:

KING. I deſire a word to be heard a little, and I hope I ſhall give no occaſion of interruption.

BRADSHAW. You may anſwer in your time, hear the court firſt.

KING. If it pleaſe you, ſir, I deſire to he heard, and I ſhall not give any occaſion of interruption, and it is only in a word. A ſudden judgment———

BRADSHAW. Sir, you ſhall be heard in due time, but you are to hear the court firſt.

KING. Sir, I deſire, it will be in order to what I believe the court will ſay; and therefore, ſir, a haſty judgment is not ſo ſoon recalled.

BRADSHAW. Sir, you ſhall be heard before the judgment be given, and in the mean time you may forbear.

KING, Well, ſir; ſhall I be heard before the judgment be given?

BRADSHAW. Gentlemen, it is well known to all, or moſt of you here preſent, that the priſoner at the bar has been ſeveral times convened and brought before this court to make anſwer to a charge of treaſon, and other high crimes, exhibited againſt him in the name of the people of * England; to which charge being required to anſwer, he has been ſo far from obeying the commands of the court, by ſubmiting to their juſtice, as he began to take upon him to offer reaſoning and debate unto the authority of the court, and of the higheſt court which conſtituted them to try and judge him: but being over-ruled in that, and required to make his anſwer, he was ſtill pleaſed to continue contumacious, and to reſuſe ſubmiting to anſwer. Hereupon the court, that they might not be wanting to themſelves, to the truſt repoſed in them, nor that any man's wilfulneſs prevent juſtice, have thought fit to take the matter into their conſideration: they have conſidered of the charge, they have conſidered of the contumacy, and of that confeſſion which in law does ariſe upon that contumacy: they have likewiſe conſidered of the notoriety of the fact charged upon this priſoner, and upon the whole matter, they are reſolved, and are agreed upon a ſentence to be pronounced againſt this priſoner. But, in reſpect he does deſire to be heard, before the ſentence be read and pronounced, the court has reſolved that they will hear him. Yet, ſir, thus much I muſt tell you before-hand, which you have been minded of at other courts, that if what you have to ſay, be to offer any debate concerning our juriſdiction, you are not to be heard in it; you have offered it formerly, and you have ſtruck at the root, that is, the power and ſupreme authority of the commons of England, which this court will not admit a debate of; and which indeed is an irrational thing in them to do, being a court which acts upon authority derived from them. But, ſir, if you have any thing to ſay in defenſe of yourſelf concerning the matter charged, the court has given me in command to let you know, they will hear you.

* Here a lady interpoſed, ſaying, "Not half "the people;" but was ſilenced with threats.

KING. Since I ſee that you will not hear any thing of debate concerning that which, I confeſs, I thought moſt material for the peace of the kingdom, and for the liberty of the ſubject, I ſhall wave it; I ſhall ſpeak nothing to it; but only I muſt tell you, that this many a-day all things have been taken away from me, but that which I call more dear to me than my life, which is my conſcience and my honor: and if I had a reſpect to my life more than the peace of the kingdom, and the liberty of the ſubject, certainly I ſhould have made a particular defenſe for myſelf; for by that at leaſtwiſe I might have delayed an ugly ſentence, which I believe will paſs upon me. Therefore, certainly, ſir, as a man who has ſome underſtanding, ſome knowledge of the world, if that my true zeal to my country had not over-borne the care I have for my own preſervation, I ſhould have gone another way to work than that I have done. Now, ſir, I conceive, that a haſty ſentence once paſſed, may ſooner be repented of, than recalled; and truly, the ſelf-ſame deſire which I have for the peace of the kingdom, and the liberty of the ſubject, more than my own particular ends, makes me now at laſt deſire, that I have ſomething * to ſay which concerns both, before ſentence be given, that I may be heard in the Painted-chamber before the lords and commons. This delay cannot be prejudicial to you, whatſoever I ſay; if that I ſay no reaſon, thoſe who hear me muſt be judges; I cannot be judge of that which I have: if it be reaſon, and really for the welfare of the kingdom, and the liberty of the ſubject, I am ſure of it, it is very well worth the hearing: therefore I do conjure you, as you love what you pretend, I hope it is real, the liberty of the ſubject, the peace of the kingdom, that you will grant me this hearing before any ſentence be paſſed. I only deſire this, that you will take this into your conſideration; it may be you have not heard of it before-hand: if you will, I will retire, and you may think of it: but if I cannot get this liberty, I do proteſt, that theſe fair ſhews of liberty and peace are pure ſhews, and that you will not hear your King.

BRADSHAW. Sir, you have now ſpoken.

KING. Yes, ſir.

BRADSHAW. And this which you have ſaid is a farther declining of the juriſdiction of this court, which was the thing wherein you were limited before.

KING. Pray excuſe me, ſir, for my interruption, becauſe you miſtake me; it is not a declining of it, you do judge me before you hear me ſpeak: I ſay it will not, I do not decline it, tho' I cannot acknowledge the juriſdiction of the court; yet, ſir, in this give me leave to ſay, I would do it, tho' I did not acknowledge it: in this I do proteſt it is not the declining of it, ſince I ſay, if that I do ſay any thing, but that which is for the peace of the kingdom, and the liberty of the ſubject, then the ſhame is mine. Now I deſire that you will take this into your conſideration; if you will, I will withdraw.

BRADSHAW. Sir, this is not altogether new which you have moved to us, not altogether new to us, tho' the firſt time in perſon you have offered it to the court. Sir, you ſay you do not decline the juriſdiction of the court.

KING. Not in this which I have ſaid.

BRADSHAW. I underſtand you well, Sir, but nevertheleſs that which you have offered, ſeems to be contrary to that ſaying of yours; for the court are ready to give a ſentence. It is not as you ſay, That they will not hear their King; for they have been ready to hear you: they have patiently waited your pleaſure for three courts together, to hear what you would ſay to the peoples charge againſt you, to which you have not vouchſafed to give any anſwer at all. Sir, this tends to a farther delay: truly, ſir, ſuch delays as theſe, neither may the kingdom, nor juſtice well bear: you have had three ſeveral days to have offered in this kind what you would have pleaſed. This court is founded upon that authority of the commons of England, in whom reſts the ſupreme juriſdiction; that which you now tender, is to have another juriſdiction, and a co-ordinate juriſdiction. I know very well you expreſs yourſelf, ſir, that notwithſtanding what you would offer to the lords and commons in the Painted-chamber, yet nevertheleſs you would proceed on here; I did hear you ſay ſo. But, ſir, that you would offer there, whatever it is, muſt needs be in delay of the juſtice here; ſo as if this court be reſolved, and prepared for the ſentence, this which you offer they are not bound to grant. But, ſir, according to that you ſeem to deſire, and becauſe you ſhall know the farther pleaſure of the court upon that which you have moved, the court will withdraw for a time.

[This he did, to prevent the diſturbance of their ſcene by one of their own members, col. John Downes, who could not ſtifle the reluctance of his conſcience, when he ſaw his Majeſty preſs ſo earneſtly for a ſhort hearing; but, declaring himſelf unſatisfied, forced them to yield to the King's requeſt. Nalſon.]

KING. Shall I withdraw?

BRADSHAW. Sir, you ſhall know the pleaſure of the court preſently.

The court withdraws, for half and hour, into the court of wards.

Serjeant at arms, the court gives command, that the priſoner be withdrawn; and they give order for his return again.

[Then withdrawing into the chamber of the court of wards, their buſineſs was not to conſider of his Majeſty's deſire, but to chide Downes, and with reproaches and threats to harden him to go thro' the remainder of their villany with them. Nalſon.]

Which done, they return: and being ſat, Bradſhaw commanded;

Serjeant at arms, ſend for your priſoner.

* Some have thought this was a propoſal of renouncing the crown in favor of his eldeſt ſon.

Who being come, Bradſhaw proceeded:

Sir, you were pleaſed to make a motion here to the court, to offer a deſire of yours, touching the propounding of ſomewhat to the lords and commons in the Painted-chamber, for the peace of the kingdom. Sir, you did, in effect, receive an anſwer before the court adjourned; truly, ſir, their withdrawing and adjournment was "pro formâ tantum;" for it did not ſeem to them, that there was any difficulty in the thing; they have conſidered of what you have moved, and have conſidered of their own authority, which is founded, as has been often ſaid, upon the ſupreme authority of the commons of England aſſembled in parliament: the court acts according to their commiſſion. Sir, the return I have to you from the court, is this: that they have been too much delayed by you already, and this which you now offer has occaſioned ſome little farther delay; and they are judges appointed by the higheſt authority; and judges are no more to delay, than they are to deny juſtice: they are good words in the great old charter of England; "Null negabimus, nulli vendemus, "nulli differemus Juſtitiam." There muſt be no delay; but the truth is, ſir, and ſo every man here obſerves it, that you have much delayed them in your contempt and default, for which they might long ſince have proceeded to judgment againſt you; and notwithſtanding what you have offered, they are reſolved to proceed to puniſhment, and to judgment, and that is their unanimous reſolution.

KING. Sir, I know it is in vain for me to diſpute; I am no Sceptic for to deny the power which you have; I know that you have power enough: ſir, I muſt confeſs, I think it would have been for the kingdom's peace, if you would have taken the pains to have ſhewn the lawfulneſs of your power; for this delay which I have deſired, I confeſs it is a delay, but it is a delay very important for the peace of the kingdom; for it is not my perſon which I look at alone, it is the kingdom's welfare, and the kingdom's peace; it is an old ſentence, That we ſhould think on long before we reſolve of great matters ſuddenly. Therefore, ſir, I do ſay again, that I do put at your doors all the inconveniency of a haſty ſentence. I confeſs I have been here now, I think, this week; this day eight days was the day I came here firſt, but a little delay of a day or two farther may give peace; whereas a haſty judgment may bring on that trouble and perpetual inconveniency to the kingdom, that the child which is unborn may repent it: and therefore again, out of the duty I owe to God, and to my country, I do deſire that I may be heard by the lords and commons in the Painted-chamber, or any other chamber which you will appoint me.

BRADSHAW. Sir, you have been already anſwered to what you even now moved, being the ſame you moved before ſince the reſolution and the judgment of the court in it: and the court now requires to know, whether you have any more to ſay for yourſelf than you have ſaid, before they proceed to ſentence.

KING. I ſay this, ſir, That if you hear me, if you will give me but this delay, I doubt not but I ſhall [give ſome ſatisfaction to you all here, and to my people after that; and therefore I do require you, as you will anſwer it at the dreadful day of judgment, that you will conſider it once again.

BRADSHAW. Sir, I have received direction from the court.

KING. Well, ſir.

BRADSHAW. If this muſt be re-inforced, or any thing of this nature, your anſwer muſt be the ſame; and they will proceed to ſentence, if you have nothing more to ſay.

KING. Sir, I have nothing more to ſay; but I ſhall deſire, that what I have ſaid may be entered.

BRADSHAW. The court then, ſir, has ſomething to ſay unto you; which, altho' I know it will be very unacceptable, yet notwithſtanding they are willing, and are reſolved to diſcharge their duty.

[Then Bradſhaw went on in a long harangue, indeavoring to juſtify their proceedings, miſapplying law and hiſtory, and raking up and wreſting whatſoever he thought fit for his purpoſe, alleging the examples of former treaſons and rebellions, both at home and abroad, as authentic proofs; and concluding, That the King was a tyrant, traitor, murderer, and public enemy to the common-wealth of England.

His Majeſty, having] with his wonted patience heard all theſe reproaches, anſwered, Nalſon.]

KING. I would deſire only one word before you give ſentence; and that is, That you would hear me concerning thoſe great imputations which you have laid to my charge.

BRADSHAW. Sir, you muſt give me now leave to go on; for I am not far from your ſentence, and your time is now paſſed.

KING. But I ſhall deſire you will hear me a few words to you: for truly, whatever ſentence you will put upon me in reſpect of thoſe heavy imputations which I ſee by your ſpeech you have put upon me; ſir, it is very true, that ———

BRADSHAW. Sir, I muſt put you in mind. Truly, ſir, I would not willingly, at this time eſpecially, interrupt you in any thing you have to ſay, which is proper for us to admit of; but, ſir, you have not owned us as a court, and you look upon us as a ſort of people met together; and we know what language we receive from your party.

KING. I know nothing of that.

BRADSHAW. You diſavow us as a court; and therefore for you to addreſs yourſelf to us, not to acknowledge us as a court to judge of what you ſay, it is not be permited. And the truth is, all along, from the firſt time you were pleaſed to diſavow and diſown us, the court needed not to have heard you one word: for, unleſs they be acknowledged a court, and ingaged, it is not proper for you to ſpeak. Sir, we have given you too much liberty already, and admited of too much delay; and we may not admit of any farther. Were it proper for us to do, we ſhould hear you freely, and we ſhould not have declined to have heard you, at large, what you could have ſaid or proved on your behalf, whether for totally excuſing, or for in part excuſing thoſe great and heinous charges which, in whole or in part, are laid upon you. But, ſir, I ſhall trouble you no longer; your ſins are of ſo large a dimenſion, that if you do but ſeriouſly think of them, they will drive you to a ſad conſideration, and they may improve in you a ſad and ſerious repentance. And the court do heartily wiſh that you may be ſo penitent for what you have done amiſs, that God may have mercy, at leaſt wiſe upon your better part: truly, ſir, for the other, it is our parts and duties to do that which the law preſcribes: we are here not "jus dare," but "jus dicere." We cannot be unmindful of what the ſcripture tells us, "For to acquit the "guilty is of equal abomination, as to condemn the inno-"cent:" we may not acquit the guilty. What ſentence the law affirms to a traitor, tyrant, a murderer, and a public enemy to the country, that ſentence you are now to hear read unto you; and that is the ſentence of the court.

Make an O yes, and command ſilence while the ſentence is read.

Which done, the clerk read the ſentence, drawn up in parchment:

"WHereas the commons of England in parliament had "appointed them a High-court of Juſtice, for the "trial of Charles Stuart, King of England, before whom he "had been three times convened; and at the firſt time a "charge of high-treaſon, and other crimes and miſdemeanors, "was read in the behalf of the kingdom of England, &c."

Here the charge was repeated.

Which charge being read unto him, as afore ſaid, he, the ſaid Charles Stuart, was required to give his anſwer; but he refuſed ſo to do: expreſſing the ſeveral paſſages of his refuſing, in the former proceedings.

"For all which treaſons and crimes, this court doth ad-"judge, That he, the ſaid Charles Stuart, as a tyrant, trai-"tor, murderer, and a public enemy, ſhall be put to death, "by the ſevering of his head from his body."

Which being read, Bradſhaw added;

The ſentence now read and publiſhed, is the act, ſentence judgment and reſolution of the whole court.

To which they all expreſſed their aſſent by ſtanding up, as was before agreed and ordered.

His Majeſty then ſaid, Will you hear me a word, ſir?

BRADSHAW. Sir, you are not to be heard after the ſentence.

KING. No, Sir?

BRADSHAW. No, ſir; by your favor, ſir. Guard, withdraw your priſoner.

KING. I may ſpeak after ſentence, by your favor, ſir: I may ſpeak after ſentence, ever.

By your favor, (Hold!) the ſentence, ſir———I ſay, ſir, I do———

I am not ſuffered to ſpeak. Expect what juſtice other people will have.

His Majeſty being taken away by the guard, as he paſſed down the ſtairs, the inſolent ſoldiers ſcoffed at him, caſting the ſmoke of their tobacco (a thing very diſtaſteful to him) in his face, and throwing their pipes in his way; and one more inſolent

inſolent than the reſt, ſpiting in his face, his Majeſty, according to his wonted heroic patience, took no more notice of ſo ſtrange and barbarous an indignity, than to wipe it off with his hankerchief.

As he paſſed along, hearing the rabble of ſoldiers crying out " Juſtice! Juſtice!" he ſaid, " Poor ſouls! for a piece " of money, they would do ſo for their commanders."

Being brought firſt to ſir Robert Cotton's, and thence to Whitehall, the ſoldiers continued their brutiſh carriage toward him, abuſing all who ſeemed to ſhew any reſpect, or any pity to him; not ſuffering him to reſt in his chamber, but thruſting in and ſmoking their tobacco, and diſturbing his privacy.

But thro' all theſe trials (unuſual to Princes) he paſſed with ſuch a calm and even temper, that he let fall nothing unbeſeeming his former majeſty and magnanimity.

In the evening a member of the army acquainted the commitee with his Majeſty's deſire, " That ſeeing they had paſſed " a ſentence of death upon him, and his time might be nigh, " he might ſee his children; and dr. Juxon, biſhop of Lon- " don, might be admited to aſſiſt him in his private devo- " tions, and receiving the ſacrament." Both which at length were granted.

And the next day, being Sunday, he was attended by the guard to St. James's; where thebiſhop preached before him upon theſe words, " In the day when God ſhall judge the ſe- " crets of all men by Jeſus Chriſt, according to my goſpel. Nalſon.]

Lunæ 29 Jan. 1648. Painted-chamber.

THREE proclamations made. The court was called.

Commiſſioners preſent.

John Bradſhaw, Serjeant at Law, Lord-preſident.

Oliver Cromwell.	Sir Will. Conſtable, bar.	Peregrine Pelham.
Henry Ireton, eſqrs.	Edmond Ludlow.	John Anlaby.
Sir Hardreſs Waller, knt.	John Hutchinſon, eſqrs.	William. Says
Valentine Wauton.	Sir Michael Liveſey, bar.	Henry Smith.
Thomas Harriſon.	James Temple.	Humphrey Edwards.
Edward Whaley.	John Dixwell.	John Venn.
Thomas Pride.	Peter Temple.	Thomas Scot.
Iſaac Ewers.	Rob. Tichbourne.	William Cawley.
Richard Ingoldſby, eſqrs.	Owen Roe.	Thomas Horton.
Tho. ld. Grey of Grooby.	Adrian Scroope.	John Liſle.
Sir John Bourchier, knt.	Richard Deane.	Nicholas Love.
Henry Martin.	John Okey.	Vincent Potter.
William Pureſoy.	John Huſon.	Auguſtine Garland.
John Berkſtead.	William Goffe.	Simon Meyne.
John Blackiſtone.	John Jones.	Daniel Blagrave, eſqrs.
Gilbert Millington, eſqrs.	Francis Allen, eſqrs.	

Forty-eight commiſſioners preſent.

Upon the report made from the commitee for conſidering the time and place of executing the judgment againſt the King, that the ſaid commitee have reſolved, that the open ſtreet before Whitehall is a fit place, and that the ſaid commitee conceive it fit, that the King be there executed the morrow, the King having already notice thereof: the court approved it, and ordered a warrant to be drawn for that purpoſe. Which ſaid warrant was accordingly drawn, agreed to, and ordered to be ingroſſed; which was done, and ſigned and ſealed accordingly, as follows; viz.

At the High-court of Juſtice for the trying and judging of Charles Stuart, King of England, Jan. 29, 1648.

" WHereas Charles Stuart, King of England, is and " ſtandeth convicted, attainted and condemned of " high-treaſon, and other high crimes; and ſentence upon " Saturday laſt was pronounced againſt him by this court, to " be put to death, by the ſevering of his head from his body, " of which ſentence, execution yet remaineth to be done. " Theſe are therefore to will and require you, to ſee the ſaid " ſentence executed, in the open ſtreet before Whitehall, upon " the morrow, being the thirtieth day of this inſtant month of " January, between the hours of ten in the morning, and five " in the after-noon of the ſame day, with full effect. And for " ſo doing, this ſhall be your ſufficient warrant. And theſe " are to require all officers, ſoldiers and others, the good " people of this nation of England, to be aſſiſting unto you " in this ſervice."

Given under our hands and ſeals.

To col. Francis Hacker, col. Hunks, and lieutenant-col. Phray, and to every of them.

Sealed and ſubſcribed by

John Bradſhaw.	Thomas Horton.	Henry Martin.
Tho. Grey.	John Jones.	Vincent Potter, eſqrs.
Oliver Cromwell.	John Moore, eſqrs.	Sir Will. Conſtable, bar.
Edward Whaley, eſqrs.	Sir Hardreſs Waller, knt.	Richard Ingoldſby.
Sir Michael Liveſey, bar.	Gilbert Millington.	William Cawley.
John Okey, eſq;	George Fleetwood.	John Berkſtead.
Sir John Danvers, knt.	John Alured.	Iſaac Ewers.
Sir John Bourchier, knt.	Robert Lilbourn.	John Dixwell.
Henry Ireton, eſq;	William Say.	Valentine Wauton, eſqrs.
Sir Tho. Maleverer, bar.	Anthony Stapeley.	Sir Gregory Norton, knt.
John Blackiſtone.	Richard Deane.	Thomas Challoner.
John Hutchinſon.	Robert Tichbourne.	Thomas Wogan.
William Goffe.	Humphrey Edwards.	John Venn.
Thomas Pride.	Daniel Blagrave.	Gregory Clement.
Peter Temple.	Owen Roe.	John Downs.
Thomas Harriſon.	William Pureſoy.	Thomas Waite.
John Huſon.	Adrian Scroope.	Thomas Scot.
Henry Smith.	James Temple.	John Carew.
Peregrine Pelham.	Aug. Garland.	Miles Corbet, eſqrs.
Simon Meyne, eſqrs.	Edmond Ludlow, eſqrs.	

Fifty-nine Commiſſioners preſent.

It was ordered, That the officers of the ordnance within the tower of London, or any other officer or officers of the ſtore within the ſaid tower, in whoſe hands or cuſtody is the bright execution-ax, for the executing malefactors, do forthwith deliver unto Edward Denby, eſq; ſerjeant at arms attending this court, or his deputy or deputies, the ſaid ax. And for their or either of their ſo doing, this ſhall be their warrant.

" To col. John White, or any other officer within the tower " of London, whom it concerns."

The court adjourned 'till to-morrow morning at nine.

Martis, 30 Jan. 1648. Painted-chamber.

Commiſſioners meet.

Ordered, That mr. Marſhall, mr. Nye, mr. Caryl, mr. Salway, and mr. Dell, be deſired to attend the King, to adminiſter to him thoſe ſpiritual helps as ſhould be ſuitable to his preſent condition. And lieutenant-colonel Goffe is deſired forthwith to repair unto them for that purpoſe.

Who did ſo; but after informed the court, That the King, being acquainted therewith, refuſed to confer with them; expreſſing, that he would not be troubled with them.

Ordered, That the ſcaffold upon which the King was to be executed, be covered with black.

The biſhop of London read divine ſervice before his Majeſty, and the twenty-ſeventh of St. Matthew, the hiſtory of our Saviour's paſſion, being appointed by the church for that day, he gave the biſhop thanks for his ſeaſonable choice of the leſſon; but the biſhop acquainting him, that it was the ſervice of the day, it comforted him exceedingly; then he proceeded to receive the holy ſacrament. His devotions being ended, he was brought from St. James's to Whitehall, by a regiment of foot, beſide his private guard of partizans; the biſhop of London on the one hand, and colonel Tomlinſon, who had the charge of him, on the other, bare-headed. The guards marching a ſlow pace, the King bid them go faſter, ſaying, that he now went before them to ſtrive for a heavenly crown. Being come to the end of the park, he went up the ſtairs leading to the long gallery in Whitehall, where formerly he uſed to lodge, and there finding an unexpected delay, the ſcaffold being not ready, he paſſed moſt of the time in prayer. About twelve (his Majeſty having eat a bit of bread, and drank a glaſs of claret) colonel Hacker, with other officers and ſoldiers, brought the King, with the biſhop and colonel Tomlinſon, thro' the banqueting-houſe, to the ſcaffold. A ſtrong guard of ſeveral regiments of horſe and foot were planted on all ſides, which hindered the near approach of the people, and the King from being heard, and therefore he chiefly directed his ſpeech to the biſhop and colonel Tomlinſon, as follows:

" I Shall be very little heard of any body elſe; I ſhall there- " fore ſpeak a word to you here. Indeed, I could hold my " peace very well, if I did not think, that holding my peace " would make ſome men think, that I did ſubmit to the guilt, " as well as the puniſhment: but I think it is my duty to God " and my country to clear myſelf, both as an honeſt man, a " good King, and a good chriſtian. I ſhall begin firſt with " my innocency; in troth, I think it not very needful to in- " ſiſt long upon this; for all the world knows, that I did never " begin a war with the two houſes of parliament; and I call " God to witneſs, to whom I muſt ſhortly make an account, " that I did never intend to incroach upon their privileges; " they began upon me. It is the militia they began upon; they

" they confeſſed the militia was mine, but they thought fit to " have it from me: and, to be ſhort, if any body will look " to the dates of commiſſions, of their commiſſions and mine, " and likewiſe to the declarations, he will ſee clearly that they " began theſe troubles, not I. So that as for the guilt of theſe " enormous crimes which are laid againſt me, I hope in God, " that God will clear me of. I will not, I am in charity, and " God forbid I ſhould lay it upon the two houſes of parlia- " ment, there is no neceſſity of either: I hope they are free " of this guilt; for I believe that ill inſtruments between them " and me, have been the cauſe of all this bloodſhed; ſo that " as I find myſelf clear of this, I hope, and pray God, that " they may too: Yet, for all this, God forbid I ſhould be ſo ill " a chriſtian, as not to ſay God's judgments are juſt upon me. " Many times he does pay juſtice by an unjuſt ſentence, that is " ordinary. I will only ſay this, that an unjuſt ſentence, which " I ſuffered to take effect, is puniſhed now by an unjuſt ſen- " tence upon me: So far I have ſaid to ſhew you, that I am " an innocent man.

" Now, to ſhew you that I am a good chriſtian, I hope " there is a good man [pointing to biſhop Juxon] that will " bear me witneſs, that I have forgiven all the world, and even " thoſe in particular, that have been the chief cauſes of my " death; who they are, God knows; I do not deſire to know: " I pray God forgive them. But this is not all, my charity " muſt go farther; I wiſh that they may repent. For, indeed, " they have committed a great ſin in that particular. I pray " God, with St. Stephen, that it be not laid to their charge; " nay, not only ſo, but that they may take the right way to " the peace of the kingdom; for my charity commands me " not only to forgive particular men, but to indeavor, to the " laſt gaſp, the peace of the kingdom. So, ſirs, I do wiſh, " with all my ſoul (I hope there are ſome here that will carry " it farther) and indeavor the peace of the kingdom. Now, " ſirs, I muſt ſhew you both how you are out of the way, " and will put you in the way. Firſt, you are out of the way, " for certainly all the ways you ever had yet, as I could find " by any thing, is in the way of conqueſt; certainly this is an " ill way; for conqueſt, ſirs, in my opinion, is never juſt, " except there be a good and juſt cauſe, either for matter of " wrong, or a juſt title; and then, if you go beyond the firſt " quarrel, that makes that unjuſt at the end which was juſt at " firſt; if there be only matter of conqueſt, then it is a great " robbery, as a pirate ſaid to Alexander, That he was a great " robber, he was but a petty robber. And ſo, ſirs, I think " the way you are in is much out of the way. Now, ſirs, to " put you in the way, believe it, you ſhall never go right, " nor God will never proſper you, until you give God his due, " the King his due (that is, my ſucceſſor) and the people their " due; I am as much for them as any of you. You muſt " give God his due, by regulating rightly his church (accord- " ing to the ſcripture) which is now out of order; to ſet you " in a way particularly now, I cannot; but only this, A na- " tional ſynod freely called, freely debated among themſelves, " muſt ſettle this, when every opinion is freely heard. For " the King [then turning to a gentleman that touched the ax, he ſaid, " Hurt not the ax, that may hurt me.] Indeed, I will " not—— the laws of the land will clearly inſtruct you for that; " therefore, becauſe it concerns my own particular, I ſhall " only give you a touch of it. For the people, truly I deſire " their liberty and freedom as much as any body whatſoever; " but I muſt tell you, that their liberty and freedom conſiſt in " having government, thoſe laws by which their lives and " their goods may be moſt their own. It is not their having " a ſhare in the government, that is nothing appertaining to " them: a ſubject, and a ſovereign, are clean different things; " and therefore until you do that, I mean, that you put the " people in that liberty, as I ſay, certainly they will never " enjoy themſelves.

" Sirs, it was for this that now I am come here; if I would " have given way to an arbitrary way, to have all laws changed " according to the power of the ſword, I needed not to have " come here; and therefore I tell you (and I pray God it be " not laid to your charge) that I am the martyr of the people. " In troth, ſirs, I ſhall not hold you much longer: I ſhall " only ſay this to you, That I could have deſired a little time " longer, becauſe I would have a little better digeſted this I " have ſaid, and therefore I hope you will excuſe me; I have " delivered my conſcience, I pray God you take thoſe courſes " that are the beſt for the good of the kingdom and your ſal- " vation.

BISHOP. Tho' your Majeſty's affections may be very well known, as to religion; yet it may be expected, that you ſhould ſay ſomething thereof to the world's ſatisfaction.

KING. " I thank you heartily, my lord, for I had almoſt " forgotten it. In troth, ſirs, my conſcience in religion, I " think, is very well known to all the world; and therefore I " declare before you all, that I die a chriſtian, according to " the profeſſion of the church of England, as I found it left me " by my father; and this honeſt man, I think, will witneſs it."

Then turning to the officers, he ſaid, " Sirs, excuſe me for " this ſame: I have a good cauſe, and I have a gracious God, " I will ſay no more."

Then to colonel Hacker he ſaid, " Take care that they do " not put me to pain: and, ſir, this and it pleaſe you"——

But a gentleman coming near the ax, the King ſaid, " Take " heed of the ax, pray take heed of the ax."

Then ſpeaking to the executioner, he ſaid, " I ſhall ſay but " very ſhort prayers, and when I thruſt out my hands"——

Then he called to the biſhop for his night-cap, and having put it on, he ſaid to the executioner, " Does my hair trouble " you?" who deſired him to put it all under his cap, which the King did accordingly, by the help of the executioner and the biſhop. Then turning to dr. Juxon, he ſaid, " I have a " good cauſe and a gracious God on my ſide."

BISHOP. There is but one ſtage more, this ſtage is but turbulent and troubleſome, it is a ſhort one; but you may conſider it will ſoon carry you from earth to heaven; and there you will find a great deal of cordial joy and comfort.

KING. " I go from a corruptible to an incorruptible crown, " where no diſturbance can be, no diſturbance in the world."

BISHOP. You are exchanged from a temporary to an eternal crown, a good exchange.

Then the King ſaid to the executioner, " Is my hair well?" And took off his cloak and his george, giving his george to the biſhop, ſaying, " Remember." Then he put off his doublet, and being in his waiſtcoat, he put on his cloak again; then looking upon the block, he ſaid to the executioner, " You muſt ſet " it faſt."

EXECUTIONER. It is faſt, ſir.

KING. " When I put out my hands this way (ſtretching them " out) then"——After that, having ſaid two or three words to himſelf, as he ſtood with his hands and eyes lift up, immediately ſtooping down, he laid his neck upon the block. And then the executioner again puting his hair under his cap, the King thinking he had been going to ſtrike, ſaid, " Stay for the ſign."

EXECUTIONER. Yes, I will, and it pleaſe your Majeſty. After a little pauſe, the King ſtretching forth his hands, the executioner, at one blow, ſevered his head from his body, and held it up and ſhewed it to the people, ſaying, " Behold the head of " a traitor." At the inſtant when the blow was given, there was a diſmal univerſal groan among the people; and as ſoon as the execution was over, one troop of horſe marched immediately from Charing-croſs to King-ſtreet, and another from King-ſtreet to Charing-croſs, on purpoſe to diſperſe and ſcatter the people. The corpſe was put into a coffin, and the biſhop and mr. Herbert went with it to the back-ſtairs to have it imbalmed; after imbalming, his head was ſewed on, and the corpſe was wrapt in lead, and the coffin covered with a velvet pall, and then removed to St. James's. Mr. Herbert then made application to ſuch as were in power, that it might be interred in Henry VII's chapel; but it was denied, for that his burying there would attract infinite numbers of all ſorts thither; which, as the times then were, was judged unſafe and inconvenient. Mr. Herbert acquainting the biſhop with this, they then reſolved to bury the King's body in the Royal-chapel of St. George, within the caſtle of Windſor, both in regard that his Majeſty was Sovereign of the moſt noble order of the garter, and that ſeveral Kings had been there interred; viz. King Henry VI, Edward IV, and Henry VIII; upon which conſideration, the commitee of parliament was addreſſed to the ſecond time, who, after ſome deliberation, gave orders, bearing date, February ſix, 1648, authoriſing mr. Herbert, and mr. Anthony Mildmay, to bury the King's body there. Accordingly the corpſe was carried thither from St. James's, February ſeven, in a hearſe covered with black velvet, drawn by ſix horſes covered with black cloth, and attended by about a dozen gentlemen.

The King's ſtatue was afterwards taken down from the Royal Exchange in London, where it was ſet up again by the city in the year 1682, to curry favor with King Charles II. when their charter was threatened.

F I N I S.

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